

THE STATE ELECTRICITY OMBUDSMAN
Charangattu Bhavan, Building No.34/895, Mamangalam-Anchumana Road,
Edappally, Kochi-682 024
www.keralaeo.org Ph: 0484 2346488, Mob: 91 9539913269
Email:ombudsman.electricity@gmail.com

APPEAL PETITION No. P/043/2017
(Present: A.S. Dasappan)
Dated: 11th August 2017

Appellant : Sri. Dominic T.V.
Tanannikkal House,
Near KSEB Sub Station,
Erumapetty P.O.,
Thrissur

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Ltd.,
Kundannur,
Thrissur.

ORDER

Background of the case:

The appellant is a three phase industrial consumer having consumer number 19379 with a connected load of 6600 watts under the jurisdiction of Electrical Section, Kundannur. The appellant is running a readymade dress manufacturing unit and his average monthly consumption is 100 to 150 units. He was received an exorbitant bill amounting to Rs. 9,536/- dated 01-11-2016 for the consumption of 1647 units for the month of October 2016. A petition filed under Petition No.136/2016-17 before the CGRF, Ernakulam, by the appellant was dismissed vide order dated 25-03-2017 and held that the short assessment bill issued is in order. Aggrieved by this Order, the appellant has submitted the appeal dated 18-04-2017 before this Authority.

Arguments of the appellant:

The appellant has submitted the following contentions in his appeal petition. The average monthly consumption of the appellant was 100-150 units. The monthly consumption recorded for the month of October 2016 was 1647 units and the respondent issued him a bill dated 01-11-2016 for Rs. 9,536/-. Aggrieved by this, the appellant filed complaint before the Section

officers for reducing the amount but rejected by the respondent. Still not satisfied, he approached the CGRF with a petition which was disposed of holding the bill is in order and allowing instalment facility to the consumer.

The appellant put forward the argument that two months before he had installed a power capacitor in the unit for power factor improvement. The appellant is suspecting the high consumption recorded in the energy meter during 10/2016 was due to technical problems with this power factor. After disconnected the power capacitor from the distribution board, the consumption is found became normal as shown in the meter reading.

The contention of the appellant is that he had not used the energy as billed. Due to the technical problems in the capacitor, this high reading was displayed in the meter. Hence requests to set aside exorbitant bill issued to him.

Arguments of the respondent:

Consumer No 1156849019379 is an Industrial (LT IV A) three phase consumer having connected load of 6600 Watts, registered in the name of Sri. Dominic T V, Thanickal House, Near KSEB Substation, Emmappetty P O, Thrissur-680584. It is true that the average monthly consumption of this consumer is between 100-150 units. However the monthly consumption for October 2016 was 1647 units, and issued bill for Rs. 9,536/- vide bill No: 115684161102135 dated 01-11-2016.

As the consumer suspected about the working condition of Energy Meter, he has paid requisite fees on 17-11-2016 for installing parallel meter along with suspected meter. The parallel meter (Good Three Phase Testing Meter) was installed on 18-11-2016. The readings recorded on both suspected meter and the parallel meter, showed that the premises meter was good. Meantime, on 25-11-2016 the consumer had given a letter to Assistant Engineer, Electrical Section, Kundannur, saying that before two months he has installed a power capacitor for power factor improvement. The consumer suspected that the high consumption recorded in energy meter may be due to technical problems due to the installation of faulty power capacitor.

In this circumstance, the respondent again insisted the consumer for remitting the current charges. However consumer was not in a position to accept the test result regarding parallel meter. The consumer again requested to test the suspected meter at accredited lab like TMR Angamaly, after remitted requisite fees at section office. The test result from TMR Angamaly showed that the energy meter was good. Considering the inability of the consumer for remitting Rs. 9,536/- at once, the Assistant Engineer requested the Executive Engineer, Electrical Division, Wadakkanchery for awarding instalments to the

consumer. Accordingly the Executive Engineer issued order for instalments on 04-01-2017.

The consumer has approached the Consumer Grievance Redressal Form, Central Region and they have conducted hearing on 14-03-2017 and issued order. The Forum, in its order on 25-03-2017, retained the instalment facility given by the Executive Engineer, Electrical Division, Wadakkanchery. Hence the Assistant Engineer has given letter to the consumer for remitting the 1st instalment amount of the disputed amount.

