

STATE ELECTRICITY OMBUDSMAN

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REPRESENTATION No: P 140/10

Appellant : Smt Jainara Thajuddeen,

Abi , Nellettil (Po), 691302 , Kollam Dt

Respondent: Kerala State Electricity Board

Represented by

The Assistant Executive Engineer

Electrical Sub Division, Chathannur , Kollam Dt

ORDER

Smt Jainara Thajuddeen, Nellettil , Kollam submitted a representation on 22.6.2010 seeking the following relief :

Set aside the Bills for 11/2009,1/2010, and 3/2010 and direct the KSEB to realize the actual current charges only for theses months , set aside the collection of rent for the faulty meter and refund the excess payments and allow costs .

Counter statements of the Respondent was obtained and hearing conducted on 19.10.2010 .The Appellant is a single phase domestic consumer under Electrical Sub Division Chathanoor with consumer number 19418. The meter installed in premises became faulty and stuck up in Nov 2009. The meter was replaced only on 21/04/2010.

One grievance raised by the petitioner is regarding the current charges realized during the period the meter was faulty. The Appellant contends that the assessment for the period is very much on the higher side.

The provisions on the matter in the KS E B Terms and Conditions of Supply, 2005 is reproduced below:

33. Reading of Meter & Preparation of Invoice

(1) Meter reading will be taken by the employees or the persons authorised by the Board and record the same.

(2) If the Board is unable to raise a bill on meter reading due to its non recording or malfunctioning, the Board shall issue a bill based on the previous six months average consumption. In such cases the meter shall be replaced within one month. If the average consumption for the previous six months cannot be taken due to the meter ceasing to record the consumption or any other reason, the consumption will be determined based on the meter reading in the succeeding three months after replacement of meter.

As per the above Sections approved by Regulatory Commission, the monthly average of previous six months has to be taken as the basis for assessing current charges during the meter faulty period. If the reading of the previous six months are not available, the

readings of three months succeeding the installation of new meter is to be taken. In the instant case, the respondent reported that 131 units was the monthly average for the previous six months which was verified and found correct. The bills for the meter faulty periods were issued based up on the above average consumption. It is observed that the consumption for 3 months after the change of meter was around 148 units per month. Hence it is concluded that the average assessed for the meter faulty period is reasonable.

It is true that, as pointed by the Appellant, KSEB is bound to replace faulty meter of every consumer within one month as per statutes. But it is well known that even after repeated directives from the Regulatory Commission, KSEB was unable to implement this mandatory provision and a few lakhs of energy meters are reported to be faulty even now. But such a provision in the statutes cannot be stretched to interpret that the consumer will not be liable to pay any charges during the extended periods of fault in meter. Hence the claim of the Appellant that he will not be liable to pay the average charges for the meter faulty period beyond one month can not be approved. Another grievance raised by the Appellant is that meter rent should not be realized for the meter faulty periods. The statutes do not differentiate good meter and faulty meter on the question of realizing the rent. Hence the request for refund of meter rent in such cases can not be approved.

Orders:

Under the circumstances explained above and after carefully examining all the evidences, arguments and points furnished by the Appellant and Respondent on the matter, the representation is disposed off with the following orders:

1. *The arguments/claims/points raised by the Appellant in support of the reliefs sought for are devoid of merit and hence the reliefs are not allowed and the representation is dismissed*
2. *No order on costs.*

Dated this the 21st day of October 2010 ,

P.PARAMESWARAN
Electricity Ombudsman

No P 140 /2010/ 684 / dated 21.10.2010

Forwarded to: 1. Smt Jainara Thajuddeen, Abi , Nellettil (Po), 691302 , Kollam Dt
2. The Assistant Executive Engineer
Electrical Sub Division, Chathannur , Kollam Dt

Copy to :

1. The Secretary,
Kerala State Electricity Regulatory Commission
KPFC Bhavanam, Vellayambalam, Thiruvananthapuram 695010
2. The Secretary ,KSE Board,
VaidyuthiBhavanam ,Thiruvananthapuram 695004
3. The Chairman , CGRF,KSE Board ,

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