

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

Saturday 30th December,2023

OP No.63/2023

Between

Petitioner: Smt.Shali.B, Puthenveedu,
Karamcode P.O., Chathannoor.

And

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

(2) The Assistant Engineer, Electrical Section, Kottiyam

ORDER

1. Grievance of the petitioner

The petitioner is a LT commercial consumer bearing consumer number 1145782013986 under LT VII A tariff. The said premises is one room shop. The petitioner is aggrieved by the Revenue Recovery proceedings initiated by the Licensee. The Revenue Recovery intimation notice was served to the petitioner Shali.B, informing her to remit the amount of arrears Rs.22,440/- pertaining to short assessment bill during the meter faulty period from 05/2019 to 07/2019 and 09/2019. The petitioner contended that the aforementioned shop is not functioning and was acquired for National High way widening afterwards,.so he applied for dismantling the service connection on 17/03/2023 and the service was dismantled on 02/04/2022. However during the course on dismantling the service connection the officials of the Licensee has not mentioned any arrears pertaining to short assessment bill later petitioner was informed by the licensee about the short assessment bill while she was applying refund of security deposit against her consumer number. Hence the petitioner prays the Forum to

issue orders to cancel the arrears, for the recovery of which the Revenue Recovery proceedings were initiated.

2. Version of the respondent

A service connection bearing consumer No. 1145782013986 existed under the area of Electrical Section Kottiyam for commercial. Later on while applying the refunded of security deposit, the petitioner is informed by that there licensee exist arrears of short assessment bill, and the petitioner have to remit the amount purpose, which was registered in the name of Shali.B, Puthen Veedu, Karamcode.P.O., Chathannoor. The above said premises was a shop and was rented for marketing ornamental fish

The Licensee stated that, as per RAO audit conducted in 3/2020, a short assessment bill Rs.22,400/- has been served to Shali.B on 26/05/20, which included short assessment during the meter faulty period from 5/2019 to 07/2019 and the short collection during 9/2019. The above said bill is served by the licensee is due to the fact that energy meter readings were not available from 05/2019 due to Door lock.

3. Analysis and Findings

A hearing was conducted on 30/11/2023. Both the petitioner and the respondent were present and Forum heard the matter in detail.

In this case under Consideration of the Forum, the petitioner is aggrieved by the Revenue Recovery proceedings initiated by the licensee against the petitioner's premises for recovering the arrears of short assessment bill during the period from 05/2019 to 07/2019 and short collection in 09/2019.

On 19.07.2019, the meter has been found faulty and hence meter was changed on 23.07.2019. The RAO audit team calculated the short assessment for the faulty period as Rs.14,793/- in 9/2019, the consumption was recorded as 950 units, with energy charges of Rs.8360/- .But the amount collected for 108 units ie Rs.713/- Hence the balance amount to be paid by the consumer in 9/19 was Rs.7647/- bill for total assessment amount of Rs.22,400/- (ie 14,793 +7,647) had been issued to the consumer on 26/5/2020. However, the licensee argued that the short assessment amount of Rs.14,793/- during the meter faulty period and amount of Rs.7,647/- due to short collection during 9/2019 is to be recovered from the petitioner after completing the dismantling procedure is not justifiable and devoid of any merit .The procedure of dismantling the service connection is clearly emancipated in Regulation 145 of Electricity supply code 2014, stipulates .-

- (1) In case a consumer desires his service to be dismantled and the service connection agreement to be terminated, he shall apply for the same in the format specified in Annexure - 20 to the Code.
- (2) The licensee shall give a written acknowledgment of receipt of such request, on the spot.
- (3) The licensee shall, within ten days from receipt of the request, carry out a special reading and prepare a final bill including all arrears up to the date of such billing.
- (4) The licensee may disconnect the supply of electricity immediately after the special reading is taken.
- (5) On payment of all dues by the consumer, the licensee shall issue a No Dues Certificate and a receipt for the payment with the words 'Final Bill' stamped on it.
- (6) Thereafter, the licensee shall not have any right to recover any charge for any period prior to the date of final bill.
- (7) **The licensee shall not raise any bill after dismantling.**

The Forum viewed that if the officials had acted as per the provision of Regulation 145 of the Kerala Electricity Supply code, 2014, the above intricate situation could have been avoided. Hence it is noted that licensee failed in complying the above said rule. Considering the circumstance of the case, Forum is of the view that it is not proper to burden the petitioner with revenue recovery actions, for realizing the above said arrear after complete the dismantle process by the Licensee.

4. Decision

Considering the facts and circumstances the forum disposed the case, the with the following orders.

- (1) The impugned amount of arrears, for the recovery intimation served by the licensee is hereby quashed.
- (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 KOSHY
EXECUTIVE ENGINEER
MEMBER II

Sd/-

LAILA.N.G
DEPUTY CHIEF ENGINEER
CHAIRPERSON

Forwarded

Sd/-

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.63/2023/ 02 Dated : 01 /01/2024

Delivered to: 1.Smt. Shali.B, Melevila veedu,kottiyam P.O pin-691571

2. The Assistant Executive Engineer, Electrical Sub Division, Kottiyam.
3. The Assistant Engineer, Electrical Section, Kottiyam.

Copy to:

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

