

THE STATE ELECTRICITY OMBUDSMAN

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APPEAL PETITION NO. P/124/2015

(Present: V.V. Sathyarajan)

Dated: 13th October 2015

Appellant : Sri. Eldo Kuriakose
Nadukudiyil House,
Mulavoor P.O,
Muvattupuzha, Ernakulam.

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
Velloorkunnam, KSE Board Ltd,
Ernakulam.

ORDER

The appellant is an agricultural consumer (LT V) with consumer No. 727 under Electrical Section No. 2, Muvattupuzha. On 03-02-2015, the APTS team of KSEB conducted an inspection in the premises of the appellant and it was found some irregularities in the classification of tariff. On 11-02-2015, the appellant was issued with a short assessment bill amounting to Rs. 4,567.00 under LT IV A tariff for the period from 5/2013 to 1/2015. The appellant has filed an appeal before the Assistant Engineer, Electrical Section No. 2. After conducting a hearing, the Assistant Engineer revised the bill amount to Rs. 2,107/- and disposed the petition. Aggrieved by this, the appellant approached the CGRF, Ernakulam by filing a Complaint No. 15/2015-16. The CGRF dismissed the petition vide order dated 27-05-2015 by holding that the short assessment bill is in order. Still aggrieved with the above decisions of CGRF, the appellant has approached this Authority with this appeal petition on 24-06-2015.

A similar matter came up for the consideration of this Authority in appeal petition No. P/123/2015. This Authority after conducting an elaborate hearing in the matter and decided in favour of the appellant in that case. Since the facts and the circumstances are also resembles to that of P/123/2015, the

order of appeal petition No. P/123/2015 dated 13-10-2015 will follow in this case.

In view of the decisions in appeal petition No. P/123/2015, I hereby quash the short assessment bill issued for Rs. 2,107.00. It is further directed that the respondent to verify the predominate nature of the agriculture activity conducted in the appellant's premises and to revise the tariff accordingly as per the revised tariff order issued by Hon'ble Commission with retrospective effect from 03-02-2015. The order of CGRF in OP No. 15/2015-16 dated 27-05-2015 is set aside. Appeal is admitted to the extent as ordered above. No order as to costs.

ELECTRICITY OMBUDSMAN

P/124/2015/_____ Dated:_____

Forwarded to:

1. Sri. Eldo Kuriakose, Nadukudiyil House, Mulavoor P.O, Muvattupuzha, Ernakulam.
2. The Assistant Executive Engineer, Electrical Sub Division, Velloorkunnam, KSE Board Ltd, Ernakulam.

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, CV Raman Pillai Road, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, Consumer Grievance Redressal Forum, Power House, Power House Buildings, Cemeterymukku, Ernakulam-682 018