

THE STATE ELECTRICITY OMBUDSMAN

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Ernakulam, Kerala-682 016

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**Appeal Petition No. P/025/2026
(Present A. Chandrakumaran Nair)
Dated: 23-06-2026**

Appellant : Sri. Renjith Chandar Venkittapathy
Director
M/s. Srilakshmi Electroselters (P) Ltd
182, Industrial Development Area,
Erumathala, Aluva
Ernakulam (dt) - 683112

Respondent : 1. The Deputy Chief Engineer,
Electrical Circle, KSE Board Ltd.
Perumbavoor, Ernakulam dt.

2.The Special Officer (Revenue)
Vydyuthibhavanam, KSE Board Ltd
Pattom, Thiruvananthapuram dt.

ORDER

Background of the case

The appellant Shri. Renjith Chandar Venkittapathy is the Director of M/s. Srilakshmi Electroselters (P) Ltd. The said firm was an HT consumer of the Licensee under the jurisdiction of Perumbavoor, Electrical Circle. M/s. Sri lakshmi Electroselters (P) Ltd was situated at the Industrial Development Area, Erumathala, Aluva. The consumer number was 31/3312 with a contract demand of 1975 kVA. The connection was effected on 27/12/1996. The appellant was billed under the tariff HT 1 (A) industrial. The payments were remitted regularly up to 12/2004. The service connection was disconnected on 09/12/2004 for the theft of energy and was dismantled on 06/02/2006. Consumer had requested for pre-92 concessional tariff as per the Government order dated 06/02/1992 in which the new industrial units exempted for 5 years from payment of enhanced tariff with effect from 01/01/1992. This consumer was failed to provide self generation of 50% of

the power requirement as this was a power intensive unit as per the Government order dtd 17/12/1996, the pre-92 tariff concession was not applied. The consumer was allowed to enjoy the benefit of pre-92 tariff for a period of 5 years from 28/12/1996 to 27/12/2001 and further the extension of 167 days from 28/12/2001 to 12/06/2002. Though the bills are raised on normal rates, the consumer had paid only lower amounts. On reworking the arrears as per the pre-92 tariff, the accumulated arrear current charges was amount to Rs.2,16,15,409/- (excluding the interest). During the inspection of Anti Power Theft Squad on 2004 the theft of energy by tampering the energy meter was detected and a demand as per the assessment was issued. As per the Licensee the total amount due from the appellant is Rs.22,80,47,677/- .

The appellant had filed the petition to CGRF on 07/10/2016 vide OP/84/2016-17. The CGRF had completed the proceedings issued order dtd 29/12/2016. The CGRF order states that the petitioner is eligible for the pre-92 tariff from 28/12/1996 to 27/12/2001 and an extension of 167 days from 28/12/2001 to 12/06/2002. Aggrieved with the decision of CGRF this appeal petition is filed to this Authority on 22/04/2026 which is after a lapse of 9 years 4 months. The time period allowed for the filing of appeal petition is 30 days from the date of receipt of the order of CGRF. As this appeal petition is delayed more than 9 years, the maintainability of this petition is to be examined.

Maintainability of this appeal petition

The hearing of this appeal petition was conducted on 16/06/2026 at 11:00 a.m. in the O/o State Electricity Ombudsman, D.H Road, Ernakulam dt. The hearing was attended by the appellant Shri. Ranjith Chandar V and his Advocate Adv. Julian Xavier.J and the respondent Smt. Sindhya P. Chacko, Senior Superintendent, O/o the SOR, Thiruvananthapuram dist. ,Sri. Joseph T.V, Nodal Officer (L), Electrical Circle,Perumbavoor, Ernakulam dt., ans Smt. Praseedha P, Assistant Executive Engineer, Electrical Sub Division, Kizhakkambalam, Ernakulam (Dist.)

