



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

Tuesday, the fifteenth Day of March 2016

Appeal No. 12 of 2016

Preferred against Order Dt. 7.08.2015 of CGRF In

CG.No: 36/2015 of Mahaboobnagar Circle

Between

Sri Machupally Nagaiah, S/o Lakshmaiah, Kudikilla (V), Kollapur (Tq),
Mahaboobnagar Dist. Pin Code-509 102, Cell: 9705721761.

...Appellant

AND

1. The AE/OP/Kollapur/TSSPDCL/Mahaboobnagar.
2. The ADE/OP/Gadwal/Kollapur/TSSPDCL/Mahaboobnagar Dist.
3. The AAO/ERO/Nagarkurnool/TSSPDCL/Mahaboobnagar.
4. The DE/OP/Nagarkurnool/TSSPDCL/Mahaboobnagar Dist.
5. The SE/OP/MBNR Circle/TSSPDCL/Mahaboobnagar Dist.

... Respondents

The above appeal filed on 13.02.2016 coming up for hearing before the Vidyut Ombudsman, Telangana State on 10.03.2016 at Hyderabad in the presence of Sri. Venkata swamy - Appellant's Son and Sri. S. Venkatesh AE/OP/Kollapur, Sri.T. Praveen Kumar - ADE/OP/Kollapur for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant sought an Agriculture Service Connection, took a DD for Rs 5650/- on 27.9.2012 and submitted it in the CSC centre, Kollapur, Mahaboobnagar District. The 1st Respondent/AE/issued poles and related material without giving

the connection. The Appellant lodged a complaint with the CGRF seeking issue of Agriculture service connection from the 25 KVA Transformer No. 200160830.

2. The 2nd Respondent/ADE/OP/Kollapur through his letter dt. 20.7.2015 stated that the poles and the other materials were issued, but due to politics in the village between the complainant and other farmers, it has become very “critical” to issue the service connection. The 2nd Respondent assured the CGRF that he would meet the farmers, discuss the matter and release the service connection within a short time.

3. The Appellant submitted that inspite of repeated requests, the 1st Respondent has not released the supply and whereas, the 1st Respondent stated that due to village politics, the others farmers were obstructing him from giving supply to the Appellant from the transformer. He too assured the CGRF that after solving the problem, he would give the connection within 15 days.

4. After hearing both sides and on the basis of material on record, the CGRF directed the Respondents to release the service connection to the Appellant by 15.8.2015 and report compliance by 20.8.2015 with a caution that failing to adhere with the timeline, there shall be penalty/compensation burden on the Respondents from 27.10.2012 till the work is done @ Rs 100/- per day as per Clause IX of the Schedule II of the Guaranteed Standards of Performance, through the impugned orders. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal claiming that inspite of getting orders from CGRF, the Respondents failed to give him the service connection and that when he complained to the village president, he demanded Rs 20,000/- for getting the work done.

5. The 2nd Respondent through his letter dt. 20.7.2015 addressed to the Appellant stated that due to the politics in the village between the Appellant and other farmers, the Respondents were facing difficulty in solving the problem.

6. There was delay of more than 5 months in preferring the present Appeal. The Appellant explained the delay stating that after getting the order of CGRF, he approached the Respondents seeking Agriculture Service Connection and the Respondents evaded his request by taking one pretext or the other and when he approached the village President, to his misfortune, the village President

demanded money. Keeping in view of the situation the Appellant was in, the delay was condoned in preferring the Appeal.

7. The Appellant, during the hearing, admitted that some of his villagers were opposed to him when he did not join them at the time of fixing of DTR and therefore, whenever the service connection was given to him, those farmers were removing the fuse and disconnecting the power. The Respondents are claiming that they gave service connection to the Appellant, only to be disturbed by the political opponents of the Appellant. Under these circumstances, the mediation failed and the matter is being disposed of on merits.

Arguments heard.

The following issues arise for determination :

1. Whether the Appellant is entitled to service connection, in view of the repeated interference and disruption of service connection by the rival farmers of the Appellant?
2. Whether the impugned orders are liable to be set aside?

