

**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. Sanjeev Koshi, Executive Engineer, Member II  
3. Sri.C.K.Harikumar, Advocate, Member III

Tuesday, 14<sup>th</sup> November, 2023

**OP No.48/2023**

Between

Petitioner: Sri. Sunny Jacob Director,  
M/s. St. Marys Rubbers Pvt. Ltd.  
XVII/401 A, Thottamkavala,  
Vizhikkathode Koovappally (P.O),  
Kottayam.

And

Respondents: (1) The Special Officer (Revenue ), Thiruvananthapuram.  
(2) The Deputy Chief Engineer, Electrical Circle, Pala.

**ORDER**

**1. Grievance of the petitioner**

The petitioner is a High tension Consumer bearing LCN No.27/6657 under the Electrical Circle Pala. The electric connection was availed for running a Glove manufacturing unit at Vizhikkathathod, Koovappally. The petition subject pertains to the revised bill served by the licensee relating to the month of October 2021, November 2021 and April 2022.

The primary allegation of the petitioner is that there exist incorrect calculation indicated in the invoice bill of the above said revised bills.( ie Final KWh reading minus initial KWh Reading with multiplication factor of 12 resulted in incorrect energy consumption units). In addition to this, an amount of Rs.1,59,750.60/- was charged in the bill of October 2021 as power factor penalty. Subsequently, the petitioner sent E-mails to the Respondent Office, and pointed the irregularities and also demanded computation details, and T.M.R report for the meter defective period. Followingly, the respondent waived the power factor disincentive and provide revised bills which have similar mistake of previous bill given by the respondent. However T.M.R report was not given by the licensee.

The petitioner has raised some discrepancies in invoice bill for the month of June 2023. The petitioner has some objection on it, since the respondent have not shown the detailed calculation. Hence the petitioner prays the Honorable Forum to pass an order directing the respondent to provide the detailed computation including Readings, Consumption units, average units computation for the metering o8defective periods along with the copy of the TMR report issued by TMR Divison, Pallom for the Revised and Disputed bills.

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

M/s St. Marys Rubbers Pvt. Ltd., is a High tension consumer bearing LCN 27/6657, with contract demand 1050 KVA under the jurisdiction of Electrical Circle Pala. On the basis of inspection conducted by the T.M.R team Pallom on 09.11.2021, some irregularities were found on the premises of the above said petitioner. It was noticed that Voltage failure occurred from 23.10.2021 onwards due to the fact that R Phase primary side PT-fuses were seen flashed of, It was replaced with new one. Similar voltage failure occurred in the meter due to Y phase primary side PT fuse flashed from 03-04-2022 and the problem was rectified on 12.04.2022. Since the meter records less consumption during the voltage failure condition, demand for the month 10/2021, 11/2021 & 04/2022 were revised accordingly.

The respondent is on the view that the billing of defective or damaged meter is on the basis of average consumption of the past three billing cycles immediately preceding the date of the meter being found or reported defective So average consumption of the month in 07/2021, 08/2021, and 09/2021 was taken for revising the demand for 10/2021 and 11/2021. Average consumption of 1/2022, 2/2022 and 3/2022 was taken for revising the demand of 4/2022. Since the actual reading was not available due to flashing of PT fuse, neither penalty or incentive was charged in the bill. Hence the Power Factor penalty of Rs.1,59,750.60/- charged in the bill of 11/2021 was excluded.

The petitioner argued that there is no ambiguity. regarding the invoice for the month June 2021 . The balance amount payable by the consumer on account of bill revision is Rs.11,17,574/- Since the consumer had a credit balance in the books of account that amount were deducted and balance Rs.11,17,574/-.

## **3. Analysis and Findings**

The hearing was conducted on 12-10-2023 .The petitioner and respondent were present and heard the matter in detail. On examining the petition, the argument filed by the appellant, the statement of facts of the respondent, perusing the documents attached and considering all the facts and circumstances of the case, the Forum comes to the following findings and conclusions, leading to the decision thereof.

The point to be decided in this case as to whether the calculation of the revised bills are accurate. On perusal of records, it is revealed that the licensee revised the bill of above said months by adding the cumulative consumption that was forwarded by the Executive Engineer, Pallom. Further, the billing procedure carried by the licensee is in consistent with the Regulation 125(1) of Kerala Electricity Supply Code 2014, which states that "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 meter being found or reported defective". In accordance with the above regulation, average consumption of the months of 07/2021, 08/2021, and 09/2021, was taken for revising the demand for 10/2021 and 11/2021. Average consumption of 01/2022, 02/2022 and 03/2022, was taken for revising the demand of 04/2022. Hence the Forum does not see any trace of violation of the above said rules by the Licensee.

The contention of petitioner regarding the mismatch in calculation shown in the revised bill version (2) is sustainable. The Forum viewed it as a software error and it should not happen while serving a revised bill. However the above said mismatch does not affect the calculation, as the figures arrived as consumption unit is accurate and it is based on average consumption of the above said months. The rationale behind for indicating input values of initial kWh and Final kWh by the licensee is questionable. Hence the Forum reminds the licensee that utmost care should be taken while furnishing the details in the invoice bills.

Regarding the power factor penalty, the Forum observed that Incentive/Disincentive is based on actual consumption, since the actual reading was not available, neither Incentive/Disincentive is charged in the bill. Hence the contention of the petitioner is justifiable. However the Forum acknowledged that power factor penalty of Rs. 1,59,750.60/- was exempted by the Licensee.

#### **4. Decision**

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

1. The petitioner is liable to remit the revised bill served by the licensee.
2. No penal interest shall be levied for the period during which the case has been pending before this Forum.
3. The Licensee shall provide the documents relating to the revised bill and T.M.R report to petitioner within 30 days.
4. The licensee is directed to allow installments for making the payment of the bill if the petitioner desires so.
5. 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/-	Sd/-	Sd/-
C .K.HARIKUMAR	SANJEEV KOSHI	LAILA.N.G
ADVOCATE MEMBER III	EXECUTIVE ENGINEER MEMBER II	DEPUTY CHIEF ENGINEER CHAIRPERSON

Forwarded

Sd/-

CHAIRPERSON  
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.48/2023/243

Dated : 15/11/2023

Delivered to: 1. Sri. Sunny Jacob Director, M/s. St. Marys Rubbers Pvt. Ltd.  
XVII/401 A, Thottamkavala, Vizhikkathode Koovappally (P.O),  
Kottayam.  
2. The Special Officer (Revenue), Vydyuthi Bhavanam,  
Thiruvananthapuram.

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam, TVPM.
2. The Deputy Chief Engineer, Electrical Circle, Pala.