

THE STATE ELECTRICITY OMBUDSMAN

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Appeal Petition No. P/05/2026 (Present A. Chandrakumaran Nair) Dated: 22-04-2026

Appellant : Smt.Anupama Rajesh,
C/o Sreekumar T G,
VYRA 35, TC 67/1157, Villuvilakam,
Konchiravila, Manacaud P. O.,
Thiruvananthapuram (dt) - 695009

Respondent : The Assistant Executive Engineer,
Electrical Sub Division, KSE Board Ltd,
Fort, Thiruvananthapuram (DT)

ORDER

Background of the case

The appellant Smt.Anupama Rajesh is a consumer of Licensee, KSEBL under the Electrical Section, Thiruvallom, Thiruvananthapuram. She is the owner of the building no. TC/64/1689-2 situating at Bharathi Amma Road, Vellar, Kovalam. There were five connections to this building under LT 1A tariff to the five independent housing units having separate entrance and exit. This building is a three storey building in which the family of the consumer was resided and also provided Home stay with the name 'Green View Homestay'. The Department of Tourism had issued the License for the Homestay for three years with effect from 08/11/2023. The Section officials inspected the premises and assessment has done as per Section 126 of the Electricity Act 2003 for unauthorized use of electricity. As the appellant was having the License for home stay the Assessing officer has quashed assessment under Section 126. Then the building was rented out. The AE, Thiruvallom has issued a short assessment for Rs. 49,588/- under LT VII A tariff. The appellant has filed the petition to CGRF which numbered as OP/042/25-26 and issued an order on 06/01/2026. Aggrieved with the order of CGRF, this appeal petition has been filed to this Authority.

Arguments of the Appellant

The Appellant owns a property that was originally treated as a single building but has always been physically independent units. Following due process, the Trivandrum Corporation officially bifurcated the building and assigned a new number TC 64/1689-3 on 20/11/2025, while the other portion remains TC 64/1689-2.

Portions under TC 64/1689-3 are used for a licensed Homestay (Commercial/Hospitality), for which a 3-Phase LT-VIIA connection is maintained. Portions under TC 64/1689-2 are independent residential units occupied by two different families, including a tenant. These units have independent LT-IA connections (Con Nos: 21485, 21487).

The 2nd Respondent issued a short assessment bill of Rs. 49,588/-alleging violation of Regulation 52 of the Supply Code, which the CGRF upheld without considering the distinct legal status of the units. During the pendency of the CGRF case, the 2nd Respondent used undue influence and threat of disconnection to force the Appellant to merge connections, which is an interference with the judicial process.

Definition of Premises (Regulation 2(67)): The core of the dispute is whether the units constitute a 'Single Premise'. Since the Local Authority (Trivandrum Corporation) has issued separate building numbers (Door Numbers), they are separate legal entities/premises. The Licensee cannot override the building classification of a Local Body.

Regulation 52 - Same Purpose vs. Different Purpose: Regulation 52 prohibits multiple connections for the "same purpose" at the same voltage level. Here, one part is Commercial (Homestay) and the other is Domestic (Residential). Electricity Law mandates different tariffs for different purposes. Forcing a domestic user to merge with a commercial connection is a violation of the Tariff Order.

Legal Validity of Post-Complaint Evidence: Although the separate building number was officially recorded on 20.11.2025, it reflects a pre-existing physical reality. The Ombudsman has the power to take note of such "subsequent events" to ensure justice. Res Judicata and Section 126: The Assessing Officer under Section 126 had already dropped the charges of unauthorized use and confirmed the LT-IA tariff. The Assistant Engineer's subsequent 'Short Assessment' for the same issue is an attempt to bypass the finality of the Section 126 order.

Violation of Section 43 of Electricity Act 2003: Every owner or occupier has a statutory right to demand a separate supply of electricity for their premises. By forcing clubbing, KSEBL is denying this statutory right.

QUASH the Order of CGRF in OP No. 42/2025-26. DECLARE that building numbers TC 64/1689-2 and TC 64/1689-3 are separate premises entitled to

separate connections for distinct purposes (Domestic and Commercial). SET ASIDE the Short Assessment bill of Rs. 49,588/- and direct the Respondents to restore the independent LT-IA status of Consumer Nos. 21485 and 21487.

