

THE STATE ELECTRICITY OMBUDSMAN

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APPEAL PETITION No. P/036/2021**(Present: A.S. Dasappan)****Dated: 08th October 2021**

Appellant : Smt. Valsamma George,
Pullattu House,
Nadathara, Eravimangalam P.O.
Thrissur Dt.680751

Respondent : Asst. Executive Engineer,
Electrical Sub Division,
KSEB Ltd.,
Mannuthy, Thrissur Dist.

ORDER**Background of the case:**

The appellant is a single-phase domestic consumer of Electrical Section, Nadathara with consumer number 20105 having of connected load of 4446 watts and the service connection was effected on 12-10-2015. The appellant was issued with the regular bimonthly bill for Rs.26,188/- on 22-10-2020 for an energy consumption of 2977 units. Since the appellant had doubt in the recorded consumption, the meter was sent to TMR Division, Angamaly, a meter testing unit of KSEB Ltd. In the testing it was found that the reason for the exorbitant consumption is earth leakage. The appellant filed a petition in CGRF, Central Region vide OP No. 91/2020-21 and the Forum in its order dated 24-04-2021, dismissed the petition due to lack of merits and the installment facility allowed. Aggrieved on the decision of the Forum, the appellant filed this Appeal Petition before this Authority.

Arguments of the appellant:

The appellant remitted Rs.6,000/- against the bill amount for Rs.26,188/- and it is requested to write off the balance amount due to financial problems. The meter and allied parts are installed outside the house building and hence, it was unknown about the earth leakage. The metering system is under the control of the Licensee and the appellant is not permitted to open the meter box. The bimonthly reading system is the reason for the extension of earth leakage and if reading was arranged monthly, the period of earth leaks, if any, could have been limited to a short period.

The electrical equipments installed in the house were not got damaged and any leakage of electricity was not identified by the appellant. The previous bimonthly bill was for Rs.748/- for the period from 23-06-2020 to 25-08-2020. The meter reader had to intimate the appellant about the earth leakage, if any, while taking meter reading on 22-10-2020. In the bimonthly bill for the consumption from 24-02-2021 to 24-04-2021, an amount of Rs.1,000/- is seen as arrears. The Licensee is trying to impose 18% interest on the demand. The appellant requests to quash the balance amount to be remitted by the appellant.

Arguments of the respondent:

Immediately after receiving the regular bimonthly bill dated 22-10-2020 for Rs.26,188/-, the application on 02-11-2020, requesting to minimize the bill amount, to the Assistant Engineer, Electrical Section, Nadathara. The Assistant Engineer had given a reply to the appellant that the reason for excess consumption is earth leakage and to be remitted by the appellant. The meter was tested at TMR Division, Angamaly after remitting the testing fee for Rs.250/- on 01-12-2020 by the appellant. In the test report, the reason for high consumption is found as earth leakage. This was informed to the appellant with a suggestion to allow three numbers monthly installments for the remittance. The respondent had acted in accordance with rules and hence, the appellant is liable to remit the amount.

Analysis and findings:

An online hearing of the case was conducted at 3-30 PM on 15-09-2021 with prior intimation to both the appellant and the respondent. Smt. Valsamma George, the appellant attended the hearing and Sri. Shaji. K.K., Assistant Executive Engineer, holding additional charge of Electrical Sub Division, Mannuthy attended the hearing for the respondent. On examining the petition, the counter statement of the respondent, the documents attached and the arguments made during the hearing and considering all the facts and circumstances of the case, this Authority comes to the following findings and conclusions leading to the decision thereof.

The instant appeal petition pertains to the exorbitant regular bimonthly energy charge for the month of October 2020 and the appellant argued that the bill amount of Rs.26,188/- is very high compared to the previous bills. The appellant stated that the leakage of electricity was an unaware fact and if it was known earlier than the date of billing dated 22-10-2020, it could have been rectified on the same date of information. The appellant remitted Rs.6,000/- and the request is to exempt from paying the balance amount.

