

**Before the Appellate Tribunal for Electricity  
(Appellate Jurisdiction)**

**Review Petition No. 01 of 2010 in Appeal  
No. 94 of 2008**

**Dated : January 15 , 2010**

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson  
Hon'ble Mr. H.L. Bajaj, Technical Member**

Kerala State Electricity Board .....Applicant/Appellant

V/s.

Kerala Electricity Regulatory Commission  
and Others -Respondents

Counsel for Appellant : Mr. M.G. Ramachandran,  
Advocate  
Mr. M.T. George, Advocate

Counsel for Respondent : -

**ORDER**

This application for the Review has been taken out by the applicant/Appellant in Appeal No. 94 of 2008, on the ground that the judgment of this Tribunal in Appeal No. 94 of 2008 does not deal with the issue relating to the adjustment of electricity duty payable by Kerala State Electricity Board under Section 4 and Section 3(1) of the Kerala Electricity Duty Act, 1963 to the Government against the revenue gap of KSEB when such electricity duty is not part of the revenues of KSEB.

We have heard the learned counsel for the Applicant. A conjoint reading of paras 27, 28 and 29 would clarify that this Tribunal has dealt with issue of both the electricity duties under Section 3(1) and Section 4 of the Kerala Electricity Duty Act and upheld the view of the Commission with regard to the electricity duty payable under Section 3 (1) of the Kerala Electricity Duty Act.

In our view, there is no ground made out for Review. With these observations, we dispose of the Review Petition No. 01 of 2010.

**(H.L. Bajaj)**  
**Technical Member**

**(Justice M. Karpaga Vinayagam)**  
**Chairperson**