

**THE STATE ELECTRICITY OMBUDSMAN**

D.H. Road & Foreshore Road Junction, Near Gandhi Square,  
Ernakulam, Kerala-682 016

Ph: 0484 2346488, Mob: 8714356488

[www.keralaeo.org](http://www.keralaeo.org) Email: ombudsman.electricity@gmail.com

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**APPEAL PETITION No. P/040/2022****(Present: A. Chandrakumaran Nair)****Dated: 24<sup>th</sup> August, 2022**

Appellant : Sri. Fazalul Rahman,  
Azhikkakathu House,  
Nettoor P.O.,  
Ernakulam Dist. 682040

Respondent : Assistant Executive Engineer,  
Electrical Sub Division, KSEB Ltd.,  
Tripunithura, Ernakulam Dist.

**ORDER****Background of the case:**

The appellant is the son of the consumer of the Licensee with tariff LT IA under Electrical Section, Maradu. This is a domestic connection and at present the appellant is residing in the house. The appellant and wife are working and are seldom available in the house. The appellant received a bill dated 10-01-2022 for the month of November and December 2021 amounting to Rs.84,064/- This is very exorbitant. The meter reader informed that there was burn in the meter area and found that the service wire has burnt out. As per the request, a parallel meter was connected to check the reading. It was found that the meter was reading normally. Again, requested for testing the meter and meter was tested at TMR lab and the report states that the meter is not faulty. The meter recorded a heavy consumption from 08-11-2021 to 28-12-2021. The usage was an average of 400 – 600 units bimonthly. The appellant paid 50% of bill amount.

The appellant approached the Consumer Grievance Redressal Forum, Central Region and the Forum ordered vide order dated 22-04-2022 that the appellant is liable to pay the bill.

Aggrieved by the decision of the Forum, the appellant filed the appeal petition before this Authority.

**Arguments of the appellant:**

The appellant, Sri. Fazalul Rahman, son of the consumer stays in the house along with his wife. All other members of family are out of town for the purpose of job and studies. Since they are employed, they seldom present in the house during day time. The complaint is regarding the bill dated 10.01.2022 for the month on Nov 2021 & Dec 2021. During the reading time, the reader had informed the neighbour that there is a burnt situation near the meter and he informed the neighbour about the bill, who in turn informed the appellant.

Upon checking, it was found that the service wire for two phases were burnt out. The appellant approached the section office regarding the bill on 10.1.2022. The appellant was advised to place a parallel meter and check the reading. The appellant paid required fees and a week later meter was installed on the available phase.

Two week later, the KSEBL personal came and removed the meter stating that the readings were normal. Upon which, the appellant visited the Section Office again and was advised to send the meter to TMR for further scrutiny. Appellant paid the fees for the same and the meter was taken and replaced with new one on 2/2/2022 along with replacing the burnt service wire.

On 28/2/2022, the appellant received call from Section Office that the meter is not faulty and was told that there was a huge fluctuation from 5 AM on 8.11.2021 to 11 AM 28.12.2021. The appellant visited the Section Office and Sub Division Office at Tripunithura and met Executive Engineer and informed the situation. The respondent stated that an earth leak might have caused this consumption. Upon which the appellant had informed that an earth leakage of the order of 25A should have burnt the fuses or ELCB or at least should have damaged any of the appliances at home. Appellant stated that no fuse or ELCB was burnt and no appliance was damaged. Appellant also stated that average bimonthly consumption was 400-600 units taking into account of inverter, CCTV and refrigerator being running 24hrs and one air conditioner being used in night. The respondent advised to approach the CGRF after paying 50% of bill amount as further decision is not possible. During this tenure, no engineer had come to

the premises for any sort of inspection, only line man had come to change the meters and service wires.

