



**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**

Saturday, the Eleventh Day of March 2016

Appeal No. 05 of 2016

Preferred against Order Dt. 19-10-2015 of CGRF In

CG.No: 79 /2015 of Mahaboobnagar Circle

Between

Smt. T. Radhamma, W/o Paramesh, Alwalpad Village, Dharoor Mandal,  
Mahaboobnagar Dist. Cell No. 9550760458.

**... Appellant**

**AND**

1. The AAE/OP/Dharoor/TSSPDCL/Mahaboobnagar Dist.
2. The ADE/OP/Gadwal/TSSPDCL/Mahaboobnagar Dist.
3. The DE/OP/Gadwal/TSSPDCL/Mahaboobnagar Dist.
4. The SE/OP/MBNR Circle/TSSPDCL/Mahaboobnagar Dist.

**... Respondents**

The above appeal filed on 22.01.2016 coming up for hearing before the Vidyut Ombudsman, Telangana State on 01.03.2016 at Hyderabad in the presence of Sri. T. Paramesh - on behalf of the Appellant and Sri. C. Narsimulu- - AAE/OP/Dharoor, Sri. T. Yadagiri - ADE/OP/Gadwal and Sri. B. Srinivasulu - DE/OP/Gadwal for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

**AWARD**

The Appellant and another have applied for release of four new Agriculture Service connections with 4 Demand Drafts of Rs 4950/- each, making a specific request for supply of one 25 KVA transformer. The Appellant claimed that the concerned AE/OP(R1) has not released the service to their borewells. The

Appellant through a complaint, sought a direction to the 1st Respondent to release the Service Connections along with a DTR.

2. The 2nd Respondent/ADE/OP/Gadwal through a letter dt. 8.10.2015 addressed to the 3rd Respondent/DE/OP/Gadwal stated that he has verified the seniority list and found out that there were many applications in the Dharoor Section for Agriculture DTRs and that the AE/OP/Dharoor had prepared estimate with WBS No. A-0324-03-06-11-04-226 in SAP and the estimate was in the process for sanction. He (the 2nd Respondent) claimed that he made physical inspection of the premises of the Appellant and discovered that they have been already drawing power to their borewells by erecting their own DTR.

3. The Appellant before the CGRF sought provision for poles, LT lines and LT network within 30 days and whereas, the 2nd Respondent/ADE/OP/Gadwal stated that he would regularise the unauthorised DTR by providing LT network as per the field conditions within 30 days.

4. After hearing and on consideration of the material on record, the CGRF directed completion of the work of regularisation of Agriculture supply by erecting necessary lines and fixing DTR wherever required, by 13.11.2015 through the impugned orders.

5. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal with 9 months delay stating that she was not served with copy of the order of the CGRF and that only when the Appellant and others went to the CGRF, they came to know that the final orders were passed and thus the explanation for the delay has been accepted.

6. The Appellant stated that herself and Smt. Revatamma W/o Sri. Bheem Reddy have deposited one DD each under receipt for the release of an Agriculture Service Connection with one 25 KV DTR and that she has requested the Respondents 1 to 3 several times for release of the service and a DTR, in vain. Ultimately she claimed that she approached the CGRF where the Respondents undertook to fix 25 KV DTR, deliver/fix 5 LT and 5 HT poles as per the sketch drawn by the lineman and that after preparation of the estimate, they would get the sanction of the articles. The Appellant further claimed that they were called to Gadwal, where they paid Rs 1000/- to the operator and got release of 8 poles and brought the poles in their tractor. The Appellant claimed that for the 2nd time

they were called to Mahaboobnagar and handed over only the cable and that instead of fixing the cable themselves, the Respondents made the Appellant to spend Rs 3000/- and got the cable fixed and thus the Appellant was neither provided with DTR nor the cross arms and two more poles. The Appellant consulted the 2nd Respondent/AE/OP/Gadwal who directed release of the rest of the articles, which was not complied with and there after, they preferred a complaint to the CGRF. The Appellant's claim is that the Respondents were fixing DTR and giving service connections to those persons who are not in the seniority list. The Appellant claimed that one lineman by name Sri. Muniswamy advised them that fixing of DTR and release of the line may take further time when their turn comes and advised the Appellant and others to get the poles and pull the line themselves and so saying, the lineman Sri. Muniswamy collected Rs 1500/- and fixed the line for the Appellant. The Appellant further stated that Sri. Muniswamy, the lineman on the pretext of getting the estimate, has collected Rs 2000/- from the Appellant allegedly on behalf of the AE. The same Sri. Muniswamy, the Appellant stated, took Rs 2000/- intending for a DD from Smt. Revatamma for getting an Agriculture Service Connection released stating that he would fix the Domestic Service Meter and failed to carry out any work. The Appellant further stated that the AE/Gadwal was threatening her and others to sign on some written papers or else they would face dire consequence.