Arguments of the Respondent

The Appellant herein a consumer of Electrical Section, KSEBL, Thiruvallam under Electrical Sub Division, Fort is provided with 5 LT domestic connections vide Consumer Nos. 1145022020472, 1145029021485, 1145023021486, 1145021021487, 1145025021488 in a three storied building owned by the Appellant herself. The above electric connections are provided to 5 independent housing units having separate entrances and exits in the above 3 storied building with TC No 64/1689(2).

An inspection was conducted by the officials of the licensee on 23.06.2025 and Site Mahassers were prepared on detection of anomalies in the premises of the Appellant, Smt. Anupama Rajesh. Hence a Provisional assessment was made under Section 126 of Electricity Act 2003 and orders were issued to the Appellant and the amount was assessed under LT7A tariff on 24.06.2025. Subsequently, the registered owner Smt. Anupama Rajesh submitted a letter dated 08.07.2025 along with the 'Homestay Classification' certificate (Valid for a period of 3 years with effect from 08.11.2023) issued by the Director, Department of Tourism, Government of Kerala dated 08.11.2023.

It also submitted that Homestay units approved by Department of Tourism can be billed at LT-1 Domestic as per Note -3 in page-5 of Gazette Notification of KSERC No. 560/DD(T)/2018/KSERC dated 08.07.2019. Considering the Homestay classification certificate, it is concluded that there is no unauthorised use of electricity in the said premises and hence the consumer is billed under LT 1A domestic tariff. So the Assessing Officer quashed the provisional bill issued and Final order was issued to the Appellant. In the Final order issued, there was a direction to the Assistant Engineer of Electrical Section, Thiruvallam to issue a short assessment bill to the Appellant as per Regulation 52 of Kerala Electricity Supply Code, 2014 which states that 'Supply of Electricity to be given only at one point for the same purpose at the same voltage level in a single premises'. The Appellant submitted a letter dated 10.07.2025 to the Assistant Engineer, Electrical Section, Thiruvallam (Received on 17.07.2025) stating that they stopped the activity of home stay in the above building bearing TC No 67/1157 and stopped the business and rented out to Sri.Suju Babu, Babu Bhavan, Kuzhiyamvila, Beach Road, Kovalam P.O on 22.05.2025 for running a tourist home in appropriate tariff wef 22.5.2025.

The Assistant Engineer, Electrical Section, Thiruvallam issued a provisional short assessment bill to the Appellant demanding Rs. 49,588/- (Rupees forty nine thousand five hundred and eighty eight only) along with a demand cum calculation sheet as per relevant provisions and Regulation 52 of Kerala Electricity Supply Code 2014. Section 45 of the Electricity Act, 2003, grants

distribution licensees the power to recover charges for electricity supplied to consumers, with the key conditions being that tariffs must be fixed in accordance with state commission guidelines, be publicly announced, and cannot show undue preference or discrimination. The licensee can also charge a fixed charge for supply and rent for any meter or electrical plant they provide. The Appellant was informed about the details of Provisional short assessment amount vide Letter dated 16.08.2025 (Received by the Appellant on 21.08.2025).

Since there are 5 numbers of electric connections provided in the same premises, for one and the same purpose, the total consumption of the whole electric connections are divided into 5 and hence falls under lower billing slabs and caused revenue loss to KSEBL. Hence the consumer was billed by adding the whole consumption to a single consumer and net demand calculated deducting the amount already remitted and issued a demand of Rs. 49,588/- (Rupees forty nine thousand five hundred and eighty eight only) after issuing a Provisional short assessment notice as per Regulations 52 and 134 (1) of Supply code 2014 which empowers the licensee to recover the undercharged amount by issuing short assessment bill after giving 30 days to the Appellant for making payments.

It is humbly submitted that, initially all the service connections were not provided under LT 7A tariff. The date of connection, initially assigned tariff and change in tariff of respective electric connections are given below in a tabular form for the kind perusal of this Hon'ble Ombudsman.

