

THE STATE ELECTRICITY OMBUDSMAN

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**Appeal Petition No. P/018/2026
(Present A. Chandrakumaran Nair)
Dated: 03-06-2026**

Appellant : Fr.Vicar
St.George Forane Church,
Kattapana, Idukki(dt)- 685515

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

ORDER

Background of the case

The appellant is the Manager of Ossanam English Medium Higher Secondary School, Kattappana. This is a consumer of the Licensee, KSEBL bearing consumer number 1156092008081 with connected load 23.4 KW under the tariff LT 6 F. The appellant had submitted application for the regulation of connected load to 40 KW, this means an additional load sanction around 16 KW. The maximum monthly consumption was around 3000 units and the current charges are less than Rs.15,000/- per month. The Licensee had informed that the existing 160 kVA transformer is not having enough capacity to connect this additional load and they directed the appellant to install a dedicated distribution transformer for connecting this additional load. The appellant is contenting the decision of KSEBL as this is only regularization of load and not additional load and also the demand is less than 15 KW. They have filed the petition to CGRF vide OP/82/25-26 and the CGRF issued order on 11/02/2026 after completing the procedural formalities. Aggrieved with the decision of CGRF, this appeal petition is filed to this Authority.

Arguments of the Appellant

The APTS, Vazhathope, Idukki conducted a surprise inspection at Ossanam English Medium School Managed by the complainant. They detected an unauthorised load (UAL) of 10350W and an unauthorised extension (UAE) of 6988 W and the complainant was penalised for the UAL and UAE at 2,12,666/-and the penalty was paid. Thereafter, the complainant detached the UAE and applied for regularisation of the UAL. The licensee conducted an inspection and reported that the total connected load was 71531 W and insisted for the installation of a transformer at the cost of the complainant. The complainant filed a complaint against the wrongful assessment of 71531 W made by the licensee and also against the demand for the installation of a transformer at the cost of the complainant for getting the UAL regularised. The CGRF directed to conduct a joint inspection of the connected load. On joint inspection, it was found that the total load is only 39,597 W. Hence the actual UAL was only 16,197 W. Even then, the CGRF directed to install a transformer for getting regularised the UAL of 16,197 W, exclusively spending money by the complainant alone. The CGRF was pleased to cancel the penalties being imposed continuously by the licensee for the UAL, even after the payment of the penal bill issued under section 126 Electricity Act, as it amounts to double penalisation.

The findings of the learned CGRF are erroneous, contrary to evidence on record, legally unsustainable, and based on misapplication of settled principles governing supply of electricity by a licensee. The CGRF blindly believed the version of the licensee regarding the capability of Pallikkavala transformer (160 kW) to cater the unauthorised load (UAL for short) being connected to the premises of the complainant. The licensee states that the said transformer runs by using its 88% of capacity. The licensee did not furnish any data or list of consumers along with their connected load etc. to prove that the said transformer is incapable of bearing an extra load for the appellant, which is 16,197 Watts only.

It is pertinent to note that according to the licensee, the total load seen connected to the premises of the complainant during their inspection was 70,808 Watts against the authorised load of 23,400 Watts. It means that the premises was running with a UAL of 47,408 Watts all the time before the said inspection without causing any damage to the said transformer. Now the connected load is reduced to 39,597 Watts from 70,808 Watts as stated by the licensee and the UAL is only 16,197 Watts against 47,808 Watts estimated earlier by the licensee. Hence the CGRF ought to have been found that the version of the licensee regarding the critical running of the transformer with its 88% of capacity is false and unfounded. The CGRF failed to find that the monthly average consumption of the complainant is very low comparing to its connected load. It means that almost 50% of the connected load is dormant and intended to be acted as stand by equipment.

Though data regarding the monthly consumption pattern were furnished before the CGRF below, it did not care to place reasonable evidentiary value on those documents and data.

The CGRF failed to see that the complainant's school is working only during day times and there is no chance for getting the transformer over loaded. The CGRF ought to have neglected the version made by the licensee regarding the capacity of the transformer without any supportive data or evidence to prove the same, especially when there was no damage caused to the transformer even when a UAL of 47,808 Watts was used by the complainant as stated by the licensee.

