

**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

Friday,17th November ,2023

OP No.40/2023

Between

Petitioner: Sri.Chandrababu.S.S,
Secretary,
Andoorkonam Grama Panchayath Office,
Kaniyapuram, Thiruvananthapuram.

And

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

(2) The Assistant Engineer, Electrical Section, Kaniyapuram.

ORDER

1. Grievance of the petitioner

The petitioner is Chandrababu.S.S, Secretary Andookonam Grama Panchayat bearing Consumer No.1145222032089. The officials of the licensee (Assistant Engineer, Electrical Section Kaniyapuram) issued a notice to the petitioner to remit the current charges of street lights of Rs.(22,32,752) which were not billed from 2017 onwards under Pothencode, Mangalapuram, Kaniyapuram Electrical Sections in Andoorkonam Grama Panchayath. The petitioner states that what demands issued by KSEBL related to street light current charges, the same was remitted by the Panchayath in time. The Panchayath is not in a position to remit such a huge amount The petitioner prays the Forum for the deduction of the total bill amount and sanctioning of installment payment .

2. Version of the respondent

Out of the total 18 wards under Andoorkonam Grama Panchayat two wards namely Keezhavoor and Thiruvelloor come under Pothencode Electrical Section and two wards Velloor and Koithoorkonam come under Mangalapuram Electrical

Section. The remaining 14 wards are under Kaniyapuram Electrical Section. Unmetered street Light connections in the entire wards of Andoorkonam Grama Panchayath were billed from Kaniyapuram Electrical Section at LT 8A tariff. The details of unmetered street light connections to be installed in the wards of Andoorkonam Grama Panchayath under Mangalapuram and Pothencode Electrical Sections

will be informed by the Assistant Engineers of the respective Sections to the Assistant Engineer of Kaniyapuram Electrical Section and unmetered street lights for all the 18 wards of Andoorkonam Grama Panchayath are billed in Kaniyapuram Electrical Section with two consumer nos 1145228020914 and 114522302091.

2. In the month of December 2016, 49 unmetered street light connection in all 14 wards of Andoorkonam Grama Panchayath under Kaniyapuram Electrical Section were converted into metered street light connections. But at this time, none of the unmetered street light connections were converted to metered street light connections in four wards under the Pothencode and Mangalapuram Electrical Sections.

3. 04 wards under the jurisdiction of Electrical Section Pothencode and Mangalapuram with Unmetered street lights were left unbilled due to oversight. This anomaly was identified during a Survey conducted for installation of LED Street Lights under Nilaavu Project.

4. On the basis of the letter dated 26-07-2022 of Assistant Engineer, Pothencode and the letter dated 25-06-2022 of Assistant Engineer, Mangalapuram, the Unmetered Street Light billing has been resumed from 27-08-2022 to new consumer number 1145222032089. But on the basis of the letter dated 15-02-2023 of Assistant Engineer, Mangalapuram, the Unmetered street light connection billed under Mangalapuram Electrical Section from 27-08-2022 to 28.02.2023 was incomplete.

5. According to the RAO Audit Report dated 08-02-2023, 24-02-2023 and the letter dated 15.02.2023 of Mangalapuram Assistant Engineer, it is identified that KSEBL has incurred a venue loss of 22,32,752/- (Rupees Twenty Two Lakhs Thirty Two Thousand Seven Hundred and Fifty Two Only). Based on the findings

of R.A.O Audit report the bill under dispute was served to Andoorkonam Grama Panchayath on 01-03-2023.

6. Andoorkonam Grama Panchavath has raised a dispute regarding the bill issued for collection of dues which was not paid during the period from January 2017 to February 2023 and was found in the audit. The Bill for 22,32,752/- was the demand of energy charge used for the functioning of Street lights in Keezhavoor, Thiruvelloor, Velloor and Koithoorkonam wards of Andoorkonam Grama Panchayath. Hence Andoorkonam Panchayath is liable to pay this amount and KSEBL has the power and right to realize the amount. Therefore the disputes raised by Andoorkonam Grama Panchayath are not legally valid.

3. Analysis and Findings

Hearing was conducted on 05/10/2023. Both the petitioner and the respondent were present and heard the matter in detail.

On examining the details of the case and all concerned documents filed before the Forum, it is viewed that the case is with regard to unbilling energy charges of street lights under Andoorkonam Grama Panchayath for a period from January 2017 to February 2023, which was not demanded during that period. The Bill issued for Rs.22,32,752/- was the demand of energy charge used for the functioning of street light in Keezhavoor, Thiruvelloor, Velloor and Kaithoorkonam wards of Andoorkonam Grama Panchayat. The Petitioner argued that the demands issued by the licensee were remitted then and there timely. Therefore the demand raised by the licence for Rs.22,32,752/-for the dues of energy charges from January 2017 to February 2023 to be exempted or reduced or any installments may be provided.

The respondent stated that in the month of December 2016, 49 unmetered street light connection in all 14 wards of Andoorkonam Grama Panchayath under Kaniyapuram, Electrical Section were converted into metered Street light Connections. But at this time, none of the unmetered street light connection were converted in to metered street light connections in four wards under the Pothencode and Mangalapuram Electrical Sections.

04 wards under the jurisdiction of Electrical Section Pothencode and Mangalapuram with Unmetered street lights were left unbilled due to oversight. This anomaly was identified during a Survey conducted for installation of LED Street Lights under Nilaavu Project.

On the basis of the letter dated 26-07-2022 of Assistant Engineer, Pothencode and the letter dated 25-06-2022 of Assistant Engineer Mangalapuram, the Unmetered Street Light billing has been resumed from 27-08-2022 to new consumer number 1145222032089. But on the basis of the letter dated 15-02-2023 of Assistant Engineer, Mangalapuram, the Unmetered street light connection billed under Mangalapuram Electrical Section from 27-08-2022 to 28.02.2023 was incomplete.

According to the RAO Audit Report dated 08-02-2023, 24-02-2023 and the letter dated 15.02.2023 of Mangalapuram Assistant Engineer, it is identified that KSEBL has incurred a revenue loss of Rs.22,32,752/- (Rupees Twenty Two Lakhs Thirty Two Thousand Seven Hundred and Fifty Two Only). Based on the findings of R.A.O Audit report the bill under dispute was served to Andoorkonam Grama Panchayath on 01-03-2023.

Due to this reason the petitioner is liable to remit the disputed unbilled energy charges of street lights As per regulation (134) of Kerala Electricity supply code 2014.

(1) It is the licensee establishes either by review or otherwise, that it has undercharged the consumer, the licensee may recover the amount so undercharged from the consumer by issuing a bill and in such cases at least thirty days shall be given to the consumer for making payment of the bill

As per Regulation 152 (4) the consumer may be given installment facility by the licensee for a maximum period of 12 months without interest for the remittance of such amount of short collection.

Decision

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

1) The petitioner is liable to remit the disputed bill amounting Rs.22,32,752/- issued by the licensee. The respondent is directed to allow twelve installments without interest if the petitioner desires to remit the amount in installments No

penal interest shall be levied for the period during which the case has been pending before the Forum.

(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/-
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.40/2023/258

Dated :20 /11/2023

Delivered to:

- (1) Sri.Chandrababu.S.S, Secretary, Andoorkonam, Grama Panchayath Office, Kaniyapuram, Thiruvananthapuram.
- (2) The Assistant Executive Engineer, Electrical Sub Division, Kaniyapuram, K.S.E Board Ltd.,.
- (3) The Assistant Engineer, Electrical Section, Kaniyapuram.

Copy to:

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