Con.no	Date of connection	Initial tariff	Change in tariff & Date of effect	Change in tariff/ Date of effect
20472	15.04.2021	LT 6F	VII A (04/2023)	1A (08/2023)
21485	13.04.2023	LT 1A	04/2023	-
21486	13.04.2023	LT 7A	LT 1 A (08/2023)	-
21488	13.04.2023	LT 7A	LT 1 A (08/2023)	-
21487	13.04.2023	LT 7A	LT 1 A (08/2023)	-

On going through the above table, it can be clearly understood that the tariff of all the service connections except Con no. 21485 was changed on 08/2023, ie. before the Homestay classification certificate issued by the Director, Department of Tourism, Government of Kerala (ie. as on 08.11.2023). The Con no. 21485 was billed under domestic tariff at the time of effecting service connection itself. Since the electric connections having 5 independent housing units with separate entrances and exits in the above three storied building were found domestically occupied during inspection, the tariff was changed to LT 1A domestic tariff wef 08/2023. The tariff of the above service connections were changed based on the domestic occupancy of the Appellant and their extended family alone and not for the tariff applicable to Homestay units as approved by the Department of Tourism as per Note-3 in page-5 of Gazette Notification of KSERC No. 560/DD(T)/2018/KSERC dated 08.07.2019. It was observed that the building with TC No 64/1689(2) is being operated as a single licensed Homestay unit displayed a name board "Green View, Homestay, Kovalam" obtained from the

Department of Tourism, Government of Kerala and accommodating paying guest by the Appellant and earning income. Further, the Appellant is now availing of multiple service connections for the same purpose for Homestay in domestic category at the same voltage level in the above multistoried building after obtaining a licence of Homestay unit issued on 08.11.2023 from the Department of Tourism, Government of Kerala. This is clear violation of Regulation 52 of the of the Supply Code, 2014 that 'supply shall be given only at one point for same purpose at same voltage level in a single premises'. Hence the total consumption of the whole building using energy for the same purpose (Homestay) is divided into five which results revenue loss to the licensee. In order to recover the loss sustained, the five electric connections are billed together for a single connection for a single purpose under LT 1A domestic tariff allotted for Homestay units approved by Department of Tourism, Government of Kerala as per Note-3 in page-5 of Gazette Notification of KSERC No. 560/DD(T)/2018/KSERC dated 08.07.2019. Hence a provisional short assessment bill of Rs. 49,588/- (Rupees forty nine thousand five hundred and eighty eight only) issued to the Appellant based on Regulation 52 and Regulation 134 (1) of the Electricity Supply Code 2014 which empowers the licensee to recover the undercharged amount by issuing a short assessment bill.

The Appellant herself had admitted that the whole building was used for running the homestay business and the same has been rented out to a tenant to run the Tourist Home. Thereafter consumer submitted application for dismantling two electric connections (Con no.20472, 21488) and enhancing connected load to 13800W by converting their con no. 21486 to three phase and changing its tariff to VIIA commercial on 17.11.2025 after retaining other service connections (con no. 21485 & 21487) in domestic purpose. Since the anomaly of multiple connections for a single purpose existed in the premises and its billing was done in domestic tariff, to rectify the anomaly, two numbers of service connections (con nos. 20472 & 21488) were dismantled and the connected load of one service connection (con no. 21486) is enhanced and converted to three phase as per the request of the consumer. Since the consumer herself had admitted that the building is used for commercial purpose from 22.05.2025, the consumer is liable to pay the difference in amount in tariff from domestic to commercial for the above period. Hence the consumer was issued a short assessment bill as follows for the difference in tariff between 1A and VIIA as on 12.12.2025.

Con No.20472	-	Rs.2463/-
“ 21483	-	Rs.1919/-
“ 21486	-	Rs.3108/-
“ 21487	-	Rs.2708/-
“ 21488	-	Rs.3452/-
Total Amount	-	Rs.13647/- (Rupees Thirteen Six Hundred and Forty Seven Only)

As such, the consumer no 20472 & 21488 has been dismantled and their respective load has been combined to a consumer 21486 and the tariff has been changed to 7A commercial purpose and connected load has been enhanced to

