

**CONSUMER GRIEVANCE REDRESSAL FORUM  
KERALA STATE ELECTRICITY BOARD LTD- SOUTHERN REGION  
VYDYUTHI BHAVANAM, KOTTARAKKARA**

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Present: 1. Smt.Laila.N.G, Deputy Chief Engineer, Chairperson  
2. Sri. Rajeev.N Executive Engineer, Member II  
3. Sri. M. Sabu, Advocate, Member III

Friday 30<sup>th</sup> June,2023

**OP No.06/2023**

Between

Petitioner: Sri. Joe James  
Ottathil House  
Pallickachira.P.O  
Paippad  
Kottayam (Dist.)

And

Respondents : (1) The Assistant Executive Engineer  
Electrical Sub Division, Thiruvalla.  
  
(2) The Assistant Engineer,  
Electrical Section,Thiruvalla.

**ORDER**

**1. Grievance of the petitioner**

The petitioner is a single phase domestic consumer under Electrical Section Thiruvalla bearing consumer No.1146174019949. The petitioner has received an excessive bill of Rs.28493/- on 09.09.2022. Petitioner's family is living abroad and comes to his residence at Thiruvalla only once in a year. As per his application the energy meter was tested but not in his presence. After testing the meter it was informed that the meter was working in good condition. He stated that he is not using air conditioner, Inverter etc in the house.

The petitioner tested the wiring installation with a certified electrician and found no earth leakage or any other irregularities. He lodged a complaint to the respondent but did not get any reply. He paid Rs.28490/- and disconnected the fuse of the house. After two weeks he received another bill of Rs.1500/- demanding the amount of surcharge for belated payment. So he prays the Forum to revise the amount of the excessive bill and the surcharge.

## **2. Version of the respondent**

The Single phase service connection bearing consumer No.1146174019949, effected from Electrical Section Thiruvalla, on 24.03.2010 under LT I A tariff, is having the connected load of 3426 watts. The service connection is registered in the name of the petitioner Sri. Joe James, Ottattil House, Pallickachira.P.O., The subject complaint is regarding the disputed regular current charge bill amount for the month of 09/2022, and the interest for belated payments therein.

As per available records at the electrical Section Office, Thiruvalla and the billing software, Orumanet the energy meter reading available at the premises of the petitioner on 09/05/2022 was recorded as 11475, giving rise to a bimonthly consumption of 256 units. The corresponding bill amount of Rs.1174/- was remitted by the petitioner on 18/05/2022 without any dispute. The energy meter reading was not available during the month of 07/2022 and a bill for average consumption of 98 units amounting to Rs.347/-was generated as per regulation 110 (11) of Kerala Electricity Supply Code ,2014. The said bill was issued to the petitioner on 12/07/2022 and the amount of the bill was fully remitted by the petitioner on 22/07/2022.

On 09/09/2022 the reading available on the energy meter was 14548 rendering a total consumption of 3073 units for the months from 05/2022 to 09/2022. The system generated door lock adjustment bills in line with regulation 110 (13) of Kerala Electricity Supply Code 2014 were, for 1537 units for the billing month of 07/2022 and 1536 units for 09/2022. A total amount of Rs.28480/- arrived at after deducting Rs.347/- already paid and the bill was issued to the petitioner. The petitioner disputed the door lock adjustment bills and submitted an application for testing the meter at TMR unit, KSEB Ltd Pallom as per enabling provisions of regulation 115 of Kerala Electricity Supply Code,2014. The test result of the meter indicated that the meter was in good working condition. The test result was received on 11.11.2022 which was communicated to the petitioner also from Electrical Section Thiruvalla.

The consumer,not satisfied with the test result of the meter,refused to pay the bill. The licensee again contacted the petitioner and intimated him about the pending payment . The consumer later remitted the bill amount on 19.12.2022. The system generated interest for belated payments as per the provisions of regulation 131 (2) of Kerala Electricity Supply Code,2014,

amounting to Rs.1292/- was due from the consumer owing to the belated payment of the bill. The bill amount Rs.28480/- issued in September 2022 has been paid on 19.12.2022 and the interest for belated payments was due on 09.01.2023 along with the consecutive bill after payment. The interest and regular current charge bill amount for 48 units, amounting to a total of Rs.1490/- was pending for payment by the petitioner. In the complaint, it is said that the consumer has been in UAE for ten years and comes home once in a year. An analysis of the meter reading history reveals that there is regular consumption at the premises even through only nominal consumption is recorded at times. The bills have been paid without any dispute. The tested meter is kept in the custody of Electrical Section Thiruvalla and the maximum demand recorded on the meter is :-

9 KW at 9.30 on 02.07.2022

2.02 KW at 8:00 pm on 30.08.2022

1.92 KW at 6:30 pm on 04.09.2022

The above data reveals that there was usage of electricity during these months. This respondent is ready to produce the meter for further testing if required.

The petitioner also stated that he made arrangements to check all their wiring installations and no leakage was found in the premises. Thereon the petitioner was informed that if there was any earth leakage through installations before the ELCB, it would be reflected in the energy meter reading. Hence the meter was sent for testing the accuracy and the working status of the meter was confirmed. Hence the respondent prays the Forum to consider the above facts and dismiss the petition.

### **3 Analysis and Findings**

The hearing was conducted on 30.03.2023. Both the petitioner and respondent were present and the Forum heard the matter in detail.

