



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV Substation, Beside Hyderabad Boat Club
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN**

THURSDAY THE TWENTY SECOND DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

Appeal No. 02 of 2025-26

Between

Sri Rompally Rachanna, s/o. Shivappa, H.No.5-29, Anantharam (PO),
Peddachelmeda Village, Munipally Mandal, Sangareddy District - 502 345.

..... Appellant

AND

1. The Assistant Engineer/Operation/Munipally/TGSPDCL/Sangareddy District.
2. The Assistant Divisional Engineer/Operation/Sadasivpet/TGSPDCL/
Sangareddy District.
3. The Assistant Accounts Officer/ERO/Sadasivpet/TGSPDCL/Sangareddy
District.
4. The Divisional Engineer/Operation/Sangareddy/TGSPDCL/Sangareddy
District.
5. The Superintending Engineer/Operation/Sangareddy/TGSPDCL/Sangareddy
District.
6. The Chief General Manager/Commercial/Corporate Office /TGSPDCL
/Hyderabad.

.....Respondents

This appeal is coming on before me for final hearing on this day in the presence of the appellant in person and Sri B. Veera Reddy - ADE/OP/Sadasivpet and Sri K. Vinod Kumar - AAO/ERO/Sadasivpet and having stood over for consideration, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - I (Rural) (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TGSPDCL') in C.G.No 296/2024-25 dt.19.03.2025, disposing the complaint with specific directions to both parties.

2. The case of the appellant before the learned Forum is that the appellant has applied for borewell connection to his agriculture field bearing Survey No.177/A (at another place it is mentioned as Sy.No.178), at Peddachelmeda Village, Munipally Mandal, Sangareddy District and paid Rs. 1,70,405/- towards erection of 3-phase, 25 KVA DTR. The said transformer was installed in the second week of August 2024 but the erection of poles and LT line work was not completed. In spite of meeting the officials of the respondents, there was no progress in the matter. The appellant lost Rs.3,65,405/- due to the delay in completing the said work. It is accordingly prayed to direct the respondents for early completion of the pending work and also to award compensation for the delay.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

3. In the written reply filed by respondent No.1 before the learned Forum he has admitted about issuance of estimation for extension of

electricity supply to the agricultural land of the appellant at Peddachelmeda Village. This respondent has prepared the estimate No.A-0659-90-01-23-04-045 and sent it for sanction to his superior. The said estimate was sanctioned on 08.04.2024. The appellant paid the required amount on 16.05.2024. Respondent No.1 instructed the contractor to execute the work of 11 KV line and DTR work. While executing LT line work, there was an objection raised by one Sri R. Vittal, brother of the appellant, that the pole should not be erected in his land. Because of this objection raised by the brother of the appellant, the poles were not erected.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides, the learned Forum has disposed of the complaint by directing the respondents herein to serve a notice on the appellant to show the right of way to lay the LT line or alternate solution to lay the line and the appellant was advised to clear the right of way problem and intimate the respondents for execution of LT line work as early as possible.

5. Aggrieved by the said Award of the learned Forum, the present appeal is preferred, contending among other things, that there is no need to erect poles in the land of one Sri R. Vittal. There are alternative ways for erecting the poles. Accordingly it is prayed to direct the respondents for completing LT line work.

WRITTEN SUBMISSION OF THE RESPONDENTS

6. No written reply was filed by the respondents.

ARGUMENTS

7. The appellant has submitted that there is no necessity to lay the required poles in the land of his brother but there are other options for laying the said poles, but the respondents are not coming forward to do the same. Therefore it is prayed to direct the respondents to erect the poles to the field of the appellant at the earliest.

8. On the other hand, the respondents have submitted that the brother of the appellant has objected for erecting the electrical poles in his land as such the respondents are unable to proceed with the work. Therefore it is prayed to reject the appeal.

POINTS

9. The points that arise for consideration are:-

- i) Whether there is no right of way issue to erect the poles to the agricultural land of the appellant ?
- ii) Whether the Award of the learned Forum is liable to be set aside? and
- iii) To what relief?

