

Before the Ombudsman
KPFC BHAVAN, C.V.Raman Pillai Road , Vellayambalam,
Thiruvananthapuram-695 010.

Order Dated 21st February 2007

Present: M.Sivathanu Pillai, Ombudsman-in Charge.

Appeal petition No 1 of 2007.

CGRF order No.CGRF/DCE/COMP/DOP(M)/60/2006-07/141 Dated 20-11-2006.

Sri.Bhageerathan,
Nambala House
P.O.Chettipadi
Parappanangadi 676 319.
Malappuram Dist

Petitioner

Vs

Assistant Executive Engineer
Electrical Sub Division, KSEB,
Parappanangadi, Malappuram Dist.

Respondent

Date of hearing: 20th February 2007.

a. Petitioner has stated as follows:

An electricity connection was sought for from Kerala State electricity Board (hereinafter called Board) at a lower rate for agriculture purposes though the holdings were below the minimum stipulated or crop cultivated were not the specially notified items in the tariff order.

As the case was general in nature the issue was taken up with the higher authorities competent to suggest and regulate alternate lower tariff. But surprisingly I was advised to either continue in the present tariff or to get the connection dismantled. Actually I did not seek a connection for construction purpose and no construction work did take place in the plot, but I was compelled to avail connection under VII (A). due to limitation of the tariff order.

I understand the limitation of the tariff order and request you to reconsider this issue in the light of the following points.

1. There are a number of consumers like this who are compelled to continue with a higher commercial tariff (LT VII (A)) though no commercial purpose is served.

2. Unfortunately the holdings are lower in area than that stipulated for agricultural connections.
3. Actually the purpose is agriculture, the yield is low, but the crop cultivated is not either betal vine or other specially notified items.
4. Electricity is not used for construction purpose.
5. In our local conditions the prime cultivation would be coconut palms or vegetables, even if the area were smaller.

b. CGRF in the order dated 20-11-06, has stated as follows:

The petitioner Sri. N. Bhageerathan, Nambala House, Chettiippadi P.O., is consumer bearing Con.No. 24778 under Electrical Section Parappanangadi. The service connection was registered on 28.6.2006 under OYEC category. The length of service connection is WP 28mts. The connected load proposed is 435 watts (1No.light and half HP motor). The land survey No. is Rs.104/2 and extend 16.3 cent.

The service connection proposed for building construction purpose. So the LT VII (A) tariff issued. The service connection was effected on 7.7.2006.

In the agreement signed and executed by the petitioner for taking electric connection to his plot the purpose is shown as construction.

The petitioner has only 16 cents of land, where he planted coconut trees . Present tariff of the petitioner is LT VII (A)and he is using electricity for watering his coconut trees.

CGRF in the order issued has ordered that the petitioner can either continue in LT VII(A) tariff or can opt for dismantling the service connection.

c. The petition was heard on 20th February 2007. Petitioner stated that there was no construction activity at the time of giving electric connection. Petitioner further stated that there are 12 coconut trees and some vegetable plants. Petitioner stated the products are used for domestic purpose only.

Respondent stated that as per board order (FB) No.2763/2006(DPC/C-GL/113/2005) dated 6th November 2006, the petitioner is not eligible for

agricultural connection. Respondent stated that as the petitioner did not come under any other category, connection was given under LT VII(A).

Petitioner stated that as the connected load was less than 1000W, at least LT VII (B) tariff should have been applied instead of LT VII (A).

Respondent confirmed that the connected load is only 375 W + 60 W.

As stated in the order of CGRF, petitioner is using the electric connection for watering the coconut trees. Hence the purpose is agricultural and not for construction. But as per the order dated 6th November 2006 of Board, petitioner is not eligible for agricultural tariff.

The tariff LT V applied for agricultural connections are heavily subsidized when compared to LT IV applied for Industrial connections. By imposing certain conditions what is done is to ensure that the connection serves an industry.

Respondent 's statement that LT VII (A) was applied as no other tariff could not be applied is not correct. The connected load of the petitioner is less than 1000 W and there is no justification in applying LT VII(A) when a separate tariff under LT VII(B) is available for commercial connections where connected load is less than 1000 W. This would have given considerable relief for the petitioner.

There is no justification in charging under LT VII (A) when a separate rate has been specified for consumers with a connected load less than 1000W. In the case of the petitioner, where the connected load is less than 1000W, application of tariff under LT VII (A) is not at all correct and the tariff should be LT VII (B). The petition is disposed off.

OMBUDSMAN