

**CONSUMER GRIEVANCE REDRESSAL FORUM
NORTHERN REGION, KOZHIKODE.**

(Formed under section 42(5) of Electricity Act 2003.)

Vydyuthibhavan, Gandhi Road, Kozhikode -673011

Telephone Number -0495 2367820 Email.cgrfkzd@kseb.in

PRESENT

SANDHYA DIVAKAR : CHAIRPERSON

FRANCIS. A. C : MEMBER (LAW)

OP 76/2025-26

PETITIONER :-

**Sri. IBRAHIM.,
ANTARTIUS DEVELOPERS,
GURUVAYURAPPAN COLLEGE P.O
KOZHIKODE - 673014**

RESPONDENTS :-

- 1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
MANKAVU, KSEB LTD.,
KOZHIKODE DISTRICT**
- 2. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, PANTHEERANKAVU,
KSEB LTD, KOZHIKODE DISTRICT**

ORDER

Background of the case:-

The Petitioner, Sri. Ibrahim, Antartius Developers, Guruvayurappan College P.O., Kozhikode- 673014, Con No: 21663725 00079 under Ele. Section, Pantheerankavu, submits his grievance before the forum regarding the estimate issued for providing multiple LT Service Connection to M/s Antartis Apartements. The Petitioner humbly request the forum that the estimate may kindly be revised on a reasonable basis and appropriate directions be issued to the Respondents to provide supply under the supported arrangement at the earliest.

Argument of the Petitioner :-

The Petitioner submits his complaint about the estimate issued by KSEB for providing HT supply arrangements to his residential apartment project near Botanical Garden, Konthanari as follows:

- The estimate directs that supply be extended from the distant Pokkunnu RMU by laying a long-distance 11 kV underground cable, installing RMUs and executing extensive civil works, resulting in a total estimate amount of ₹1,03,02,762/-. However a live 11 kV overhead**

line is available in close proximity to the project site, and the works included in the estimate, such as long-distance 11 kV UG feeder cable, RMUs, HDD works, trenching and heavy civil construction, are in the nature of distribution system extension and strengthening rather than works exclusively required for effecting supply to the Petitioner's project. Hence the Petitioner is compelled to bear the cost of infrastructure that forms part of the licensee's network development responsibility.

- **The project is located near Botanical Garden in Olavanna Grama Panchayath, which is a rural area where the distribution network continues to be predominantly overhead and not a fully converted underground RMU-fed RAPDRP system. Insisting on long-distance UG supply from Pokkunnu RMU is therefore inconsistent with the actual network condition in the locality.**
- **This Hon'ble Forum, in OP No.119/2024-25 (Space on Earth case), had examined an identical situation in the same locality and observed that though administratively tagged under RAPDRP, the area was not actually fed through an underground RMU network and the existing system remained overhead. The Forum**

further noted that the locality fell under a Grama Panchayath rural area where mandatory UG insistence was not justified and held that under Sections 27 and 35 of the Kerala Electricity Supply Code, strengthening and upgradation of the distribution system is the responsibility of the licensee. Only reasonable expenditure can be recovered from a consumer and in that case, tapping supply from the nearest 11 kV overhead line was found to be the reasonable method of providing supply. The Forum also clarified that while UG and RMU systems are desirable for reliability, conversion of OH to UG is the duty of the licensee and the consumer may be asked to shift only after the UG backbone is actually created.

- As per Section 27(2)(c) of the Kerala Electricity Supply Code, 2014, a consumer is liable only to bear reasonable expenditure for providing supply and Section 35 provides that extension or upgradation of the distribution system shall normally be borne by the licensee. Section 36 permits recovery from a consumer only in specific cases such as when a dedicated feeder is provided at the consumer's request and even then only proportionately. The present estimate**

transfers the entire cost of system strengthening to a single consumer, which is inconsistent with these statutory provisions.

