

THE STATE ELECTRICITY OMBUDSMAN

D.H. Road & Foreshore Road Junction, Near Gandhi Square,

Ernakulam, Kerala-682 016

Ph: 0484 2346488, Mob: 8714356488

www.keralaeo.org Email: ombudsman.electricity@gmail.com

**Appeal Petition No. P/067/2025
(Present A. Chandrakumaran Nair)
Dated: 07-01-2026**

Appellant : Smt. C.P. Maggy
Proprietor,
M/s. Hotel Prince Palace, Palayam
Thiruvananthapuram(Dist.) - 695033

Respondent : The Assistant Executive Engineer,
Electrical Sub Division, KSE Board Limited,
Puthenchantha, Thiruvananthapuram(Dist.)

ORDER

Background of the case

The appellant Smt. C.P Maggy is the owner of the Hotel Prince Palace, situated at Palayam, Thiruvananthapuram. There are three LT connections for this Hotel and the connected buildings bearing consumer numbers 1145061011481, 1145062004158, 1145061008411 under Electrical Section, Contonment, Thiruvananthapuram of the Licensee KSEBL. The Licensee had issued a notice to the appellant as per regulation 52, which restricts the use of electricity for the same purpose at the same voltage level in a single premise. This has been noticed during the inspection conducted by APTs on 28/03/2025. The appellant is challenging the notice stating that the Hotel is having two portions operated by two entities and the third connection is for another building which is a separate premise. The appellant has filed the petition to CGRF which was numbered as OP/21/2025-26. The CGRF had completed the procedural formalities and issued order on 23/29-09-2025 which states that the action initiated by the respondent is legally sustainable. Aggrieved with the decision of CGRF, the appellant has filed this appeal petition to this Authority.

Arguments of the Appellant

On 28-03-2025, the staff of the Electrical Section in Cantonment, Thiruvananthapuram, along with the Anti-Power Theft Squad, inspected the premises of the complainant. During the inspection, the opposite party prepared a site Mahazer. Subsequently, the Assistant Executive Engineer of the Electrical Sub Division Puchanchantha issued a notice, as per Regulation 52 of the Supply Code of 2014. The complainant argues that this notice does not reflect any of the conditions stipulated for disconnection and hence the same is neither legally sustainable nor justified. The complainant and her son, Mr. Mithun David, are the owners of Hotel named "Prince Palace," located at the specified address. Within the hotel's compound, the complainant has three electric connections; each assigned a different consumer number: 1145062004158, 1145061011481, and 1145061008411. Two of these connections are registered in the complainant's name, while the third connection is registered in her son's name. The connections are spread across two separate buildings.

The service connections associated with consumer numbers 1145062004158, 1145061011481, and 1145061008411 have connected loads of 64.95 kW, 74.99 kW, and 13 kW, respectively. All connections fall under the LT VII (a) tariff and were established to support the hotel's operational activities. Moreover, the electricity charges of all three connection are being paid on time. The main issue raised in the notice by the opposing party is that the hotel has been using electricity through three separate service connections on the same premises for the same purpose and at the same voltage level. This practice could also pose a risk to electrical safety.

We respectfully submit that we are using different electric connections within the same compound, but not on the same premises. As per Kerala Electricity Supply Code, 2014 Regulation 2(67) the "*premises*" includes any land or building or structure which is included in the details and sketches specified in the application or in the agreement for grant of electric connection or in such other records relating to revision of connected load or contract demand. At the time of applying for the service connections, the complainant submitted applications along with sketches that indicated the areas where we would be using electricity from those connections. Following a site inspection by the opposite party, approved the applications and provided the connections as requested. Therefore, these areas qualify as "premises" according to the definition in the Supply Code, 2014. So, it is clearly understood that the complainant are not using electricity in the same premises for the same purpose at the same voltage level. Hence the allegation raised by the opposite party is without any valid ground.

It may kindly be noted that the consumer numbers 1145062004158, 1145061011481 are provided in the main building in which Consumer No

1145061011481 is using electricity for the restaurant, bar, and kitchen area. This area has functioned as Bar & Restaurant only. Here there is no provision for lodging. This premise is fixed as the first portion of the main building. The next consumer number of that building is 1145062004158 using electricity back side of the main building. This area contains Reception, Lift, wash area, and 35 bedrooms. This has functioned as the Lodging of the hotel. Also mentioned that both areas are electrically separate, and two Generators are installed for each consumer numbers and no interlinking facility is given. So there is no risk in safety aspect as the supply feeding and backup supply source is electrically separated. It may kindly be noted that, if we intend to rent out any of the activities, such as the Restaurant and loading, we have the flexibility to do any area to separate parties for operating only for Restaurant or for Lodging or both.