The order of the CGRF is solely based on the mere version of the licensee regarding the feeding capacity of the transformer that too without any single piece of supportive documents. The CGRF failed to appreciate the materials and data placed before it by the complainant to contradict the version of the licensee. The CGRF failed to see that Regulation 99 of the Kerala Electricity Supply Code, 2014 (for short the Code) has only limited application in the instant case. The present case is regarding regularisation of UAL which was being used, but unauthorisedly by the consumer; whereas the said regulation says about enhancement of connected load which is intended to be used in the future, after getting the load enhanced by the licensee.

The CGRF failed to see that the complainant consumer has an approved load of 23,400 Watts and he does not use even energy equivalent to the contract demand applicable to such a connected load. Hence the CGRF ought to have set aside the demand of the licensee for the installation of a new transformer for regularising a load of 16,197 Watts. The CGRF failed to interpret Regulation 32 of the Code. The said regulation is related to a new supply and not related to an existing supply. In the instant case, the connection is old one and the regulation applicable is 99 (3) (b) of the Code. Hence the decision number 5 in the order of the CGRF suffers from vital irregularity and liable to be struck down.

The CGRF erred in holding that the complainant should bear the entire cost for the installation of transformer and allied works required exclusively for the regularisation of the additional load, as provided under Regulation 32 of the Code by conveniently ignoring the proviso given under Regulation 36 of the Code, which says about proportionate expenditure to be borne by the consumer. The CGRF failed to see that the consumer premises in neither a high raise building nor a premises connected with more than 50 kW load and hence shall not be insisted for the installation of transformer at the cost of the complainant. Decision number 4 in the order of the CGRF regarding the incapability of the existing transformer is baseless and drawn without any piece of evidence and is liable to be quashed.

It is prayed that the averments in the original complaint and the annexures produced therewith may also be read and considered as a part of the above grounds.

Arguments of the Respondent

The Manager of Ossanam English Medium Higher Secondary School, Kattappana is a registered consumer bearing Consumer No.: 1156092008081 with Tariff LT-6F, Connected load-23400Watts (Private School- Educational Institution) has submitted an application for load regularization (Ref- 5; 44766 Watts) to the Kattappana Electrical Section Office on 10.09.2025 and again on 14.11.2025. On both occasions, the connected load was verified, and the consumer was informed of the necessity of installing a dedicated transformer. However, the consumer expressed financial difficulty in installing the same. The premises is presently fed from the Pallikavala 160 kVA distribution transformer, which caters to multiple consumers. The licensee is statutorily bound to ensure safe, reliable, and quality power supply to all consumers. The transformer is presently operating at approximately 88% of its capacity (Day Peak: 192A, Night Peak: 120A, PF: 0.9, Max LT: 213A). In the event of failure of adjacent transformers, back-feeding from this transformer is not feasible. Similarly, new LT connections cannot be extended from this transformer. If the Pallikavala Transformer fails, the required 45kW (submitted an application for load regularisation) load will not be able to be supplied to the Institution and other consumers from the nearby transformer. Load Details under Pallikavala 160kVA Transformer included in Annexure-I. The total registered connected load under this transformer is 1088 kW. Applying a diversity factor of 35%, the diversified load is approximately 380 kW, requiring a transformer capacity of around 423 kW. The transformer does not fail only because the day peak load and night peak load do not coincide.

As per Section 43 of the Electricity Act 2003, supply of electricity is subject to technical feasibility and the applicant bearing expenses for required infrastructure. Further, the Kerala Electricity Supply Code, 2014 provides:

- Regulation 32: Infrastructure such as transformers may be required for providing supply.
- Regulation 36: Cost of infrastructure required exclusively for a consumer shall be borne by that consumer.
- Regulation 77(5) & Annexure-7: Procedure for new connection / load regularisation.
- Regulation 99: Enhancement/regularisation of connected load subject to system feasibility.
- Regulation 153(5) & (10): Procedure for handling unauthorised additional load (UAL).

