

**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

Thursday 08th August,2024

OP No.29/2024

Between

Petitioner: Smt.Naseera Beevi.A
Shireen Cottage Alamcode.P.O,
Attingal.

And

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

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

ORDER

1. Grievance of the petitioner

The petitioner is a consumer under Electrical Section, Attingal ,having three service connection existed in the same premise for same purpose.The consumer numbers are 1145312018159, 1145313018160, 1145319018161 respectively.. The tariff allotted to the above said consumer numbers are LT-VIIA. On 28/11/2023, the Section squad inspected the premises and converted the consumer number,1145312018159 into three phase and dismantled other two service connections. After conversion into three phase, the licensee issued two bi-monthly bills and the petitioner remitted without any delay. While being so, on 18/03/2024, based on the RAO audit report,the licensee served a short assessment bill amounting to Rs.42,940/-. Aggrieved by this, the petitioner approach the licensee to set aside the short assessment

bill, but the latter has not made any steps in this regard. Therefore he prays the Forum for relief.

2. Version of the respondent

The petitioner is running a commercial shop in the name of 'Noor Abaya Hub' at Alamcode under Electrical Section Attingal. During the inspection, it is found that this shop has three individual single phase electricity connection for functioning of the said shop. It is learnt that the 3 meters are being used for the same purpose by the consumer, without informing to the officials of licensee. Accordingly, a site mahazar was prepared and a provisional assessment as per section 126 of Electricity act 2003 was given to the consumer for an amount of Rs.87,716/- on 01/12/2023. Later it is understood that, the provisional assessment for unauthorized load as per section 126 of Indian electricity Act 2003, could not be possible in this case. Because the prepared site mahazar is not clear about the findings on that inspection and proper details such as connected load from each of the connection are not entered in it. Hence a notice was issued to the consumer for taking necessary action for dismantling any two of the three connections and regularizing the load within 7 days from the receipt of the notice. The consumer had changed the wiring of that premises, and applied for phase conversion of consumer number 1145312018159 and requested for dismantling consumer 1145312018160 and 1145312018161 on 01/01/2024 and these connections were dismantled on 09/01/2024. The consumer number 1145312018159 was converted to three phase on 30/12/2023, with a registered connected load of 8765 watts. The petitioner had paid an additional estimated amount Rs.4,920/- for converting single phase connection to three phase, Vide Rt.No.45310231229102084 dated 29/12/2023.

Later, RAO audit was conducted at Electrical Section Attingal and the matter was verified by the audit team. The audit team pointed out the loss occurred to the licensee due to the splitted use of electricity at the premises of the consumer 'Noor Abaya Hub' . As per the audit observation an invoice amounting to Rs.42,940/- was served to the consumer for realizing the short fall.

The respondent contended that the short assessment bill is served to recover the under charged amount. Hence the respondent prays the Forum to dismiss the petition.

3 Analysis and Findings

The hearing was conducted on 14/06/2024. Both the petitioner and respondent were present and heard the matter in detail. Having examined the petition in detail and statement of facts of the respondent, considering all the facts and circumstances in detail and perusing all the documents of both side, the Forum comes to the following, observations conclusion and decision thereof.

On going through the petition and documents in the file, it is seen that the case is with regard to the issuance of short assessment bill of Rs.42,940/- to the petitioner by the licensee. The point to the decided in the case is whether the short assessment bill served by the licensee is sustainable or not.

The Forum found that the licensee had earlier provided three connections for three seperate shops. On 14/04/2022, onwards, the textile shop namely 'Noor Abaya Hub' was started in the aforesaid premise, and it is consuming electricity connection from three electricity connection - 1145312018159, 1145313018160, and 1145319018161. The site mahazar dated 28/11/2023, also reiterated that the petitioner has been drawing electricity from the above, three consumers numbers without informing multi connection on the premises.**As per Regulation 52 of the Kerala Electricity Supply code 2014, the supply shall be given only at one point for same purpose at the same voltage level in a single premises.** Here the licensee has neither taken any verification nor taken

proper action against the irregularity of multiple connections, within the same premises. The Forum viewed it as a serious lapse on the part of the respondent.

The Forum also observed that by the division of connected load of textile shop, the consumer evaded from the condition in Regulation 8 stating the connected load limit of 5kW for supply voltage 240v. As per The Regulation 8 **of the Kerala Electricity Supply code 2014 stipulates the supply voltage levels for different connected loads or contract demands for new connections or for gross connected load or contract demand consequent to revision of connected load or contract demand, shall be as follows:-**

Supply Voltage	Maximum connected load demand (for those demand based metering)	Maximum contract demand (for those with demand based metering)
240 V(single phase)	5 kW	
415V(three phase)	100 kVA	100 kVA
11 kV		3000 kVA
22 kV		6000 kVA
33 kV		12000 kVA
66 kV		20000 kVA
110 kV		40000 kVA
220 kV		>40000 kVA

Provided that the limit of connected load or contract demand specified for different supply voltage levels may be exceeded up to a maximum of twenty percent if supply at the appropriate higher voltage level is not feasible due to non-availability of distribution line at such higher voltage level in that area of supply:

Provided further that the limits of connected load or contract demand specified for different supply voltage levels as specified above may be exceeded in exceptional cases with the approval of the commission, subject to the conditions stipulated in such approval. The above provisions clearly shows that the petitioner has to convert his connections into one three phase connection as the total load exceeds 5000 watts. Here the petitioner continue their electricity consumption through three single phase connection and availed the benefit on the difference in fixed charges for single and three phase connections. If the entire connected load is attached with single consumer, the rate of fixed charge could have been high. The division, also caused negative impact on current charge, If clubbed together, the licensee would have fetched the highest rate of current charge in all bills. But due to division, the rate was restricted to that of consumption below 500 units per month in some bills. Hence the splitted use of electricity at the premises of the consumer resulted revenue loss to the licensee. Therefore licensee have the right to recover the undercharged/escaped amount. ***As per Reg 134 (1) of Kerala Electricity Supply code 2014, the licensee is empowered to recover from the consumer, the amount undercharged by issuing bills. Hence the bill issued to the consumer is in order.*** Therefore the Forum dismissed the petition.

DECISION

Considering the facts and circumstances of the case mentioned above the forum ordered as follows-

- 1.The petitioner is liable to make the payment of the short assessment bill of Rs.42,940/- issued by the licensee..
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.29/2024/217

Dated : 09/08/2024

Delivered to:

1. Smt. Naseera Beevi.A ,Shireen Cottage Alamcode.P.O, Attingal.
2. The Assistant Executive Engineer, Electrical Sub Division, Attingal. K.S.E. Board Ltd,
3. The Assistant Engineer, Electrical Section, Attingal.

Copy to:-

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