7. The 1st Respondent/AE/OP/Dharoor admitted receipt of 4 DDs on 26.3.2015 from the Appellant and others and gave the seniority of the Agriculture Applications in the section as 425,426,427 and 428 and claimed that in the meanwhile, the Appellant approached the CGRF for release of the services by erecting a 25 KVA DTR.

8. The 1st Respondent asserted that a physical verification of the premises of the Appellant disclosed that the Appellant was drawing supply for her borewells by erecting an unauthorised private DTR.

9. The 1st Respondent admitted that as per the directions of the CGRF, an estimate was created in SAP with a WBS No. A-0324-03-06-11-04-226 for regularisation of DTR and LT network, as per the field requirement and accordingly, the estimate was sanctioned, DTR code was allocated to the private DTR erected by the Appellant and others. He claimed that the LT network material was drawn and the work was carried out as per the estimate. Thereafter, the 2nd

Respondent stated that the Service Numbers were allotted to the Appellant as follows:

1. F4 21000526
2. F4 21000527,
3. F4 21000528 and
4. F4 21000529.

10. The 1st Respondent claimed through letter dt.23.02.2016 that after completion of the work, the consumer was not willing to give satisfactory certificate to be submitted to the CGRF to close the case and on the other hand, the Appellant was insisting on supply of 11KV materials and a new DTR for which there is no provision in the estimate, further stating that the Appellant has been making false allegations regarding bribe and approaching the higher authorities.

11. After hearing arguments and the material on record, it is found that there is no agreement on any point for resolving the dispute through mediation and therefore, the matter is being disposed of on merits.

12. The following points arise for determination:

- i. Whether the Appellant is entitled to release of LT 5 and HT 5 poles along with a 25 KVA DTR?
- ii. Whether there should be an enquiry on collection of money by the lineman as alleged in the complaint of the Appellant, for sanction of the estimate and for fixing meters etc?
- iii. Whether the impugned orders are liable to be set aside?

### **Issues 1 to 3**

13. The Appellant through her complaint sought release of 4 new connections along with one 25 KVA DTR by depositing 4 Demand Drafts for Rs 4950/- each with the Customer Service Centre. An estimate was also prepared by the 1st Respondent and it was in the process of sanction. During the physical inspection of the premises of the Appellant, it was found that they were already drawing power for their agriculture borewells by fixing their own DTR. The Respondents discovered this unauthorised service connections and a DTR, but still they wanted to regularise the service and of the DTR by providing LT network requirements as per the field conditions.

14. The inspection by the Respondents of the premises of the Appellant and another disclosed that the Appellant and another were drawing power by unauthorisedly fixing a DTR which resulted in the Respondents preparing estimate for other items excluding DTR, because there was already an existing DTR. The Appellant is now seeking supply of the poles and other materials as also one DTR to recoup her expenditure.

15. In the 1st instance, there appears to be no provision either in the GTCS or in the Tariff Orders for reimbursement of expenditure incurred by the Appellant.

16. The Appellant was in a hurry because there were many senior applicants and her and another's seniority for Agricultural Applications was at 425,426,427 and 428. When her urgent need was not met, it is clear from the record that she procured an unauthorised DTR, poles and cable and took the Service Connections. On seeing this, naturally the 1st Respondent excluded the DTR, the poles, the cable and other items in the estimate and that is why the 2st Respondent in his letter dt.23.2.2016 in paragraph 5 stated that that DTR code was allocated to the private DTR of the Appellant, the LT network materials were drawn and the work was carried out as per the estimate. If such is the situation, the demand of the Appellant in the Appeal as well as from the arguments advanced, is only for supply of DTR, the poles and the cable and other articles, so that they could recoup the expenditure incurred by them. There is no provision for recouping the expenditure incurred by the consumers who get their own DTRs, poles and other items. Had the Appellant waited for her turn as per the seniority, the initial deposit would have been sufficient to fix the LT line with the required DTR at the expense of the DISCOM etc.