Appellant approached CGRF and submitted the application on 5.3.2022 seeking relief from the above said bill and the same to be dismissed as the energy was not used by the appellant and will be a huge financial burden on him. An online hearing was scheduled on 23.3.2022, in which the appellant informed about the concerns before the Forum. CGRF ordered for another meter testing and asked to take connected load of the premise. Further, the appellant had informed in the hearing on 23/03/2022 that the next bill for month of Jan 2022 and Feb 2022 was around Rs.4,000/- which was the usual consumption by the appellant. In Jan 2022, the old meter was used and in Feb 2022 new meter was used. The usage was in regular.

After the single online hearing on 23.3.2022, the appellant received order a month later from the CGRF dated 22.4.2022 that the appellant is liable to pay the full amount of bill.

Now the appellant approached this Authority to quash the bill, the CGRF order and restore the bill based on appellant's average consumption as this amount of energy has not been used by the appellant.

Further, the appellant made the following observations during this tenure:

1. The appellant inspected the appliances and checked for all possible earth leakage in the premises. There was no fuse burning or any tripping of ELCB.

2. The appellant ran all the appliances in home continuously for 3 hours. The meter reading was normal.

3. There was no root cause analysis done by KSEBL on this situation.

4. What is the preventive action KSEBL have for these cases? Should the consumer have to pay this huge shocking bill every time? What can be implemented on the meter to alert consumer about the high consumption?

5. How can such energy loses be controlled for both the benefit of KSEBL and consumer?

6. There is monthly HT reading and transformer reading taken by KSEBL every month. If at all there was an abnormal change in the reading during the

monthly reading and if the officials have checked for the disparity, then and there, the appellant would have been informed this issue by first week of December 2021. There was no such energy audit done by KSEBL.

**Arguments of the respondent:**

Consumer no. 1155501015363 was given in favour of Nazar A M, Azhikkakathu House, 10/596a, Nettoor -682 506 under LT-1A domestic tariff 3phase with a sanctioned load of 7140Watts. A bi-monthly regular bill of Rs.84,064/- for consumption of 9635 units was served to the consumer on 10.01.2022. The appellant had approached Electrical Section, Maradu for checking of energy meter. He was advised to place parallel meter with the main meter for cross checking and remitted the fees for installing parallel meter on 10.01.2022. After 2 weeks of installation of parallel meter, the section official reported that the energy meter of the appellant is reading normal and the parallel meter is removed. The appellant again approached the section office to test the energy meter at TMR, Angamaly. The officials of Electrical Section, Maradu informed the appellant that the test report of meter from TMR is received and the meter is not faulty. The appellant remitted 50% of the bill amount ie.Rs.42,032/- on 03.03.2022. The balance amount to be paid is Rs.42,032/-.

The parallel meter test and the test report at TMR, which is an accredited lab showed that the meter is correct. The test report showed that there is abnormal consumption during 11/2021 to 12/2021. The load survey revealed that there is steady high consumption in the appellant's premises from 08.11.2021, 5:00A to 28.12.2021, 11:00AM. The load in R & Y phase is average 25A and the B phase load is around 1A.

The appellant claimed that the burning of the incoming service wire has caused high consumption is not relevant. The test report shows high consumption during 11/2021 to 12/2021. There is some internal short circuit/at the internal wiring of the appellant which caused high consumption. The bill served to the appellant is in order and the appellant may be advised to

remit the amount of energy charges consumed by him. The appellant filed complaint before CGRF, Ernakulam. The Forum issued order vide no. CGRF-CR/OP No.83/2021-22/28/22.04.2022 stating that the check meter installed as per the request of the appellant shows that the meter was reading normal. The meter was then sent for testing at NABL accredited laboratory TMR Division, Angamaly and confirmed that the percentage errors were within the limits. Further scrutinization of the 30 minutes time block consumption detail's (load survey report) of the appellant made available by TMR Division, Angamaly it is found that there is steady high consumption from the time block 5:00-5:30 on 08.11.2021 to time block 10:30-11:00 on 28.12.2021, also the load is average 25A in R and Y phases but B phase load is only 1A which shows some internal short circuit in the appellant's premise. Based on the above findings, the Forum ordered that, the appellant is liable to pay the bill dated 10.01.2021 issued by the Licensee. Being aggrieved, the appellant approached this Authority.

