

**CONSUMER GRIEVANCE REDRESSAL FORUM
NORTHERN REGION, KOZHIKODE.**

(Formed under section 42(5) of Electricity Act 2003.)

Vydyuthibhavan, Gandhi Road, Kozhikode -673011

Telephone Number -0495 2367820 Email.cgrfkzd@kseb.in

PRESENT

SANDHYA DIVAKAR : CHAIRPERSON

BUSHARA.V : MEMBER (LICENSEE)

FRANCIS. A. C : MEMBER(LAW)

OP 15/2025-26

PETITIONER :-

**SRI. MUHAMMAD K.K
S/o .HASSAN HAJI,
KAYELI KUNNUMMEL HOUSE
THAMARASSERY (PO)
KOZHIKODE-673573**

RESPONDENTS :-

- 1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
THAMARASSERY, KSEB LTD.,
KOZHIKODE DISTRICT**
- 2. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, THAMARASSERY ,
KSEB LTD, KOZHIKODE DISTRICT.**

ORDER

Background of the case:-

The Petitioner, Sri.Muhammed K.K, S/o Hassan Haji, Kayeli Kunnumel(H), Thamarassery P.O, with Consumer No: 1166109019862 under Electrical Section, Thamarassery has approached the forum for the reduction as well as for installment facility for the extra ordinary bill amounting to Rs.17,65,075/-received to him on 03.04.2025.

Argument of the Petitioner :-

The Petitioner is a consumer with Con.No. 1166109019862 coming under Commercial tariff, LT 7A, under Electrical Section, Thamarassery.

KSEBL has raised a bill amounting Rs.17,65,075/- alleging that KSEBL has sustained huge Loss due to burning of CT coil of the CT meter. Consumer requests before the forum for 30 installments without interest for the aforesaid amount and also to reduce the bill amount if possible.

Argument of the Respondent:-

In his version, the Respondent states that a bill demanding Rs.17,65,075/- (Rupees Seventeen Lakh Sixty Five Thousand and Seventy five only) was issued to the Petitioner on 03/04/2025 as short assessment bill. Such a bill was issued as per the provisions of Section 134(1) of the

Kerala Electricity Supply code - 2014 which states that "If the licensee establishes either by review or otherwise, that it has undercharged the consumer, the licensee may recover the amount so undercharged from the consumer by issuing a bill and in such cases at least thirty days shall be given to the consumer for making payment of the bill".

Copy of the said assessment bill is attached as Exhibit R1.

The anomaly detected in the Petitioner's premises is detailed by the Respondent as below:

On 20th February 2025, 2.45pm onwards, an inspection was conducted at the premises, having consumer number 1166109019862, where a restaurant 'Copper Kitchen' has been functioning. The sanctioned connected load and Tariff of the said connection is 46207 Watts and commercial (7A) Tariff. This is a CT metered connection, having a CT ratio 75/5, and hence the Multiplication factor (MF) is 15. On checking with a 'ZERA' portable standard reference meter, the following readings were noted in this reference meter.

Voltage readings:

R-phase voltage - 210.32 V
Y-phase voltage - 200.79 V
B-phase voltage - 206.70 V

Current readings:

R-phase current - 43.66 A
Y-phase current - 53.16 A
B-phase current - 73.13 A

At the same time, The readings shown in the original meter connected at consumer premises, was as follows

Voltage readings:

R-phase voltage - 208 V

Y-phase voltage - 201 V

B-phase voltage - 204 V

Current readings: (Secondary side of CT s)

R-phase current - 3.26 A

Y-phase current - 4.98 A

B-phase current - 0.53 A

Moreover, during testing with a clamp-on meter, the primary and secondary currents are noted as shown below

	<u>Primary Current(A)</u>	<u>Secondary Current(A)</u>
R phase	36.0	2.50
Y phase	60.0	3.93
B phase	72.5	0.54

Then the meter constant of the reference meter was set as same as that of the original meter (4000 pulse / kWh). By comparing the readings in this standard meter and the original meter, it was concluded that only 55.24% of the energy consumed is getting recorded in the meter connected in premises; i.e., 44.76% of consumption is not

recorded in this meter *as per the present condition at the premises.*

As per the site conditions, it was noted that the current reading shown in B phase of the meter is very low. The meter data were downloaded and as per the available downloaded data, it was found that current in B phase is very low from the month of July 2023. Based on this conclusion, a site mahazar was served and that inspection by APTS wing came to an end on the same day, at 6.15 pm.

