

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

No: CGRF/KTR/OP.No.714/2012/1228

Date: 21 .4.2012.

From

Chairperson

To

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

Sub: - Releasing of order of disposal of OP.No.714/2012.

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. K. Saida Beevi, in O.P.No.714/12 for further action.

Yours faithfully,

CHAIRPERSON
DEPUTY CHIEF ENGINEER
CGRF (SOUTH)

Copy to:-

1. Smt. K. Saida Beevi, Shabeer Manzil, Tollgate Junction, Kamaleswaram, Manarcadu P.O., Thiruvananthapuram.
2. The Deputy Chief Engineer, Electrical Circle, Thiruvananthapuram (U)
3. The Executive Engineer, Electrical Division, Thiruvananthapuram.

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

Friday the 30th day of March 2012

OP No.714/2012

Between

Petitioner: Smt. K. Saida Beevi,
Shabeer Manzil,
Tollgate Junction,
Kamaleswaram,
Manarcadu P.O.
Thiruvananthapuram.

And

Respondent: The Assistant Executive Engineer,
Electrical Sub Division,
Fort, Thiruvnanthapuram.

Grievance of the Petitioner

The petitioner with Consumer No.4529 under Electrical Section, Manarcad is aggrieved by a penal bill for Rs.1275/- issued by the KSEB, for a period of meter faulty, where the petitioner has already submitted a number of complaints for testing the accuracy of the meter, which was showing abnormal reading.

Since the petitioner has lodged complaints on the accuracy of meter, the bill issued calculating average for the period under dispute, is not sustainable as per Section 56 (2) of Electricity Act 2003. Hence it is prayed to revise the bill and to credit the excess amount already remitted, into the petitioner's account.

Version of the Opposite Party

The service connection for Consumer No.4529 under Electrical Section, Manarcad is a domestic 3 phase with a connected load of 5555 watts. On an inspection conducted by RAO, a short assessment was noticed for the period 6/07 to 7/07 and hence a demand for Rs.1275/- was issued to the consumer on 16/8/2010. On a complaint by the consumer on 6/12/2010, the matter regarding the short assessment were explained.

The meter was faulty during 7/2007, and was billed for 310 units. Meter was changed on 23/8/2007. The consumption for the faulty period was fixed as per Clause 33 (2) of Terms and Conditions of Supply 2005. Hence there was a short of 610 units and accordingly a short assessment bill was issued as per Reg.24 (5) of Supply Code 2005. The meter was replaced each time within one month of the faulty report and the consumer is liable to pay the bill as it is a statutory liability.

Discussion and Findings

In this case, the undercharge is not accurately assessed or established. The alleged undercharge pertains to the period 6/07 & 7/07. The bill for undercharge is issued based on the meter which is suspected to be faulty. But that meter has not been subjected to any scientific test. It is true that, suspecting fault by the indication of lesser reading, the same was changed on 23/8/2007. The statement showing the readings submitted by Assistant Executive Engineer is reproduced hereunder:-

| Period | Consumption (Units) | Remarks |
|--------|---------------------|----------------------|
| 1/2007 | 504 | |
| 3/2007 | 547 | |
| 5/2007 | 778 | |
| 7/2007 | 310 | Meter suspect faulty |

| | | |
|---------|------|----------------------|
| 9/2007 | 776 | MC on 23-08-2007. |
| 11/2007 | 664 | |
| 1/2008 | 643 | |
| 3/2008 | 728 | |
| 5/2008 | 667 | |
| 7/2008 | 732 | |
| 9/2008 | 507 | |
| 11/2008 | 625 | |
| 1/2009 | 480 | |
| 3/2009 | 642 | |
| 5/2009 | 1091 | Meter suspect faulty |
| 7/2009 | 413 | MC on 15.05.2009 |
| 9/2009 | 489 | |
| 11/2009 | 560 | |
| 1/2010 | 634 | |
| 3/2010 | 693 | |
| 5/2010 | 1251 | |
| 7/2010 | 753 | |
| 9/2010 | 850 | |
| 11/2010 | 335 | MC on 25.09.2010 |
| 1/2011 | 441 | |
| 3/2011 | 385 | |
| 5/2011 | 578 | |
| 7/2011 | 546 | |
| 9/2011 | 443 | |
| 11/2011 | 395 | |
| 1/2012 | 600 | |

The consumption pattern, subsequent to the change of meter, shows higher consumption, than the consumption recorded during the faulty meter period. But this is not sufficient to establish that, the meter recorded lesser consumption than actually used. A bill merely based on consumption pattern without the scientific test of the meter as per Section 42 (3) can not establish that, there was under reading and consequent undercharge. The lesser consumption recorded by a meter does not always prove that it is faulty unless its fault is established by scientific testing, since lesser recording can be due to lesser consumption by a consumer.

ORDER

Considering the above facts and circumstances, we do not find any justification in issuing the impugned bill. Accordingly the bill is quashed and the complaint is allowed. No order as to cost.

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.