"A 'Good consumer' under the provisions of the Kerala Electricity Supply Code, 2014 is one who utilises electricity strictly within the sanctioned load, avoids unauthorised additional load, complies with statutory regulations, and makes timely payment of dues. The complainant, having exceeded the sanctioned load without approval, cannot be treated as a good consumer."

Ossanam English Medium Higher Secondary School, Kattappana is a registered consumer bearing Consumer No.: 1156092008081 with Tariff LT-6F, Connected load-23400W (Private School- Educational Institution). As per Annexure-I (Load Details under Pallikavala 160kVA Transformer) we provided the technical details in response to the questions from the CGRF. The CGRF issued the directive to the KSEBL licensee only after clearly understanding the complaint based on the regulations. On 10.06.2025, during the inspection by the Vazhathope Anti-Power Theft Squad (APTS) unit of KSEBL, an unauthorised consumption load 40738-watts was found in this educational institution. Ossanam school is a registered consumer bearing Consumer No.: 1156092008081 under Electrical section Kattappana. The Assistant Engineer Kattappana (AE-Section Office Head-Grade II-B Officer) verified the connected load of the school and informed the consumer of the necessity of installing a new transformer. There is no need for any further evidence beyond what the AE has stated and Ossanam school has not applied for providing consumer load details. The load details have been submitted as a report as requested by CGRF. However, the consumer replied that it was financially difficult to install a new transformer. Load Details under Pallikavala 160kVA Transformer included in Annexure-I. The existing registered connected load under the transformer is 1088 kW.

The consumer load regularization request (14.11.2025) has been stated as 44766-watts (45kW) based on the additional consumption load of 40738-watts as detected by the APTS department. Kerala Electricity Supply Code-2014, chapter-1 Definitions (24)&(27) and chapter-2 (8) states that a licensee can provide a service connection to a consumer only on the basis of connected loads or contract demands. In order to resolve the complaint, a meeting was held with the consumer's electrical representative in the Electrical sub-division Kattappana on 26.11.2025 and then the office instructed the sub-engineer to inspect the connected load of the school as per the application. During the inspection, it was found that the electric point loads of 38 classrooms arranged in the same way and other related electrical equipment were being used with a connected load of 70808-watts (Tariff LT-6F). Consumer load regularization cannot be done based on consumption load. The licensee had to reject the application because the school authorities' connected load calculation was incorrect. As per the instructions of CGRF, the load was jointly checked on 29-01-2026 and the excess power plug loads were found and removed after that the load is currently connected to 39597Watts (Site Mahassar dated: 29/01/2026 by the licensee). Based on this, the site mahassar was prepared and submitted along with the report.

New service connection and load regularization are provided as per Kerala Electricity Supply Code-2014 Regulation 77(5) and Annexure-7. If the connected load is revised to 45kW and KSEBL is provided / approve, the licensee will be responsible for using the load to operate standby equipment if required by the consumer. If we check the bill details (Profile Bill History Details), the licensee has charged this consumer for the low energy meter reading usage. This does not mean that Ossanam School will not use the 45kW connected load and it does not mean that it will not be billed for a large amount in the following years under TOD billing. If the consumer's electricity consumption is below the connected load of 23400Watts, and the consumer fully understands and agrees to this, KSEBL has no objection to maintaining the connection in the said premises without installing a new transformer, but Ossanam School should re-arrange the electric wiring to their connected load of 24kW. Currently, their premises have a connected load of 39597Watts. The consumer's claim based on low consumption is not technically or legally valid. Electricity is supplied to the consumers in Kattappana section through 11kV feeders from Kattappana 66kV substation using 155 numbers transformer. The voltage shortage in Kattappana section is very acute and the people's anger due to this has been reported through the press and media channels. Most of the transformers in Kattappana section are overloaded up to 86 to 92%, resulting in low voltage and high ampere load from the transformer. In response to the complaints of the people and consumers, Annexure-II (Intimation Notice to Public and Consumers) is given here. The transformer does not fail only because the day peak load and night peak load do not coincide.

