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APPEAL PETITION No. P/010/2020  
(Present: A.S. Dasappan)  
Dated: 30<sup>th</sup> June 2020

Appellant : Smt. Bindu K.V.  
Kaippillithara House,  
Muravanthuruthu,  
Vadakkekara P.O.,  
Ernakulam

Respondent : The Assistant Executive Engineer,  
Electrical Sub Division, KSEBL,  
Chendamangalam,  
Ernakulam

## **ORDER**

### **Background of the Case:**

The appellant, Smt. Bindu K.V. is a three phase domestic consumer with consumer No. 1558 under Electrical Section, Vadakkekara, Ernakulam who is aggrieved by the an additional electricity bill issued to her for an amount of Rs. 24419/- for the period from 04/2016 to 04/2019 due to recording meter reading mistakenly. The connected load in the premises is 5001 watts effected from 01-04-1957. Being aggrieved, the appellant filed a petition regarding the impugned bill before the CGRF, Ernakulam and the Forum disposed of the petition vide order no. OP 58/2019-20 dated 31-12-2019 with a decision that the petition is dismissed due to lack of merits. Against the decision of the Forum, the appellant has filed the Appeal petition before this Authority on 06-02-2020.

### **Arguments of the appellant:**

The appellant, a domestic consumer having consumer number 1558 had remitted the electricity bill regularly. Due to the wrong reading, KSEBL issued notice to the appellant to remit arrears amounting to Rs. 24,419/-. The appellant filed complaint before Consumer Grievance Redressal Forum and as per the direction of CGRF the meter was taken for testing. Testing fee of Rs. 369/- was remitted by the appellant. Thereafter, no details informed and she considered it as intentional. The Consumer Grievance

Redressal Forum's order is biased and the appellant requests to collect the arrear amount from the KSEB official who caused the lacks in duty. The appellant's request is to compensate the loss of KSEB by collecting from officers responsible for the loss. Otherwise, she will be forced to approach the State Consumers Forum for justice.

**Arguments of the respondent:**

The service connection bearing consumer number 1558 under Vadakkekara Electrical Section was given on 01-04-1957 to Sri Vasavan K.B., Kaipillithara, Muravanthuruthu, Vadakkeara under LT I tariff with 5001 Watts connected load. The consumption of the appellant for the period from April 2016 to April 2019 is given below:

**Consumer No. 115607200158**

**Reading from 04/2016 to 04/2019 is 7836. Consumption is 7780 units. Reading wrongly entered and the final reading entered as 3110 and billed up to 3054 units only**

SI.No.	Month	Units Billed	Amount Remitted	Units to be Billed	Amount to be Remitted
1	04-2016	239	872	409	1932
2	06-2016	284	1199	409	1932
3	08-2016	194	696	409	1932
4	10-2016	208	746	409	1932
5	12-2016	169	622	409	1932
6	02-2017	230	836	409	1932
7	04-2017	225	815	409	1932
8	06-2017	228	910	409	1932
9	08-2017	164	672	410	1932
10	10-2017	163	669	409	1932
11	12-2017	109	496	409	1940
12	02-2018	126	551	410	1940
13	04-2018	145	611	410	1940
14	06-2018	174	709	410	1940
15	08-2018	87	463	410	1940
16	10-2018	87	463	410	1940
17	12-2018	100	488	410	1940
18	02-2019	122	543	410	1940
19	04-2019	0	0	410	1940
	<b>Total</b>	<b>3054</b>	<b>12361</b>	<b>7780</b>	<b>36780</b>
<b>Balance current charge due is 36780 - 12361 = 24419</b>					

The energy meter of the appellant was replaced with a new ToD meter on 02-02-2016. By taking the reading in 02/2019, the reading recorded is 3110 units by mistake, but the actual reading in 04/2019 is 7836 units. So, till 2/2019 only 3054 units were billed bimonthly for that period instead of 7780 units. The appellant has to remit energy charges for 4726 units (7780 – 3054). Accordingly, the amount is to be remitted by the appellant Rs. 36,780/- and the amount remitted was Rs. 12,361/-. So, the short assessment bill for Rs. 24,419/- was given to the appellant. This amount is the charge of electricity actually used by the appellant and hence the respondent requests to issue order with direction to remit the short-assessed amount by the appellant.

### **Analysis and Findings:**

A hearing of the case was conducted in my chamber at Edappally on 24-06-2020. Smt. Bindu K.V. and Sri Dileep Kumar were present for the appellant and Smt. Kumari Archana M.K., Assistant Executive Engineer, Electrical Sub Division, Chengamanad represented the respondent's side. The brief facts and circumstances of the case that led to filing of the petition before this Authority are narrated above. On examining the petition of the appellant, the statement of facts filed by the respondent, the arguments in the hearing and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decisions.