- **Similar relief has also been granted in comparable cases such as Avoki Centro Arena Convention Centre, Devagiri Public School, and Khans Corp Ice Plant, where supply was permitted without insisting on distant UG feeder infrastructure. Further, KSEB has already accorded technical sanction under Dyuthi 2.0 for UG feeder extension in the Botanical Garden Pantheerankavu corridor, confirming that UG conversion in this locality is a planned capital infrastructure work of the licensee and not a consumer-specific obligation.**

It is further submitted by the Petitioner that the Assistant Engineer, Electrical Section Pantheerankavu, has already supported the technically feasible option of tapping supply from the nearest 11 kV overhead line using a short stretch of underground cable, in alignment with the findings of the CGRF order in OP No.119/2024-25. Based on this technically viable arrangement, a revised estimate amounting to ₹38,60,941/- has already been prepared and submitted to the

office of the Executive Engineer, Electrical Division Feroke, through the Assistant Executive Engineer, Electrical Sub Division Mankavu. Hence the Petitioner humbly request that administrative sanction may kindly be accorded based on this supported estimate, and he is ready and willing to remit the supervision charges and other applicable statutory charges immediately upon approval.

Petitioner expresses his willingness to take supply by tapping from the nearest 11 kV overhead line using a short length of UG cable and by installing a DA-compatible RMU within the consumer premises. This arrangement is technically feasible and ensures that when the sanctioned UG feeder under Dyuthi 2.0 is commissioned in future, Petitioner's UG cable can be directly connected to the new UG network without additional burden on KSEB. Thus the undertaking to shift to UG supply in future stands effectively fulfilled from the present stage itself.

Petitioner points out that the delay in granting a reasonable estimate and sanction is causing serious hardship, as he is bound by delivery timelines agreed with apartment purchasers.

Continued delay will result in substantial financial penalties and contractual liabilities. Hence the Petitioner prays that this Hon'ble Forum may kindly issue directions to the Respondent to comply with the CGRF order and process the supported estimate within 7 days.

The Petitioner points out that after issuance of CGRF orders, procedural compliance from KSEBL's law office are sought, which could further prolong the process. In view of the urgency and the clear technical feasibility already recorded, the Petitioner respectfully requests this Hon'ble Forum to issue specific directions to the Executive Engineer, Electrical Division Feroke to implement the CGRF order without delay and permit remittance of supervision charges based on the already supported estimate for tapping supply from the nearest 11 kV overhead line using underground cable.

In view of the above facts, statutory provisions, and binding findings of the Hon'ble Forum, the Petitioner humbly request that the estimate may kindly be revised on a reasonable basis and appropriate directions be issued to the Respondent to provide supply under the supported arrangement at the earliest.

Lists of documents enclosed by the Petitioner:-

- **Exhibit P1:- Copy of the estimate & Administrative sanction issued by KSEB on 06.02.2026**
- **Exhibit P2:- Copy of CGRF order in OP No.70/ 23-24 dated 29.01.2024**
- **Exhibit P3:- Copy of CGRF order in OP No. 119/ 2024-25 dated 18.03.2025.**
- **Exhibit P4:- Copy of Dyuthi 2.0 technical sanction for the work of extending Mathara feeder to Pantheerankavu Pottammel Section Border.**

Argument of the Respondent:-

The Respondent's version is as follows:

- 1. The Petitioner has applied for an LT multiple service connection with a power requirement of 213.5 kW for their new project near Botanical Garden under Electrical Section Pantheerankavu. As per their request an estimate amounting to ₹1,03,02,762/- has been prepared and Administrative Sanction for the same was issued by the Executive Engineer, Electrical Division, Feroke vide order No. DB/ Antartis Apartment-PKV/ AS.No.20/ 2025-26/ 2660 dtd 06.02.2026. And the estimate involves installation of one +C+ module in the existing Pokkunnu RMU in Mathara feeder from 110 KV substation,**

Mankavu and one CCV RMU in the property of applicant after laying 2.25 km UG cable by HDD method, installation of LBS, 250 kVA USS and its LT panels and cables. As per Board Order B.O. (FM) No. 1325/ 2007 (DPCII/ APDRP-6/ 2006-07/ 07-08) dated 11.06.2007 and Board Order B.O. (FB) No. 2024/ 2011 (DPC II/ AE/ T&C of supply 02/ 2009/ 2011 dated 18.08.2011, all the prospective HT consumers or LT consumers requiring installation of transformer for availing supply within RAPDRP scheme area shall be allowed to tap HT supply only through Ring Main Units (RMU). The above estimate was prepared on the basis of Board Order dated 11.06.2007 and Board Order dated 18.08.2011.