In the case of consumer number 1145061008411, it is connected to a separate building and is using as House of Managing Director, Administrative offices, and for staying staff. This is also a separate activity and cannot be clubbed with other mentioned connections. It may please be noted that all of the buildings have separate door numbers and separate local body licenses. The complainant is paying annual fees separately for these buildings. As per Regulation 52 *the supply of electricity to be given only at one point for same purpose at the same voltage level in a premises: Supply shall be given only at one point for same purpose at same voltage level in a single premises.* Here in this case, both consumer numbers are provided in separate premises as per Regulation 2(67) in Kerala Electricity Supply Code, 2014. Also, please note that the purpose is different. The first portion of the building functions as a Restaurant and the balance portion are used for Lodging. In this case main building has separate building numbers and a separate local body licensee for operation.

It is also informed that it is true that all activities within the Prince Palace Hotel are registered under a single GST number, this is purely for the purpose of tax compliance under the Goods and Services Tax Act, which mandates that a business entity operating under a common ownership can register under a single GST number, even if it carries out multiple activities within the same or different premises. GST registration does not determine or govern the classification of electricity usage or premises under the Kerala Electricity Supply Code, 2014. The complainant would like to clarify that the opposite party has not experiencing any revenue loss due to the connections. The complainant is currently remitting payments at the maximum tariff rate by the prevailing tariff order. Should the consumption for any consumer number account fall below 500 units per month, the opposite party can bill the entire units by clubbing meter readings of each meter.

One of the main reasons cited by the respondent is that the building in question is classified as a high-rise. Therefore, the complainant is categorized as HT (High Tension) according to Regulation 49 of the Kerala

Supply Code 2014. However, it should be noted that this regulation does not apply in this case, as the high-rise building is not classified as HT. The decision made by the Forum regarding safety and the relevant provisions of the Supply Code 2014 is incorrect. This is because the Electrical Inspectorate had already issued approvals for both the generators and lifts installed on the premises after conducting thorough inspections and verification's of the entire system. Therefore, the Forum's findings is not in accordance with the actual safety considerations.

Hence, the complainant respectfully submitted that the aforesaid service connections may be maintained as independent, as originally sanctioned by the opposite party.

Arguments of the Respondent

The grievance of the petitioner Smt. C.P.Maggy, Proprietor, Hotel Prince Palace, Palayam, Thiruvananthapuram (Consumer No. 1145061011481, 1145062004158, 1145061008411) under the jurisdiction of Electrical Section, Cantonment, Thiruvananthapuram is regarding the notices issued for using multiple electricity connections in the same premises that too in same tariff. The notices were issued in accordance with the provisions of the Kerala Electricity Supply Code, 2014 (hereinafter "Supply Code"), specifically Regulation 52, which restricts the use of electricity for the same purpose at the same voltage level within a single premise.

A surprise inspection was conducted by the Anti Power Theft Squad, Thiruvananthapuram along with the officials of Electrical Section Cantonment on 28.03.2025 and a site mahazar was prepared. During the inspection, it was found that multiple connections are being used in a single premises for the same purpose. From Exhibit R1, it can be seen that the connections 1145062004158 and 1145061008411 were effected on 1957 and 1145061011481 is on 2013. Out of the three connections, two connections were taken during the year 1957 and one during 2013. All the three connections are used for the functioning of a Hotel, Restaurant and Bar in the name and style Edasserys Hotel Prince Palace, which is functioning in a single building with interconnections in between. Moreover this the whole business is functioning with a single GST Number from which it is clear that the whole business establishment is functioning as a single unit. "Regulation 52 of the Supply Code mandates that electricity shall be supplied only at one point for the same purpose within a single premise at the same voltage level". Regulation 138 of the Supply Code enumerates the circumstances under which the licensee is entitled to disconnect electricity supply. The use of multiple connections in violation of the statutory provisions constitutes grounds for disconnection.

Accordingly, consumer was issued notice, by the Assistant Engineer, Electrical Section, Cantonment, to dismantle two connections and to use a single electricity connection. By issuing notice, the Assistant Engineer conveyed that the use of multiple connections did not comply with Regulation 52, as all the three connections served the same purpose under same premises that were physically and functionally connected. The Assistant Engineer issued notices to ensure strict compliance of the relevant provisions of the Supply Code and to avoid unauthorized use or potential misuse of electricity. The Respondent acted within statutory power conferred on it and adhered to due process by issuing notices, giving the Petitioner an opportunity to address the issue before initiating any coercive steps.