The disputed bill amount is Rs.24419/- for the period from 04/2016 to 04/2019. As per the respondent, the reading wrongly entered for the period from 04/2016 and by taking the reading in 04/2019, it was detected that the reading recorded in 04/2019 was 3110 units by mistake, but the actual reading in 04/2019 is 7836 units. Hence the uncharged units for the period from 04/2016 to 04/2019 was 4726 units (7836-3110=4726) and the short assessment bill for Rs.24419/- issued to the appellant. The consumption of 7780 units for the period from 01-02-2016 to 19-04-2019 was calculated as 409 units for the billing months from 01-04-2016 to 10-10-2017 and 410 units from 11-12-2017 to 19-04-2019 and the bill amount comes to Rs. 36780/-. The amount remitted by the appellant for the disputed period was Rs.12361/- for 3054 units and the balance amount to be remitted by the appellant is Rs.24419/-.

It is noted that the disputed energy meter of the appellant was not tested, first at the consumer's premises itself, by installing a good energy meter in tandem with the existing meter; so that it can prove both meters carry the same electric current and will measure the same energy, consumed by the party. But in this case, the meter was tested at the TMR, Angamaly on getting a request from the appellant. But the respondent argued that upon testing the meter the errors is within the permissible limits and the same meter was installed in the appellant's premises.

The energy consumption for only one bi-month has reached the abnormal level of 4726 units. The Installation of a Good meter (standard reference meter), in tandem to the existing (disputed) meter to verify the accuracy of the Meter is justifiable as per the clauses 42(3) in KSE Board Terms and Conditions of Supply. The test done on the consumer's premises and in his presence is more convincing than any documentary evidence and would help the appellant to clear his doubts on the existing meter. The respondent has not prepared a site mahazar by inspecting the premises, on getting the complaint on exorbitant bill. The only argument raised by the appellant is that, there is no possibility for such a high consumption and she is not liable to remit the additional bill as she had remitted all bimonthly bills as per the reading in the meter then and there itself. The appellant's contention is that the exorbitant consumption recorded may be due to any other reason, but not admitted the wrong reading as reported by the respondent.

However, the energy consumed in a residential house cannot go high as much as 4726 units for two months, unless there is some earth leakage or any mechanical defects due to lightening etc. Normally such an irrational usage is rare. Considering the fact that the consumer is a domestic one, the possibility of such a high energy consumption of 4726 units for a bi-month is remote. Though the respondent has been directed to submit meter reading details from 02/2015 to 12/2015, it is intimated that the details are not available with them. For all the other months, after the disputed reading on 24-04-2019, the average energy used (for 3 bi-months) was 271 units per bi-month.

The respondent has not submitted any evidence to prove the wrong reading during the disputed period. The down loaded data not contained the details of disputed period and hence any analysis cannot be done. As per the downloaded data the consumption from 01-03-2019 to 01-05-2019 is only 316.19 kWh. Further it is not convincing that during such long period of three years, the meter reader had recorded reading mistakenly. The appellant is a domestic consumer having three phase connection, but the possibility of equal three phase load is rare. Majority of the load is that of lights, fans, air conditioners, computers etc.

### **Decision**

From the findings and conclusions arrived at as detailed above, I decide to set aside the arrear electricity bill amounting to Rs. 24419/- issued to the appellant. The respondent is directed to revise the bimonthly bill for the consumption period from 18-02-2019 to 24-04-2019 by taking the average of three succeeding bi-month's consumption in the meter, i.e., 271 units.

Having concluded and decided as above, it is ordered accordingly. The Appeal Petition filed by the appellant is found having some merits and

is allowed. The order of CGRF, Ernakulam in Petition No. OP 58/2019-20 dated 31-12-2019 is set aside. No order on costs.

**ELECTRICITY OMBUDSMAN**

P/010/2020/ \_\_\_\_\_ /Dated: \_\_\_\_\_

Delivered to:

1. Smt. Bindu K.V., Kaippillithara House, Muravanthuruthu, Vadakkekara P.O., Ernakulam
2. The Assistant Executive Engineer, Electrical Sub Division, KSEBL, Chendamangalam, Ernakulam

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, CGRF-CR, 220 kV Substation Compound, KSE Board Limited, HMT Colony P.O., Kalamassery, PIN: 683 503.