

**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 5th August,2024

OP No.34/2024

Between

Petitioner: Smt. Shanima,
Managing Partner of M.G. Roller,
Flour Mill, Koozhamkulam,
Thevalakkara.P.O., Kollam-23

And

Respondents: (1) The Special Officer Revenue
Vydyuthi Bhavan. Thiruvananthapuram,

(2) The Deputy Chief Engineer
Electrical Circle, Kollam.

ORDER

1. Grievance of the petitioner

The petitioner is a HT consumer with LCN 16/7603,and the purpose of the service connection is to run a flour mill. The petitioner was paying electricity bill regularly without fail. Meanwhile the business of the petitioner came failure and as a result the petitioner made default in payment of the electricity bill. The licensee demanded to pay Rs.8,73,871/- towards arrear upto June 2019 as per arrear notice dated 17/06/2019, and the petitioner paid Rs.3 lakh on 11/07/2019. The licensee disconnected the power supply on 10/01/2020 for the arrears pending from July 2019 to December 2019, and thereby the petitioner had to close the flour mill. The petitioner approached the Hon'ble High Court of Kerala and as per the court order the petitioner remitted an amount of Rs.6,15,437 on 24.11.2020 and the licensee reconnected the supply.

Thereafter the licensee issued further notice demanding the payment of Rs.4,96,512/- on or before 4.10.2023. But the amount described in the notice is excessive and complaint is not liable to pay the amount and the amount paid by the petitioner should be reduced and deducted from the mentioned amount and balance amount should be allowed to pay in installments without any penalty and interest. The licensee again disconnected the supply. The petitioner again approached the hon'ble High Court and after hearing both side, the court ordered for remitting Rs.3,00,000/- within 21 days from the date of Judgment and the balance amount to be paid in monthly installments and on paying the said amount the electricity supply shall be restored . Accordingly the petitioner remitted the amount on 16/04/2024 and the electric supply was restored. Due to the disconnection of the electricity the petitioner's business had collapsed and a huge financial crises was occurred. Meanwhile the licensee threatened the petitioner to pay the whole arrears immediately. On 24/04/24 the petitioner had received a demand notice with incorrect statements. As per the notice the petitioner has to pay an amount of Rs.8,40,171/- on 15/5/24 as first installment. But as per the accounts from 2/1/2024 to 06/04/2024 an amount of Rs.74,14,711/- came as the electricity charge and from that an amount of Rs.49,28,236/- was remitted by the petitioner and the balance amount of Rs.24,86,475/- is to pay by the petitioner. The impugned bill issued for the electricity consumption which was not used by the petitioner for a period of 14 months, in which the operation of the flour mill was completely stopped. The petitioner is ready to pay the amount by deducting the amount remitted during the said period. The act of the licensee towards the petitioner is a clear case of deficiency in service. The petitioner prays the form to pass orders to issue notice demanding the correct amount to be paid by the petitioner.

2. Version of the respondent

M G Roller Flour Mill is a flour Mill in Kollam under the jurisdiction of Deputy Chief Engineer, Electrical Circle Kollam . The service connection is being billed under HT - I (A) General tariff with a contract demand of 175 KVA. As per system 'ENRGISE' the consumer has a total

arrears of Rs.51,57,452/- as on 10/07/2024, that is Rs.46,35,751/- towards undisputed arrears (including interest) and Rs.5,21,701 (towards) APTS bill) Security deposit available at the credit of the consumer is only Rs.2,85,180/- which is not sufficient to adjust this huge arrears. Reconnection was effected on 16/04/2024 as the petitioner remitted Rs.30,0000/- in compliance with the order of the Hon'ble High Court of Kerala and 10 installments were granted to them in which the first instalment had to be remitted on 15/05/2024. But as the petitioner failed to make the payment, disconnection was effected on 18/05/2024. The licensee initiates disconnection procedure as per regulation 138 of the supply code and Section 56 of the supply Act only if there is a default of payment from the consumer's side. The licensee had already extended Covid relief to the petitioner. The licensee had allowed a rebate of 25% on fixed charge applicable to Industrial/ Commercial consumers and private Hospitals for the months March, April and May-2020 and defer the payment of balance fixed charge (75%) of these months, upto 15/12/2020 without levying interest during the deferred period. An amount of Rs.33405/- was given as relief in the month of June 2020, and an amount of Rs.19210/- was given as relief in the month of July, 2021.

As per regulation 138 of the supply Code-2014 the licensee shall disconnect the supply of electricity to any consumer if the consumer defaults in payment of the dues payable to the licensee as per the bill or demand notice or any order issued by a competent authority, within the period stipulated therein

As per section 136 of the Electricity supply code-2014, the licensee shall be entitled to recover arrears of charges or any other amount due from the consumer along with interest at the rates applicable for belated payment from the date on which such payments became due. So the consumer can't evade from the payment penal interest.

3 Analysis and Findings

The hearing of the case was conducted on 25/07/2024. Both the petitioner and respondent were present. On analysing the petition and other documents in the file the Forum found that the case is with regarding to the arrear amount pending for the petitioner. The petitioner alleges that the bills issued by the licensee is fake and demands fresh bill for the actual consumption after rectifying the error and allow the complaint to pay the fresh bill in 20 monthly installments. The Forum viewed that in this instant case, the petitioner suspects that there is a mismatch between the amount paid by him and the amount that the licensee claims to have left to pay. The licensee is liable to give a detailed bill including the amount already paid by the petitioner on monthly basis and the amount pending (including interest portion) for him, which will clear the doubts of the petitioner.

DECISION

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

1. The licensee shall issue a detailed bill prepared manually to provide clarification to the petitioner.
2. No order as to cost.

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. 34/2024/213

Dated :06/08/2024

Delivered to:

1. Smt. Shanima, Managing Partner of M.G. Roller, Flour Mill, Koozhankulam, Thevalakkara.P.O., Kollam-23
2. The Special Officer (Revenue),

Copy to:-

1. The Secretary, KSERC, KPFC Bhavanam, Vellayambalam, TVPM.
2. The Deputy Chief Engineer. Electrical Circle.Kollam

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