

THE STATE ELECTRICITY OMBUDSMAN
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APPEAL PETITION No. P/012/2020
(Present: A.S. Dasappan)
Dated: 25th May 2020

Appellant : Sri. C. Jayan,
Aswathy Bhavan,
Kaduvachira Lane, Kudavoor P.O.,
Thiruvananthapuram

Respondent : The Assistant Executive Engineer,
Electrical Sub Division, KSEBL,
Kaniyapuram,
Thiruvananthapuram

ORDER

Background of the Case:

The appellant is a domestic consumer having single phase service connection bearing consumer no: 1145235021437 with a registered connected load of 2020 watts under Electrical Section, Mangalapuram. The appellant was aggrieved by the bill issued on 01/11/2019 amounting Rs. 2795/- for the consumption recorded as 163 units. Aggrieved by this, the appellant had approached the CGRF, Kottarakkara by filing a petition in OP No. 123/2019. The Forum disposed of the case in favour of KSEBL as the bill issued was for the actual consumption and that the appellant is liable to pay the bill, vide order dated 16-01-2020. Against the decision, the appellant has submitted this appeal petition before this Authority on 11-02-2020.

Arguments of the appellant:

The appellant is a consumer of Electrical Section, Mangalapuram with consumer No. 21437 and has been remitting the electricity bill regularly. The appellant received bills more than Rs. 2,000/- for the previous two terms. The amount in the bill dated 1-11-2019 is Rs. 2,795/- and which was confirmed by the Assistant Engineer, Mangalapuram Section and Consumer Grievance Redressal Forum and ordered to remit the amount. As per the bill, the consumption is only 163 units and the appellant is liable to remit Rs. 785/-.

As per the order of Consumer Grievance Redressal Forum in OP No. 123/2019 the appellant has a period of 30 days to file appeal petition before Ombudsman. But within the appeal period, the respondent issued notice for disconnection, and if so, the appellant will be in trouble.

The request of the appellant is:

1. To issue stay order in disconnection of electricity before the appeal period.
2. Allow to remit the bill amount as per the meter reading shown in the bill.
3. Allow compensation for Rs. 10,000/- for the losses due to the disconnection of electricity within the appeal period.
4. To refund the excess amount collected towards the electricity bill.

Arguments of the respondent:

The appellant was aggrieved by the bill issued on 01/11/2019 amounting Rs. 2795/-. In the bill, the consumption was recorded as 163 units and demand was Rs. 2,795/-.

The previous bimonthly bill amounting to Rs.1,726/- was issued to the appellant on 01/09/2019 for 343 units with initial reading 22859 and final-reading 23202. The disconnection date of the bill was 01/10/2019. On 02.10.2019 the service connection was disconnected due to default in remitting electricity bill. After remitting the energy charges and ACD, the service connection was reconnected on 05/10/2019 (FR 23510). During next billing date 01/11/2019, the final reading was 23673. The bill amount was calculated in the spot billing machine for the difference in consumption between two billing cycle (23673-23202=471 units) and bill issued for Rs.2795/- , but last reading posted at the time of disconnection was noted as previous reading (23510) in bill hence only 163 units was shown as consumption in the bill which leads to the petition. The matter was explained to the consumer while he approached Electrical Section, Mangalapuram. On 12-11-2019, the appellant had submitted an application for testing the meter and the same was tested using a test meter and the meter was found good. The last six bimonthly consumption and bill amount are as follows.

<i>Bill date</i>	<i>Consumption</i>	<i>Bill amount</i>
02.11.2018	406	2043
02.01.2019	401	2002
02.03.2019	311	1336
02.05.2019	400	1934
02.07.2019	407	1990
01.09.2019	343	1726
01.11.2019	471	2795

Aggrieved by the bill amount Rs. 2795/- issued on 01.11.2019 the appellant filed complaint before the Consumer Grievance Redressal Forum, Kottarakkara and the Forum disposed the case in favour of KSEBL as the

Forum found that the bill issued was for the actual consumption and that the appellant is liable to pay the bill.

Since the order of CGRF was in favour of KSEBL 15 days' notice was issued to the appellant on 23/01/2020 and since payment was not made, supply to the premises was disconnected on 10.02.2020 after enquiry with your good office on 27/01/2020 and 10/02/2020 after ensuring that the appeal was not filed yet. As per the direction received, the electric connection was reconnected on 11.02.2020. Any reading posted in between two billing cycle will show as previous reading in the bill hence consumption recorded in the bill shows less than actual consumption. The matter was taken up with the IT wing for rectification.

