

**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

RAJU C.K : MEMBER (LICENSEE)

FRANCIS. A. C : MEMBER (LAW)

OP 78/2025-26

PETITIONER :-

**Sri. NISHEED K.
SILVER SHINE FITTINGS,
CHAMBAD,
PATHIRIYAD,
KANNUR - 670741**

RESPONDENTS :-

- 1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION,
PINARAYI, KSEB LTD.,
KANNUR DISTRICT**
- 2. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, VENGAD,
KSEB LTD, KANNUR DISTRICT**

ORDER

Background of the case:-

The Petitioner, Sri. Nisheed K, Con No: 11667830714480 under Ele. Section, Vengad, submits before the forum his grievance regarding non reimbursement of the Fixed Charge collected under connected load Tariff even though he had submitted the supplementary Agreement for Demand Tariff.

Argument of the Petitioner :-

The Petitioner submits before the forum that an application for load regularization for his Premises, Silver shine fittings, along with the supplementary agreement (Exhb. P1) for LT demand based billing was submitted on 01.07.2019 to the Licensee.

It was observed by the Petitioner that while the load regularization was processed as per the application, the request for conversion to LT demand-based tariff was not processed. Due to this lapse, excess charges continued to be collected from him. In this regard, the Petitioner had submitted a representation to the Assistant Executive Engineer requesting processing of the demand-based tariff and reimbursement of the excess amount collected (Exhb. P2). However as per Exhb. P3, a reply was

received from the 2nd respondent stating that the supplementary agreement was not received. The above response is unacceptable, as the application and supplementary agreement were submitted together on 01.07.2019. The Petitioner points out this negligence on the part of the office of the 2nd respondent in properly handling and processing the submitted documents.

In view of the above, Petitioner humbly requests the Forum to verify the records and documents, and take appropriate action against the lapse, process the demand-based tariff as originally requested, and reimburse the excess amount collected from him due to this negligence.

Lists of documents enclosed by the Petitioner:-

- **Exhibit P1:- Copy of supplementary agreement for ToD metering for LT IV industrial consumers submitted.**
- **Exhibit P2:- Letter to Asst. Executive Engineer requesting reimbursement of excess collected amount as fixed charge in connected load billing dtd. 25.11.2025.**
- **Exhibit P3:- Letter No. db 74/ letter/ es vgd/ 2025-26/ 149 dtd. 18.12.2025.**

Argument of the Respondent:-

The Respondent's version is as follows:

1. The Consumer had submitted complaint to 2nd respondent for reimbursement of extra fixed charges collected since the previous application for demand based. For processing this complaint, verified the details available in office.

As per the details in Orumanet Software, the Petitioner remitted application fee only for revising connected load on 02.07.2019. Service of revising contract demand change is not seen registered.

Connected load is revised to 53430 watts from 48406 watts on 27.07.2019 based on this application. Since service of contract demand change is not registered, it is not effected, it remains to 53.785 KVA.

2. As per the complaint of the consumer, searched for executed supplementary agreement for contract demand. But it is not found either in Pinarayi Sub Division office or Vengad Section office. Since the service for contract demand change is not registered and supplementary agreement is not seen submitted, complaint of the consumer was not processed.

- 3. Consumer filed complaint after 7 years, so many bills are issued to consumer during this period. But he neither raised any complaint nor concern regarding over charging of demand charges.**
- 4. Looking for any possibility for processing complaint of consumer, once again searched for supplementary agreement in all files available in Vengad Section Office. Now it is found misplaced in files for documents for year 2021. Executed supplementary agreement is for contract demand of 35 KVA.**

Summary of the Hearing of the Forum :-

The hearing in the OP was scheduled on 07.03.26 at the Conference Hall of Electrical Division, Thalassery. But on 05.03.2026, the Petitioner sought adjournment and the hearing was rescheduled to 13.03.26 at Court Hall of CGRF(NR), Vidyuthibhavan, Kozhikode.

On 13.03.2026 FN, Petitioner's nominee and Respondent were present for the hearing.

- ♦ The Respondent admitted that supplementary agreement submitted by the petitioner was retrieved and as per this agreement, contract demand is to be reduce to 35 KVA with effect**

from 27.07.2019. Even though the connected load was revised on 27.07.2019, some omissions had been occurred at the section office. But he pointed out that since then the bill is issued with a contract demand of 54 KVA instead of 35 KVA. But the Petitioner has raised the dispute, now only.

- x The Petitioner pointed out that it is the duty of the licensee to implement the conditions in the supplementary agreement on the execution of the same and requested for refund of the excess amount with interest.**

The additional amount collected from the Petitioner since 27.07.2019, due to non reduction of contract demand, comes to Rs.205030/-; Respondent stated submitting the calculation sheet (Marked as Exhibit R1)

Forum observed that as the lapse has been occurred from the side of the licensee, though unintentional, the Forum is not considering the limitation period. However, as the Respondent pointed out, the non reduction of contract demand could have been noted by the Petitioner then itself; that is, in 2019 itself. But the Petitioner approached

the Forum now only and hence not eligible for interest

Having considered all the documents submitted and the deliberations during the hearing and based on the aforesaid observations and analysis, the Forum has come to the following conclusion leading to the decision.

Decision:-

1. The Petitioner is eligible for the refund of excess amount collected (Rs. 2,05,030/-) from him . Hence the Respondents are directed either to refund the amount of Rs.205030/- or to adjust the amount in the future bills. Office orders may be issued accordingly by the competent authority.

2. The compliance should be intimated to the Forum by 27.03.2026.

The Petition is disposed accordingly.

Dated this the 13th day of March 2026.

Sd/-

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

Sd/-

**RAJU C.K.
Member(LICENSEE)**

Sd/-

**SANDHYA DIVAKAR
CHAIRPERSON**

Forwarded to:

- 1) SRI.NISHEED K,
SILVER SHINE FITTINGS ,
CHAMBAD
PATHIRIYAD
KANNUR

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, PINARAYI,
KSEB LTD, KANNUR DISTRICT.
(By Email&Post)
- 3) THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, VENGAD,
KSEB LTD, KANNUR 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.