The CGRF had issued order on 29/12/2016 on the petition filed by the appellant on 07/10/2016. The appeal petition had been filed to the State Electricity Ombudsman on 22/04/2026 which is after 9 years and 4 months. The regulation 37 of the KSERC (CGRF and Ombudsman) Regulation 2023 describes about the submission of appeal.

37. Procedure for lodging representation.—

(1) Any complainant, who is aggrieved by the non-redressal of his grievances by the Forum may himself or through his representative make a representation to the

Electricity Ombudsman within thirty days from the date of receipt of the order of the Forum:

Provided that the Electricity Ombudsman may entertain a representation after the expiry of the said period of thirty days, if he is satisfied that there was sufficient cause for not filing it within the said period.

(2) *The representation shall be in writing duly signed by the complainant, as per Form-B attached to these Regulations.*

The maintainability of the appeal petition is stated in the regulation 38 of regulation 2023.

38. Maintainability of the representation.—

(1) *No representation to the Electricity Ombudsman shall be sustainable:*

(i) unless the complainant has made a written representation in the specified Form, to the Electricity Ombudsman;

(ii) unless the complainant is aggrieved on account of his complaint being not redressed by the Forum within the period and manner specified in these Regulations;

(iii) unless the representation against an order of the Forum was made within the period specified in these Regulations and is not in respect of the same subject matter that has been settled by the Electricity Ombudsman in any previous proceedings;

(iv) in cases where a representation for the same grievance by the complainant is pending in any proceedings before any court, tribunal or arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority.

(2) *The Electricity Ombudsman may reject the representation at any stage, if it appears to him that the representation is: (i) frivolous, vexatious, malafide; (ii) without any sufficient cause; (iii) not being pursued by the complainant with reasonable diligence; (iv) on account of no prima facie loss or damage or inconvenience, caused to the complainant.*

Here it is noted that the appeal petition is not filed within the specified time frame. Further appellant is not shown reasonable deligence in filing appeal petition against the order of CGRF. Accordingly this appeal petition is not maintainable.

Further the CGRF and Ombudsman were established as per the Section 42(5), 42(6) and 42(7) of the Electricity Act 2003 to ensure time bound Redressal or resolution of the grievances of the Electricity Consumers. The

time allowed for the Ombudsman to dispose this appeal petition is only 3 months from the date of receipt of petition as per regulation 39 of KSERC (CGRF & Ombudsman) Regulation 2023.

39. Disposal of representation by Ombudsman.—

(1) The representation admitted by the Electricity Ombudsman shall be disposed of within a period of three months from the date of receipt of the representation:

Provided that in the event of the representation being disposed of after the completion of the said period of three months, the Electricity Ombudsman shall record, in writing, the reasons for the same.

The main purpose of these type Quasi Judicial Forums are only to get the justice for the electricity consumers in a time bound manner. The filing of this appeal petition after 9 years is defeating the very purpose of these mechanisms and also give way for a bad practice in grievance redressal mechanism.

The reason explained by the appellant to condone the delay is that they have not received the order from the CGRF. This is not a justifiable reason to condone the delay of 9 years 4 months. There are so many way to get the order issued by the CGRF which are not exercised or followed up by the appellant

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. This appeal petition is not maintainable and hence the petition is hereby dismissed and disposed.
2. No other costs approved.

ELECTRICITY OMBUDSMAN

No. P/025/2026/ dated: 23-06-2026 .

Delivered to:

1. Sri. Renjith Chandar Venkittapathy, Director, M/s. Srilakshmi Electromelters (P) Ltd, 182, Industrial Development Area, Erumathala, Aluva, Ernakulam (dt) - 683112
2. The Deputy Chief Engineer, Electrical Circle, KSE Board Ltd. Perumbavoor, Ernakulam dt.
3. The Special Officer (Revenue), Vydhyuthibhavanam, KSE Board Ltd, Pattom, 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, 220 kV substation compound, HMT Colony P.O, Kalamassery - 683503