

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/015/2026
(Present A. Chandrakumaran Nair)
Dated: 22-05-2026**

Appellant : Sri.Nishad Prem Kalathil
Kalathil House
Anugraha Gardens,
Pullazhi P.O,Thrissur (dt) - 680012

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

ORDER

Background of the case

The appellant Shri.Nishad Prem is a consumer of the Licensee, KSEBL under their Electrical Section, Ayyanthole with consumer no. 1156788028269. This connection was availed under the tariff LT VII A for a shop which was rented out to a tenant. This was a single phase connection with connected load 600W. The consumer requested for conversion of the connection from single phase to three phase as well as load enhancement to 5.8 KW on 08/2019. The conversion as well as load enhancement were effected on 29/03/2021. The appellant complained that the phase conversion and the load enhancement were done by the Licensee without his knowledge. The respondent had mentioned that the load enhancement etc. would have been communicated as SMS to the registered mobile phone. The appellant's requirement is to revert the connection back to single phase under tariff LT VII A with connected load 600 W. The petition has been filed to CGRF which numbered as OP/078/25-26 for the Redressal of his grievance. The CGRF had issued order on 23/01/2026 on completing the procedural formalities. Aggrieved by the decision of CGRF, this appeal petition is filed to this Authority.

Arguments of the Appellant

തൃശ്ശൂർ Ayyanthol KSEB Electrical Sub-division ൽ രെഗിസ്റ്റർ ചെയ്ത ഒളരിക്കര പ്രശാന്തി റോഡിലുള്ള Abhiram Plaza എന്ന എന്റെ കെട്ടിടത്തിലെ Consumer No. 1156788028269 ലെ phase change ഉം load upgrading ഉം കെട്ടിട ഉടമയായ എന്റെ സമ്മതമില്ലാതെയും, എന്നെ അറിയിക്കാതെയും ആണ് നടത്തിയിട്ടുള്ളത്. പ്രസ്തുത പ്രവർത്തികൾക്കായി എന്റെയോ ഞാൻ അധികാരപ്പെടുത്തിയ Power off attorney ആയ എന്റെ പിതാവിന്റെയോ ഒപ്പോടുകൂടിയ അപേക്ഷയുടെ copy ക്കായി പല തവണ public relation officer റെ സമീപിച്ചെങ്കിലും ഇതുവരെ എനിക്ക് കിട്ടിയിട്ടില്ല. എന്റെ എല്ലാ അപേക്ഷകൾക്കും തെറ്റായ വിവരങ്ങളും തെറ്റിദ്ധരിപ്പിക്കുന്ന ഉത്തരങ്ങളും നൽകുകയാണ് ചെയ്തിട്ടുള്ളത്.

ശരിയായ ഉത്തരം കിട്ടാതായപ്പോൾ, അവിടത്തെ appellate authority ആയ Asst.Exe.Engineer ക്ക്ക് അപേക്ഷ നൽകിയെങ്കിലും, രേഖകൾ പരിശോധിച്ചതിൽ, തെറ്റൊന്നും കണ്ടില്ലെന്ന് പറഞ്ഞ് എന്നെ കേൾക്കാതെ അപേക്ഷ തള്ളുകയാണ് ചെയ്തത്. ശരിയായ ഉത്തരം കിട്ടാതെ ആയപ്പോൾ ഈ വിവരങ്ങൾ കാണിച്ച് CGRF Kalamassery യിൽ അപേക്ഷിച്ചെങ്കിലും അവിടെയും നിരാശയാണുണ്ടായത്.

ഇതിൽ തീർച്ചയായും എന്തോ mistake ഉള്ളതായി ഞാൻ സംശയിക്കുന്നു. ആയതിനാൽ, നാളിതുവരെയുള്ള കത്തുകളുടെ Copies ഇതോടൊപ്പം വയ്ക്കുന്നു. ദയവുണ്ടായി, എല്ലാം പരിശോധിച്ച് ന്യായമായ തീരുമാനം ഉണ്ടാകണമെന്ന് താഴ്മയായി അപേക്ഷിക്കുന്നു.

Arguments of the Respondent

The Appellant is a consumer under Electrical section Ayyanthole bearing consumer No 1156788028269 registered in the name of Sri. Nishad Prem KALATHIL HOUSE, VII/31/2, TMC49/1400/2, PRASANTHI ROAD, OLARIKKARA, P.O.PULLAZHI, THRISSUR,680012 bimonthly billed under LT VII A Tariff in LT 3 Phase category with a sanctioned connected load of 5800 Watts. The said electricity connection is currently used for the functioning of a Flex printing shop named "INDESIGN".

The consumer submitted application to revise the connected load and paid application fee on 14.08.2019 at Electrical Section Ayyanthole. On 24.03.2021 remittance of the necessary ECSC amount and ACD demanded

was made by the consumer and the requested service of revising connected load from 600 Watt to 5800 Watt along with phase conversion as per rules was effected on 29.03.2021. In view of the above, it is evident that the service requested by the consumer was provided in accordance with procedure and within a reasonable period after payment. Therefore, the consumer's claim of being unaware of the service change is incorrect and misleading the Hon'ble Forum. The consumer submitted an application under the Right to Information Act 2005 to the State Public Information Officer (SPIO) of Electrical Section, Ayyanthole on 11-9-2025. The SPIO examined the request and furnished a reply within the prescribed time limits, in full compliance with the provisions of the Act on 9-10-2025.

The appeal against the above reply was received on 25-10-2025 at this office who is appointed as the First Appellate Authority under RTI 2005. Upon detailed examination of the appeal, the Appellate Authority disposed of the matter and issued its reply within the stipulated time frame, strictly in accordance with the provisions of the Right to Information Act 2005.

The appellant approached CGRF with OP No.78/2025-26, statement of facts submitted by the respondent in time and the hearing conducted on 07.01.2026 before Hon'ble CGRF of Central region and the same was dismissed stating that the Forum has no jurisdiction to adjudicate disputes arising under the RTI Act 2005 and there was no issue requiring adjudication under the Kerala State Electricity Regulatory Commission (CGRF and Electricity Ombudsman) Regulations 2023. The appellant has filed appeal before the Hon'ble Electricity Ombudsman against the above order of Hon'ble CGRF.

The complaint has been filed after a gap of 06 years hence delay and laches on the part of complainant disabled him from exercising his rights before a Forum established by law. The complainant has acquired with his rights if any during these years. In view of the facts and circumstances stated above, the grievance raised by the consumer is not maintainable either in law or on facts. Hence it is most humbly prayed to accept these statements and to dismiss the appeal.

Counter arguments of the Appellant

My grievance as a Consumer is, we, myself and the power of attorney (my father) never given any request for changing face, upgrading load capacity, or change of location of the meter. Without my consent or application the KSEB done the work. So, I requested to get a copy of my application, signed by me or my power of attorney. But they never given me a proper reply for my request, and misguided by giving false reply.

For example, instead of my application, they provided a copy of the connected load changing register in which there is no consumer signature.

Finally, I submitted a fresh application to the Public Relations Officer, Ayyanthole for the same, and got a reply dated 5-3-2026 in which they don't have the required copy of the request in their office.

Analysis and findings

The hearing of this appeal petition was conducted on 23/04/2026 at 11:00 a.m. in the O/o State Electricity Ombudsman, D.H Road, Ernakulam dt. The hearing was attended by the appellant's representative Shri. Premchandran.K.S and the respondent Sri. Jinu. K.Joseph, Assistant Executive Engineer, Electrical Sub Division, Ayyanthole, Thrissur (Dist.)

The appellant Shri. Nishad Prem is a consumer of the Licensee. This petition is filed on behalf of Shri. Nishad by his father Shri. Premchandran who is the power of a Attorney Holder of Nishad Prem. The building named Abhiram Plaza is owned by the appellant which is a two storey building having 3 rooms in the Ground Floor and 3 rooms in the First Floor. There are 5 service connections to this building in which two service connections in the Ground floor and three connections for three rooms in the First Floor. Ground Floor rooms were rented out for a commercial activity named 'INDESIGN' which is printing photos and flex. The service connection with consumer number 1156788028269 was a single phase connection with connected load 600 W under the tariff LT 7A. The Licensee had stated that an application has been received on 14/08/2019 for the conversion of the service connection from single phase to three phase and also for load enhancement from 600W to 5.8 KW. Then necessary ECSC charges and ACD were remitted on 24/03/2021 and accordingly the phase conversion and load enhancement were affected on 29/03/2021. The contentions of the appellant is that the phase conversion and load enhancement were executed by the Licensee without the knowledge of the registered Consumers/Appellant. The appellant confirms that they have not requested for the phase conversion or load enhancement. The appellant had approached the Licensee to know the exact situation of this particular connection by exercising the provisions of RTI Act 2005. The Licensee has not revealed the facts properly.

The Ombudsman had instructed the respondent to produce the copy of the application submitted for the phase conversion and load enhancement, but the respondent failed to produce the same and replied that the application copy is not traceable. According to the respondent this application was processed during 2021, how the same is misplaced within a period of 4 to 5 years. The Kerala State Electricity Supply Code 2014 regulation 93 describes the procedure for the conversion of service

93. Procedure for conversion of service. -

(1) The applicant shall apply for conversion of the nature of his existing connection 104[through online web portal as per the format specified] in Annexure - 10 to the Code.

(2) The licensee shall process the 105[online application] in accordance with the provisions of this Code.

(3) For site inspection as well as issuance and payment of demand note for the estimated expenditure for works, both the licensee and applicant shall follow mutatis mutandis the procedure and timelines as laid down in regulations 77 to 83 of the Code.