ISSUES 1 & 2

8. The claim of the Appellant that he sought an agriculture service connection and deposited a DD for Rs 5650/- on 27.9.2012 with CSC Kollapur and the 1st Respondent has issued poles and related material is admitted. The claim of the Appellant that he wanted the service connection from the 25 KVA transformer is also not denied by the Respondents. The Respondents claimed that due to politics in the village, with the rival farmers of the Appellant opposing the service connection to the Appellant, it has become very "critical" issue for them. The Respondents pleaded before the CGRF that they were going to speak to the farmers and give connection in a time bound manner. When the matter came up in the Appeal, they pleaded that because of the politics in the village and the activities of the rivals of the Appellant, even when they have given service connection to the Appellant, his rivals were removing the fuse and obstructing the power supply. They were even ready to help the Appellant with power by fixing the fuse, which has been given already, but the supply was being disrupted by the rival farmers.

9. The Appellant is seeking relief of Service connection, going over his rival farmers. The Appellant claimed that his rival farmers asked him to join them when

DTR was fixed and he refused to join them and that is why, his rival farmers are now demanding Rs 10,000/- towards his share of the expenditure. The Appellant named some farmers as the persons who were removing the power connection to his field, causing loss to him and they were abusing him.

10. When there was no respite to his problems, the Appellant lodged a complaint with the SI of kollapur on 20.1.2014 against his rival farmers who were obstructing power supply to his field. The Appellant claimed that the S.I of police, after hearing that the Appellant himself was fixing the power connection, got angry, chided him saying that it may cause fatal injury and sent him away.

11. The Respondents were helpless according to them, in view of the activities of the rival farmers of the Appellant. In Spite of it, the AAE/OP/Kollapur lodged a complaint with the Inspector of police on 9.3.2016, stating that they have restored power connection to the borewell of the Appellant several times and that the rivals of the Appellant namely 1. Bingi Ushanna, 2. Bingi srinivasulu, 3. Machupalli Kurmaiah, 4. Chinkali Peddapuram Satyanarayana 5. Chakali Chandraiah and 6.Bichi Reddy were removing the power connection, seeking action against the named persons. Thus the Respondents have been trying to help the Appellant in whatever manner they could. The Appellant should take advantage of this complaint lodged by the AAE with Inspector of police, Kollapur and take appropriate steps against his rival farmers, who were removing his power connection. In view of the facts disclosed, it is clear that the Respondents have expressed their readiness to help the Appellant. It is also clear from the material on record, that there was interference and obstruction by the rival farmers of the Appellant and there has been repeated disruptions to the power supply to the borewell of the Appellant.

12. The CGRF, through the impugned orders, has correctly directed the Respondents to give service connection and the Respondents have complied with the direction and several times helped the Appellant by restoring power supply against interruptions by the rival farmers of the Appellant.

13. It is for the Appellant to take appropriate steps in this matter for taking action against his rivals, who were obstructing power supply and then approach the Respondents for help, who would obviously help the Appellant in getting back the supply to his borewell. In this matter, the Respondents 1 and 2 have assured the Appellant during the hearing that they would help him whenever approached. Under these circumstances, the Appellant is found not entitled to any specific relief

against the Respondents for getting his disputes solved with his rivals. There is no material on record to interfere with the impugned orders.

The issues 1 and 2 are answered accordingly.

14. In the result, the Appeal is disposed of confirming the impugned orders.

TYPED BY CCO, Corrected, Signed and Pronounced by me on this the 15th day of March, 2016.

Sd/-

VIDYUT OMBUDSMAN

1. Sri Machupally Nagaiah, S/o Lakshmaiah, Kudikilla (V), Kollapur (Tq), Mahaboobnagar Dist. Pin Code-509 102, Cell: 9705721761.
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6. The SE/OP/MBNR Circle/TSSPDCL/Mahaboobnagar Dist.

Copy to:

7. The Chairperson, CGRF -1, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad.
8. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad.