

**CONSUMER GRIEVANCE REDRESSAL FORUM  
KERALA STATE ELECTRICITY BOARD LTD- SOUTHERN REGION  
VYDYUTHI BHAVANAM, KOTTARAKKARA**

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Present: 1. Smt.Laila.N.G, Deputy Chief Engineer, Chairperson  
2. Sri. Sanjeev Koshi, Executive Engineer, Member II  
3. Sri.C.K.Harikumar, Advocate, Member III

Thursday,23<sup>th</sup> November ,2023

**OP No.37/2023**

Between

Petitioner: Dr. Prabha.S,  
Salaman Manzil,  
Kurakkode, NCH 49  
Nedumangad.P.O.,  
Thiruvananthapuram.(Dist.)

And

Respondents : (1) The Assistant Executive Engineer  
Electrical Sub Division, Nedumangad.  
  
(2) The Assistant Engineer  
Electrical Section, Nedumangad.

**1. Grievance of the petitioner**

The petitioner is domestic consumer under Electrical Section Nedumangad bearing consumer number 1145479028322 He is aggrieved by the bill amounting to Rs.994/-dated 05/01/2023 served by the licensee. The petitioner stated that he has been receiving bi-monthly bills in the range of Rs.200-250 .Even though he had lodged the complaint to the officials of the licensee, his grievance was not redressed. Hence he approached the Forum for relief.

**2. Version of the respondent**

The respondent stated that the petitioner is a domestic consumer under Electrical section Nedumangad with consumer number 1145479028322 was effected in the name of Smt.Sheeja,Salaman Manzil, Kurakkodu in LT-1A tariff in the year 20/02/2003.Even though the said premises was registered as domestic consumer,the building has not been used for residential purpose for many years.The building being used for consulting patients. Consequently the

tariff was changed from 1A to VIG from 11/2022 onwards. As stated by the petitioner, a building is hired on rent and carrying out consultation, thereby totally upsetting the purpose for which electrical connection has been given to the consumer. This very material fact is further cemented when examined from the angle that name boards showing the names of the doctors are publicly displayed outside the said premises as well as in front of their respective consultation rooms. Thus it is quite apparent that commercial activity is being carried out by utilizing their professional knowledge and skill.

### **3. Analysis and Findings**

The hearing was conducted on 14/09/2023. Both the petitioner and the respondent were present and heard the matter in detail.

It is quite evident that the building in question has been used as a consultation centre. In such circumstances it is mandatory to change the tariff in conformity with the purpose of usage rather than continuing with the originally allotted tariff. As per the tariff order of **Honorable, Kerala State Regulatory Commission dated 25.06.2022**, the tariff under VI G is applicable to all the private hospitals, private clinics, private clinical laboratories, private X-ray units, private mortuaries, private blood banks and private scanning centers and such other private institutions in the health care sector that licensees have committed no wrong in attributing a tariff contrary to the tariff order issued by the State Electricity Regulatory Commission. In short, tariff determination is being carried out after due process as mandated by the statute considering the **purpose** of the usage.

**As per the Regulation 97(1) of supply code 2014-If it is found that a consumer has been classified in a particular category or the purpose of supply as mentioned in the agreement has changed or the consumption of power has exceeded the limit of that category as per the tariff order of the Honorable Regulatory Commission or the category has changed consequent to a revision of tariff order, the licensee may suo motu reclassify the consumer under appropriate category.** Hence the Forum views that the licensee has the right to do so as per the Section 97(1) of supply code 2014.

### **4. Decision**

Considering the facts and circumstances of the case, the Forum disposed of the case with the following orders.

- (1) The tariff assigned by the licensee to the petitioner is legal and sustainable.
- (2). No order as to cost.

If the petitioner is not satisfied with the above order of this Forum, he is at liberty to prefer appeal before the Electricity Ombudsman within 30 days from the date of receipt of this order.

The address of the Electricity Ombudsman is furnished below.

*'The State Electricity Ombudsman, D.H & Foreshore Road Junction, Near Gandhi Square, Ernakulam, Kerala - 682 016. Phone: 0484 2346488'.*

Sd/-	Sd/-	Sd/-
C .K.HARIKUMAR	SANJEEV KOSHI	LAILA.N.G
ADVOCATE MEMBER III	EXECUTIVE ENGINEER MEMBER II	DEPUTY CHIEF ENGINEER CHAIRPERSON

Forwarded

Sd/-

CHAIRPERSON  
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.37/2023/ 275

Dated : 24/11/2023

Delivered to: (1) Dr. Prabha.S, Salaman, Manzil, Kurakkode, NCH 49  
Nedumangad.P.O.,Thiruvananthapuram.(Dist.)  
(2) The Assistant Executive Engineer, Electrical Sub Division,  
Nedumangad.  
(3) The Assistant Engineer, Electrical Section, Nedumangad.

Copy to:

1. The Secretary, KSERC, KPFC Bhavanam,Vellayambalam,TVPM.
2. The Deputy Chief Engineer, Electrical Circle,Kattakkada
3. The Executive Engineer, Electrical Division,Nedumangad