- 2. The Electrical Section, Pantheerankavu comes under Electrical Division, Feroke under Electrical Circle, Kozhikode. So even though most of the areas under this Section fall within Olavanna Gramapanchayath, this Section is included under the APDRP and RAPDARP scheme area. The 11 KV network in all these areas are constructed using Under Ground (UG) cables and Ring Main Units (RMU) as per this scheme. Many consumers under this section have remitted amount and availed supply in accordance with**

the RAPDRP scheme. So the board has implemented such a direction in line with improving standard of performance in delivering quality of power supply as directed by the Kerala State Electricity Regulatory Commission. The RMU ensures that in case of any failure of supply there is a back feeding option which may reduce the interruption.

- 3. In the instant case, the electricity connection applied is for their new villa project. The electricity is considered to be an infrastructure for everything on our land and to turn a blind eye to it when it comes to remittance of the estimated amount is not a right step in the right direction. Vast development activities are being carried out in the distribution structure, UG cable/ RMU will be installed at places covering almost all areas coming under Pantheerankavu Section. In such a scenario, the Petitioner will also be a beneficiary and as per Regulation 35 of Kerala Electricity Supply Code 2014, KSEBL is ready to meet expenditure for the upgradation of its network and sanctioned new work for extending the UG cable network to this locality under Dyuthi 2.0 scheme. The Petitioner wants electricity connection as of now and not willing**

to remit the amount. Hence It is to deal with such situation, that the Board order referred to above (Board Order dtd 11.06.2007) had been issued. So it means that KSEBL is willing to act on the request of the Petitioner and effect electricity connection so that the urgency of the Petitioner can be met. In here the Petitioner wants electricity connection within no time but would not remit the estimated amount. Moreover granting special consideration to the Petitioner may harm the KSEBL effort in improving quality of power in the present scenario. Also it will spoil the concept of APDRP and RAPDRP scheme implemented for the improvement of distribution network for uninterrupted power supply in city areas. There are many upcoming projects under Electrical Section, Pantheerankavu due to development of six lane National Highway, especially Builders and Developers, like the Petitioner and they may also use the Order of CGRF as reason for excuse in any similar situation in future, if the Petitioner is permitted to draw supply as they requested. The cases referred to by the Petitioner were sanctioned on different grounds as special cases. The KSEBL has not adopted a

common stand against the Board Orders relating to APDRP and RAPDRP scheme.

4. The estimate referred to in the Petition has not been sanctioned by the competent authority, as the existing rules do not permit this concept. Therefore the said estimate does not exist.

5. Providing supply by tapping from the nearest 11 kV over head line will deviate from the mandatory provisions.

6&7. Being a public sector unit, compliance sanction from the Law Section has to be obtained for orders received from various Forums and Courts. Policy matter, in particular, involve technical intricacies and financial liability. This is only a part of the procedure followed by the organization.

The Attention of the Hon. Forum is invited by the Respondent to the fact that many HT consumers and LT multiple consumers have been provided with electricity connection in accordance with the above Board order where they have remitted the estimated amount without any demure. These consumers are willing to remit the estimate amount for a speedy electricity connection. Here, the Petitioner is also similarly placed consumer as the ones who remitted

the estimated amount. In such a scenario, to effect electricity connection to the Petitioner without him having to remit the estimated amount will be an injustice to those who availed themselves of electricity connection by remitting the estimated amount. The matter at hand is not a special case because the Petitioner is a developer and his activities for which electricity connection is sought for are profit oriented.

As the actions being pursued by KSEBL in this case are as per law, the Respondent humbly prays that the Hon. Forum may please dismiss the petition by directing the Petitioner to remit the estimate amount for availing the supply.

Lists of documents enclosed by the Respondent:-

- Exhibit R1:- Copy of Board Order dated 18.08.2011 about guidelines for effecting Service Connection within APDRP scheme area.**
- Exhibit R2:- Copy of Application for Power feasibility.**
- Exhibit R3:- Copy of estimate (same as Exh. P1).**
- Exhibit R4:- Sketch.**

Summary of the Hearing:-

The Hearing in the O.P. was convened on 25.02.2026 FN at the Court Hall of CGRF (NR)

Vydyuthi Bhavanam, Kozhikode in which both the parties were present. Forum enquired whether this case is similar to OP 119/2024-25 and the Respondent admitted that the case is relating to the very same locality, but a different consumer. The Respondent expressed her helplessness as she could comply with the orders of CGRF only on obtaining concurrence from the law wing of KSEBL.

And she submitted the copy of directions received from the O/O the Legal Advisor and Disciplinary Enquiry Officer, KSEBL, as Exhibit R5.

The Letter No. KSEBL/LA/DEO/411/2025-LC1 dated 22.10.2025 of Krishnakumar V.R., Senior Law Officer remarked as below.

“ Hence, in this case it was recommended that the consumer be allowed to obtain supply by tapping from the existing overhead line located in front of the site by installing a new RMU at the overhead tapping location and laying approximately 35 meters of underground cable from this RMU to the proposed USS on the consumer’s premises, rather than requiring the consumer to execute an undertaking as mentioned in decision no.2 of the CGRF order.

Further it was suggested that in RAPDRP areas, installation of underground cable and RMU enhances

system integrity and reliability. The practice of granting special case approvals by the CGRF may create inconsistencies, disparities and dissatisfaction among consumers who have followed standard procedures and incurred higher costs without seeking exemptions.

This is for information and further compliance of the order dated 18.03.2025 of the Hon'ble CGRF."

Forum observed that the practice of granting special case approvals was carried out by Licensee itself since 2018 in cases of Markaz girls high school, under ES Kunnamangalam, to M/s Milma under ES Kunnamangalam, to Avoki centro arena under ES Kadalundi, etc.. And hence the Forum was forced to admit the pleas of the Petitioners in OP 70/2023-24 and in OP 119/2024-25. Further the undertaking mentioned as Decision.2 in OP 119 is the undertaking insisted by the Licensee in Letter No. KSEBL/ DIR/ DIST/ 1198/ 2024- AE3 dated 26.09.2024 of the Director (Distribution SCM & Safety) addressed to the Chief Engineer, Distribution (North).

Observation & Analysis :

The premises of the Petitioner is under Electrical Section Pantheerankavu, which is an RAPDRP

Section. But the site is located in Olavanna Grama Panchayath not under Kozhikode Corporation. RAPDRP was envisaged for Corporation/ Municipal area. At present this locality is not fed through Ring main units with UG Cable.

• Section 4 of the Kerala State Electricity Supply Code 2014 says;

Duty to develop, maintain and extend the distribution system:-

(1)The Distribution licensee shall develop and maintain an efficient, co-ordinated and economical distribution system in its area of supply.

(2) The licensee is responsible for ensuring that its distribution system is upgraded, extended and strengthened to meet the demand of electricity in its area of supply.

(3) The licensee shall ensure that all electricity supply lines and equipments that are belonging to the licensee or under its control in the premises of the consumer, are in a safe condition and are fit in all respects for supplying energy and further the licensee shall take adequate precaution to avoid danger that may arise in such premises from such supply lines and equipment.

- **Section 27 of the Kerala Electricity Supply Code 2014 says;**

Obligation of the licensee to supply on request:-

(1) The Distribution licensee shall develop and maintain an efficient, co-ordinated and economical distribution system in its area of supply and shall supply electricity to any person on his request in accordance with the provisions of the Act and of this Code.

(2) The licensee shall, on an application in the proper form from the owner or lawful occupier of any premises located in his area of supply, give supply of electricity to such premises within the time specified in this Code if

(a) the supply of electricity is technically feasible.

