

## STATE ELECTRICITY OMBUDSMAN

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### REPRESENTATION No: P 155/10

Appellant : Sri P.N.Saseendran , S/o Narayanan  
Palay Puthen Purayil ,  
Kangarappady, VADACODU(Po), Ernakulam Dt  
Respondent: Kerala State Electricity Board  
*Represented by*  
The Assistant Executive Engineer  
Electrical Sub Division, Kalamasserry

### ORDER

Sri P.N.Saseendran S/o Narayanan, Palay Puthen Purayil , Kangarappady, Ernakulam Dt submitted a representation on 31.7.2010 seeking the following relief :  
*Set aside the Order on Comp.75/2009-10 dated 29.6.2010 of CGRF Ernakulam and the Notice dated 30.9.2009 and the Bill dated 16.10.2009 of the Assistant Engineer Thevakkal*

Counter statements of the Respondent was obtained and hearing conducted on 7.10.2010 and 14.10.2010 .

The Appellant is an LT industrial consumer with consumer No 6221 under Electrical section Thevakkal . He received a notice dated 30.9.2009 from the Respondent to remit Rs 17905 as additional cash deposit (CD) on or before 29.10.2009. The Appellant moved the CGRF Ernakulam against the above. The CGRF upheld the notice issued by KSEB. The representation against the above order of CGRF was submitted to this office in the above background.

The respondent submitted the statement showing the actual current charges paid by the consumer from October 2008 to August 2009 . The average monthly current charges works out to Rs 5983/-. The details are not disputed by the consumer. The licensee is empowered to collect two months average current charges as CD from the consumer having monthly billing as per Section 13 of Supply Code 2005 . Hence the licensee is empowered to demand cash deposit to the extend of Rs 12000/- from the consumer. The Appellant has stated that he had paid Rs 3502/- on 16/06/2004 as additional cash deposit and produced copy of the receipt. The Respondent has noted only Rs 30/- as original CD in the demand notice. The Appellant stated that he had remitted a considerable amount as original CD but could not produce evidence to the claim.

The Respondent statement that the original CD was only Rs 30/- is to be verified. The Appellant shall be allowed 15 days time from the date of this order to produce evidence on the original CD paid by him. If he fails to submit the details of the original CD the Respondent is entitled to proceed to realize the balance CD making up the total Cash

deposit of the consumer equal to Rs 12000/-.

Orders:

Under the circum stances 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 demand notice dated 30.9.2009 on additional CD shall be revised taking the total CD payable as Rs 12000/- and deducting the amounts remitted by the Appellant as noted above.*
- 2. No order on costs.*

Dated this the 27th day of October 2010 ,

P.PARAMESWARAN  
Electricity Ombudsman

No P 155 /2010/ 689 / dated 28.10.2010

Forwarded to: 1. Sri P.N.Saseendran , S/o Narayanan  
Palay Puthen Purayil ,  
Kangarappady, VADACODU(Po), Ernakulam Dt

2. The Assistant Executive Engineer  
Electrical Sub Division, Kalamasserry

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 , Power House, Ernakulam

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