13800W by integrating the connected load of other two connections ref 07.11.2025. The remaining two connections are retained as domestic connection by the consumer for domestic use. Eventhough the consumer no. 20472 dismantled in the premises, its account could not be settled in Orumanet Software since a dues of Rs.49,588/- has been pending. At present there are three electric connections (Con nos. 21485, 21486, 21487) exists in the three storied building with TC No 64/1689(2) owned by the Appellant, Smt. Anupama Rajesh. Two numbers of electric connections (Con nos. 20472, 21488) seen dismantled. The Ground floor of the building having two rooms in the left hand side md right hand side (No room number seen displayed). The First floor of the building having four rooms marked as room no. 3,1,2 & 4. The Second floor having two rooms marked as room no. 5 & 6. The loads in the right hand side of the Ground floor of the building, room numbers 2 & 4 of the First floor, room numbers 5 & 6 of the Second floor is connected to service connection bearing Con no. 21486 under LT VIIA. The load of room in the left hand side of the Ground floor of the building is connected to service connection bearing Con no. 21487 under LT 1A, domestic. The load of room in the Second floor of the building is connected to service connection bearing Con no. 21485 under LT 1A, domestic.

The load of room no.1 & 3 is connected to con no. 21485 now charging under LA tariff (S ph) & the load of room nos. 2, 4, 5, 6 and the room in the right side of Ground floor is connected to con no. 21486 under VIIA tariff (3 ph). The load in the left hand side is connected to con no. 21487 (now charging under 1A). On verification of room allotment register available in the premises, it is clearly ascertained that the rooms (vide nos. 1, 2, 3, 4, 5, 6) were allocated to paying guests and the room in the left hand side of the Ground floor Con no. 21487) is functioning as an office of Green View Homestay. Presently, out of the three electric connections one [con no. 21486 (3ph)] is charging under commercial LTVIIA and other two connections (con nos 21485 & 21487) is charging under LT domestic tariff.

The load of room no. 1 & 3 is connected to service connection bearing con no. 21485 and the Appellant allocated these rooms for engaging paying guests as per their room allocation register records. The load of room in the left hand side of the Ground floor is connected to service connection bearing Con no. 21487 where the office of Green View Homestay is functioning.

The statement of the Appellant that "there are many numbers of buildings under distribution area of this respondent licensee in which electricity connection under the same tariff for the same purpose at same voltage level are provided at different premises of the building" is false and purportedly intended to mislead this Hon'ble Ombudsman. The entire units of the building with TC No 64/1689 (2) owned by Appellant Smt. Anupama Rajesh is using energy for Homestay accommodation and hence they ought to be treated as 'single premises' as provided under Regulation 52 of the Supply code. Therefore, the assessment made under Regulation 134 (1) of the code is correct. The Appellant has dragged the definition of 'Premises' occurring in the Supply Code and Electricity Act into

this Petition against the point of discussion of 'Single Premises' applicable in this context with ill-motive. This is a deliberate attempt to create chaos and to obtain favourable orders. It may be noted that the separate building numbers (TC no 64/1689(2) and TC no 64/1689(3)) were in question has arose. This was done as an preexisting violation. Subsequent bifurcation of obtained after the dispute attempt to regularise the the building numbers cannot invalidate the factual position at the time of inspection and assessment. The Appellant herself admits that the building numbers were subsequently allocated on 20.11.2025. The disputed period between the Appellant and KSEBL was from 22/06/2023 to 07/11/2025.

Actually the Appellant is attempting to mislead the Hon'ble State Electricity Ombudsman, from the core issue. The Appellant herself vide letter dated 10.07.2025 had submitted the whole building was rented out to Sri Suju Babu for running a tourist home and had initiated the processes for obtaining license in this regard from Thiruvananthapuram corporation. It was in response to the above request of the Appellant that the Assistant Engineer, Es Thiruvallam vide demand notice dated 01/09/2025 had directed to combine the loads of all the five connections to a single electricity connection and avail a single connection for the running of tourist home for the tenant. Hence the direction is lawful and binding.

In this case the Appellant's usage for the period from 22.05.2025 to 07.11.2025 (five domestic connections all used collectively for a single homestay unit amounts to the violation of regulation 52 of Kerala supply code 2024 which provides that "Supply of Electricity shall be given only at one point for the same purpose at the same voltage level in a single premises. This prohibits maintaining multiple connections for the same purpose (here homestay as a single entity Green View Home Stay.) Since the licensed homestay unit is operated as a whole, the connections cannot be regarded as separate premises. Uphold the order dtd 29.12.2025 passed by the Hon'ble Consumer Grievance Redressal Forum in OP No 42/2025-26. Hence in the light of above mentioned facts the Orginal Petition lacks merit and is liable to be dismissed.