In this situation, the consumer requested to test the energy meter again, thus a parallel energy meter connected on 11-04-2017 and reading taken up to 13-04-2017. The readings recorded on both suspected meter and the parallel meter, showed that the premises meter was good. This fact was communicated to Sri. Dominic T. V. on that day itself.

In the above circumstances it is most humbly prayed that the complaint may be dismissed.

Analysis and findings

Hearing of the case was conducted on 07-07-2017 in my chamber at Edappally, Kochi. Sri. Dominic, the appellant was absent. Sri. Seby Thomas C. represented the respondent's side and adduced his arguments. A second chance was given the appellant for hearing and accordingly the appellant Sri. Dominic appeared for hearing on 31-07-2017 in my chamber at Edappally. Hearing the arguments of appellant and respondent, perusing the petition, statement of facts and other documents and considering all the facts and circumstances of the case, this Authority comes to the following conclusions.

The complaint is that the appellant was served with an exorbitant bill for Rs. 9,536/-, towards electricity charges, alleging consumption of 1647 units in October 2016. Considering the previous consumption pattern of the appellant it is clear that the consumption noted for the month of October cannot go as high as above, unless there existed some faulty equipments drawing excess power or have connected some additional load like A/C's, or due to jumping/turn of the digit of the counter in the meter. Of course, the leakage of current to earth will also consume energy to a certain extent, but not to this level within a short span of one month.

The first point to be decided is whether the Energy meter provided to the consumer was faulty during the period and whether the consumption of 1647 units recorded in it during that period is genuine or actually consumed by the consumer. It is noted that the disputed energy meter of the appellant was tested, at the consumer's premises, by installing a good energy meter (Check

meter) in tandem with the existing meter; so that both meters carry the same electric current and will measure the same energy, consumed by the party. The test so conducted at the site shows that the two meters are recording exactly the same quantum of energy consumption. This fact shows that the meter is working in good condition. But the consumer has not convinced the 'test' done by the KSEB. The consumer requested to test the suspected meter at an accredited lab and the test result from TMR Angamaly showed that the energy meter was good.

The test being done on the consumer's premises and in his presence is more convincing than any other documentary evidence and would help the appellant to clear his doubts on the existing meter. However, in this case the test done by KSEB, did not convince the appellant, may be due to, carrying out the test by KSEB without insisting the presence of the consumer and preparation of a mahazar on the 'test' done. When the test is undertaken by KSEB on the consumer's meter, it is the best practice to prepare a mahazar, in the presence of the petitioner or his representative, recording the facts of, Check meter installed, the details of both meters with their seals, recording their initial reading etc on the first day and got it witnessed and then leave both meters in service for one weeks time, for joint working. Similarly, after informing the consumer, a final recording of meter readings in his presence, would have cleared the doubts and the said mahazar so prepared will surely be a valid document before any Legal Forum.

The energy consumption details furnished by the appellant shows that the monthly energy consumption was in between 100 and 150 units. The respondent also admitted this. The consumption of only one month, i.e. of 10/2016, has reached the disputed high energy use of 1647 units. According to the CGRF, the excess consumption recorded by the meter is found due to the failure occurred after the metering point, the licensee is eligible for realizing the energy charges towards the consumption recorded in the meter. Also it is seen that the respondent has taken steps, to check the working of the disputed energy meter, on getting the complaint, which established the perfect functioning of the meter. But KSEB should have prepared a mahazar on the Test undertaken by it, in the consumer's or his representative's presence.

Decision

The appellant suspected the reason of high consumption recorded may be the inaccuracy of the meter and hence testing of energy meter done. In the testing's meter was found good. The appellant himself admitted that the capacitor provided by him in the circuit is the reason of the high consumption.

From the analysis done and the conclusions arrived at, which are detailed above, I take the following decisions.

The order dated 25-03-2017 issued by the CGRF, Central Region, in Petition No. 136/2016-17 is upheld. The respondent is directed to give 12 instalments for payment of the amount and thirty days time (due date) given for making the payment of first installment from the date of receipt of this order. No interest is payable by the appellant during the petition and appeal pending period before the CGRF and this Authority. The respondent is entitled to recover remaining installments from the consumer along with interest at the rate applicable. Having concluded and decided as above, it is ordered accordingly. No order on costs.

ELECTRICITY OMBUDSMAN

P/043/2017/ _____ /Dated: _____

Delivered to:

1. Sri. Dominic T.V. Tanannikkal House, Near KSEB Sub Station, Erumapetty P.O., Thrissur
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd., Kundannur, Thrissur.

Copy to:

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