Analysis and Findings:

The hearing of the case was conducted on 13-03-2020 in the CGRF Court Hall, Kottarakkara and Sri Jayan C, represented the appellant's side and Sri Mohammed Rafi A, Assistant Engineer, Electrical Section, Mangalapuram represented the respondent's side. On examining the petition, the counter statement of the respondent, perusing the documents attached and the arguments in the hearing and considering the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decisions.

The dispute is regarding only one bill issued on 01-11-2019 for Rs. 2,795/- in the said bill in the initial reading shown on 1-9-2019 was 23510 units and the final reading shown on 1-11-2019 was 23673 units and the consumption was 163 units. As per the appellant, the energy charge Rs. 2,795/- demanded for 163 units is high in proportionate with the consumption. Another grievance of the appellant is that the respondent disconnected the supply on 10-02-2020 within the appeal period of CGRF order. The respondent reconnected the service on 11-02-2020, as per the direction issued by this Authority.

According to the respondent, the previous reading as on 01-09-2019 was wrongly entered in the spot bill as 23510 instead of 23202 units. The service of the appellant was disconnected on 02-10-2019 for default of regular energy bill and reading taken at that time was 23510 units and consumption was 308 units for the period from 01-09-2019 to 02-10-2019. The respondent reconnected the service on 05-10-2019. The bimonthly reading taken on 01-11-2019 was 23673 units and the consumption from 05-10-2019 to 01-11-2019 was 163 units (23673-23510). Actually, the total consumption of the appellant for the bi-month from 01-09-2019 to 01-11-2019 was 471 units (308+163) and hence the energy charge Rs. 2,795/- is in proportion to the consumption of the appellant. There occurred some mistake in the billing on the part of the respondent. However the appellant is liable to remit the energy charge for the energy actually used by him. In the case of a dispute in the billing, it is the responsibility of the respondent to comply with the following provisions contained in regulation 130 of the Supply Code, 2014.

130. *Disputed bills.* - (1) *Any complaint with regard to the accuracy of the bill shall be made in writing to the officer designated by the licensee to issue the bill.*

(2) *On receipt of the complaint regarding a bill, such designated officer shall issue a written or electronic acknowledgement on the spot and give a complaint number for reference.*

(3) *Obvious errors such as calculation errors, shall be rectified and corrected bill shall be issued on the same day by such designated officer who issued the bill.*

(4) *On a complaint by any consumer regarding the correctness of a bill, the designated officer of the licensee shall immediately carry out a review.*

(5) *If the review establishes that the bill is incorrect, the designated officer of the licensee shall issue a revised bill with all necessary particulars, within three working days and appropriately adjust the account of the consumer.*

(6) *The consumer shall be given clear fifteen days time for payment of the amount as per the corrected bill and he shall not be charged any penalty if the payment is made on or before the revised due date.*

(7) *If the complaint was found to be incorrect, the consumer shall immediately be notified and directed to make payment as per the original bill and the consumer shall be liable to pay late payment penalty if the payment is made after the due date of payment as per the original bill.*

(8) *While communicating the decision on the review of the bill, the licensee shall advise the consumer in writing about his right to prefer an application against the decision of the licensee before the Consumer Grievances Redressal Forum (CGRF) and further to prefer appeal before the Ombudsman.*

On verifying the meter reading details in the disputed period, the calculation of the respondent is correct. The energy meter was tested with a parallel meter and found that the appellant's meter in the premises is working properly. If the appellant is not satisfied with the test result of the meter, the appellant may request to test the meter in the laboratory, by applying in the format given in Annexure 15 to the Code, along with the requisite testing fee.

The respondent shall issue a corrected bill to the appellant and allow 15 days time to remit the bill. The request of the appellant for compensation is not admitted.

Decision

For the reasons detailed above, the appeal petition No. P/012/2020, filed by the appellant stands dismissed as it is found having no merits. The

order dated 16-01-2020 in OP No. 123/2019 of CGRF, Kottarakkara is upheld. Having concluded and decided as above, it is ordered accordingly. No order on costs.

ELECTRICITY OMBUDSMAN

P/012/2020/_____ /Dated:_____

Delivered to:

1. Sri. C. Jayan, Aswathy Bhavan, Kaduvachira Lane, Kudavoor P.O., Thiruvananthapuram
2. The Assistant Executive Engineer, Electrical Sub Division, KSEBL, Kaniyapuram, Thiruvananthapuram

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, Kottarakkara - 691 506.