**Analysis and findings:**

The hearing of the case was conducted on 17-08-2022 in the office of the State Electricity Ombudsman, Near Gandhi Square/BTH, Ernakulam South. The appellant Sri. Fazalul Rahman was attended the hearing and Sri. Gopakumar, Assistant Engineer-in-charge, Electrical Sub Division, Tripunithura was attended the hearing from the respondent's side. On examining the appeal petition, the arguments filed by the appellant, the statement of facts of the respondent, perusing the documents attached and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decision thereof.

The data shows that the meter recorded very high consumption from 5AM on 08-11-2021 to 11 AM 28-12-2021 and hence, the appellant received a bill amounting to Rs.84,064/-. The check meter installed and found that the appellant's meter was reading normal, and again the meter has been tested at NABL Accredited Lab and meter was not faulty. It was reported that during the period from 08-11-2021 to 28-12-2021 the current in R & Y phases were around 25A and B phase current was only 1A.

The appellant's arguments are that this is due to the burning of service wire. The meter won't be reading heavy current if the short circuit happened before the meter.

The Section 109 (1) of Kerala Electricity Supply Code 2014 regarding "Supply and installation of meters and circuit breakers" states that "Check meters and stand-by meters shall be installed wherever necessary in accordance with the provisions in the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time."

Section 110 (1) of Kerala Electricity Supply Code 2014 states "The meter shall regularly be read once in every billing cycle and on special reading occasions."

Section 115 of Kerala Electricity Supply Code 2014 states on "Procedure for testing of meter" as follows: -

- 115 (1) The meter shall normally be tested in the laboratory of the licensee, approved by the Commission.
- 115 (2) In case the licensee does not have a testing facility approved by the Commission, or if so desired by the consumer, the meter shall be tested at any other laboratory accredited by the National Accreditation Board for Testing and Calibration Laboratories (NABL).
- 115 (4) In the case of testing on the request of the consumer, he shall have to pay the testing fee as per the Schedule of Miscellaneous Charges given in schedule 1 of the Code:

Provided that if the meter is found to be recording incorrectly or defective or damaged due to technical reasons such as voltage fluctuation or transients, attributable to the licensee, the testing fee shall be refunded to the consumer by the licensee by adjustment in the subsequent bill.

The above Sections states that the procedures adopted for installation of meter, check meter, Reading meter and the procedure for testing of meter. It is noted that this has been complied by the Licensee. There may be some internal fault happened in the system. The appellant has to conduct a thorough checking of the wiring and installations to avoid further occurrence of such fault. The appellant is clearly stating that he has not consumed this energy, but the meter is recorded and hence, as per the Licensee the appellant has consumed this power and hence, he has to pay.

**Decision: -**

From the analysis of the arguments and the hearing, following decisions are hereby taken:

- (1) The appellant is liable to pay the bill amount as per the bill dated 10-01-2022.
- (2) The Licensee shall grant 10 monthly instalments without interest for making the payment.
- (3) The order of CGRF, Central Region is modified accordingly.

Having concluded and decided as above, it is ordered accordingly. No order on costs.

**ELECTRICITY OMBUDSMAN**

P/040/2022/\_\_\_\_\_ dated \_\_\_\_\_.

**Delivered to:**

1. Sri. Fazalul Rahman, Azhikkakathu House, Nettoor P.O., Ernakulam Dist. 682040
2. Assistant Executive Engineer, Electrical Sub Division, KSEB Ltd., Tripunithura, Ernakulam Dist.

**Copy to:**

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthi Bhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, CGRF-CR, 220 kV Substation Compound, KSE Board Limited, HMT Colony P.O., Kalamassery, PIN: 683 503.