Aggrieved by this Order, the complainant filed this complaint before the Honourable State Electricity Ombudsman. In addition to this, it may please be noted that this is a high rise building. As per Kerala Municipal Building Rules CHAPTER XVII SAFETY PROVISIONS FOR HIGH RISE BUILDINGS clause 110. High rise building. For the purposes of this Chapter high rise building means a building having more than four floors and or 15 metres of height from ground level. From Exhibit R5 it can be seen that one portion of the building is having five floors. Also in CHAPTER VI, 36. Height of room.- The height of room in a building other than residential occupancy shall be not less than 3 metres.

From the above two statements it can be concluded that a 5 storied building with room height as per rules will have a total height more than 15m. From Exhibit R5 it can be seen that one portion of the building has five floors from which it is clear that the said portion of the building is having a height of 15 m and the other portion which is much taller than the previous will normally be more than 15m in height. As per Regulation 49 of the Supply Code, Electricity connection to high rise building, colony and to residential, commercial or industrial complex.-(5) 1. The development authority or the promoter or the builder or the developer or such other person, as the case may be, who constructs such colony or complex or high rise building under the clauses (a), (b) and (c) of sub Regulation (1) above, shall, at his cost, construct the required internal distribution network including the service line, transformer, switch gear, metering cubicles etc., as per the detailed scheme approved by the Electrical Inspector, for receiving power from the licensee and for distributing it and shall handover the metering cubicle to the licensee before the commencement of supply of electricity. The internal distribution network including the transformer and switch gears and the underground service line cable of transformers are to be maintained by the development authority or the promoter or the builder or the developer or present occupier/building association or any other person who is the present registered consumer of the colony or residential complex or a commercial complex or an Industrial complex or a high rise building]. Hence this consumer has to be categorized as HT consumer.

Above all, a matter of grave concern or the main point to be discussed is on the SAFETY POINT OF VIEW. The use of multiple connections within same premises that are physically and functionally connected can create dangerous situation in case of a hazard.

The Respondent's actions were legitimate, lawful, and in strict compliance with the empowering provisions of the Kerala Electricity Supply Code, 2014. The notices were aimed to enforce regulations and prevent violations that could lead to inequities or technical issues within the electricity distribution system. The Respondent respectfully submits that the disconnection notices issued to the petitioner were appropriate. Considering the above mentioned facts, this august forum may be pleased to dismiss the complaint in favor of the respondent. All the facts stated above are true to the best of my knowledge, information and belief.

Counter Arguments of the appellant

It may kindly be noted that the main argument put forwarded by the respondent is that multiple connections are being used in a single premises for the same purpose. This is not correct and not disclosing the true facts. In fact the connections 1145062004158 & 1145061008411 were issued on 30-07-2007 for two separate buildings. And another connection was given on 05-09-2013 with consumer no- 1145061011481 after modification of the main building. All the three connections were issued by the officials of Board after verification and having satisfied with the purpose of usage. It is true that the current charges for the 3 service connections were paid from the account of Business establishment, but it is not an indication that three connections are used for same purpose ie, Hotel business.

According to Regulation 26 of the Supply Code 2014, which pertains to the safety of electrical installations and subsection 26(3) states that "*in the case of electrical installations using electricity at LV (low voltage) level, the Licensee may provide the connection after conducting an inspection to ensure that the installation is safe for energization.*" Therefore, the respondent issued the service connections based on this regulation. As a result, the allegation made by the respondent that multiple connections are being used in a single premise for the same purpose is not considered valid at this stage.

The table clearly indicates that the service connections associated with consumer numbers 1145061011481 and 1145062004158 are registered under the name C.P. Maggy, while the third connection, 1145061008411, is registered under the name Midhun Davis. The consumer number 1145061011481 is being used for a bar and restaurant, and 1145062004158 is functioning as a lodging facility. In contrast, consumer number 1145061008411 serves residential purposes for the owner, Sri Midhun Davis. Therefore, it is evident that the three connections are used for different purposes. Please note that if we choose to rent out any of our activities, such as the Bar & Restaurant or Lodging, we have the flexibility to

designate specific areas for separate parties. This allows us to operate either just the restaurant, just the lodging, or both. However, this flexibility will be lost if we combine the connections.