(4) After payment of requisite expenditure by the applicant, the licensee shall complete the work for the conversion of existing service from low tension (LT) to high tension (HT) or vice-versa, and from single-phase to three-phase or vice-versa, within the following time limits: -

i	conversion from LT single phase to LT three phase or vice-versa	within forty five days from the date of payment of necessary charges by the consumer;
ii	conversion from LT to HT or vice-versa	within one hundred and twenty days from the date of payment of necessary charges by the consumer.

The consumer has not been intimated about this conversion except an SMS details stating that “ KSEB authorities will visit your premises on or before 31/03/2021 for meter changing as per request for revising connected load”. This SMS was sent on 26/03/2021. The inspection would have been done before 24/03/2021. The statement of facts submitted by the respondent states that the charges were remitted on 24/03/2021 and load enhancement and phase conversion were effected on 29/03/2021. Then the inspection to assess the technical feasibility was not been informed the registered consumer.

The procedure to be followed for the load enhancement is described in the regulation 99 of the Kerala Electricity Supply Code 2014.

99. Enhancement of connected load or contract demand. -

(1) Consumer shall apply to the licensee for enhancement of contract demand in case of consumers under demand based tariff and of connected load in the case of others, 112[through online web portal as per the format] specified in Annexure - 11 to the Code and the licensee shall process the application form in accordance with the relevant provisions of the Code.[Provided that, during the pendency of the application

for enhancement of load submitted by a consumer, the consumer shall not be penalized for 'unauthorised additional load', if the consumer has taken due steps such as; remittance of fees/costs as required by the licensee, submission of scheme/energization approval of the installation by the Electrical Inspector etc., to avail power for the additional load and in the cases where regularization is not done due to the delays attributable to the licensee: Provided further that consumers under demand based tariff requiring addition/ modification in connected load without any change in contract demand shall submit an application with the energization approval of the Electrical Inspector/completion certificate issued by the authorized contractor and wireman, as applicable, and the licensee shall update the records accordingly and such load shall deemed to be approved without any further action to be taken by the consumer and sub regulations hereunder shall not be applicable to the said applicant.]

(2) *For site inspection as well as issuance and payment of demand note for the estimated cost of work if any, both the licensee and the applicant shall follow, mutatis mutandis the procedure and timelines as laid down in regulations 77 to 83 of the Code.*

(3) *The licensee shall give a written intimation along with the demand note to the consumer which shall include the following: - (a) whether the additional power can be supplied at the existing supply voltage or at a higher voltage; (b) addition or alteration, if any, required to be made to the distribution system and the expenditure to be borne by the consumer, on that account; (c) amount of additional security deposit and expenditure for alteration of service line and apparatus, if any, to be deposited in advance by the consumer; (d) change in classification of the consumer and applicability of tariff, if required; and (e) any other information relevant to the issue.*

(4) *The application for enhancement of connected load in case of connected load based billed consumers and contract demand in case of demand based consumers shall not be considered, if the consumer is in arrears of payment of the dues payable to the licensee:*

Provided that the disputed amount under the active consideration of any judicial/appellate forum shall not be treated as arrears for the purpose of enhancement/regularization of connected load or contract demand:

Provided further that the request of the consumer for regularization of the unauthorised additional load, shall not be rejected, even if the dispute is pending for finalization.]

(6) *If the consumer pays the required charges and executes a supplementary agreement, the licensee shall execute the work of modification of the distribution system, service line or meter and other apparatus within the time line specified under regulation 85, mutatis mutandis, and sanction the additional contract demand or connected load.*

(7) *The licensee shall issue order on the application for the enhancement of load within thirty days from the date of its receipt and intimate the applicant whether or not the enhancement of load is sanctioned.*

On examining the case it is observed that the Licensee has totally violated the regulation for load enhancement. The consumer has not been informed about the inspection, demand for additional charges were not been served, No supplementary agreement has been executed. The Licensee has not collected the completion certificate for the modification of wiring etc to incorporate additional load, No order on sanctioning the additional load has been issued. These violation from the officials of the Licensee is to be viewed very seriously. The load has been enhanced without the knowledge of the consumer and also without following the regulatory requirements.

The respondent is totally failed to establish that the load enhancement & phase conversion were sanctioned and executed by observing the legal regulatory norms. The respondent has failed to produce the documents of application form, supplementary agreement etc. Then the action taken by the respondent / Licensee is seen to be totally illegal.

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 observe that the load enhancement & phase conversion executed by the Licensee/ respondent is illegal and hence to be cancelled.
2. The connections is to be reconverted to single phase with original connected load.
3. The additional ACD collected is to be refunded.
4. The Licensee has to find out the erred officials and take action against them.
5. No other costs approved.

ELECTRICITY OMBUDSMAN

No. P/015/2026/ dated: 22-05-2026 .

Delivered to:

- 1) Sri. Nishad Prem Kalathil, Kalathil House, Anugraha Gardens, Pullazhi P.O, Thrissur (dt) - 680012
- 2) The Assistant Executive Engineer, Electrical Sub Division, KSE Board Limited, Ayyanthole, 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 - 683503