



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**

Wednesday, the Twelfth day of July 2017

Appeal No. 16 of 2017

Preferred against Order Dt.22.02.2017 of CGRF In

CG.No: 691/2016-17 of Hyderabad North Circle

Between

Sri. M. Thulasi Raj, H.No.17-72/1, New Venkateshwara Nagar, Tukaramgate,
North Lallaguda, Secunderabad.500 017. Cell No.7093595409.

... Appellant

AND

1. The ADE/OP/Padmarao Nagar/TSSPDCL/Hyderabad.
2. The DE/OP/Paradise/TSSPDCL/Hyderabad.
3. The SE/Operation/Hyd. North Circle/TSSPDCL/ Hyderabad.

... Respondents

The above appeal filed on 06.04.2017 coming up for final hearing before the Vidyut Ombudsman, Telangana State on 05.07.2017 at Hyderabad in the presence of Sri. M. Thulasiraj - Appellant and Sri. R. Ananda Reddy - ADE/OP/PR Nagar, Sri. N. Laxminarayana - DE/OP/Secunderabad for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant has applied for release of 4 Nos. New service connections to his premises House No. 17-72/1, on 10.2.2010 duly remitting the requisite amount by way of Demand Drafts under acknowledgement by the Customer Service Centre vide CN 9325552, CN 9325554, CN 9325556 and CN9325557. In Spite of his request to the AE,ADE and DEE several times, no action has been taken on his application and no reasons have been furnished for not responding to his request. He then lodged a complaint with the CGRF seeking relief.

2. The AAE/O/Tarnaka through letter dt.13.2.2017 stated that he has inspected the premises of the Appellant and found 4 existing Service Connections V6056510,V6066066,V6066067 under Category I and V6057632 under Category II existing in the premises apart from the 4 Service Connections applied individually. He stated that as per the departmental instructions, a consumer has to apply for LTM Panel Board for having more than 4 Nos. Service Connections. The Appellant has applied for 4 individual connections without furnishing the building permission issued by the GHMC and therefore, the Application of the Appellant for release of new service connections was rejected under intimation dt.9.2.2017 to the Appellant.

3. Before the CGRF, the 1st Respondent stated that due to non furnishing of building permission and Occupancy Certificate issued by the GHMC, the application of the Appellant was rejected and further, the Appellant has to apply for release of service connections on a panel board, since he already has 4 existing Service Connections. He stated further that the Appellant has applied for the service connections individually and he has to give his consent for refund of the development charges and security deposit, by adjustment to his other Service Connections.

4. On consideration of the material on record and contentions, the CGRF observed that the Application of the Appellant for release of 4 new connections was already rejected due to non submission of the building permission as well as the occupancy certificate issued by the GHMC and therefore directed the Appellant to submit those documents for release of 4 new service connections, through the impugned orders.

5. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal alleging that there is seven years long delay in disposing of his application for release of 4 new service connections and that there are many houses in his locality which have more than 4 service connections without any panel board within half kilometer radius to his house with different house numbers, names and areas and similar facility has to be given to him and sought action against the concerned for negligence in not disposing of his application in time .

6. The 2nd Respondent/DE/O/Paradise submitted a reply dt.24.5.2017 reiterating that the application of the Appellant for release of 4 new service connections in the month of February,2010 was rejected by the AE/O/Lalaguda

informing him to apply for the Service Connections with metering panel board. He stated that the CGRF has advised the Appellant to register for a panel board metering, while the Appellant insisted on release of the connections without any metering panel board. He denied the allegation of delay in taking a decision on the application of the Appellant by stating that the Appellant was informed about the requirement for a metering panel board as per the existing rules vide Memo D.No104/05 dt.24.08.2005 and claimed that there is no wilful delay in disposing of the application of the Appellant.

7. In view of the nature of allegations made, the efforts at mediation have not succeeded and therefore, the matter is being disposed of on merits.

8. On consideration of the material on record, the following issues arise for disposal:

1. Whether the Appellant is entitled to release of 4 new service connections?
2. Whether a panel board is required if there are more than 4 service connections to a premises?
3. Whether the impugned orders are liable to be set aside?

Heard.

Issues 1 to 3.

9. The Appellant has applied for 4 new service connections in the month of Feb,2010 for his residential premises H.No.17-72/1, New Venkateshwara Nagar, Tukaram Gate, North Lallaguda, Secunderabad which is admitted by the Respondents. The 2nd Respondent/DE/Elecl/O/Paradise filed a copy of ledger showing the registration of application of the Appellant for release of 4 new service connections with cell numbers, showing an endorsement as rejected on 16.2.2010 for want of request for a panel board.