POINT Nos. (i) and (ii)

ADMITTED FACTS

10. Admittedly the respondents have proceeded with the work and already installed a transformer for the agriculture land of the appellant after payment of the required amount by the appellant. There is no dispute that the brother of the appellant is objecting for erecting the poles in his land.

SETTLEMENT BY MUTUAL AGREEMENT

11. Both the parties have appeared before this Authority virtually and physically. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement could be reached. The hearing, therefore, continued to provide reasonable opportunity to both the parties to put-forth their case and they were heard.

REASONS FOR DELAY IN DISPOSING OF THE APPEAL

12. The present appeal was filed on 19.04.2025. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

13. The appellant is requesting for erection of LT line and 3-phase, 25 KVA DTR for his agriculture land at Peddachelmeda Village. It appears that the appellant paid the required estimated amount and the work was also started accordingly. Thereafter, the brother of the appellant objected for erecting the

poles meant for the agriculture land of the appellant in his land. Thus it appears that on the objection raised by the brother of the appellant himself, the work was not proceeded further. At this stage it is necessary to refer Clause 5.2.4 of General Terms and Conditions of Supply (in short 'GTCS'). It reads as under:-

"Where the consumer's premises has no frontage on a street and the supply line from the company mains has to go upon, over or under the adjoining premises of any other person (and whether or not the adjoining Premises owned jointly by the consumer and such other person), the consumer shall arrange at his own expense for any necessary way-leave, licence or sanction. The Company shall not be bound to afford supply until the way-leave or sanction is granted. Any extra expenses incurred in placing the supply line in accordance with the terms of the way-leave, licence or sanction shall be borne by the consumer. In the event of the way-leave, licence or sanction being cancelled or withdrawn, the consumer shall, at his own cost, arrange for any diversion of the service line or the provision of any new service line thus rendered necessary."

The above Clause makes it quite clear that when there is issue in respect of right of way for erection of poles upto the location at required Service Connection, the consumer must give consent to pay additional costs for re-routing the line in case he doesn't manage to provide right of way for transmission of lines. It is also mentioned therein that the burden to solve the right of way issue is on the consumer himself. As already stated, since the brother of the appellant is objecting for erecting the poles in his land for proceeding the erection of line to the agricultural land of appellant, the work was stopped. When such an objection was raised by the brother of the appellant, it is for the appellant to solve the said problem. In such

circumstances, the respondents cannot be blamed for the stoppage of the work in question. The learned independent member has also referred the relevant Clause properly. In view of these factors, I hold that there is a right of way issue in this case to erect the poles to the agricultural land of the appellant and the Award of the learned Forum is not liable to be set aside. The learned Forum has properly analysed the issue and came to the correct conclusion. These points are accordingly decided against the appellant and in favour of the respondents.

POINT No. (iii)

14. In view of the findings on point Nos. (i) and (ii), the appeal is liable to be rejected.

RESULT

15. In the result, the appeal is rejected, confirming the Award passed by the learned Forum.

A copy of this Award is made available at <https://vidyutombudsman-tserc.gov.in>.

Typed to my dictation by Office Executive cum Computer Operator, corrected and pronounced by me on the 22nd day of May 2025.

Vidyut Ombudsman

1. Sri Rompally Rachanna, s/o. Shivappa, H.No.5-29, Anantharam (PO), Peddachelmeda Village, Munipally Mandal, Sangareddy District - 502 345 Cell:9989521434.
2. The Assistant Engineer/Operation/Munipally/TGSPDCL/Sangareddy District.
3. The Assistant Divisional Engineer/Operation/Sadasivpet/TGSPDCL/ Sangareddy District.
4. The Assistant Accounts Officer/ERO/Sadasivpet/TGSPDCL/Sangareddy District.
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6. The Superintending Engineer/Operation/Sangareddy/TGSPDCL/Sangareddy District.
7. The Chief General Manager/Commercial/Corporate Office/TGSPDCL / Hyderabad.

Copy to

8. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL- Greater Hyderabad Area, Door No.8-3-167/E/1, Central Power Training Institute (CPTI) Premises, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad - 45..