



# KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

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## **ABSTRACT**

Reducing contract demand from 175 kVA to 145 kVA and enhancing connected load from 479.7 kW to 528.911 kW in favour of M/s Hotel Aida, Kottayam (LCN 13/4322) under Electrical Section, Kottayam Central –sanctioned - Orders issued.

## **CORPORATE OFFICE (SBU-D)**

BO (FTD) No. 321/ 2021(D (D&IT)/ D-1/ General / 2020-21/ 0014)

dated, 05/05/2021

- Read: 1. GO(Rt) No.208/2010/PD dated 31/8/2010.  
2. Note No. LAW III/10733/2010 dated 26/6/2020 of the Senior Law Officer.  
3. BO(FTD) No. 540/2020(D(D&IT)/D2-SOP/0005/2020-21 dated 20/8/2020.  
4. Letter No. EC/KTM/HT-PA/2020-21/1187 dated 9/12/2020 of the Deputy Chief Engineer, Electrical Circle, Kottayam.  
5. Note No. D(D&IT)/D-1/General/20-21/0014 dated 15/12/2020 of the Director (Distribution, IT &HRM) to the Director (Finance).  
6. BO (FTD) No.79/2021(D(D,IT&HRM)/D1/Arrears/20-21/0008 dated 28/1/2021.  
7. BO (FTD)No.135/2021(D(D,IT&HRM)/D1/Arrears/20-21/04/05/06dated 16/2/2021.  
8. Note No.D(D&IT)/D1/General /20-21/0014 dated 19/2/21 of the Director (Distribution, IT &HRM) to the Director (Finance).  
9. Note No.D(D&IT)/D1/Arrears/21-22/0001 dated 09/04/21 of the Director (Distribution, IT &HRM) to the Full Time Directors (Agenda No. 61/4/21).

## **ORDER**

The Deputy Chief Engineer, Electrical Circle, Kottayam, as per letter read as 4<sup>th</sup> above, sought directions in the matter of processing the application for reduction of contract demand and enhancement of connected load from M/s Hotel Aida, Kottayam, with a pending arrear of ₹6,68,352/-.

M/s Hotel Aida, an HT consumer under Electrical Section, Kottayam Central, seeks reduction of Contract demand from 175kVA to 145kVA and enhancement of connected load from 479.7kW to 528.911 kW.

The Special Officer, Revenue, has reported that the firm is having an arrear of ₹6,68,352/- (towards payment of electricity duty) pending realization (under litigation in WP(C )No. 30977/2010).

The consumer has produced the copy of an interim order issued by the Hon'ble High Court of Kerala dated 13.10.2010 in WP(C) No. 30977/2010 allowing the petitioner to remit the

electricity duty at the rate of 10 ps. per unit. The consumer had been paying their monthly electricity bills computing the Electricity Duty component @10 ps. per unit as per this order for a while, however as the final disposal in this WP (C) at the Hon'ble High Court was getting delayed, they decided later to remit the Electricity Duty @10% of total Electricity charge as generated in their monthly bills and this practice is being continued thenceforth.

The consumer has also produced the copy of the Board order read as 3<sup>rd</sup> above in connection with the Regularisation of connected load of M/s Little Flower Hospital, Angamaly, under Electrical Section Angamaly, having pending arrear amount towards Electricity Duty for realization.

The BO read as 3<sup>rd</sup> above related to the Little Flower Hospital, Angamaly and allowed for regularization of connected load despite pending arrears, considering the remarks of the Senior Law Officer read as 2<sup>nd</sup> above that 'enhancement of connected load or contract demand which is otherwise eligible, can't be impeded citing assumed arrear and any such denial is tantamount to deficiency in service and coercive action against the spirit of the interim order'. (In this case also, the arrears related to the demand for electricity duty @10% of the electricity charges discontinuing the earlier practice of assessing duty at 10 ps per unit, in compliance with the GO read as 1<sup>st</sup> above).

The matter of processing the application for reduction of contract demand and enhancement of connected load from M/s Hotel Aida, Kottayam with a pending arrear of ₹ 6,68,352/- was taken up with the Director (Finance) as per note read as 5<sup>th</sup> above, and the Director (Finance) decided that the consumer shall be asked to remit the dues.

Considering that the Full time Directors had since then sanctioned connected load and contract demand enhancement in several cases where the arrear disputes are pending before legal forums like the Appellate Authority, and considering that the connected load enhancement (though without change in contract demand) in a similar case of Angamaly Little flower Hospital where the dispute regarding the arrears (towards payment of electricity duty) is pending before the Hon. High court of Kerala was earlier granted as per BO read as 3<sup>rd</sup> above, and considering the remarks of the Senior Law Officer that 'enhancement of connected load or contract demand which is otherwise eligible, can't be impeded citing assumed arrear and any such denial is tantamount to deficiency in service and coercive action against the spirit of the interim order', the matter was taken up with the Director (Finance) for a review and the Director (Finance) suggested placing the matter before the Full Time Directors.

The matter was placed before the Full Time Directors as per note read 9<sup>th</sup> above.

Having considered the matter in detail, the Full Time Directors in the meeting held on 23/04/2021

1. Resolved to accord sanction to the Deputy Chief Engineer, Electrical Circle, Kottayam to process the application from the HT Consumer M/s Hotel Aida, (LCN 13/4322) with pending arrears of ₹ 6,68,352/- (towards payment of electricity duty) under dispute before the Hon. High Court of Kerala, for enhancement of connected load from 479.7kW to 528.911 KW and reduction of Contract Demand from 175kVA to 145kVA , after getting an undertaking from the consumer in stamp paper stating that they shall remit the pending arrears subject to the final judgment from the Hon. High court of Kerala.
2. Further resolved to direct the Law Section, KSEBL to take action to expedite the case regarding the matter, pending before the Hon. High court of Kerala.

Orders are issued accordingly.

By Order of the Full Time Directors

Sd/-

Lekha.G

Company Secretary-in charge.

To: The Executive Engineer, Electrical Circle, Kottayam.  
The Senior Law Officer, KSEBL.

Copy to: The Chief Engineer (IT & CR) /The Chief PRO/ Financial Advisor  
The Chief Engineer (Distribution South)  
The Chief Internal Auditor/LA&DEO/CVO.  
The Deputy Chief Engineer, Electrical Circle, Kattakkada.  
The TA to Chairman & Managing Director  
The TA to Director (Distribution, IT&HRM / Transmission, System Operation & REES/ Safety & Planning / Generation-Electrical &Supply Chain Management / Generation-Civil)  
The Special Officer, Revenue  
The RCAO, ECA, Kattakkada.  
The Legal Liaison Officer, Power House, Kochi.  
The PA to Director (Finance) /CA to Secretary (Administration)/Company Secretary  
The Fair Copy Superintendent/ Library/Stock File.

Forwarded / By Order



Assistant Executive Engineer