

**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

Tuesday 07th May,2024

OP No.13/2024

Between

Petitioner: Sub Divisional Engineer,
BSNL, Thiruvalla

And

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

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

ORDER

1. Grievance of the petitioner

The petitioner is a LT 3 phase, VIF tariff consumer under Electrical Section Mallappally bearing consumer number 1146238004971. Being a monthly billing consumer BSNL had been made regular payments of each month's bill in the respective month itself against the bills issued by KSEB Section office Mallappally for BSNL telephone Exchange Mallappally. Even though BSNL had made payments regularly against each monthly bill KSEB imposes arrear citing non payment of bills. As per the Bill No.1146188017244 dated 01.08.2023 there is an arrear of Rs.2,73,691.00 During the month of August 2023 KSEB Mallappally has issued an additional bill (a) Rs.1,64,223/- dated 31.07.2023 stating arrear for the period from 07/2022 to 09/2022 and (b) Rs.50,222/- as arrears for the period 05/10/2017 to 23/10/2017 dated 31/07/23. KSEB issued the bill stating the reason that meter had been defective and has been billed based on average consumption for the three previous billing cycles. But it

may please be noted that the meter was not defective and the same meter is in effect till date. The discrepancies arised as the reading were not taken regularly by the meter reader due to some reasons and this is evident from the fact that KSEB had not even issued the regular bill for the month of September 2022. During the period from 10/2022 to 12/2022, BSNL has to pay only Rs.68,717/- Also an inspection bill for 1368 units stating the period 05/10/2017 to 23/10/2017 dated 31/07/2023 is also issued. As the bill pertains to a long back period. Necessary supporting documents may please be provided for its remittance. Accordingly letters were sent to AE, KSEB Mallappally & AEE KSEB Mallappally but no reply was given in spite of multiple requests ever mail/telephone. So the petitioner prays the Forum to issue necessary orders to recalculate the arrear amount based on the payment done by BSNL and amount credited by KSEB against the said consumer and to waive surcharges for the arrear till the discrepancy is settled and to issue necessary documentary evidence in respect of inspection bills issued by KSEB.

2. Version of the respondent

The three phase service connection bearing consumer No.1146238004971 effected from Electrical Section Mallappally, under LT VIF tariff, having a connected load of 51 KW, and billed monthly belongs to the SDOT, Mallappally for BSNL Telephone Exchange Mallappally. During the inspection conducted by the audit team of the Regional Audit Office, Pathanamthitta for the period from 01.07.2021 to 31.10.2022 found that the consumer had been under charged during 10/2017 and also from 10/2022 to 12/2022 on account of meter being faulty where the average consumption taken for billing was very low as compared to the consumption when the meter was functioning properly. The reason for this being in many cases, the meter is not becoming faulty abruptly but becomes sluggish in nature and finally stops recording consumption. As per audit report, the meter for the consumer No.1146238004971 became faulty from 10/2022. The average consumption of the consumer recorded in the months 07/2022 to 09/2022 was 7560 unit. The amount to be paid for 10/2022, 11/2022 and 12/2022 were 76,923/- per month BSNL had

remitted the amounts Rs.15,874/- and Rs.50,672/- respectively in the months 11/2022 and 12/2022. The balance amount to be paid by the BSNL is Rs.1,64,223/- The meter for the consumer No.1146238004971 was faulty from 05/10/2017 to 23/10/2017. The average consumption from 07/2017 to 09/2017 was 10180 units per month. Actual consumption for the 19 days ie, from 05/10/2017 to 23/10/2017 was 6447 units but billed only for 1368 units. The amount to be paid for the 19 days is Rs.63765/- BSNL had paid Rs.13,543/- The balance amount to be paid by the BSNL is Rs.50,222/- As per regularization 125 and 134 Kerala Electricity Supply Code 2014 two short assessment invoice amounting to Rs.1,64,223/- vide Bill dated 31/07/2023 stating the balance amount for the period from 10/2022 to 12/2022 and Rs.50,222/- vide Bill dated 31/07/2023 stating the balance amount for the period from 05/10/2017 to 23/10/2017 were served on the petitioner from Electrical Section Mallappally. The respondent is in receipt of letter dated 01-12-2023 Sub Divisional Engineer, BSNL, Telephone Bhavan, Thiruvalla alleging discrepancies in calculation of the arrear bill. On receipt of the letter dated 01.12.2023 from BSNL, the Assistant Executive Engineer, Mallappally examined the matter in detail and found that meter was not faulty during the period from 10/22 to 12/2022 and that the same meter is in effect till date at the premises. Hence vide letter No.DB MLPY/ Interim Reply/RAO Audit/23-24/dated 06-01-2024 requested the RAO to withdraw the short assessment bill. Accordingly the Regional Audit officer, Pathanamthitta vide letter No. RAO/PTA/withdrawal/2023-24 dated 16.02.2024 issued sanction to withdraw dated 30.07.2023. The consumer was informed vide letter BB/MLPY/Insp.Bill/2023-24/209 dated 24.02.2024, that the demand raised vide bill dated 31.07.2023 for Rs.1,64,223/- Also informed that the amount of Rs.50,222/- as short assessment in the RAO audit report is valid as evident from and consumer is bound to remit the amount under charged. Hence the respondent prays the Forum to dismiss the petition.

3 Analysis and Findings

The hearing was conducted on 09.04.2024. The petitioner was absent and respondent was present and heard the matter in detail. On

going through the petition and other documents in file the Forum viewed that the case is with regard to two short assessment bills amounting to Rs.1,64,223/- and Rs.50,222/- issued to Sub Divisional Engineer BSNL Thiruvalla by the licensee. During hearing the respondent stated that the amount of Rs.50,222/- was remitted by the petitioner and Rs.1,64,223/- has been withdrawn by the licensee. Also an e-mail communication was received from petitioner informing the Forum that the amount of Rs.50,222/- has paid and the grievance was redressed. The Forum views that since the grievance has been redressed. The Forum does not want to go into the merit of the case.

DECISION

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

1. Since the case has been settled and the grievance was redressed the Forum does not want to go into the merit of the case. Hence it is decided to close the petition and disposed the case accordingly.
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. 13/2024/127

Dated : 08 /05/2024

Delivered to:

1. Sub Divisional Engineer, BSNL, Thiruvalla.
2. The Assistant Executive Engineer, Electrical Sub Division, Mallappally.
3. The Assistant Engineer, Electrical Section, Mallappally.

Copy to:-

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