

**THE STATE ELECTRICITY OMBUDSMAN**

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**APPEAL PETITION No. P/080/2022****(Present: A. Chandrakumara Nair)****Dated: 07<sup>th</sup> December, 2022**

Appellant : Sri. Bobby Issac Mathew,  
Pulingappallil House,  
Erumanoor. P.O.,  
Kottayam Dist. 686631

Respondent : Dy. Chief Engineer,  
KSE Board Ltd., Electrical Circle,  
Thodupuzha, Idukki Dist.  
Special Officer (Revenue),  
KSEBL, Vydyuthi Bhavanam,  
Pattom, Thiruvananthapuram

**ORDER**

The appellant Sri. Bobby Issac Mathew is neither a consumer nor a complainant as per regulations. Sri. M.J. Jacob, President of M/s. Thodupuzha Taluk Co-operative Rubber Marketing Society Ltd. is the consumer of the Licensee with service connection No. 11/4191. The service connection is an HT service connection with contract demand 250 kVA and connected load 428 kW. The Thodupuzha Taluk Co-operative Rubber Marketing Society Ltd. have leased out the premises to Sri. Bobby Issac Mathew and he is running the industry in the name of Co-Rubber Crumb Factory. The service connection is not transferred to his name.

As per Section 42 (6), the Ombudsman is for the redressal of the grievance between the complainant and the Licensee.

The complainant is defined in the Section 2 (e) Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation 2005

2 (e) 'Complainant' means-

- (i) any consumer of electricity supplied by the licensee including applicants for new connections;
- (ii) a voluntary electricity consumer association/forum or other body 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.

2 (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;

The Section 21 (2) of the Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations 2005 states that – “Procedure for redressal of grievance” states as follow:

Section 21 (2) “Any Complainant, who is aggrieved by the non-redressal of his grievances by the Forum may himself or through his representative make a representation to the Ombudsman within Thirty (30) days from the date of the receipt of the order of the Forum. Provided that the Ombudsman may entertain a representation after the expiry of the said period of Thirty (30) days if he is satisfied that there was sufficient cause for not filing it within the said period.”

On examining the above Sections, it is very clear that the petitions are to be filed either by complainant or a consumer. In the case in hand the appellant is neither a consumer nor a complainant and hence, the petition cannot be accepted.

If the actual consumer would like to file the petition for this grievance, the same may please be filed to the concerned Consumer Grievance Redressal Forum within 15 days of this order. This decision has already been conveyed to the Advocate, who represented the petitioner for the hearing on 05-11-2022.

The appeal petition filed by the appellant is disposed of accordingly.

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

**ELECTRICITY OMBUDSMAN**

P/080/2022/\_\_\_\_\_ dated \_\_\_\_\_.

Delivered to:

1. Sri. Bobby Issac Mathew, Pulingappallil House, Erumanoor. P.O., Kottayam Dist. 686631
2. Dy. Chief Engineer, KSE Board Ltd., Electrical Circle, Thodupuzha, Idukki.
3. Special Officer (Revenue), KSEBL, Vydyuthi Bhavanam, Pattom, Thiruvananthapuram

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.