



KERALA STATE ELECTRICITY BOARD Ltd

(Incorporated under the Companies Act, 1956)
Registered Office: Vidyuthi Bhavanam, Pattom,
Thiruvananthapuram – 695 004
CIN: U40100KL2011SGC027424
Website: www.kseb.in

ABSTRACT

M/s. Atlas Celestial Park Apartment Owners Association, Angamaly- providing independent LT Domestic Service Connection to individual beneficiaries- request for execution of Bank Guarantee against the pending arrears – Sanction Accorded – Orders issued

SBU-D

BO (FTD)No.439/2022(D(D&IT)/D2/Govt/SC/19-20/0019/21- Thiruvananthapuram,Dated: 23.05.2022
22)

Read: 1.BO(FTD) No.822/2021(D(D&IT)/D2/Govt/SC/19-20/0019/2021-22 dated 03.11.2021
2.Note no. LAIV/3923/2019 dated 06.05.2022 of the Senior Law Officer , O/o LA and DEO
3.Petition dated 03.03.2022 from Sri. K. Madhuraraj, President, ACP Apartment Owners Association
4.Nte No D(D&IT)/D2/Service Connection/19-20/0019/21-22(2) dated 16.05.2022 of the Director (Distribution & IT) to the Full Time Directors (Agenda No. 56/5/22)

ORDER

Atlas Celestial park, a multi storied Twin Tower consisting of 208 independent apartments and other commercial spaces, situated near Cochin International Airport under Electrical Section Kalady was given an HT connection with Con No 8/7135, under Commercial Tariff in favour of M/s. Atlas Gold Township (India) Pvt Ltd. Subsequently, a few of the Apartment owners approached the Hon'ble High Court and other legal forums for getting independent LT connection. The Hon'ble High Court of Kerala, vide judgement dated 29.01.2021, affirmed that the HT service connection provided to the above premises, as illegal and the Court ordered that independent LT service connection can be effected to the apartment owners as per the revised scheme approved by the Chief Electrical Inspector on 22.07.2015.The individual applications along with necessary documents and valid energization approval of the scheme, in accordance with the Kerala Electricity Supply Code of 2014, are to be submitted by the prospective consumers. If the owner of the commercial establishment or any apartment owner wishes to have HT connection to their particular building, they have to give fresh application to KSEBL.

Later the above HT connection was dismantled.The Special Officer Revenue had informed that the balance arrear amount in the premises amounts to Rs.14,03,443/-as on 31.08.2021. Form C claim petition has been filed by KSEBL in respect of M/s Atlas Gold Townships (builder)

Accordingly, KSEBL as per the BO read as 1st above, resolved to accord sanction to the Deputy Chief Engineer, Electrical Circle, Perumbavoor, to give separate LT connection to the flats in the apartment for which provisional sanction(Scheme Approval) has been issued by the Electrical Inspectorate, on submission of individual applications by M/s. Atlas Celestial Park Apartment Owners subject to the condition that the pending arrears will be remitted by the applicants. The remitted amount shall be accounted/adjusted subject to the outcome of the Hon'ble High Court Case.

Further it was resolved to obtain an undertaking from M/s. Atlas Celestial Park Apartment Owners Association with regard to installation and maintenance of the transformer station of adequate capacity and associated apparatus including the internal distribution system for the supply and enhances the capacity of the transformer to meet the load growth if any, at their cost.

The same was communicated to M/s. Atlas Celestial Park Apartment Owners Association. On receipt of same they have challenged the said B.O vide WPC no.25548/2021 requesting to quash the same. The case is still pending before the Hon'ble High Court.

Presently, Sri. K. Madhuraraj, President, ACP Apartment Owners Association, as per the letter read as 2nd above has requested to grant electric connection upon a Bank Guarantee obtained by their association as to the amount of arrears to be paid by the builder without causing prejudice to the ground raised in the Writ petition no. WPC 10495/2021 and 25548/2021.

The Senior Law Officer as per the note read as 2nd above, after discussion with the concerned Standing Counsel, has opined that since the matter was pending consideration before the Hon'ble High Court of Kerala, for the time being the request can be accepted subject to the fixation of liability by the Hon'ble Court after obtaining an undertaking from the applicant as decided by Board on 03.11.2021.

The matter was placed before the Full Time Directors as per the note read as 4th above.

Having considered the matter in detail, the Full Time Directors in the meeting held on 17.05.2022 resolved to accord sanction to the Deputy Chief Engineer, Electrical Circle, Perumbavoor to give Electric connection to the registered owners of the flats in the Atlas Celestial Park Apartment as per BO no.822/2021 dated 03.11.2021 and after obtaining a Bank Guarantee to the amount against the pending arrears in the premises, from M/s. Atlas Celestial Park Apartment Owners Association, subject to an undertaking from the applicant that the invocation of Bank Guarantee and the fixation of liability shall be subject to the final decisions in the writ petitions 10495/2021 and 25548/2021 filed before the Hon'ble High Court of Kerala.

Further resolved to authorize the Deputy Chief Engineer, Electrical Circle, Perumbavoor to entrust an officer for the safe custody, upkeep/renewal and invocation of the Bank Guarantee subject to the decision on the writ petitions no.10495/2021 and 25548/2021 filed by M/s. Atlas Celestial Park Apartment Owners Association, before the Hon'ble High Court of Kerala.

Orders are issued accordingly.

**By Order of the
Full Time Directors**

sd/-

**LEKHA G
Company Secretary**

To:

The Deputy Chief Engineer, Electrical Circle, Perumbavoor.

Copy to: The Chief Engineer (Distribution Central), Ernakulam/ Chief Engineer (IT & CR)/
Financial Adviser/ Chief Internal Auditor/Company Secretary
The RCAO/ RAO/ LLO/Special Officer (Revenue),
The TA to Chairman & Managing Director/ PA to Director (Finance)/ TA to
Director (Distribution & IT) / (Trans. & System Operation)/ (Gen-Elel) / (Gen-
Civil) / (Planning, Safety SCM)/ (REES, Soura, Sports & Welfare)
Library/Stock File

Forwarded / By Order



Assistant Executive Engineer