

THE STATE ELECTRICITY OMBUDSMAN
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APPEAL PETITION NO. P/069/2014

(Present: Sri. V.V. Sathyarajan)

Dated: 28th April 2015

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| Appellant | : | Sri Sabu K. Kuriakose Koothamattathil House, Puthuppady P.O, Velloorkunnam, Muvattupuzha, Ernakulam – 686 673 |
| Respondent | : | The Assistant Executive Engineer, Electrical Sub Division, KSEBoard Ltd, Velloorkunnam, Muvattupuzha Ernakulam (Dt) |

ORDER

According to the appellant, one Sri V.K. Poulse has been misusing the agricultural connection allotted to late Sri David Kuriakose (Consumer No. 257) under Electrical Section, Muvattupuzha No. II. The appellant had taken up the matter with KSEB officials before approaching the CGRF. The appellant alleged that the agricultural subsidy had illegally been enjoyed by Sri V.K. Poulse for the last 15 years, after the death of his father, Sri David Kuriakose. According to the respondent, ownership of agricultural connection in the present case was not changed due to the non submission of necessary application. The appellant was not present for hearing before the CGRF. The CGRF found that the matter did not come under the jurisdiction of the Forum. Aggrieved against the order, this appeal petition was filed.

Hearing of the case was conducted on 31-03-2015. The appellant himself appeared for hearing. Sri Santhosh P. Abraham, Assistant Executive Engineer, Electrical Sub Division, Velloorkunnam represented the respondent. It appears that the appellant is only a neighbour of late Sri David Kuriakose and that the appellant's name was not connected with the above connection (Consumer No. 257). In short, he has no locus-standi to file this kind of petition before the CGRF or Electricity Ombudsman. As per Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2005, the "complainant" who is entitled to approach CGRF or Electricity Ombudsman is defined as follows:-

2. (e) "complainant" means –
- (i) any consumer of electricity supplied by the licensee including applicant for new connections;

- (ii) *a voluntary electricity consumer association/forum or other corporate or group of electricity consumers;*
- (iii) *the Central Government or State Government – who or which makes the complaint;*
- (iv) *in case of death of a consumer, his legal heirs or representatives.*

The term “consumer” and “Electricity Ombudsman” are also defined in the said Regulations.

- (g) *“Consumer” means any person who is supplied with electricity for his own use by a licensee and includes any person whose premises are connected for the purpose of receiving electricity with the works of a licensee or a person whose electricity supply is disconnected by a licensee or the person who has applied for connection for receiving electricity from a licensee, as the case may be;*
- (k) *“Electricity Ombudsman” means an authority to be appointed or designated by the Commission, under sub-section (6) of Section 42 of the Act, with whom a representation may be made by any consumer, who is aggrieved by non-redressal of his grievances by the Forum;*

The appellant herein is neither a “complainant” nor a “consumer” coming under the Regulations. Hence he is not entitled to make a representation before this Authority. The order of the CGRF is therefore upheld. The appeal petition is dismissed. No order as to costs.

ELECTRICITY OMBUDSMAN

NO.P/069/2014/ /Dated: _____

Forwarded to:

1. Sri Sabu K. Kuriakose, Koothamattathil House, Puthuppady P.O, Velloorkunnam, Muvattupuzha, Ernakulam – 686 673.
2. The Assistant Executive Engineer, Electrical Sub Division, KSEBoard Ltd, Velloorkunnam, Muvattupuzha, Ernakulam (Dt)

Copy to:

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