The respondent's argument in this case is that the higher consumption for the period from 25-08-2020 to 22-10-2020 was recorded by way of leakage of electricity in the appellant's premises. The meter was tested and confirmed the leakage of electricity. No such leakage was observed in the Licensee's portion in the premises. As such, the appellant is liable to remit the amount with surcharge.

On going through the energy consumption details in the premises of the appellant for two years from 23-10-2019 to 24-08-2021, the bimonthly consumption varies between 77 units and 226 units except for the bi-month from 25-08-2020 to 22-10-2020. The energy consumption in the disputed bi-month is 2977 units. The appellant is a single-phase consumer with connected load 4446 units under domestic purpose tariff.

On verifying the test report of the energy meter issued by the Quality Manager of Meter Testing Laboratory, TMR Division, KSEB Ltd., Angamaly, the percentage errors are within the limits. Also, an event "Earth load" occurred for 56 days 16 hours and 22 minutes. In the test report the Fwd. Kwh is seen high for the

month of 09/2020 and 10/2020 to the extent of 1604.93 and 1216.96 units respectively. From test report, it can scientifically be observed that there was an “earth load” occurred in between 25-08-2020 and 22-10-2020 and after the reading on 25-08-2020.

As per Regulation 110 (8) of Kerala Electricity Supply Code 2014, in the case of the LED indicator for earth leakage provided in the electronic meter found to be ‘ON’, he shall inform the consumer that there is leakage in the premises and advise the consumer to get the wiring checked and leakage removed. As per the scientific data, the leakage of electricity started after 25-08-2020 and the meter reader who took the reading on 22-10-2020 informed the appellant about the exorbitant consumption. The meter was tested and found good.

In the hearing conducted by this Authority, the appellant informed that the service connection was disconnected on 22-10-2020 and the appellant was advised to check the premises wiring and allied parts. Also, the appellant informed that the energy meter box installed in the premises was replaced with another one and informed KSEB Ltd. for reconnection. The consumption recorded in the premises meter from the next five months is seen as normal consumption and which varies between 121 kwh and 226 kwh.

Hence, the respondent had taken timely action to intimate the appellant about the abnormal consumption and the appellant also had taken timely action to rectify the defect of the meter box or allied parts, so as to prevent further energy loss.

Decision: -

From the analysis, findings and conclusions arrived at, which are detailed above, I take the following decision: -

The energy meter in the premises of the appellant was tested and found good and its errors are within the limits. The “earth load” in the premises was proved with scientific data received from the energy meter and which is within the premises. The quantum of energy recorded in the meter is not consumed by the appellant, but supplied by the Licensee. From the scientific data of the meter, it is seen that the defect started after the reading date 25-08-2020 and detected in the

next reading date 22-10-2020. As such, the appellant is liable to remit the bill issued on 22-10-2020. The respondent is directed to prepare a revised bill after deducting the remittance made by the appellant and issue the bill for the balance amount granting two monthly instalments. No interest or surcharge shall be realized from the appellant for the period of petition for orders before the CGRF, Central Region and for the period of appeal petition before this Authority and the due date of the first instalment fixed by the respondent. Since the case is related with leakage of electricity, it is also directed the respondent to exempt the appellant from paying the interest or surcharge for the second instalment also, if the amount is remitted within the due date fixed by the respondent.

The appeal petition filed by the appellant is disposed of as above and the decision of CGRF, Central Region in OP No. 91/2020-21 dated 24-04-2021 is modified to this extent.

Having concluded and decided as above, it is ordered accordingly. No order on costs.

ELECTRICITY OMBUDSMAN

P/036/2021/ _____ dated _____.

Delivered to:

1. Smt. Valsamma George, Pullattu House, Nadathara, Eravimangalam P.O., Thrissur Dist.680751
2. Asst. Executive Engineer, Electrical Sub Division, KSEB Ltd., Mannuthy, Thrissur Dist.

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.