Copy of the said site mahazar is attached as Exhibit R2.

An inspection was again carried out immediately by section team on 24th February 2025, 10.30am onwards, with an intention to seize the suspected CTs immediately for arranging a testing at TMR laboratory of KSEB Ltd. And replacing existing 75/5A ratio CTs with 150/5A ratio CTs, in view of the high currents recorded, especially in B phase. Reading were noted and name plate details of all existing CTs, were noted and recorded in the site mahazar. Primary and Secondary currents are measured using clamp-on meter, and confirmed that B phase CT still shows very low secondary current. The dismantling of all old 75/5 CTs and erection of new 150/5A CTs were carried out in the presence of two authorized staff of M/s. Copper Kitchen (i.e., from the consumer's side). After dismantling, the suspected CT (B phase) and other three CTs (R phase, Y phase and neutral)

were packed well and sealed in their presence for sending to TMR Laboratory.

The new 150/5A ratio CT s were connected as such and supply was reinstated. Name plate details of all new CT s were noted and recorded in the site mahazar. Primary and Secondary currents with the new set of CTs were also measured using clamp-on meter, and found that secondary currents in all phase were correct, with the new CTs. In other words, once again confirmed that old 75/5A ratio CT in B phase has been shown very low secondary current. Then the memory data in the original meter was downloaded. After preparing the site mahazar and seizure mahazar, inspection came to an end at 5.00 pm.

Copy of the said site mahazar and seizure mahazar are attached as Exhibit R3.

As a further investigation and for studying the effect of the CT replacement work (which was carried out on 24-02-2025); voltage and secondary current in each phase energy, and consumption values were noted, at almost the same time, i.e, around 2.30-2.45 pm, from 25-02-2025 to 28-02-2025, and found that the issue of faulty CT in B phase is successfully overcome.

A detailed comparison table of these values is attached as Exhibit R4.

The suspected CT along with other three CTs were tested in TMR Laboratory, Angamaly of KSEB Ltd. on 17th March 2025. This CT was undergone Insulation Resistance test, Polarity test, Ratio error test and phase angle error test. The standard Kit used by them include ELTEL/ AITTS comparator, ELTEL standard CT and PRASANNA ELECTRO-TECH standard PT and this Kit have traceability in ELTEL Calibration Laboratory, Bengaluru, valid upto 15-11-2025. In this test it was found that the suspected CT is showing incorrect ratio.

Copy of the CT test report is attached as Exhibit R5.

A printout of the consumption data of this consumer, for the period 02-05-2023 to 24-02-25 is taken from OrumaNet, and attached as Exhibit R6.

By verifying the consumption pattern, it is understood that the consumer is paying only 55.76% of actual electricity charge being consumed by them from 01-07-2023. Hence the demand was calculated without penal and interest as there is no evidence for any allegation, which comes under section 126 of the Electricity Act 2003.

Short assessment was made based on calculation that the 44.76% consumption was not recorded in the meter from 01-07-2023 onwards; as per the rate for 7.A tariff, applicable for the corresponding periods. The bill is raised for the energy consumed by the consumer as per the provisions of

Section 134(1) of Kerala Electricity Supply code 2014. The petitioner didn't deny the above shown facts at any stage, and they already applied (on 02-05-2025) for availing installment facility for paying the entire assessment bill amount. And already paid Rs:1,00,000.00 (Rupees one Lakh only) (on 03-05-2025). Accordingly the consumer is allowed to pay the entire assessment bill amount, with surcharge, in 10 installments, vide order no ECK/ RB/ Installment/ 2025-26/ 388, dated 14-05-2025, issued by the Deputy Chief Engineer, Electrical Circle, Kozhikode.

A printout of the billing data of this consumer, for the period from July 2023 to April 2025 is taken from OrumaNet, and attached as Exhibit R7.

Copies of four bills, i.e., for December 2024 to March are attached as Exhibit R8.

While comparing the regular bills issued to the consumer, for March and April 2025 (i.e., after changing CTs on 24-02-2025). With that for the various months upto January 2025 (i.e., before replacing CTs). It is evident that, the bills served earlier were based on the consumption of 44.76% lesser than their actual consumption.

In view of the above detailed facts, Respondent requests the Forum to dismiss the petition being filed by the Petitioner and to uphold the bill being raised by the Respondent, which can be paid in ten monthly installments.

Summary of the Hearing:-

The Hearing of the case was convened on 22-05-2025 forenoon at court hall CGRF(NR), Vyduthibhavanam, Kozhikode in which both the parties were Present.

The Petitioner informed the forum that majority of his Electrical Equipment/Appliances are of three phase and only lighting load is distributed and of single phase. Since the APTS testing was conducted during day time. the load may not be balanced and hence the variations in phase currents.

On enquiry by the Forum, the Respondent stated the following:

- No Physical Tampering Observed
- From The Test Report of NABL accredited laboratory, TMR Division Angamaly, it is evident that CT of B phase is not confirming to IS-16227; but the % error is not mentioned. It is assumed that CT is Saturated and hence Percentage of Error cannot be calculated.
- Load is of unbalanced nature and Primary Current of B Phase CT is almost double of R Phase CT.
- There is no remarkable difference in Consumption Pattern prior to Transformer Installation and later.

- APTS has assessed error as 44.76%, comparing the consumption with standard meter at the time of inspection.

The Petitioner informed that the management of the restaurant was changed during February 2022. The connected Load was enhanced from 30KW to 46KW and subsequently CT metering was introduced then. In 2023, more Equipment like AC, etc. were added to the connected load and hence Petitioner requested for Load Enhancement to 70KW at Section Office. As directed From the Section Office, cost for installation of a new 100KVA Transformer was remitted and transformer was installed in the consumer's property. Revised test report was also submitted at section office.

Now only the Petitioner realizes that connected load has not be enhanced by KSEB. Petitioner produced a copy of application for Power Requirement, but without any signature from either side. If the CT has been enhanced after installation of Transformer, this situation would not have happened and the Petitioner would have been paid the regular current charges in time and the KSEBL would not have incurred any losses. Respondent stated that no such test reports is seen in office files. Even though the transformer was installed during Aug 2023, section office was under the impression that the Petitioner has not enhanced the load.

On Further Enquiry from The Forum, Respondent added the following:

- Monthly Reading of the CT consumers are taken by Sub Engineer.
- The CT Inspection records for the period 2022-2025 reveals that the only inspection conducted by the Assistant Executive Engineer at the said premises is on 24-02-2025, the date of replacement of CT. The CT was replaced in the presence of Asst. Exe. Engr., ESD, Thamarassery.
- The site mahazars prepared on 20-2-2025 and 24-02-2025 do not mention about the Connected Load at the premises. Further, the site mahazars were witnessed by personnel from Licencee side and by the staff of the consumer; No independent witness were present.
- CT is Treated as a part of metering circuit. Hence Faulty CT can be treated as faulty meter.

Observations & Analysis of the forum :-

The Respondent failed to prove the error due to Faulty CT is 44.76 Percentage because of the following reasons:

1. Site Mahazar produced as ExbR2& R3 do not include some basic essentials such as actual Connected Load independent witness etc. It is a grave omission as the

inspections were conducted by a technical person, in the cadre of Assistant Executive Engineer.

2. Even If we admit that the error due to Faulty CT is 44.76% at the time of inspection, there is no valid Documents/ Test reports to prove that the error is applicable for the whole short Assessment Period; ie., from 1-07-2023 to 24-02-2025. Further, the test report of NABL Accredited Angamaly TMR Laboratory does not specify the percentage of error.

3. The Respondent confirms that no Physical Tampering was done by the Consumer.

4. The Licensee Failed to assess the situation at the consumer premises after installation of transformer on giving power allocation. No Efforts has been taken by the regular meter reader, Sub. Engineer to assess the changes in connected Load as well as non enhancement of Energy Consumption since Aug 2023.

5. As per prevailing Norms in KSEBL, Assistant Executive Engineer is bound to conduct CT inspection once in 6 months. It is observed that no such inspection has been conducted at the consumer's premises since 2022.

Hence this case can be treated as faulty meter only.

Section 118(1) & (2) Of Kerala Electricity Supply Code 2014 states as follows:

“1) If a meter is found damaged either on the complaint of the consumer or upon inspection by the licensee, the meter shall immediately be replaced by the licensee with a correct meter and if it is not possible the supply shall be restored by the licensee, bypassing the damaged meter, after ensuring that necessary preventive action at site is taken to avoid future damage and obtaining an undertaking from the consumer to make good the loss, if any, sustained by the licensee.

2) The consumption during such period in which the supply was restored as per the above sub regulation, shall be computed based on the average consumption during the Previous three billing cycles.”

- Further Section 115 (9) states that “ In case the meter is found to be faulty, revision of bill on the basis of the test report shall be done for a maximum period of six months or from the date of last testing , which ever is shorter and the excess or deficit charges on account of such revision shall be adjusted in the two subsequent bills.”
- Here as a licensee suspects that the CT circuit is defective since Aug. 2023 Forum presumes that Short Assessment for six month from the date 24-02-2025 can be done by the licensee based on the average consumption for three billing cycles subsequent to CT change.

Section 125(1) of Kerala Electricity Supply Code 2014 states that “In the case of defective or damaged meter, the consumer shall be billed on the basis of average consumption of the past three billing cycles immediately preceding the date of the meter being found or reported defective.

Provided that, the average shall be computed from the three billing cycles after the meter is replaced, if required details pertaining to previous billing cycles are not available.”

Having considered all the documents submitted and the deliberations during the hearing and based on the aforesaid observations and analysis, the Forum has come to the following conclusion leading to the decision.

Decision:-

1. The Short Assessment Bill Dated 3-04-2025 amounting to Rs.17,65075/- is hereby quashed
2. The Respondent can bill the consumer on the basis of average consumption of the three Billing cycle subsequent to replacement of meter for a maximum period of 6 months prior to the meter replacement as per provisions in The Kerala Ele. Supply Code 2014.
3. The amount , Rs.1,00,000/- already remitted by the consumer may be adjusted in his Short Assessment Bill.
4. The Petitioner is eligible for 6 monthly installments for the Short Assessment Bill, without interest.

5. The compliance of this order may be furnished to the Forum within 15 days on receipt of this order.

The Petition is dismissed accordingly

Dated this the 22nd day of May 2025

Sd/-
Francis. A. C
Member (LAW)

Sd/-
BUSHARA.V
Member(LICENSEE)

Sd/-
SANDHYA DIVAKAR
Chairperson.

Endt.on CGRF-NR/OP 15/2025-26/ 81

Dt . 28/ 05 /2025 .

Forwarded to:

1) Sri. MUHAMMAD K.K
S/o .HASSAN HAJI,
KAYELI KUNNUMMEL HOUSE
THAMARASSERY (PO)
KOZHIKODE-673573

If the petitioner is not satisfied with the above order of this Forum, he is at liberty to prefer appeal before the State Electricity Ombudsman, D.H. Road, Offshore Road Junction Gandhi Square, Eranakulam, Kerala-682016.(Ph: 0484 2346488) within 30 days from date of receipt of this order.

2) THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB LTD,
THAMARASSERY
KOZHIKODE DISTRICT.

3) THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, KSEB LTD,
THAMARASSERY
KOZHIKODE DISTRICT.

Copy to:

1. The Secretary, KSEB Ltd, Vidyuthibhavanam, Thiruvananthapuram.
2. The Deputy Chief Engineer, TRAC, KSEBL, Vidyuthibhavanam, Thiruvananthapuram.

Forwarded
Sd/-
Chairperson.