

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

Review Petition No. RP/05/2026 (Present A. Chandrakumaran Nair) Dated: 11/09/2026

Review Appellant : Sri. P. R. Gireesan
New Wood Lands,
(Wood Lands Hotel),
M.G Road, Ernakulam - 682011

Review Respondent : 1. The Special Officer (Revenue)
Vydyuthibhavanam,
KSEBL, Pattom,
Thiruvananthapuram dt.-695004

2. The Deputy Chief Engineer,
Electrical Circle, KSEBL,
Ernakulam, Ernakulam dt.

ORDER

Background of the Review Petition

This review petition is filed by the Review appellant Shri.Gireesan to review the order placed on the petition P/29/2026 dated 27/07/2026. The review appellant was the director of New woodlands Hotel situated at MG Road, Ernakulam and was an HT consumer of the Licensee KSEBL under their Electrical section, College, Ernakulam. There is a dispute pending in the Hon'ble High court of Kerala vide WP(C)30977/2010 regarding the applicability of Electricity duty for the classified Hotels. This review appellant is also a party to this particular case for which the final order is not issued by the Hon'ble High Court. The Licensee had charged Rs.2,19,979/- as the belated payment charges and the detailed breakup was not given. The review appellant also mentioned that they have paid excess amount towards Electricity duty which is to be refunded. The electricity Ombudsman had issued order stating that the interest charged as belated payment along with the bill are to be refunded and also states that no decision on the electricity duty excess paid as claimed by the appellant as the final decision on WP(C) 30977/2010 is not taken by the Hon'ble Court. The review appellant requested for the detailed breakup of the interest charged as the belated payment also requested to issue order for the refund of disputed electricity duty amount appropriated by KSEB w.e.f July 2019.

The said Hotel has been sold by the review appellant on 18/11/2022 and now the status of the petitioner is as previous owner. The respondents states that on verification of records since 08/2019, the consumer had remitted the actual amount in full or in advance. Therefore, the payment history does not indicate that any specific amount remained unpaid in respect of duty under dispute from 08/2019 onwards. According to the respondent the belated payment charges were recalculated and the amount upto 12/2022 is Rs.32,638/- which is refundable to the review appellant. The Hon'ble High Court of Kerala had issued an interim order in the WP(C)30977/2010 directing the Licensee to accept the payment with duty as 10 paise per unit instead of 10% energy charges. Here in this case the operator had paid the electricity bill fully including the duty which has been accounted by the Licensee accordingly. Then the duty paid is excess or not could be decided only based on the final decision of the Hon'ble High Court of Kerala. In this review petition, the review appellant has not submitted any new documents or facts to review the decision. As such the maintainability of the review petition is to be examined.

Maintainability of Review Petition

The hearing of this review petition was conducted on 08/09/2026 at 02:30p.m. in the O/o State Electricity Ombudsman, D.H Road, Ernakulam (dt). The hearing was attended by the appellant Shri. P.R Gireesan and the respondent Smt. Renjini M.R, Senior Superintendent, O/o the SOR, Thiruvananthapuram (dist), Sri.Pradeep, Nodal Officer, Electrical Circle, Ernakulam (dt).

The Regulation 46 of the KSERC (CGRF & Ombudsman) Regulation - 2023 describes about the power of Electricity Ombudsman to review the decision.

46. Power to Review by the Electricity Ombudsman.—

(1) The Electricity Ombudsman may, either on its own motion or on an application of any person aggrieved by an order, review its order on the following grounds, namely:-

(i) on the discovery of a new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him;

(ii) mistake or error apparent on the face of the record.

(2) An application under clause (1) shall be filed within a period of fifteen days from the date of receipt of the order: Provided that the Electricity Ombudsman may entertain an application after the expiry of the said period of fifteen days, if it is satisfied that the applicant had sufficient cause for not preferring the review within such period.

(3) If on preliminary examination of the application, if the Electricity Ombudsman found that there is no sufficient ground for review, it shall reject the application after giving an opportunity of being heard to the applicant.

(4) In cases where the Review Petition is admitted, the Electricity Ombudsman shall dispose of it within a period of 30 days from the date of admission after giving an opportunity of being heard to the parties of the application.

Here in this case the review appellant is totally failed to submit any new or important matter or evidence to prove the reason to review the order. And also there is no error or mistake in the order issued on the petition P/29/2026 dated 27/07/2026. In view of the above review petition is not maintainable. However the Licensee has to permit the review appellant to sit with the concerned Officials to verify the figures to arrive the correct amount if any due to him.

Decision

On verifying the documents submitted and hearing both the review petitioner and review respondent and also from the analysis as mentioned above, the following decision are hereby taken and accordingly the decision taken on appeal petition P/029/2026 is revised.

1. This review petition is dismissed as this no maintainable as per regulation and accordingly dismissed.
2. However the Licensee has to allow the review appellant to submit his calculation and allow the concerned officials to sit with him to jointly examine and arrive the correct final figure due to him.
3. No other costs ordered.

ELECTRICITY OMBUDSMAN

No. RP/05/2026/_____ dated: 11/09/2026

Delivered to:

1. Sri. P. R. Gireesan, New Wood Lands, (Woodlands Hotel), M.G Road, Ernakulam - 682011
2. The SOR, Vidyuthibhavanam, KSEB Ltd., Pattom, Thiruvananthapuram -4.
3. The Deputy Chief Engineer, Electrical Circle, KSE Board Ltd., Ernakulam, Ernakulam dt.

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.