

**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 29th April ,2025

OP No.73/2024-25

Between

Petitioner: Sri. Karunakaran. V
Vattonu, Kalleli Junction
Kadammanitta
Pathanamthitta.

And

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

(2) The Assistant Engineer,
Electrical Section, Pathanamthitta

ORDER

1. Grievance of the petitioner

The petitioner is a domestic consumer under Electrical Section, Pathanamthitta bearing consumer number 1146004022765 .While so, on 20/06/2024 the meter reader visited his premise and informed that the electricity main switch is damaged on lightening. Following this, he received an exorbitant bill, amounting to R.s 20,824/- and the service connection of the above said premises was disconnected by licensee without giving proper clarification. Eventhough the petitioner has escalated this matter to the licensee no action was taken in this regard. The order given by the licensee to cut off the service without hearing the consumer or giving an opportunity to submit his case is arbitrary, illegal and unsustainable. Therefore the petitioner request the forum to set aside the

order passed by the licensee to cut off the service connection and also to cancel the exorbitant bill, amounting to Rs.20,824/-.

2. Version of the respondent

The petitioner has availed a single phase service connection with consumer number 114604022765 with a sanctioned load of 1640 watts under the Electrical Section, Pathanamthitta. On 20/06/2024, while recording the meter, he experienced electric shock from the metering point. He observed earth leakage indication and relatively high consumption on the energy meter. Due to this, the meter reader did not serve the bill to the consumer, and reported the issue to the officials of the section office. Subsequently, the Sub Engineer inspected the site and identified an earth leakage originating from the rod of the main switch installed in the metering panel. He informed the consumer about the same and arranged for the line staff to disconnect the supply in accordance with regulations 138 (d) and (j) of the Kerala Electricity Supply Code 2014 to prevent the risk of electrical accidents.

According to the respondent the excessive consumption was caused by wiring fault of the main switch within the premises. . Accordingly, an amount of Rs.20,824/- was generated for the consumption of 2058 units. As the consumer did not intimate the replacement of faulty main switch at the premises the service was not reconnected. Therefore the petitioner prays the to dismiss the petition.

3. Analysis and Findings

The hearing of the case was conducted on 11/03/2025 However, since the petitioner was absent for the hearing a second hearing was scheduled on 27/03/2025 .On that hearing both the petitioner and respondent were present. On examining the petition, the counter statement of the respondent, perusing the documents attached and the arguments in the hearing and considering the facts and circumstances of the case, this forum comes to the following findings and conclusion leading to the decision thereof.

On analyzing the consumption pattern of the consumer the consumption was only 0 units except for 15 units during the period

from 21/10/2019 to 19/12/2021. However on 21/06/2024 the consumption is recorded as 2058 units based on the meter readings recorded on 20/06/2024. This excessive consumption was due to earth leakage originating from the main rod of the main switch installed in the metering panel. Therefore the Forum confirmed that the abnormal consumption was identified as a wiring fault in the installation. As per Regulation 2(64) "point of supply" means the point at the incoming terminal of the cut-out installed by the consumer in the case of low tension consumer and the point at the incoming terminal of the control switch gear installed by the consumer in the case of high tension and extra high tension consumers; The Regulation 2(25) defines consumer installation" or "installation of the consumer" **means any composite portable or stationary electrical unit including transformers, switch gear, motors, electric wires, fittings, earthing and apparatus, erected and wired by or on behalf of the consumer at the premises of the consumer starting from the point of supply.** Hence it is clear that the leakage of energy was happened from the consumer installation or installation of consumer. he is solely liable to pay for the actual recorded consumption in the energy meter

At no point this petitioner was having any dispute regarding accuracy of the energy meter, requiring this licensee to invoke any procedure for testing the energy meter. Hence there is no reason for the petitioner to evade from the payment of energy charges against the actual consumption recorded in the energy meter at the premises.

The Forum also observed that supply was disconnected after informing the situation and advising him to notify the office after replacing the faulty main switch. It is also clear that the fault in the main switch was acknowledged and admitted by the consumer. As the consumer did not intimate the replacement of faulty main switch at the premises, the service was not reconnected. The Regulation 138 of the kerala Electricity supply Code 2014 stipulated the grounds for disconnection.

Regulation 138Grounds for disconnection.- (1) The licensee shall not disconnect the supply of electricity of any consumer except on any one or more of the following grounds:-

- (a) 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;**
- (b) if the security provided by the consumer has become insufficient or the consumer fails to provide additional security as required by the licensee;**
- (c) if the consumer is found to have indulged in theft of electricity;**
- (d) if the failure to disconnect is likely to cause health hazard or safety risk or damage to property or to the consumer or to any other person;**
- (e) if the conduct or continuance of any business or industry or activity being carried out in any premises becomes unlawful due to lack of necessary permission from the competent authority or due to withdrawal of such permission by any competent authority;**
- (f) if the licensee is mandated to do so by an order of a legal authority, competent to issue such a mandate;**
- (g) if the licensee is entitled to do so under an agreement with the consumer;**
- (h) if the installation of the consumer does not comply with the applicable rules or any other reasonable requirements stipulated by the licensee;**
- (i) if the consumer has contravened the provisions of the Code or of the Act, which entitles the licensee to disconnect the supply;**
- (j) if the wiring, apparatus, equipment or installation at the premises of the consumer is found to be defective or unsafe or there is leakage of electricity;**
- (k) if the consumer is found to have altered the position of the meter and related apparatus or if the consumer uses any**

apparatus or appliance

1[affecting, the quality of power supplied or the infrastructure equipments owned by the licensee];

- (l) if the consumer uses the energy in such a manner as to endanger the service lines, equipment, electric supply mains and other works of the licensee;**
- (m) if it is found that energy is being used in any manner which unduly or improperly interferes with the efficient supply of electricity to any other consumer;**
- (n) if at any time the consumer is found to be using energy for a purpose other than for which it was intended or provided;**
- (o) if the consumer extends or allows supply of electricity to any other premises from his connection without the permission of the licensee.**
- (p) if the supply of electricity to the consumer is liable to be disconnected as per any of the provisions in the Code.**
- (2) In the case of detection of theft of electricity, the supply of electricity shall be disconnected immediately as provided in subsection (1A) of Section 135 of the Act.**

Here the licensee disconnected the the service as per the enabling provisions of regulation 138(d) and (j) of the kerala Electricity Supply Code 2014, and hence there is no violation of existing rules and regulations in disconnecting the supply at the premises. Therefore the Forum dismissed the petition.

DECISION

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

1. The petitioner is liable to remit the bill amounting to Rs.20,824/- issued by the licensee on 21.06.2024. The respondent is directed to allow suitable installments for the remittance of the bill if the petitioner desires to make the payment in installments. No surcharge shall be levied for the period during which the case was pending before the Forum.
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.73/2024-25/795

Dated :03/05/2025

Delivered to:

1. Sri. Karunakaran, Vattonu, Kalleli Junction Kadammanitta Pathanamthitta.
2. The Assistant Executive Engineer, Electrical Sub Division, Pathanamthitta.
3. The Assistant Engineer, Electrical Section, Pathanamthitta.

Copy to:-

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