VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: **R. DAMODAR**

Friday, the Twentieth day of May 2016

Appeal No. 09 of 2016

Preferred against Order Dt. 23-12-2015 of CGRF In

CG.No: 97/2015 of Medak Circle

Between

Sri. T. Sudarshan, C/o Smt. Pushpamma, Thogarpally (Village), Kondapur Mandal, Medak District. Cell: 9177122286.

……. Appellant

AND

1. The AE/OP/Kondapur/TSSPDCL/Medak Dist.
2. The ADE/OP/Sadashivpet/TSSPDCL/Medak Dist.
3. The AAO/ERO/Sangareddy/TSSPDCL/Medak Dist.
4. The DE/OP/Sangareddy/TSSPDCL/Medak Dist.
5. The SE/OP/Medak Circle/TSSPDCL at Sangareddy.

…… Respondents

The above appeal filed on 06.02.2016 came up for final hearing before the Vidyut Ombudsman, Telangana State on 6.05.2016 at Hyderabad in the presence of Sri. T. Sudarshan- Appellant and Sri. N. Prem Kumar - ADE/OP/Sadashivpet, Sri. K. Vinod Kumar - JAO/ERO/Sadashivpet, Sri. Ch. Rajamallesham - AE/OP/Kondapur for the Respondents, having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant claimed that the Agricultural Service Connection No. 0875-00787 was released in the name of his mother Smt.T. Pushpamma and that she has not applied for the service at any time and sought dismantlement of the service.

2. The 1st Respondent AE/OP/kondapur submitted a report before CGRF stating that Smt T. Pushpamma has applied for Agricultural five HP service in Sadasivpet consumer service center through her application No. 8232849 dt 1.9.2005 along with a Demand Draft No.806814 dt 31.8.2005 for Rs 5725/- with PCB No. 92780 dt 1.9.2005 and that the service was released in the name of T.Pushpamma W/o T.Samuel, Thogarpally village. He also stated that the Appellant's family have another five service connections totaling six Service Connections in their fields. He stated that at present the Appellant's family have been using only five services out of six services. The four services out of five are in the name of Sri. T.Samuel.

3. On behalf of the Appellant, Sri. T. Elisha son of T.Samuel stated that the Service Connection does not belong to his mother. The 1st Respondent stated that the present service connection belonging to Smt.T.Pushpamma and her family, and they have been using six agricultural services earlier and that now they are using only five services.

4. After hearing and consideration of the material on record, the CGRF directed dismantlement of the service by duly following the departmental procedure through the impugned orders and whether the appellant is entitled to such dismantlement through the impugned orders.

5. Aggrieved and not satisfied with the impugned orders, the appellant preferred the present appeal stating that they got five borewells dug and by fixing a pipeline to draw water through this pipeline from these five lines they were cultivating the land. Suddenly, in their absence, the Appellant claimed that the respondents got the motor starters removed. When the Appellant and others pleaded with the 1st respondent AE, he demanded payment of the entire dues for restoring the supply and that in spite of the appellant pleading with the 1st Respondent that they have not secured the Service Connection in the name of their mother, they went without any response and as a matter of revenge, the respondents have taken recourse to the harassment.

6. The 1st respondent filed a report dt 21.2.2016 in the Appeal giving details of the six services including that of Smt.T.Pushpamma as follows.

Sl.NO	**SC.No**	**Name**
1	0875 00787	T.Pushpamma
2	0875 00514	T.Samuel

3	0875 00571	T.Samuel (Domestic)
4	0875 00333	T.Samuel
5	0875 00407	T.Samuel
6	0875 00392	DEE APSIDC

7. The 1st Respondent reported further that the consumers shift their Service Connection on their own when a borewell get's dry or if any borewell is shifted to a new place, without any permission.

8. The 3rd Respondent submitted that Smt .T. Pushpamma has applied for Agricultural Service Connection for five hp service connection by depositing a demand draft No. 806814 dt 31.8.2005 in her name for Rs 5,725/- and after receipt of the demand draft, the SC No. 0875 00787 was released in the name of Smt T.Pushpamma.

9. Efforts made to bring a settlement has not succeeded, because of the respective stand of both the parties.

10. On hearing and consideration of the material on record, the following issue arise for determination.

1. Whether the Appellant Sri.T.Sudarshan is entitled to dismantlement of SC No.0875 00787 standing in the name of Smt.T.Pushpamma?
2. Whether the impugned orders are liable to be set aside?

Issues 1 & 2

11. The Appellant is obviously son of Smt.T Pushpamma. The Appellant claimed that his mother Smt.T.Pushpamma has not applied for any agricultural five hp service connection in Sadasivpet CSC by paying Rs 5725/- by way of DD dt 31.8.2005. The appellant continued to state that his mother has not applied for SC and has not

deposited any DD with the DISCOM and therefore, sought dismantlement of the Service Connection.

12. Smt T.Pushpamma has separately filed an Appeal No 8 of 2016 seeking similar relief, without explaining how the DD for Rs 5725/- came to be deposited with the respondents.

13. The appellant is not the consumer of the SC No 0875 00787 and he has no authority from Smt.T. Pushpamma to lodge complaint with CGRF or prefer an appeal in this case. Further the respondents filed a report about the consumption, billing , collection and arrears particulars showing the bill due against the SC from July 2009 to Sep 2015 with total arrears as Rs 44,921/-.

14. The Appellant failed to prove that he is entitled to file and has the authority to file the present appeal. The Appellant is not the consumer who has been issued the SC No. 0875 00787. He has no locus to file the Appeal especially in view of his mother Smt.T. Pushpamma's Appeal No. 8 of 2016 pending on the same issue.

15. The issue no 2, in view of the finding on issue no 1, is answered setting aside the impugned orders on the ground of the Appeal being not maintainable by a III party, in view of pendency of Appeal no 8/2016 at the instance of Smt . T. Pushpamma, the SC holder who is the mother of the present Appellant.

In the result the appeal fails and it is dismissed.The issue no 1 & 2 are answered in the negative.

TYPED BY CCO, Corrected, Signed & Pronounced on this the 20th day of May, 2016

Sd/-

VIDYUT OMBUDSMAN

1. Sri. T. Sudarshan, C/o Smt. Pushpamma, Thogarpally (Village), Kondapur Mandal, Medak District. Cell: 9177122286.
2. The AE/OP/Kondapur/TSSPDCL/Medak Dist.

3. The ADE/OP/Sadashivpet/TSSPDCL/Medak Dist.

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6. The SE/OP/Medak Circle/TSSPDCL at Sangareddy.

Copy to:

7. The Chairperson, CGRF - 1, TSSPDCL, Vengal Rao Nagar, Erragadda, Hyderabad.

8. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad.