



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 December 2015

Appeal No. 79 of 2015

Preferred against Order Dt. 07-10-2015 of CGRF In

CG.No: 468/2015 of Karimnagar Circle

Between

Sri.N.Sadashiv Reddy, S/o. Raghava Reddy, H.No. 3-119, Madaka,
Odela- Mandal, Karimnagar District, Cell No-9963867287.

... Appellant

AND

1. The AE/OP/R/EAST/KARIMNAGAR-9440811436.
- 2.The ADE/OP/ R/KARIMNAGAR-9440811418.
- 3.The AAO/ERO/R/KARIMNAGAR-9440811465.
4. The DE/OP/KARIMNAGAR-9440811394.

... Respondents

The above appeal filed on 03.11.2015 coming up for hearing before the Vidyut Ombudsman, Telangana State on 9.12.2015 at Hyderabad and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant had Service Connection No 2208 -3563, Category III with 15 Hp connection at Bommakal. The service was released in the month of october 2010. The Appellant has not been paying cc bills regularly, pending from january 2011. The Appellant paid the bills only on 1-11-2014. In the meanwhile, on 7-11-2014, the Appellant alleges that an application purported to be his, for dismantling the service, was submitted

to the Respondents. The Respondents tested the CT meter and afterwards, stated to have given clearance for issue of no due certificate for dismantling the service.

2. The 3rd Respondent/AAO gave no due certificate dt 17-11-2014 for dismantling the service .On the request of the consumer, the meter was removed from the premises on 10-12-2014. He (R3) addressed a letter to AAE/OP/Rural /Karimnagar dt 10-12-2014 for deleting the service.

3. On appearance of the parties, AAE (electrical) submitted a reply alleging that the appellant has not been paying cc bills regularly and that the cc bills pending from january 2011 were paid on 1-11-2014 and on the application of the Appellant, the service was dismantled and the meter was removed from the premises.

4. The Appellant claimed that without his consent, the DISCOM cancelled (dismantled) his Service Connection on 7-11-2014 and that when he approached the officials of the DISCOM, he could get no response. He sought restoration of Service Connection.

5. Since the Service Connection was dismantled and the meter was removed , there could be no meeting point on the issue and no scope for success in the mediation.

6. On the basis on the material on record and stand taken by both the parties, the following issues arise for determination.

1. Whether the dismantlement of the Service Connection No 2208 -03563 of the Appellant is not legal and Whether the Appellant is entitled to restoration of the Service Connection?
2. whether the impugned orders are liable to set aside?

Issue No 1 & 2

7. The Appellant claimed that the Respondents have dismantled his Service Connection without his consent. The Respondents claimed that the Appellant gave an application dt 7-11-2014 addressed to the 1st Respondent/AAE for dismantlement and on its basis, they have dismantled the Service Connection after the Appellant cleared the dues amounting to Rs 26,225/-. And after adjustment and after the following due procedure, they have dismantled the Service connection.

8. The Appellant was furnished with a copy of letter 7-11-2014 purported to be his letter with Cellphone No stated to be that of the landlord of the Appellant, which resulted in dismantlement of the service at the time of the hearing . A copy of this letter dt 7-11-3204 has been furnished to the Appellant for his record. The Appellant denied this letter as his.

9. During the hearing, the Appellant showed a pair of keys to the shuttered premises, in which he was running a welding shop, with a claim that another pair of keys was with the landlord of the premises. The Respondents claimed that when the staff visited the Service Connection for dismantlement, the Appellant opened the premises and showed the meter unit and they got the total information about the establishment. They asserted that the request for dismantlement of service did not raise their suspicion. They claimed that the applicant also paid the total dues to facilitate the dismantlement of the service and therefore, they cannot help the Appellant in the matter now.

10. The impugned orders show that one Lingala Tirupati is the owner of the rented premises and that the rental agreement of the Appellant stated to have expired about 3 years back to the present complaint and that the Service Connection was under disconnection from March 2011 to October 2014 on the ground of cc bill dues. At this stage, the CGRF found the dismantlement of the service as per the DISCOM procedure and disposed of the complaint through the impugned orders.

11. The Appellant has to take appropriate steps against the owner of the rented premises in the present matter. The Respondents have followed the due procedure for dismantlement of service after collecting dues and getting the meter checked . At no point of time the Respondents had any inkling of suspicion on the letter 7-11-2014 they have received for dismantlement. The Applicant appeared to have access to the spare keys with in knowledge of the Appellant and therefore, the Respondents had no suspicion regarding the application for dismantlement of the Service Connection and therefore, they have followed the due procedure and carried out the dismantlement of the Service Connection and removed the meter.

12. The Respondent No 4 /DE addressed a letter dt 26-4-2012 to the Appellant requesting him to pay an amount of Rs 1,440/- in the shape of a DD for shifting the Service Connection from the present place to near a funtion hall at bommakal. What happened to this shifting is not known, but in the meanwhile on 7-11-2014 i.e two and half years later,

the application for dismantlement of the Service Connection reached the 1st Respondent resulting in the dismantlement of the Service Connection.

13. The Appellant sought restoration of the Service Connection at another place. This request cannot be acceded to since the Service Connection itself has been dismantled and the meter removed.

14. The CGRF, under the facts and circumstances on the case, found the dismantlement as per the procedure and disposed of the complaint through the impugned orders. It is for the Appellant to take appropriate steps against his landlord in the light of the copy of the application dt 7-11-2014 for dismantlement furnished to him during the hearing in this case.

15. There are no grounds to interfere with the impugned orders, which are confirmed. Both the issues are answered against the Appellant.

16. In the result, the Appeal is dismissed.

Corrected, Signed and Pronounced on this the 15th day of December, 2015.

Sd/-

VIDYUT OMBUDSMAN

TYPED BY CCO

1. Sri.N.Sadashiv Reddy, S/o. Raghava Reddy, H.No. 3-119, Madaka, Odela- Mandal, Cell No-9963867287.
2. The AE/OP/R/EAST/KARIMNAGAR-9440811436.
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5. The DE/OP/KARIMNAGAR-9440811394.

Copy to:

6. The Chairperson, CGRF, TSNPDCL, Vidyut Bhavan, Nakkalagutta, Hanamkonda, Warangal-506 001.
7. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad.