

**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

Monday 19<sup>th</sup> February,2024

**OP No.80/2023**

Between

Petitioner: Sri.Thahar Sha.U.  
Sha Ice Factory,  
TC 62/631 Beach Road,  
Vizhinjam Thiruvananthapuram.

And

Respondents: (1) The Assistant Executive Engineer,  
Electrical Sub Division, Vizhinjam  
(2) The Assistant Engineer, Electrical Section, Vizhinjam

**ORDER**

**1. Grievance of the petitioner**

The petitioner runs an ice factory under Electrical Section Vizhinjam with consumer number 1145462032076 APTS Thiruvananthapuram conducted an inspection on petitioner's premises and alleged that connected load exceeded the contract limit and issued a notice dated 1/11/2023 intimating me to raise the contract demand. A calculation statement was also given without date or other information's demanding Rs.2,76,135 for the period of 10/2022 to 9/2023. The petitioner prays the Forum to cancel the illegal demand for Rs.2,76,135/- based on Regulation 101 (2,3 &4) of Kerala Electricity supply Code 2014, and allow sufficient time to the consumer to convert the existing LT connection to HT

**2. Version of the respondent**

The petitioner is a registered consumer under Electrical Section, Vizhinjam. The consumer premises was inspected by the Anti power Theft squad, on 25.10.2023 and found that the recorded maximum demand has exceeded the contract demand from October 2022 to September 2023. The inspection squad recommended to collect low voltage surcharge from the

consumer as the maximum demand of the consumer exceeded 100 KVA. Subsequently Assistant Engineer, Electrical Section Vizhinjam served a notice to the petitioner on 1/11/23 to restrict his demand to the permissible limit till necessary augmentation or upgradation or uprating works are done. This notice was issued as per Regulation 101 (5) of Kerala Electricity Supply Code 2014. Along with the notice the Assistant Engineer has issued a demand note of Rs.2,76,135/- for collecting Low Voltage Surcharge for the period from October 2022 to September 2023.

While examining the consumption pattern of the petitioner for the last one year, it is noticed that the recorded maximum demand of the consumer has exceeded the contract demand. Even though the meter reader concerned has recorded the same, it is not entered as such in the billing software of licensee due to some technical issue. Hence the bill has been revised manually and additional fixed charge has been collected from the consumer from time to time. The consumer has submitted the application for conversion of his category from Low Tension to High Tension on 20.11.2023 and the necessary steps for the upgradation works are in progress.

### **3. Analysis and Findings**

The hearing of the case was conducted on 17/11/2023. Both the petitioner and respondent were present, The Forum heard the matter in detail on going through the petition and other documents in the file, the Forum viewed that the case is with regard to the low voltage supply surcharge bill issued by the licensee for exceeding the contract demand. After hearing the grievance of the petitioner and version of the respondent the Forum views that, as per Regulation 101 of the Kerala Electricity Supply Code 2014.

In this case at hand the service connection is effected in the year 202. Therefore as per the above quated regulation, it is not permissible to allow a contract demand exceeding the limit of 100 KVA. It was proper to issue notice to the consumer to change the voltage level of supply in the event of exceeding the maximum demand above the limit of 100 KVA. The licensee is at liberty to realize the amount if the bill is under charged without adopting procedures as mentioned in Kerala Electricity Supply Code 2014, for revision of voltage level of supply, demanding low Voltage surcharge through bill is not justifiable. The licensee should complete the process of converting the petitioner's connection from LT to HT as the petitioner already given the request.

#### 4.. **Decision**

Considering the facts and circumstances of the case the Forum ordered as follows.

- 1.The low voltage surcharge bill amounting to Rs.2,57,096/- is not sustainable.
- 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/-	Sd/-	Sd/-
C .K.HARIKUMAR	SANJEEV KOSHY	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.80/2023/49

Dated :22/02/2024

Delivered to: 1.Sri.Thahar Sha.U.Sha Ice Factory,TC 62/631 Beach Road, Vizhijam Thiruvananthapuram.

2. The Assistant Executive Engineer, Electrical Sub Division, Vizhinjam.
3. The Assistant Executive Engineer, Electrical Sub Division, Vizhinjam.

Copy to:

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