

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

Present: 1. Smt.Laila.N.G, Deputy Chief Engineer, Chairperson
2. Sri.Sanjeev Koshi, Executive Engineer, Member II
3. Sri.C.K.Harikumar, Advocate, Member III

Monday 30th October,2023

OP No.33/2023

Between

Petitioner: The Manager ,
Indian Overseas Bank
Chemmakad, Kayalvarathu Building
Chemmakad, Kollam

And

Respondents : (1) The Assistant Executive Engineer
Electrical Sub Division, Kundara

(2) The Assistant Engineer
Electrical Section, Kundara

ORDER

1. Grievance of the petitioner

The petitioner is M/s. Indian overseas Bank bearing consumer No.1145814022721 under Electrical Section Kundara . The officials of the licensee issued a notice to the petitioner for remitting Rs.26,761/- for the period from August 2018 to February 2019 stating that the meter was in faulty status during the period. The petitioner prays the forum to waive the demand raised by the licensee.

2. Version of the respondent

Respondent stated that the above mentioned consumer No.1145814022721 is found in the name of Sri. Georgekutty, Kayalvarath Melethil, Chimmakkad. The meter was in faulty condition from 8/2018 onwards and same has been replaced on 25/03/2019.

The respondent stated that after replacement of the meter the recorded consumption is high and therefore as per Regulation 125 (2) of

Kerala Electricity supply Code 2014, revised the assessment for two billing cycle is issued.

3. Analysis and Findings

The hearing was conducted on 17/08/2023. Both the petitioner and respondent were present and heard the matter in detail. On going through the petition and persusal of the documents in the file, the Forum viewed that the petition pertains to short assessment bill of Rs.26,761/- issued by the licensee for compensating the financial loss allegedly occurred during the period in which energy meter in the premises had been defective

In the site mahazar it is under VI C tariff, having connected load of 3452 W and the premises had not changed so far.

The petitioner argued that the short assessment bill issued by the licensee is not sustainable because at that time the Air Conditioner in the premises was not functioning and the amount based on the previous average consumption already billed and remitted is sustainable.

In this instant case, after replacing the defective energy meter electricity consumption recorded in the premises showed considerable increase. From the details of billing, the audit wing of the licensee came to the conclusion that the average consumption assessed for billing during the period of faulty meter was insufficient and therefore the bills issued based on the said average consumption caused financial loss to the licensee. The version filed by the respondent evidences the fact that defective energy meter existed in the premises was replaced on 25.03.2019. During the period in which the meter was identified as defective, regular bimonthly bills were computed on the basis of the average consumption of the three billing cycles prior to the billing month in which the meter was observed as faulty. The procedure adopted for billing by the licensee for the said period was as per Regulation 125 of the Kerala Electricity Supply Code, 2014 which states that

125. Procedure for billing in the case of defective or damaged meter.- (1) In the case of defective or damaged meter, the consumer shall be billed on the basis of average consumption of the past three billing cycles immediately preceding the date of the meter being found or reported defective:

Provided that, the average shall be computed from the three billing cycles after the meter is replaced if required details pertaining to previous billing cycles are not available:

Provided further that any evidence given by consumer about conditions of working and occupancy of the concerned premises during the said period, which might have had a bearing on energy consumption, shall also be considered by the licensee for computing the average.

(2) Charges based on the average consumption as computed above shall be levied only for a maximum period of two billing cycles during which time the licensee shall replace the defective or damaged meter with a correct meter.

The above regulation distinctly specifies that while determining the average consumption of the premises any evidence give by consumer about conditions of working and occupancy of the concerned premises during the said period which might have had a bearing on energy consumption, shall also be considered by the licensee for computing the average from the statement of consumer, the hike in energy consumption was caused due to the consumption of Air conditioner which was in faulty condition previously.

Hence the Forum is of the considered view that the disputed short assessment bill is not sustainable and there fore liable to be quashed

Decision

Considering the facts and circumstance of the case, the petition is disposed of with the following orders.

(1) The impunged short assessment bill amounting to 26,761/- issued by the licensee is hereby quashed.

4.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/-
C.K.HARIKUMAR
ADVOCATE
MEMBER III

Sd/-
SANJEEV KOSHI
EXECUTIVE ENGINEER
MEMBER II

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

Forwarded

Sd/-

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.33/2023/232

Dated :27/10/2023

Delivered to:

1. The Manager , Indian Oversear Bank, Chemmakkad, Kayalvarathu Building
Chemmakkad, Kollam
2. The Assistant Executive Engineer, Electrical Sub Division, Kundara
3. The Assistant Engineer, Electrical Section, Kundara

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam, TVPM.
2. The Deputy Chief Engineer, Electrical Circle, Kottarakkara
3. The Executive Engineer, Electrical Division, Kundara.