

**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 10th June,2024

OP No.22/2024

Between

Petitioner: Head Master,
GUPS Thalavoor ,
Thalavoor.P.O 691508

And

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

(2) The Assistant Engineer,
Electrical Section, Vilakkudi

ORDER

1. Grievance of the petitioner

The petitioner is the headmaster of GUPS Thalavoor which is situated under Electrical Section ,Pattazhy. The petitioner received a letter dated 12/08/2023 from Senior Superintendent, Vilakkudi Electrical Section, intimating that an arrear amount of Rs.38817/- for the period of 5/1/2008 to 25/8/2008 exists in the consumer number 1145963000970, in the name of Gangadharan, Head mater GUPS Thalavoor, and the petitioner can pay the bill under OTS 2023 with a discounted amount of Rs.25560/-

The petitioner has been working as the head master of the school for the past 5 years, and this is the first time he is getting any intimation about the arrear current charge. He is unable to find documents about the arrear from school files also. The petitioner contacted the headmaster who worked in the time period mentioned in the letter, but he also was not

aware of such an arrear. The consumer number mentioned in the letter is not in use at the premises. The petitioner alleges that no timely intimations were given by the KSEBL Section office authorities in the past, regarding this demand of arrear charges of electricity consumed, and without providing proper intimations, the licensee directly moved to Revenue Recovery actions. Thalavoor Grama Panchayath is the authority to pay the current charge of the school. On receiving the letter the petitioner intimated the same to the Panchayath. As the arrear belongs to many years back, Panchayath is not ready to pay the bill. The petitioner prays the Forum to issue order to stop Revenue Recovery action.

2. Version of the respondent

Petitioner submitted the complaint before the Hon'ble forum to get an exemption from Revenue recovery formalities for the realization of the arrear electricity charges for the period 03/2004 to 7/2007 demanded by the Assistant Engineer, Electrical Section, Vilakkudy claiming that records of such a connection is not available in the school office records. As per the service connection register of the Electrical Section Vilakkudy a 3 phase service connection with then consumer number 970 in LT-6 F tariff was given on 31/03/1997, to the Govt UPS Thalavoor in the name of Sri. Gangadharan Headmaster, Govt UPS, Thalavoor. A Disconnection notice dated 5/09/2007 was delivered to the school authorities and the then Senior Assistant in charge had acknowledged the receipt with signature. This clarifies that proper and timely intimation was given by the Section officials in this regard. Hence it is clear that electricity charges were not paid by the school authorities from 3/2004 to 7/2007 and the argument of the petitioner is not withstanding. In continuation to the Disconnection Notice, a dismantling notice was issued on 1/8/2008 and this service connection was dismantled on 18/08/2008 due to nonpayment of electricity charges.

As the consumer was an educational institution in the rural area, no procedure for disconnection and dismantling was taken strictly, the section authorities had considered this in a lenient way. It is also mentioned in the letter recommending R R action that the first notice for dismantling was

given on 25/08/2008 and a reminder notice was given on 15/09/2008 for remitting the arrear amount. But no actions were taken by the school authorities and hence recommended RR action to the Electrical Division, Punalur. An OTS 2013 notice was sent to the school authorities by messenger on 30/11/2013, but nobody from the school authorities was ready to accept the same. Hence a registered letter with an acknowledgment card attached was sent by post, to the address of the consumer Sri. Gangadharan.K, Headmaster, Govt UPS, Thalavoor on 20/11/2014 and it was returned to the sender stating that 'No Headmaster named in the address of the letter is working in the school'. As the service connection was registered in the name of The Headmaster, the Electrical Section Officials had no other way to communicate the matter regarding the unpaid electricity charge arrears otherwise nobody else from the school authorities was ready to take the responsibility to make official arrangements to pay the arrear electricity charges. As per the OTS 2013 notice, the outstanding amount was Rs.19,501/- and a discount of Rs.7102/-

At present the school is a consumer under the Electrical Section, Pattazhy. Proper intimation was given to the school authorities regarding the One Time settlement (OTS) schemes of the succeeding years. Finally the intimations and demand notice were given regarding the OTS of year 2023. As no response was received from the consumer, once again R R action recommended. As per the OTS 2023 notice, the outstanding amount was RS.38,817/- and a discount of RS.25,560/- Hence the arguments of the petitioner are prima facia baseless. The acknowledged copy of the disconnection notice was not properly handled in that office and hence the head masters who came afterward might be ignorant of this issue. Even though many communications were made after that, nobody from the school authorities was ready to present the matter to the higher level. The ignorance of present school authorities might have happened due to the lapse in the handing over of assets and liabilities to the new authorities. In addition to this, the present headmaster of the school reported the Thalavoor Grama Panchayath that no documents of electricity

connection in consumer number 970 is available in school records. Hence the Grama Panchayath also was not ready to take the burden of the electricity charge arrears. This is recorded in the minutes of the Grama Panchayath dated 19/12/2023. The arrear collection procedure was not strictly implemented as the consumer was an educational institution doesn't mean that the arrear charges of consumed electricity during the period 03/2003 to 7/2007 can be waived off, instead it shall be remitted at the rate applicable as per rules.

3 Analysis and Findings

The hearing of the case was conducted on 28/05/2024. Both the petitioner and respondent were present, and the Forum heard the matter in detail.

On analyzing the petition and other documents in the file, the Forum viewed that the case is with regard to an OTS letter provided to the petitioner by the licensee. An arrear bill exists for the service connection in petitioner's premises which is not live at present. The petitioner was not aware of such a connection or arrear bill. No documents about the arrear bill is available at the petitioner's office. The petitioner alleges that the respondent moved to take R R action without giving proper and timely intimations. According to the respondent many intimations were sent regarding the arrear bill but no body from the school authorities was ready to accept the same, and take the responsibility to make official arrangements to pay the arrear Electricity charges. Since energy is consumed by the petitioner, he is liable to pay the bill. As Panchayath is the authority to pay the electricity bill belongs to the school, the school authorities may approach the Panchayath officials in person and make arrangements to pay the bill in OTS with discounted rate.

DECISION

1. The petitioner is liable to pay the arrear bill issued. Since OTS 2023 is extended for eligible consumer the respondent can include the petitioner in OTS.
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.22/2024/172

Dated :10/06/2024

Delivered to:

1. Head Master, GUPS Thalavoor , Thalavoor.P.O
2. The Assistant Executive Engineer, Electrical Sub Division, Pathanapuram, K.S.E. Board Ltd,
3. The Assistant Engineer, Electrical Section, Vilakkudi

Copy to:-

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