

## **THE STATE ELECTRICITY OMBUDSMAN**

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### **Review Petition No. RP/03/2025 (Present A. Chandrakumaran Nair) Dated: 27-06-2025**

Review Appellant : The Assistant Executive Engineer,  
Electrical Sub Division,  
KSE Board Limited,  
Ernakulam Central  
Ernakulam (dt)

Review Respondent : Sri. Saseendran.V.N,  
Vadathala House,  
Vaduthala P.O,  
Ernakulam (dt) - 682023

## **ORDER**

### **Background of the Review Petition**

This review petition is filed by the Licensee against the petition P/060/2024. The petition P/060/2024 was filed by Smt. Chandralekha and Shri. V.N Saseendran as appellant in connection with the service connection bearing no.1155473008502 and the respondent was Assistant Executive Engineer, Ernakulam Central. This connection was originally in the name of V.N Sahadevan who was expired and Smt. Chandralekha was his legal heir. Now the connection was transferred to Shri.V.N.Saseendran. The property in which this connection exists was the joint property of brothers. V.N.Sahadevan and V.N.Saseendran. The domestic connection which was under the tariff LT 1 A has been changed to LT 7 A during 07/2010 by the officials of the Licensee without following the codal formalities. Then on 08/2014, the tariff has been changed to LT 6F. The appellant was complaining that the Licensee was charging higher tariff though the purpose of use was only domestic. They have started a sofa repairing unit in the premises where this connection exists during 01/2018. They have requested the Licensee for a change of tariff from LT 6 F to LT IV industrial and this was effected only on 2020. The Licensee has recovered higher amount from 08/2018 to 12/2018 as the revision of bill showing status as Door lock

condition revision bill. The petition P/060/2024 has been heard in person and examined the statements and documents submitted by the parties and accordingly Order was issued by the Electricity Ombudsman on 14/11/2024. The order states as follows.

1. The tariff change implemented by the Licensee unilaterally has been cancelled. The Licensee has to revise the bill accordingly.
2. The change of tariff to LT 4 A is to be effective with effect from 01/2018. The amount excess collected from the consumer is to be refunded.
3. The D/L revision bills issued for the months 08/2018, 10/2018 and 12/2018 is cancelled and Licensee has to revise the bills as per Kerala Electricity Supply Code 2014. The excess amount collected is also to be refunded.
4. The refundable amount as per decision 1,2,3 has to be refunded with interest (to the consumer)
5. If the refundable amount is excess after adjusting the current charge payable for three months, then the amount is to be refunded by cheque(to the consumer)

These refundable amount could be refunded to the registered consumer at present. It is noted that the Licensee has issued cheque for the refundable amount to the consumer (in person) which was not accepted by him. The Licensee has not sent the cheques by registered post. Then the consumer has filed petition to KSERC alleging that the order of Ombudsman is not implemented.

### **Maintainability of Review Petition**

The maintainability of this review petition is to be examined as per the KSERC (CGRF & Ombudsman) regulation 2023, The regulation 46 of regulation 2023 describes the power to review by the Electricity Ombudsman.

**46(1)** *The Electricity Ombudsman may, either on its own motion or on an application of any person aggrieved by an order, review its order on the following grounds, namely:-*

*(i) on the discovery of a new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him;*

*(ii) mistake or error apparent on the face of the record.*

**46(2)** *An application under clause (1) shall be filed within a period of fifteen days*

*from the date of receipt of the order:*

*Provided that the Electricity Ombudsman may entertain an application after the expiry of the said period of fifteen days, if it is satisfied that the applicant had sufficient cause for not preferring the review within such period.*

**46(3)** *If on preliminary examination of the application, if the Electricity Ombudsman found that there is no sufficient ground for review, it shall reject the application after giving an opportunity of being heard to the applicant.*

The review petition would have been filed within 15 days from the date of receipt of the order. Here in this case the order have been issued on 14/11/2024 and this would have been received at least by 20/11/2024. Then the petition has been filed after a lapse of 6 months. The review appellant has been asked to submit the detailed justification for the delay. The reason they explained states that this due to the delay in processing the petition in various offices of the Licensee. The justification is not reasonable and hence not acceptable. The Licensee and the consumers are bound to accept the regulation of Hon'ble KSERC.

There is no mistake or error apparent on the face of the record and also the review appellant could not produce any new and important matter or evidence which after the exercise of due diligence. The hearing of this petition was held on 23/06/2025 in the O/o State Electricity Ombudsman, D.H.Road, Near Gandhi Square, Ernakulam. The hearing was attended by the Review appellant Sri. Tito V William (Nodal Officer), and Sri. Bajumon .P, Assistant Executive Engineer, ESD, KSEBL, Ernakulam Central and the Review respondent Sri. V.N. Saseendran. The review appellant is totally failed to convince this authority about the delay or any other reason to consider the review petition. In view of the above reasons, this review petition is not maintainable and hence to be rejected.

## **Decision**

On verifying the documents submitted and hearing both the review petitioner and review respondent and also from the analysis as mentioned above, the following decision are hereby taken and accordingly the decision taken on appeal petition P/060/2024 is revised.

1. As per the prevailing regulation this review petition is not maintainable and hence rejected and dismissed.
2. No order on cost.

**ELECTRICITY OMBUDSMAN**

No. RP/03/2025/\_\_\_\_\_ dated: 27/06/2025.

Delivered to:

1. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Limited, Central, Ernakulam (Dist.)
2. Sri.. Saseendran V.N, Vadathala House, Vaduthala P.O, Kochi, Ernakulam (DT) - 682023

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.