17. The 1st Respondent submitted a Memo dt. 4.11.2015 of the DISCOM for sanction of estimate for regularisation of one 25 KVA (3ph) unauthorised DTR for releasing 4 Nos 5 HP Agriculture Services to the Appellant and the others excluding the DTR and the poles.

18. There is a circular from the DISCOM dt. 7.7.2012 regarding regularisation of unauthorised DTRs existing in Gadwal division. It is for preparation of estimates by noting down the existing DTRs and existing LT/HT network, which were acquired by the consumers themselves. It is for allotment of DTR code with closure of work order creating assets for DTR structure and total network becoming the property

of the DISCOM. Similar provision is made for regularisation of unauthorised agricultural services with unauthorised single phase DTRs.

19. The 1st Respondent, through his representation, has stated about following the instructions of the DISCOM regarding regularisation of unauthorised service connections and DTRS. There is no provision for refund of the deposits made through DDs or by cash by the consumers who acted on their own, procured DTRs and other articles and started getting unauthorised connections,. Therefore, it cannot be said that the Respondents have unnecessarily denied the Agriculture Service Connections with 25 KVA DTR to the Appellant and another. The exclusion of DTR and poles and cable in the estimate was rightly prepared by the DISCOM resulting in denial of reimbursement of cost to the Appellant and three others. Therefore, the Appellant is found not entitled to reimbursement of the cost of the DTR, the poles and the cables. Another aspect as to why the Appellant is insisting on supply of DTR, poles and cable from the Respondents is to take delivery of the articles and dispose them of, which is not permissible under the existing GTCS, Tariff Orders or any circular instructions of the DISCOM.

20. There is a serious allegation made by the Appellant that one lineman by name Sri. Muniswamy collected amounts for getting the estimate sanctioned allegedly for payment to the Assistant engineer, for getting the meter fixed and that he failed to get the meter fixed and that the AE/OP/Dharoor threatened the Appellant that she should sign on blank papers, on the threat of some action. On this allegation, what action has been taken is not on record. When serious allegation regarding bribe is made against some of these staff members, it is the duty of the DISCOM to enquire into the matter and take severe action against the concerned. A departmental enquiry is therefore in order.

21. The CGRF merely directed completion of the regularisation of the Agriculture supply by erection of necessary lines and DTR wherever required, which appears as a proforma order. The CGRF has not examined the issues involved clearly, the procedure required and the instructions issued by the DISCOM for releasing Agricultural lines and DTR at all and it is clear that it does not know whether there was any DTR fixed already or not and therefore, prima facie it can be held that the CGRF has not applied its mind to the facts of the case and passed a three line proforma order, which is liable to be set aside.

22. In the result, the Appeal is dismissed holding that:

- a) The Appellant is not entitled to release of a DTR, poles and lines by way of reimbursement.
- b) There should be an enquiry into the allegation of collection of money by the lineman as alleged in the complaint of the Appellant allegedly for sanction of the estimate and for fixing meters, in an expeditious manner.
- c) The impugned order is set aside.

The issues one to three are answered accordingly.

23. This award shall be implemented within 15 days of its receipt at the risk of penalties as indicated in clauses 3.38, 3.39, and 3.42 of the Regulation No. 3/2015 of TSERC.

of Typed by CCO, Corrected, Signed and Pronounced by me on this the 11th day  
March, 2016.

S

**VIDYUT**

**OMBUDSMAN**

1. Smt. T. Radhamma, W/o Paramesh, Alwalpad Village, Dharoor Mandal, Mahaboobnagar Dist. Cell No. 9550760458.
2. The AAE/OP/Dharoor/TSSPDCL/Mahaboobnagar Dist.
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4. The DE/OP/Gadwal/TSSPDCL/Mahaboobnagar Dist.
5. The SE/OP/MBNR Circle/TSSPDCL/Mahaboobnagar Dist.

**Copy to:**

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

