

Consumer Grievance Redressal Forum
Kerala State Electricity Board - Southern Region,
Vydyuthi Bhavanam, Kottarakkara

No: CGRF/KTR/OP.No.715/2012/1267

Date: 10 .5.2012.

From

Chairperson

To

The Assistant Executive Engineer,
Electrical Sub Division,
K.S.E Board,
Balaramapuram.

Sub: - Releasing of order of disposal of OP.No.715/2012.

Ref: - B.O (FB) No.585/2006 (LA.II/1173/2006) dated 25.2.2006.

Sir,

Enclosed the order of disposal of petition filed by Smt. N. Sislet Bai in O.P.No.715/12 for further action.

Yours faithfully,

CHAIRPERSON
DEPUTY CHIEF ENGINEER
CGRF (SOUTH)

Copy to:-

1. Smt.N. Sislet Bai, Lalitha Bhavan, Mudavoor Para, Vedi Vachan Kovil P.O., Thiruvananthapuram.
2. The Deputy Chief Engineer, Electrical Circle, Kattakkada.
3. The Executive Engineer, Electrical Division, Neyyattinkara.

Office: CGRF(S), Vydyuthi Bhavanam, Kottarakkara, Pin – 691 506
Web site: cgrf.kseb.in E- mail: cgrfctr@ksebnet.com, Phone: 0474 – 2451300

**CONSUMER GRIEVANCE REDRESSAL FORUM (SOUTH),
KOTTARAKKARA**

Present: 1. Sri.R.Suku, Chairperson, Deputy Chief Engineer
2. Smt. Beena Pious, Executive Engineer
3. Sri.N.Sasidharan Unnithan, Member

Wednesday the 2nd day of May 2012
OP No.715/2012

Between

Petitioner: Smt.N. Sislet Bai,
Lalitha Bhavan,
Mudavoor Para,
Vedi Vachan Kovil P.O.,
Thiruvananthapuram.

And

Respondent: The Assistant Executive Engineer,
Electrical Sub Division,
Balaramapuum.

Grievance of the Petitioner

This petitioner is a domestic consumer under Electrical Section, Balaramapuram, vide Consumer No.13718. In this petition, the petitioner is challenging the penal assessment demand of Rs.12,738/- as per invoice dtd.3/11/2011, following the assessment under Section 126 of the Act, for unauthorized use of electricity by using unauthorized additional load. The petitioner's premises was inspected by the Section Squad on 21/10/2011. Finding use of unauthorized additional load, for making furniture, in the consumer's premises, and thereby using electricity for the purpose for which it is not authorized, a mahassar was

prepared, followed by the impugned demand. The petitioner prays for cancellation of the demand.

Version of the Opposite Party

The opposite party filed a version defending the impugned bill on the ground of misuse of electricity. It is also stated that the petitioner duly remitted the amount demanded without any protest, and thereafter also filed an appeal before the Deputy Chief Engineer, the appellate authority Under Section 127 of the Act.

Discussion and Findings

Both the parties appeared for the hearing. The petitioner during hearing, tendered a statement to the effect that, he filed an appeal to the Deputy Chief Engineer (Appellate Authority) against the impugned demand, after remitting the appeal fee of Rs.255/- on 26/3/2012 and the appeal is still pending.

During hearing, the petitioner, stated that there was no inspection of the premises or assessment as required under law. On perusal of the documents available on the file and on hearing the parties, we also find that, there is serious procedural irregularities in the assessment. No site inspection was done by the concerned Assistant Engineer, no provisional assessment order was seen issued, no opportunity for filing objection was given to the petitioner, by proper communication and there was no final assessment order at all. Moreover, the Assistant Engineer, without resorting to any of the established procedures, simply issued a notice dtd.25/10/2011 demanding to remit the amount before 8/11/2011, failing which the supply would be disconnected. Such a notice itself is highly irregular, while making assessment under Section 126 of the Act. However, the petitioner is challenging the penal assessment bill issued, for unauthorized use of electricity Under Section

126 of the Act. It is also an admitted case that, the petitioner, against the impugned demand, filed an appeal before the Appellate authority/Deputy Chief Engineer, after remitting the appeal fee of Rs.255/- on 26/3/2012 and the same is pending.

ORDER

As the petitioner, sought appropriate remedy by filing the statutory appeal, before the Appellate authority, which is pending consideration, it is only just and proper to close this complaint before this forum. Accordingly the complaint is closed. The petitioner may pursue his appeal pending before the Appellate authority.

If the petitioner is not satisfied with the above order of this Forum, he/she is at liberty to prefer appeal before the Electricity Ombudsman within 30 days from the date of receipt of this order.

The address of the Electricity Ombudsman is furnished below.

State Electricity Ombudsman, Pallikkavil Buildings, Mamangalam-Anchumana Temple Road, Opp:Kochi Corporation Regional Office, Edappally, Kochi – 682 024, Ph: 0484 -2346488.

Sd/-
BEENA PIOUS
EXECUTIVE ENGINEER,
MEMBER

Sd/-
N.SASIDHARAN UNNITHAN
MEMBER

Sd/-
R.SUKU
CHAIRPERSON
DEPUTY CHIEF ENGINEER

Forwarded

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF (SOUTH), KOTTARAKKARA