

THE STATE ELECTRICITY OMBUDSMAN

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**Appeal Petition No. P/010/2026
(Present A. Chandrakumaran Nair)
Dated: 11-05-2026**

Appellant : Sri. Gilbi K.J
Kulangara House,
Madathikkara Lane,
Irinjalakkuda PO
Thrissur (dt)-680121

Respondent : The Assistant Executive Engineer,
Electrical Sub Division, KSE Board Ltd,
Vellangallur, Thrissur (dt)

ORDER

Background of the case

The appellant Shri.Gilby K J is a resident of Kulangara House, Madathikkara Lane, Irinjalakkuda, Thrissur and he is a consumer of the Licensee KSEBL under their Iringalakkuda Electrical Section. The appellant had installed grid connected Solar plant and requested the Licensee to grant permission to wheel the energy to another premises. The Licensee had rejected the proposal stating that the second premises is not owned by him. The appellant had approached for the redressal of his grievance by filing the petition which was numbered as OP/084/25-26 to CGRF. The CGRF had issued order on completing the procedural formalities on 11/02/2026 stating that the action of KSEBL in rejecting the request for wheeling is found to be in accordance with the provisions of KSERC regulations. Aggrieved with decision of CGRF, this appeal petition is filed to this Authority.

Arguments of the Appellant

Refusal by KSEB Ltd., Irinjalakuda Section and Circle Offices to permit wheeling of excess solar energy produced from my grid-connected solar plant to my other consumer premises. Despite eligibility, I had approached the Consumer Grievance Redressal Forum (CGRF), Central Region, for redressal of this issue. A hearing was conducted on 23rd January 2026, where the Assistant Executive Engineer, Vellangallur, appeared as the respondent. During the hearing, the CGRF panel directly asked the respondent engineer whether wheeling is possible. The engineer clearly replied "Yes", and also indicated that wheeling can be done if both connections stand in the name of the same consumer. Therefore, the proceedings were favourable and there was no indication that my application would be rejected.

However, I was shocked to receive an adverse order from CGRF. Order No.: CGRF-CR/OP No.84/2025-26 dtd 11/02/2026. The CGRF rejected my request citing Regulation 17 of KSEERC (Renewable Energy & Net Metering) Regulations, 2020, stating that: Wheeling is permitted only if both properties are owned by the prosumer. In my case Both KSEB connections Belong to Gilbi K J himself. I had not produced documents proving ownership. This conclusion is unjust and incorrect.

I possess a valid Lease Agreement, which is sufficient proof of lawful occupancy/ownership for electricity service purposes As per Kerala Electricity Supply Code 2014 (Page 22): "Licensee shall accept the Lease Agreement as proof of ownership." Thus, the rejection based on non-submission of ownership documents is legally unsustainable, especially since the hearing did not demand such documents.

When I installed my 10 kW solar plant in 2024, KSEB had granted permission to wheel excess energy to another consumer number: 1156464030181 (rented premises). This is recorded in the Irinjalakuda Section Office. At that time, KSEB did not raise objections based on Regulation 17 of 2020. Later, when I applied for delinking the above consumer number and linking a new consumer number: Delinking was done immediately. Linking was kept pending without justification. This shows arbitrary treatment and discrimination against a consumer who installed solar power.

I humbly submit that it has been more than 3 months since I have been continuously approaching the Section Office, Circle Office, and CGRF regarding this issue. Due to this unnecessary delay, I am unable to utilise or transfer the excess solar energy generated, causing financial loss and hardship. Therefore, I request the Hon'ble Ombudsman to kindly grant relief at the earliest possible.

The CGRF order and KSEB action are liable to be set aside because: Wheeling was agreed as feasible during hearing Lease agreement is valid proof under Supply Code 2014. Rejection is non-transparent and contradictory. Previous wheeling approval was already granted in 2024. Denial is arbitrary and against the spirit of renewable energy promotion.

In light of the above facts, I humbly request the Hon'ble Ombudsman to: Set aside the CGRF Order No. CGRF-CR/OP No.84/2025-26 dated 11/02/2026. Direct KSEB to permit wheeling of excess solar energy from Consumer No. 1156471008753 to Consumer No. 1156474027565 immediately. Accept Lease Agreement as valid proof as per Electricity Supply Code 2014 Grant appropriate relief including compensation for undue delay and hardship Pass any other order deemed fit in the interest of justice.

Arguments of the Respondent

In the case of petitioner refusal of Energy Wheeling is genuine based on the Kerala State Electricity Regulatory Commission (Renewable Energy and Net Metering) Regulations, 2020, Regulation 17. It is true that the petitioner was approached to Section office, Division Office and Circle office. From the Division office it is clearly mentioned that "As per KSERC (Renewable Energy & Netmetering) regulations 2020, Regulation 17. Use of excess electricity generated from renewable sources in another premise-

(1) The prosumer shall have the right for wheeling the excess electricity during a billing period to another premises owned by him within the area of supply of the distribution licensee."

Both consumer number have same consumer name and address, but the ownership is different for both connections. So the section office rejected the application of Sri. Gilby for wheeling the solar energy from one consumer to another.

The CGRF, Kalamassery dismissed the compliant based on the Kerala State Electricity Regulatory Commission (Renewable Energy and Net Metering) Regulations, 2020, Regulation 17.) in which wheeling of energy ener from one location to another location within the area of distribution licensee is possible only having same ownership. As the property owner of both consumer numbers are different (Consumer Number 1156478753 & 1156477565) refusal of Energy Wheeling is genuine based on the Kerala State Electricity Regulatory Commission (Renewable Energy and Net Metering) Regulations, 2020, Regulation 17.

It is true that wheeling of energy from one consumer number 1156471008753 under Electrical Section Irinjalakuda No.2 to consumer

number 1156464030181 under Electrical section Vellangallur was done. But when identified that ownerships are different based on the KSERC (Regulation 17) immediately cancelled the wheeling. KSEBL can't do anything against existing Act/Code/Rules/Regulations etc. So there is no need to grant any type compensation in this regard. For wheeling of energy from one location to another location within the area of distribution licensee is possible only having same ownership. So there is no chance to review the complaint. In this case as the complaint is not existing there is no provision to wheel energy and grant compensation as per Kerala State Electricity Regulatory Net Metering) Regulations, 2020), Commission (Renewable Energy and Regulation 17.

So as per the said regulation KSEBL is not in a position to give permission to this consumer for wheeling the solar energy from one premises to another premises which is not having ownership.

Counter Argument of the Appellant

In the respondent's statement, it has been mentioned that the KSEB authorities conducted an investigation regarding the ownership of the previously wheeled premises (my shop premises) and disconnected the wheeling arrangement after such verification. It has also been stated that incorrect information regarding ownership was furnished by me. I respectfully submit that the above statements are not correct and do not reflect the actual facts of the case. The electricity connection of the shop premises had earlier been transferred to my name through the proper procedure by submitting the valid rent/lease agreement executed with the building owner before the KSEB authorities. Based on the documents submitted, the KSEB verified the same and approved the change of consumer name in their records. Therefore, the allegation that incorrect information regarding ownership was furnished by me is unfounded, since the documents were already examined and accepted by KSEB at the time of effecting the change of consumer details.

Further, it is important to note that the linking of the shop premises under the solar wheeling arrangement was carried out in the year 2024. However, the respondent now states that an investigation regarding ownership was conducted only towards the end of the year 2025. The fact that the connection and wheeling arrangement had already been accepted and functioning since 2024 clearly indicates that the documents and ownership details were verified and accepted by the KSEB authorities at the relevant time. With regard to the delinking of the shop premises, it is respectfully submitted that I had already initiated the process for linking my newly constructed residential premises for the solar wheeling arrangement by submitting a written request at the Section Office. This request was

submitted as advised by the concerned officer Mr. Pauly, who informed me that the request would be forwarded for further processing.

On the same day, I had also sent an email communication to the KSEB Circle Office regarding the wheeling request and linking process. For transparency and proper information, the said email was also marked as CC to the Electricity Ombudsman KSERC. Further I have a telephonic record with me to prove that delinking was done on my request. It is also important to highlight that the delinking of the shop premises took place only after the discussions and communication with the Circle Office regarding linking my new residential premises had already begun. This clearly shows that the delinking was part of the process initiated by me for linking the new premises, and not the result of any independent investigation conducted by the KSEB authorities as mentioned in the respondent's statement.

Further, the respondent has referred to the KSERC Renewable Energy Regulations, 2020 regarding the ownership clause. In this regard, it is respectfully submitted that as per Clause 45 of the Kerala Electricity Supply Code, 2014, proof of ownership or occupancy of premises can be established by submitting any of the documents accepted by the licensee, which specifically includes a certified copy of the title deed or a lease agreement.

Clause 45 further clarifies that even if the applicant is not the owner but an occupier of the premises, the electricity connection can be granted upon submission of a valid document such as a lease agreement along with the consent of the owner. In the present case, the electricity connection of the shop premises was transferred to my name based on such a valid rent/lease agreement, which was duly verified and accepted by KSEB. Therefore, the consumer status granted to me was in accordance with the provisions of the Kerala Electricity Supply Code, 2014, and the allegation of providing incorrect ownership information is not justified. The same Clause 45 of Electricity Supply code 2014 is applicable in this new linking to prove my ownership.

In view of the above facts and supporting documents, I humbly request the Hon'ble Ombudsman to kindly consider my submissions and grant appropriate relief in this matter.

Analysis and findings

The hearing of the appeal petition was conducted on 07/04/2026 at 11:00 am in the office of the State Electricity Ombudsman, DH Road & Foreshore Road Junction, near Gandhi Square, Ernakulam south. The hearing was attended by the appellant Sri. Gilbi K.J and Sri. Nikhil Gilbi and the respondent Sri. Mohammed Ismail.T.S Asst. Executive Engineer, Electrical Sub Division, KSE Board Ltd., Vellangallur, Thrissur(DT).

The appellant is the consumer of the Licensee with consumer no. 1156471008753 and had installed Grid connected roof solar plant of capacity 10 KW. The electricity produced in the plant is excess than the consumption and hence the appellant intent to wheel it to another premises bearing consumer no.1156477565. The second premises is not owned by the appellant but occupied as per the lease agreement signed between Shri. Nikhil Gilbi and Shri. Gilbi. Both the connections are registered in the name of Shri. Gilbi K.J. As such the user of the electricity is same in both connections. The Licensee has rejected the request of wheeling according to the regulation 17(1) of the KSERC (Renewable Energy and Net Metering) Regulation 2020.

17. Use of excess electricity generated from renewable sources in another premise.-

(1) The prosumer shall have the right for wheeling the excess electricity during a billing period to another premises owned by him within the area of supply of the distribution licensee subject to the following conditions:-

(i) the right of wheeling and consumption of excess electricity shall be available to the prosumer irrespective of the category of tariff in the other premises;

(ii) such right for wheeling the excess electricity shall be available for the use in his second premises only after the prosumer meets his full demand in the premises, where the electricity is generated using renewable energy system;

(iii) The quantum of excess electricity wheeled shall be calculated based on sub-Regulation (5) below and accounted in subsequent bills of the other premise.

This regulation is very clear that the premises is to be owned by the prosumer who want to wheel the energy. The appellant argue that as per the regulation 45 of the Kerala Electricity Supply Code 2014 describes about the proof ownership or occupancy of the premises.

45. Proof of ownership or occupancy of the premises. -

(1) The licensee shall 44 accept any of the following documents as proof of ownership or occupancy of premises: -

(i) certified copy of title deed or lease agreement;

(ii) letter of authorisation from the Punja / Kole Special Officer in the case of agricultural connections for dewatering;

(iii) ownership certificate from Municipal Corporation or Municipality or Panchayat or Township in the case of buildings;

(iv) ownership certificate issued by competent revenue authority in the case of land;

(v) letter of allotment in the case of industrial estates or industrial parks or Special Economic Zones;

(vi) possession certificate from Revenue authorities.

(2) An applicant who is not an owner but an occupier of the premises, shall furnish a no objection certificate from the owner of the premises along with any one of the documents listed at clauses (i) to (vi) in sub regulation (1) above.

The appellant had produced the document as 45(1)(i) which is lease agreement to get the connection in second premises. The Licensee had sanctioned the connection based on the leased deed and accordingly the consumer of the connections became same person.

The Licensee had permitted the wheeling of energy to another connection bearing no.1156464030181 earlier based on the request of the appellant. This connection was in the name of the appellant but the premises was taken on lease. This wheeling option was discontinued based on the request of the appellant.

Here the question is what is the real sense of ownerships as specified in the regulation 17(1) of KSERC (Renewable and Net metering) Regulation 2020 ? Can it be different perspective for getting connection and for wheeling the energy ? Whether the ownership of the premises is meant for the ownership of the connection or ownership of the property? The connection is granted to the leased premises considering that the tenant is the temporary owner of the premises.

I strongly feel that there should not be two different approach for getting connection and for wheeling the energy. When the registered owner is same in both the connections, the wheeling could have been permitted. The latest regulation issued by the KSERC states that if the consumer is same, the wheeling could be effected under same tariff. As this regulation is stayed by the Hon'ble High Court of Kerala, this could not rely upon for deciding this matter. However if the second connection is in the name of prosumer, the request to wheel the energy to the second connection could be agreed to. The prosumer who had installed a roof top solar would like to wheel his energy for own use to another premises which is occupied by him. Here the occupant of the second premises is the prosumer and the second connection is also in his name. As such the argument of the appellant is to be accepted. I am of the considered view that the wheeling is to be permitted.

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. I hereby quash the order dated 11/02/2026 of CGRF in the petition no.OP/084/25-26
2. The Licensee shall accept the request of the appellant to wheel the excess energy from the consumer no.1156471008753 to the consumer no.1156474027565 till the second premise is occupied by the appellant and the connection in the name of appellant.
3. No other costs ordered.

ELECTRICITY OMBUDSMAN

No. P/010/2026/ dated: 11-05-2026 .

Delivered to:

1. Sri.Gilby K.J, Kulangara House, Madathikkara Lane, Irijalakkuda P.O, Thrissur (dt) - 680121
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Vellangallur, Thrissur (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, 220 kV Substation Compound, HMT Colony P.O., Kalamassery, Pin- 683503.