On going through the petition and other documents in the file the forum viewed that the case is with regard to a disputed current charge bill for the month of 09/2022, and interest for belated payment therein, issued to the petitioner. The petitioner contented that he is living abroad and comes to his residence under the area of Electrical Section, Thiruvalla once in a year. He got the electrical installations of his house tested with a certified electrician and found no earth leakage or any other problems. He is not satisfied with the test result of the energy meter testing conducted by the licensee.

The respondent stated that on 09/09/2022 the reading recorded on the energy meter was 14548 rendering a total consumption of 3073 units for the period from 05/2022 to 09/2022. The door lock adjustment bills generated vide regulation 110 (13) of Kerala Electricity Supply Code, 2014, was for 1537 units for the billing month of 07/2022 and 1536 units for 09/2022 amounting to the total of Rs.28480/- arrived at after deducting Rs.347/- already paid.

The Forum viewed that as per regulation 110 (13) of Kerala Electricity Supply Code, 2014, *The amount paid as per the provisional bill shall be adjusted against the bill raised on the basis of actual meter reading during subsequent billing cycles.* Also a system generated bill amounting to Rs.1490/- for belated payment was served to petitioner as per regulation 131 (2) of Kerala Electricity Supply Code 2014, which stipulates that *If the consumer fails to remit the bill amount on or before the due date, the licensee is entitled to recover interest on the amount of the bill at the rates specified in the Schedule of Miscellaneous Charges as per schedule 1 of the Code.*

The Forum found that the energy meter installed in the premises of the petitioner has been tested at the Meter Testing Laboratory of the licensee at TMR Division, Pallom. The report of testing at the Meter Testing Laboratory inferred that *the present error of the meter is found within the limits.* However the petitioner alleged that the testing was not conducted in his presence and he is not satisfied with the result of the testing.

Regarding the testing of energy meter at any consumer premises Kerala Electricity Supply Code, 2014, Regulation 115 envisages the detailed procedure, which is quoted below.

*Procedure for testing of meter.- (1) The meter shall normally be tested in the laboratory of the licensee, approved by the Commission.*

*(2) In case the licensee does not have a testing facility approved by the Commission, or if so desired by the consumer, the meter shall be tested at any other laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories (NABL).*

*(3) The list of the accredited laboratories and approved laboratories for testing of meters shall be made available on the website of the licensee.*

*(4) In the case of testing on the request of the consumer, he shall have to pay the testing fee as per the Schedule of Miscellaneous Charges given in schedule 1 of the Code:*

*Provided that if the meter is found to be recording incorrectly or defective or damaged due to technical reasons such as voltage fluctuation or transients, attributable to the licensee, the testing fee shall be refunded to the consumer by the licensee by adjustment in the subsequent bill.*

*(5) Before testing a meter of the consumer, the licensee shall give an advance notice of three days, intimating the date, time and place of testing so that the consumer or his authorised representative can, at his option, be present at the testing.*

*(6) The testing shall be done within a maximum period of thirty days from the receipt of the application.*

*(7) The consumer or his authorised representative and the representative of the licensee present during testing shall affix their signature on the test report issued by the authorised officer of the laboratory as a token of having witnessed the testing:*

*Provided that the licensee and the consumer shall be eligible to get a copy of the test report which shall be despatched to them within two working days of the date of testing, if not delivered in person at the time of affixing their signature.*

*(8) If a consumer disputes the result of testing at the laboratory of the licensee, the meter shall be got tested at a laboratory selected by the consumer from among the laboratories accredited by the National Accreditation Board for Testing and Calibration Laboratories (NABL).*

Hence based on the provisions of the above Regulation if the petitioner is not satisfied with the testing of the energy meter at the Meter Testing Laboratory, he is at liberty to apply for testing the accuracy of the energy meter again in a laboratory accredited by NABL.

### **Decision**

Considering the above facts and circumstances of the case the Forum ordered as follows:-

1. If the petitioner is not satisfied by the testing of the meter at the Meter Testing Laboratory of the licensee at TMR Division , Pallom, the petitioner shall apply for testing the accuracy of the meter at a laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL) within 15 days of receiving this order. The petitioner shall remit the fees required for the testing. If the meter is found to be defective pursuant to

the testing, the respondent shall revise the amount of the disputed bill as per the relevant regulations.

2. No order as to cost.

If the petitioner is not satisfied with the above order of this Forum, he 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.  
'The State Electricity Ombudsman, D.H & Foreshore Road Junction, Near Gandhi Square, Ernakulam, Kerala - 682 016. Phone: 0484 2346488'.

*Sd/-*  
M. SABU  
ADVOCATE  
MEMBER III

*Sd/-*  
RAJEEV.N  
EXECUTIVE ENGINEER  
MEMBER II

*Sd/-*  
LAILA.N.G  
DEPUTY CHIEF ENGINEER  
CHAIRPERSON

Forwarded

*Sd/-*  
CHAIRPERSON  
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.06/2023/116

Dated : 07/07/2023

Delivered to:

1. Sri. Joe James, Ottathil House, Pallickachira.P.O Paippad Kottayam (Dist.)
2. The Assistant Executive Engineer, Electrical Sub Division, Thiruvalla K.S.E. Board Ltd,
3. The Assistant Engineer, Electrical Section, Thiruvalla

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam, TVPM.
- 2.The Deputy Chief Engineer, Electrical Circle, Pathanamthitta
- 3.The Executive Engineer, Electrical Division, Thiruvalla.