Please take into account the grounds are denied as they are repetitive and already addressed in Para 4&5 in the above submissions. Please take into account the grounds are denied as they are repetitive and already addressed in Para 2&4 in the above submissions. Unauthorized additional Load (UAL) is a case that has already happened and the licensee is responsible for regularizing it. "In order to resolve this, in addition to the 45kW connected load requested in the application for the school, the transformer shall be installed in such a way that 80 percent of the loading criteria including other commercial connections within the compound is available as per the provisions of Kerala Electricity Supply Code-2014 Regulation Sec.32 & Sec.99". If the consumers do not comply with the instructions given by KSEBL, this load regularization request will be rejected or the electrical equipment will be adjusted to 24kW load. Consumer load regularization cannot be done based on consumption load. The licensee has adopted the following procedures as per Kerala Electricity Supply Code-2014, Regulation 153 (5)&(10). The licensee cannot provide the necessary assistance by taking public money, other than working for the private institution's own needs by paying the deposit work amount.

The premises have installed additional electric connection points, electric equipment and power plugs without the permission of the licensee and have

a connected load of 70808 watts. When the Anti-Power Theft Squad (APTS) unit inspected the premises, it was found that the UAL was charging for the 40738-watts that were connected and consumed. In fact, the approved load for the consumer was only 23400Watts. The intention of Ossanam school is being questioned by such an act which is tantamount to theft. Ossanam school is not a 'Good consumer'. The arguments raised by them are irrelevant and violation of statutory provisions. Please take into account the grounds are denied as they are repetitive and already addressed in Para 4&8 in the above submissions. As mentioned in Annexure-II (Intimation Notice to Public and Consumers), the HT/LT Electrical line works being carried out by KSEBL for resolving the voltage shortage in Idukki district and for industrial and cultural growth at an investment of crores are being carried out in a manner that will benefit the consumers of Kattappana as well. With the completion of Dyuthi-2 and RDSS project works within a year, KSEBL is bringing many changes in Kattappana town.

Please take into account the grounds are denied as they are repetitive and already addressed in Para 4&8 in the above submissions. Please take into account the grounds are denied as they are repetitive and already addressed in Para 4&5 in the above submissions. All supporting documents are submitted as Annexures, including OrumaNet system data.

The respondent submits that:

- Electricity supply has not been denied.
- The requirement of a 100 kVA transformer arises solely due to the consumer's additional load.
- The infrastructure is required exclusively for the consumer, and hence the cost must be borne by the consumer as per law.
- The licensee is willing to provide technical support, supervision, and approvals.

The respondent respectfully prays that: The Pallikkavala 160 kVA transformer is presently operating at about 88% of its capacity (Day Peak: 192A, PF: 0.9, Max LT: 213A). Due to this high level of loading, the transformer cannot be utilised for back-feeding in case of failure of nearby transformers, nor can it support additional load such as the requested 45 kW. The total registered connected load under the transformer is 1088 kW and, applying a diversity factor of 35%, the diversified load is approximately 380 kW, which would require a transformer capacity of about 423 kVA for safe operation. The transformer is presently functioning without failure only because the peak loads do not occur simultaneously. Therefore, no additional LT service connections or load enhancements can be accommodated from this transformer.

The licensee cannot provide the necessary assistance by taking public money, other than working for the private institution's own needs by paying the deposit work amount. However, the consumer expressed financial

difficulty in installing the same. The Hon'ble Ombudsman may uphold the CGRF order. The cost of installing a transformer for the school's needs will be approximately Six Lakh rupees. Once this deposit work amount is paid, the licensee will take steps to install the transformer and regularise the connected load. If the consumer's electricity consumption is below the connected load of 23400Watts, and the consumer fully understands and agrees to this, KSEBL has no objection to maintaining the connection in the said premises without installing a new transformer, but Ossanam School should re-arrange the electric wiring to their connected load of 24kW. Currently, their premises have a connected load of 39597Watts. The requirement of installing a dedicated transformer at the consumer's cost may be confirmed. The CGRF has issued instructions to the licensee after conducting a clear analysis of the consumer's complaint, as the Honorable Law can understand from this. The appeal filed by the appellant may be dismissed as devoid of merit.

