

**THE STATE ELECTRICITY OMBUDSMAN**

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**APPEAL PETITION No. P/068/2022****(Present: A. Chandrakumaran Nair)****Dated: 25<sup>th</sup> November, 2022**

Appellant : Smt. Santha Choyikkandy,  
Mullan House,  
Thiruvangadu. P.O.,  
Thalassery,  
Kannur Dist. 670 103

Respondent : Assistant Executive Engineer,  
Electrical Sub Division, KSEB Ltd.,  
Kuthuparamba, Kannur Dist.

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

The appellant Smt. Santha Choyikkandi is a domestic consumer with consumer number 22432 under Kathirur Electrical Section. While taking the meter reading, the meter reader observed earth leakage and accordingly Sub Engineer inspected the site on 17-12-2021. Nobody was residing in the said house and there was some repair works was going on. There was a pin plug connected to meter box for taking temporary connection for works. The extension wires from the meter box got damaged while closing the box cover and the insulation gone and the phase wire in contact with the cover and this was the cause of earth leakage. Heavy consumption recorded during the month 12/2021 which was 1751 units. Accordingly, the bill raised for Rs.15,530/-. The appellant's request is to waive of this bill. The appellant filed petition to the Consumer Grievance Redressal Forum (CGRF), Northern Region, Kozhikode and CGRF (NR) ordered that the appellant is liable to pay charges on instalment basis.

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

**Arguments of the appellant:**

The respondent inspected the meter as per meter recording report and prepared a mahassar and accordingly directed the appellant to remit Rs.15,530/-. Usually, there may not be the electricity charges more than Rs.100/-. Nobody was residing in the said house and there were some repair works going on. The appellant is residing with her son separately as the repair works of her house will take some more time. It is assumed that the earth wire damage causes the current leakage. The appellant approached CGRF, Northern Region and requested to waive of this bill. CGRF (NR) ordered that the appellant is liable to pay current charges on instalment basis. The appellant is facing serious financial problems and the widow pension is only the income and as such the remittance of such huge amount to the Board is impossible. As such, the appellant requested to this Authority to settle the above issue with paying a meagre amount in instalments.

**Arguments of the respondent:**

The appellant is an electricity consumer under Electrical Section, Kadirur with consumer no 22432. The complaint is regarding the higher electricity bill issued to him compared to the previous bills.

Power supply was used for construction purpose. On inspection of the site, it is confirmed that earth leakage has happened after the metering point. The appellant used wires to tap current from the switch to provide power supply to the requirements for construction activities. The consumption pattern reveals that the consumption was quite minimum or zero for long period and due to the damages happened in the wire through which the supply was drawn earth leakage have happened. The leakage of current has happened after the metering point and the damage was caused due to the pressing of wire below the door of the metering box.

The meter is healthy and the earth leakage have happened only once, when it was found out the meter reader immediately took necessary action to isolate the power supply to avoid further leakage. Due to the leakage energy have been waisted and loss has happened to KSEB. Due to this high bill with amount was delivered to the appellant.

**Analysis and findings:**

The hearing was conducted on 16-11-2022 in the office of the State Electricity Ombudsman, DH & Foreshore Road Jn., Ernakulam South. Sri. Anil. C.M. was attended the hearing on behalf of the appellant and on the respondent side, Sri. Rajeevan. P., Assistant Executive Engineer, Electrical Sub Division, Kuthuparamba of Licensee was attended the hearing. 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 appellant is a domestic consumer and she is not residing in this house. The energy consumption was very less. The house is very old and some repair activities started. The workers have taken a temporary connection from the meter box by taking the phase wire from the cut-out fuse and neutral wire from the terminal of the main switch. The temporary wire which was connected to a 3-pin plug got damaged while closing the cover of the meter box and live wire was in contact with the cover which resulted into earth leakage. The meter reading recorded during the bimonthly reading was 'zero' or 'one' from 08/2020 to 10/2021. There was a heavy reading during the month 12/2021 of 1751 units. The bill raised by the Licensee for Rs.15,530/-. The reading recorded by the meter after the rectification of fault i.e. during 02/2022 also 'one'. This shows that the meter is working perfectly and no abnormality in the meter. The earth leakage is happened before the ELCB (if available), so the ELCB has not tripped and meter recorded the energy loss<sup>1</sup> as the consumption.

The Section 104 (1) of Kerala Electricity Supply Code 2014 states the requirement of a meter: -

Section 104 (1) The licensee shall not supply electricity except through a correct meter installed in accordance with the provisions of the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time.

Section 131 (1) of Kerala Electricity Supply Code 2014 states:

“The consumer shall pay to the licensee the full amount of the bill on or before the due date indicated therein, for which the licensee shall issue a receipt.”

The consumer is bound to remit the amount as per the bill within the due date.

Here in the case in hand, it is very clear that the energy has been recorded by the meter as consumption. However, it is not actually been used or consumed by the consumer. There is a failure from the part of appellant to keep the installation safely. According to the views of the Licensee the energy has been drawn from the Licensee by the consumer and the same is recorded by the meter also.

**Decision: -**

From the analysis of the arguments and the hearing, following decision is hereby taken:

- (1) The appellant is liable to pay the energy charges as per the bills raised by the Licensee.
- (2) The Licensee shall allow 48 instalments for the remittance of this payment.
- (3) No interest is to be charged on this amount.

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

**ELECTRICITY OMBUDSMAN**

P/068/2022/\_\_\_\_\_ dated \_\_\_\_\_.

Delivered to:

1. Smt. Santha Choyikkandy, Mullan House, Thiruvangadu. P.O., Thalassery, Kannur Dist. 670 103
2. Assistant Executive Engineer, Electrical Sub Division, KSEB Ltd., Kuthuparamba, Kannur 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, Consumer Grievance Redressal Forum, Vydhyuthi Bhavanam, KSE Board Ltd, Gandhi Road, Kozhikode