(b)the applicant has complied with the conditions specified in this Code and;

(c)the applicant bears the expenditure for providing supply and services as specified in this Code.

- **Section 35 of the Kerala Electricity Supply Code 2014 says;**

Expenditure for Extension or up gradation or both of the Distribution system to be borne by the licensee:-

The expenditure for extension or up gradation or both of the distribution system up to and including the distribution main, for meeting the demand of new consumers and the additional demand of existing consumers shall normally be borne by the distribution licensee and this expenditure shall be recovered from the consumers through tariff as approved by the commission.

- As per the sections 4,27 and 35 of the Kerala Electricity Supply Code 2014, the up gradation and strengthening of the system for meeting load is solely the responsibility of the licensee and this expenditure can be recovered from the consumer through tariff as approved by the Regulatory Commission.**

- As per Section 32 the licensee has to recover reasonable expenditure from the applicant.**

In this case, estimate for tapping from the nearest OH line is the reasonable one. Being an RAPDRP area, tapping using UG, installation of an RMU and the extension using UG can be insisted. The up gradation of the OH line to UG is the duty of the licensee and there is a provision to recover that expenditure through tariff. Moreover, KSE Board Ltd., has allowed connection to other Commercial,

Industrial and Self Financing Educational Institutions consumers and to KSEB' s transformers by tapping from the OH line under this section.

The nearby Botanical Garden 250KVA Transformer was upgraded recently by the KSEBL without upgrading the OH line to UG cable.

The Forum understands that for facilitating uninterrupted, power supply, UG cable and RMU are essential in this area. Hence when the licensee upgrades the 11KVH line to 11KV UG cable, the Petitioner has to provide the RMU and UG Cable for tapping the supply exclusively for them.

Having examined the Petition and the Statement Of Facts of the Respondent and considering all the documents submitted and deliberations during the hearing, the Forum has come to the following conclusions leading to the decision.

Decision:

1. The Forum admits the plea of the Petitioner and directs the Respondents to revise the estimate for giving SOP to the Petitioner with tapping from the existing, nearby 11 KV OH line within 10 days on receipt of this order.

2. The Petitioner has to submit an undertaking in Kerala Government Stamp Paper worth Rs.200/- within 10 days of receipt of this order that “he/she shall bear the cost of laying the UG cable and installation of RMU for tapping the supply from the nearest RMU location, when the present OH line is upgraded to UG in future”.

3. On receipt of this under taking only the Petitioner may be allowed to remit the requisite estimate amount.

4. The compliance of this order may be intimated to the Forum within 15 days on receipt of this Order.

Dated this the 25rd day of February 2026.

Sd/-

**FRANCIS A.C.
Member(LAW)**

Sd/-

**SANDHYA DIVAKAR
CHAIRPERSON**

Endt.on CGRF-NR/OP 76/2025-26/421

Dt 27/02/2026

Forwarded to:

1) SRI.IBRAHIM,
ANTARTIUS DEVELOPERS,
GURUVAYURAPPAN COLLEGE P.O,
KOZHIKODE - 673014

If the petitioner is not satisfied with the above order of this Forum, he is at liberty to prefer an appeal before the State Electricity Ombudsman, D.H. Road, Forshore Road Junction, Gandhi Square, Eranakulam, Kerala-682016.(Ph: 0484 2346488) within 30 days from date of receipt of this order.

2) THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, MANKAVU,
KSEB LTD, KOZHIKODE DISTRICT.
(By Email&Post)

3) THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, PANTHEERANKAVU,
KSEB LTD, KOZHIKODE DISTRICT
(By Post)

Copy submitted to:

1. THE SECRETARY, KSEB Ltd,
VYDYUTHI BHAVANAM, THIRUVANANTHAPURAM.
(By Post)
2. THE DEPUTY CHIEF ENGINEER, TRAC, KSEBL,
VYDYUTHI BHAVANAM, THIRUVANANTHAPURAM.
(By Email)

Forwarded

Sd/-

Chairperson.