Analysis and findings

The hearing of the appeal petition was conducted on 01/04/2026 at 04.30 p.m in the KSEB IB, Paruthippara, Thiruvananthapuram dt. The hearing was attended by the respondent Sri.Venugopalan.G, Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd., Fort, Thiruvananthapuram. The appellant was not attended the hearing inspite of repeated reminders.

The building bearing no.TC/64/1689-2 is owned by Smt.Anupama Rajesh. This three storey building is having 5 independent housing units having separate entrances and exits. There were five LT connection for this 5 dwellings. This building was utilized for the purpose of Home stay as per the Home stay classification issued by the Tourism department. Though the assessment has been done as per Section 126 of the Electricity Act 2003, for unauthorized use of

electricity which was detected during the inspection on 23/06/2025, later it was quashed by the assessing officer, as the building was functioning as a Home stay with License. Then appellant has informed that the building was rented out for running a tourist home. The Licensee had issued a short assessment bill for Rs. 49,588/- as per the regulation 52 of the Kerala Electricity Supply Code 2014. The regulation 52 of the Kerala Electricity Supply Code 2014 states that

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.*

As per this regulation the supply is to be given only at one point for the same purpose at the same voltage level in a single premise. During 04/2023, all the four connections were given under LT 7 A tariff and one in LT 1 A tariff. Later on 08/2023 all the connections were brought under LT 1 A as the building was utilized as 5 residences.

Then the multiple connection for single purpose is existed in the same premises two service connection were dismantled by enhancing the connected load one connection and also converting the single phase connection to three phase connection. The tariff applied for this connection bearing no.21486 is LT 7A with effect from 07/11/2025. At present there are three connection 21485,21486 & 21487 in which 21486 is under LT 7A and other connection as under LT 1 A. The two rooms are connected 21485 and the Ground Floor is connected to 21487 under the tariff LT 1A and other 4 rooms are connected to 21486 under LT 7A. The tenant is operating as a Tourist home/Home stay without the License issued by the Department of Tourism. As such it should be considered as a private Tourist home for which the commercial tariff that is LT 7A only is applicable. Then the short assessment issued by the Licensee is sustainable. The regulation 134 of the Kerala Electricity Supply Code 2014 states about the under charged and overcharged bills.

134. Under charged bills and over charged bills. -

(1) *If the licensee establishes either by review or otherwise, that it has undercharged the consumer, the licensee may recover the amount so undercharged from the consumer by issuing a bill and in such cases at least thirty days shall be given to the consumer for making payment of the bill.*

(2) *If, after payment of any bill, it is established that the licensee has overcharged the consumer, the excess amount shall be refunded to the consumer with interest at bank rate as on the date of remittance of such excess amount.*

(3) *The licensee may refund such overcharged amount along with interest at bank rate as on the date of remittance of such overcharged amount, by way of adjustment in the three subsequent bills and if the adjustment is not possible in the next three bills, the licensee shall refund the balance amount in full by cheque.*

The Licensee has empowered to recover the amount due for the Licensee due to under charging.

The inspection conducted by the officials of the Licensee revealed that the entire building is utilized as a Tourist Home and no domestic occupancy as such all the

connections are to be continued to a single connection as per the regulation 52 of the Supply Code 2014 under the tariff LT 7A.

Decision

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

1. I hereby agree with the decision of CGRF and the petition is disposed herewith.
2. No other costs ordered.

ELECTRICITY OMBUDSMAN

No. P/05/2026/_____ dated: 22/04/2026.

Delivered to:

1. Smt.Anupama Rajesh, C/o Sreekumar T G, VYRA 35, TC 67/1157, Villuvilakam, Konchiravila, Manacaud P. O.,Thiruvananthapuram (dt) - 695009
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Fort, Thiruvananthapuram (DT)

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, Consumer Grievance Redressal Forum, Vydhyuthi Bhavanam, KSEBL, Kottarakkara-691506.