10. Though the Appellant denied receipt of the rejection intimation, the record filed indicates otherwise. The next objection of the Respondents is that there is no panel board for release of more than 4 service connections. During the course of the hearing, it came to light that the Appellant has three service connections in his name, one is V6-066066, the next one is V6-066067 both under the Category I both residential

and another V6-056510 Category II Commercial meter as stated by him in his letter dt.6.12.2010 addressed to the 2nd Respondent, which was acknowledged by the AAE/OP/Lalaguda on 6.7.2010. Among the three service connections, one is a commercial meter and two are residential meters. Initially the Respondents demanded municipal permission and occupancy certificate for release of the new service connections. During the hearing, only the question of requirement of metering panel board came up, obviously when the premises was claimed by the Appellant as an old one.

11. The Appellant's contention that several houses in and around his locality have more than 5 service connections, without having any panel board and therefore, he should also be treated in the similar way. The Respondents have no answer to this allegation of the Appellant, supported by about 13 pages of data also furnished by the Appellant. However, no number of wrongs can make another wrong a legitimate one.

12. Why the Respondents are demanding a panel board for a premises having more than 4 service connections?

Basically Panel Board is a distribution board component of electricity supply system that divides an electrical power feed into subsidiary circuits, while providing a protective fuse or circuit breaker for each circuit in a common enclosure. The panel board is essentially required for precautions regarding wiring installations for ensuring satisfactory and reliable service and safety from all possible hazards from the use of electricity. Apart from the above, the panel board is required for maintaining the following parameters:

- a. Safety
- b. Accessability
- c. Operation
- d. Anti tampering features through sealing provision
- e. Testing and maintenance
- f. Meter reading and recording and
- g. Meter failure and discrepancies

13. With a view to safeguard the equipment and save consumer interest, the Central Power Distribution Company of AP, Hyderabad through memo Dt.24.8.2005

mandated panel board fixation as compulsory, if there is an application for more than 4 new service connections from a consumer. This requirement cannot be diluted so long as this instruction is current. This is also to facilitate correct meter reading and preventing situations where readings could not be taken due to restricted entry to the upper floors.

14. A perusal of the existing four Service Connections reveal that one of the services V6 057632 Category II is in the name of S. Kasim, located in some other address bearing H.No.17-457, instead of H.No.17-72(present address of the Appellant) and the reasons for such difference is not properly explained. However, the Appellant across the bar has stated that he permitted his tenant S.Kasim to get his own Service Connection and the tenant got it transferred from his earlier place of business.

15. The Appellant vide letter dt.06.12.2010 addressed to Divisional Engineer stated that H.No.17-72/1 was constructed at Lalaguda, Tukaram Gate area (Old H.No.17-72, New H.No. 17-72/1, together constructed). He claimed that H.No.17-72 has 3 meters viz V6 066066, V6 066067 and V6 56510 and insisted on 4 new meters for H.No. 17-72/1. The existence of 4th meter V6 057632 was not mentioned at that time.

16. The shifting of the meter V6 057632 Category II from H.No. 17-457 to the premises of 17-72 of the Appellant, is neither properly explained by the Appellant nor by the Respondents. On this aspect, the Respondents have to make an enquiry and take appropriate steps.

17. The initial demand of the Respondents for municipal permission as well as occupancy certificate is no longer demanded by the Respondents, perhaps in view of the nature of the premises of the Appellant. This demand the Respondents may raise at any time. The contention of the Appellant that his premises is an old one is not denied by the Respondents. Under these circumstances, the Appellant who has three Service Connections, is found entitled to release of only One new Service Connection to his premises without needing a Panel Board, after complying with all the regulatory requirements. In case the Appellant requests for one or more service connections, the requirement of fixing of a panel board would come into play.

18. The CGRF has not examined the aforementioned aspects and went on to dispose of the application after hearing the Respondents. The Appellant was not present during the hearing before CGRF on 13.2.2017 and thus, all the facts were not placed before CGRF for taking a reasonable decision. The issues are answered accordingly.

19. The Appeal is disposed of directing as follows:

1. The Appellant is found entitled to release of One new Service Connection to his residential premises bearing No. 17-72/1 on complying with the guidelines of the DISCOM and the Respondents are directed to release the said Service Connection without insisting on fixing of a Panel Board.
2. A panel board is required if there are more than 4 service connections to a premises as per Memo Dt.24.8.2005 of the Central Power Distribution Company of AP(present TSSPDCL) issued by the CGM(Commercial and RAC).
3. The impugned orders are confirmed to the extent indicated.

20. The licensee shall comply with and implement this order within 15 days for the date of receipt of this order under clause 3.38 of the Regulation 3 of 2015 of TSERC.

Typed by CCO, Corrected, Signed and pronounced by me on 12th day of July, 2017.

Sd/-

VIDYUT OMBUDSMAN

1. Sri M. Thulasi Raj, H.No.17-72/1, New Venkateshwara Nagar,
Tukaram Gate, North Lallaguda, Secunderabad.500 017.
Cell No.7093595409.
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4. The SE/Operation/Hyd. North Circle/TSSPDCL/ Hyderabad

Copy to:

5. The CGRF, Greater Hyderabad Area, TSSPDCL, GTS Colony, Vengal Rao Nagar,
Erragadda, Hyderabad.
6. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Lakdikapool,
Hyderabad.