Analysis and findings

The hearing of the appeal petition was conducted on 12/05/2026 at 11.00 a.m 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 representative Adv.Shaji.K.Kurian and the respondent Sri. Rahul.M.R, Asst. Executive Engineer, Electrical Sub Division, KSE Board Ltd., Kattappana, Idukki and Sri.Shibu.R, Sub Engineer, Electrical Section, Kattappana, Idukki(DT).

The Ossanam English Medium Higher Secondary School at Kattapana is established by the St. George Forane Church Kattappana and the Vicar of this Church is the Manager of the School. The three phase, LT power supply have been availed by the school with connected load 23.4 KW under LT 6F tariff. Antipower Theft Squad (APTS) of the Licensee had conducted an inspection on 10/06/2025 and found the usage unauthorised additional load of 40.738 KW and accordingly an assessment demand was served for Rs.2,12,666/- and this amount was paid. Then the un authorised load were disconnected. The Licensee had conducted an inspection and found that the total connected load is 71.531 KW and insisted for installation of a dedicated feeder. The CGRF had directed the Licensee to assess the exact connected load through a joint inspection. The joint inspection was conducted and found the total connected load as 39.597 KW. Then additional load requirement is worked out to 16.197 KW. The LT feeder of this school is connected from the Pallikkavala 160 kVA transformer and this transformer is operating it around 88% capacity as per the Licensee.

The appellant had applied for the regularization of 16.197 KW additional load. The connected load is defined in the regulation 2(24) of the Kerala Electricity Supply Code 2014.

2.(24) *“connected load” expressed in kW or kVA means aggregate of the rated capacities of all the energy consuming devices or apparatus which can be simultaneously used, excluding the load of standby equipments, fire fighting pumps, uninterrupted power supply equipment (UPS), Switch Mode Power Supply System (SMPS), transformer, voltage stabilizer, inverter, rectifier and measuring devices, if any, in the premises of the consumer, which are connected to the service line of the distribution licensee*

This states that the connected load is the aggregate of all loads working simultaneously excluding the standby loads. The monthly maximum consumption have not crossed 3000 units, then the connected load as per the definition would have been less than 20 kW. Further this load is already in use, and the appellant had applied only for regularization. This is not for sanctioning any additional load. The joint inspection conducted as per the direction of CGRF by the officials of the Licensee along with the consumer revealed that the total connected load is 40 KW. Then the additional load would be 16 KW only. However the demand is seen to be well within 20 KW by examining the monthly consumption. As this is an Educational Institution and working only during the day time the argument of the appellant is to be acceptable. The appellant also informed that on special occasions like anniversary etc, hired generators are used for providing power supply. Considering all these aspects the connected load may not exceed beyond the present connected load demand of 24 KW. However the consumer wished to self declare the connected load to 40KW as regularization. Demanding huge investment from the consumer for regularization of 16 KW additional load is not seen to reasonable. In this context, the appellant can give an undertaking that they will see that the maximum demand may not exceed 24 KW, though the connected load sanctioning is for 40 KW till the augmentation of the upstream power distribution network is done by the Licensee. The Licensee could charge the fixed charges considering the connected load as 40KW.

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 Licensee shall regularized the connected load to 40KW by getting an undertaking from the consumer that the maximum demand may not exceed the present sanctioned connected load.
2. The undertaking is only till the completion of the augmentation of the upstream distribution network by the Licensee.
3. The Licensee shall charge the fixed charges for the newly sanctioned connected load.
4. No other costs ordered.

ELECTRICITY OMBUDSMAN

No. P/018/2026/ dated:03-06-2026

Delivered to:

1. Fr.Vicar, St.George Forane Church, Kattappana, Idukki(dt)-685515.
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Kattappana, Idukki (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.