The respondent argues that Regulation 138 of the Supply Code 2014 outlines the specific circumstances under which the licensee is permitted to disconnect electric supply. It is contended that the petitioner has not violated any provisions that would justify the respondent's actions under this Regulation. Furthermore, the respondent did not clearly specify which provisions the petitioner allegedly violated in this case. It is regrettable that the respondent made a false statement in the facts presented. The respondent claimed that the Honourable CGRF, in OP No 21/2025-26 dated 23-09-2025, declared that the petitioner is liable to pay a short assessment bill. This claim is incorrect. No short assessment bill has been issued to the petitioner, nor has there been any declaration in the order stating that the petitioner is liable to remit such a bill. Therefore, the availability of an installment facility is irrelevant.

The respondent has written much regarding the Electricity Connection to high rise building. As per Regulation 49 of Supply Code 2014, the only requirement for providing supply to particular building is to obtain approval from Electrical Inspector. In the present case this aspect is not at all relevant. If the respondent insists for the same, the petitioner is ready to submit the approval from the Electrical Inspector. It is clear that two service connections were issued in 2007, while a third connection was issued in 2013. Therefore, the respondent's claim that three connections are necessary for the operation of the hotel business is incorrect. This assertion by the respondent is merely an assumption and should be rejected by this honorable authority.

Analysis and findings

The hearing of this appeal petition was conducted on 12/12/2025 at 11.00 a.m. in the KSEBL IB, Paruthippara, Thiruvananthapuram. The hearing was attended by the appellant's representative Sri.Shony.M.K and the respondent,Sri. Anish.D, Assistant Executive Engineer, Electrical Sub Division, Puthenchantha and Sri. Anand K.S, Assistant Engineer, Electrical Section, Contonment, Thiruvananthapuram (Dist.)

The appellants Shri.C.P Maggy is the owner of the Hotel named "Hotel Prince Palace" which exists at Palayam, Thiruvananthapuram. The power supply has been availed form the Licensee KSEBL through their Electrical Section, Contonment. There are three service connections connected to two premises in connection with this Hotel. Two connections obtained during 1957, which are 1145062004158 and 1145061008411. The connection 4158 is in the name of the appellant and of 8411 is in the name of her son Shri. Midhun Davis. The Orumanet profile states that this connections are obtained on

01/04/1957 but the statement of the appellant shows that these connections are availed on 2007. But the Orumanet profile is to be taken into consideration. The third connection bearing consumer number 1145061011481 is connected during 2013.

The connection 8411 is in the name of Shri. Mithun Davis is a separate premises and the connected load of this is 13 KW on tariff LT 7A. This building is having a separate entrance and is separated from other buildings. This building houses for the residence of Managing Director, Administrative offices and for the accommodation for the staff. This purpose is entirely different from the hotel business. This building is having separate door numbers allotted by the Corporation and the tax is separate from the other buildings. Accordingly this could be treated as separate premises and accordingly this building having separate connection is justifiable.

Then there are two connections for the Hotel building. The three phase connection number 4158 has obtained on 1957 with connected load 69.95 KW under the tariff LT 7A. This connection is utilized for the main building having reception, Lifts, wash area and 35 bed rooms. This is functioning as the lodging facility of the Hotel and also having a separate stand by generator set for providing power supply in case of main power supply fails. The connection 1481 is obtained during 2013 for the building which is connected to the main building. The power from this connection is utilized for the restaurant, bar, kitchen area and for 15 bed rooms. This facility is totally the part of the hotel. The connected load of this connection is 74.99 KW. This part of the building would have been added later and a separate connection would have been obtained. These buildings are physically connected together and the facilities are provided common for the Hotel business.

As these two connections are connected for the buildings which is connected together and having common facilities, this is to be treated as a single premises. The regulation 2(67) of the Supply Code 2014 describes about the premises.

2.(67) “premises” includes any land or building or structure which is included in the details and sketches specified in the application or in the agreement for grant of electric connection or in such other records relating to revision of connected load or contract demand;

Then regulation 52 of the Supply Code 2014 states that the power supply is to be given at one point.

52. Supply of electricity to be given only at one point for same purpose at the same voltage level in a single premises.- Supply shall be given only at one point for same purpose at the same voltage level in a single premises

Here in this case, the purpose is same and the voltage level is same and the premises is single premises. As such the power supply to these two portions are to be fed from a common service connections. The voltage level here is LT, three phase 415 volts.

The regulation 49 of the Supply Code 2014 spells about the Electricity connection to the High rise buildings.

49. Electricity connection to high rise building, colony and to residential, commercial or industrial complex.-

(1) *The expenditure for modification, upgradation and uprating of the distribution system of the licensee executed, if any, exclusively for giving connection shall be realised from the applicants in the following cases:-*

(a) *colony developed by development authority or private builder or promoter or developer with a total load demand more than one megawatt (MW);*

(b) *domestic or commercial or industrial complex with multiple consumers with a total load demand more than one megawatt (MW);*

(c) *high rise buildings, irrespective of the load demand;*

(d) *a single consumer with a load demand above one MW.*

(2) *The total connected load of such colony or residential complex or commercial complex or high rise building shall for the purpose of this regulation be the estimated connected load as per the scheme approved by the Electrical Inspector or certified by an Architect or a Licensed Engineer or a Licensed Electrical Contractor or computed as per norms approved by the Commission on the basis of the plinth area constructed, as the case may be.*

(4) *The development authority or the promoter or the builder or the developer or any other person who constructs a colony or a residential complex or a commercial complex or an industrial complex or a high rise building shall prepare and obtain approval from the Electrical Inspector, a detailed scheme of electrification of the entire colony or complex or high rise building, with all necessary equipment namely transformer, ring main unit (RMU) etc., and shall submit the same to the licensee along with application for service connection.*

(5) *The development authority or the promoter or the builder or the developer or such other person, as the case may be, who constructs such colony or complex or high rise building under the clauses (a), (b) and (c) of sub Regulation (1) above, shall, at his cost, construct the required internal distribution network including the service line, transformer, switchgear, metering cubicles etc., as per the detailed scheme approved by the Electrical Inspector, for receiving power from the licensee and for distributing it and shall handover the metering cubicle to the licensee before the commencement of supply of electricity. The internal distribution network including the transformer and switchgears and the underground service line cable of transformers are to be maintained by the development authority or the promoter or the builder or the*

developer or present occupier / building association or any other person who is the present registered consumer of the colony or residential complex or a commercial complex or an Industrial complex or a high rise building

The appellant states that they want to retain these two connections, to have an option to out source the Hotel rooms to one agency and the Restaurants, bar & Kitchen area to another agency. At present the facilities are working as a single entity. The reception is common for 35 rooms in the main buildings and 15 rooms of the next building. The GST number allotted for the Hotel restaurant and bar are same. This Hotel Prince Palace is seen to be a 3 star /4 star Hotel, then the spacious dining area, restaurant and kitchen areas are the mandatory requirement. Then this portion consisting of restaurant, bar, kitchen could not be separated out. Further this portion is also having 15 bed rooms which acts as additional rooms to that of 35 rooms in the main buildings. Then the entire building functioning as a common Hotel facility. More over it is totally owned and operated by one entity having one GST registration.

Another contention raised by the appellant is that both the buildings were separately inspected by the statutory body and the Licensee while granting the connection. The second connection 1481 was connected on 26/11/2013, after conducting the mandatory inspection by the Licensee while the connection 4158 which connected on 1957 was existing. Why the Licensee has not raised any safety concern then and raising the concern now? This is a pertinent argument. Why these requirements are not checked during the inspection on 2013 ? The Licensee have not given proper justification for this question. The regulation 26 of the Supply Code 2014 deals with the safety of the electrical installations

26. Safety of electrical installations.-

(1) The provisions of the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010, as amended from time to time, shall be complied with in every respect by the licensee and by the consumer.

(3) In the case of electrical installation using electricity at LT level, the licensee may give the connection after inspection and ensuring that the installation is safe for energisation.

Here the Electrical Inspectorate and the Licensee have conducted inspection and not noticed this aspects. However all the facilities connected to these two connections are for the same purpose and hence to be fed by single source of power.

Decision

On verifying the documents submitted and hearing both the petitioner and respondent and also from the analysis as mentioned above, the following decision are hereby taken.

1. The connection bearing consumer number 1145061008411 is to be maintained as such.
2. The connections availed for the Hotels with consumer number 1145062004158 and 1145061011481 are to be made as a single connection with suitable power distribution arrangement.
3. If the total connected load is more than 100 kW the appellant may either avail an HT service connection by installing a suitable transformer by the appellant or avail connection in LT by paying Low voltage surcharge as per the tariff order issued by the Hon'ble Commission.
4. No other charges allowed.

ELECTRICITY OMBUDSMAN

No. P/067/2025/ dated: 07-01-2026

Delivered to:

1. Smt. C.P Maggy, Proprietor, M/s. Hotel Prince Palace, Palayam, Thiruvananthapuram (dt) - 695033
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Limited, Puthenchantha, Thiruvananthapuram.

Copy to:

- 1) The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
- 2) The Secretary, KSE Board Limited, Vydyuthi Bhavanam, Pattom, Thiruvananthapuram-4.
- 3) The Chairperson, Consumer Grievance Redressal Forum, Vydyuthibhavanam, KSE Board Ltd, Kottarakkara - 691 506.

