



**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**

TUESDAY THE THIRD DAY OF JANUARY  
TWO THOUSAND AND TWENTY THREE

**Appeal No. 20 of 2022-23**

Between

Smt. Kayathi Rama Devi, w/o.K.Govardhan Reddy, H.No.8-2-684/1/10,Bhavani  
Enclave,Road no.12,Banjara Hills,Hyderabad. Cell: 9701717111, 9393313111.

.....**Appellant**

**AND**

1. The Assistant Engineer / Operation / Choutuppal / TSSPDCL / Yadadri-  
Bhuvanagiri District.
2. The Assistant Divisional Engineer / Operation / Choutuppal / TSSPDCL /  
Yadadri- Bhuvanagiri District.
3. The Assistant Accounts Officer / Operation / Choutuppal / TSSPDCL /  
Yadadri - Bhuvanagiri District.
4. The Divisional Engineer / Operation / Choutuppal / TSSPDCL / Yadadri-  
Bhuvanagiri District.
5. The Superintending Engineer/Operation/ Yadadri Circle/TSSPDCL/  
Yadadri - Bhuvanagiri District.

..... **Respondents**

This appeal is coming on before me for final hearing on 01.12.2022  
in the presence of Sri K.Govardhan Reddy - representative of the appellant  
and Sri Shivbeer Singh - AAO/ERO/Choutuppal, representing the  
respondents and having stood over for consideration till this day, this Vidhyut  
Ombudsman passed the following:-

## **AWARD**

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - I (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No.30/2022-23, Yadadri Bhongir Circle dt.24.08.2022.

### **CASE OF THE APPELLANT BEFORE THE FORUM**

2. The case of the appellant is that she is having the following (4) electrical Service Connections at her agriculture land at Toopranpet village, Choutuppall Mandal, Yadadri district:-

1. 5122400061, 2. 5122400065, 3. 5122400066, 4. 5122400068

She paid the entire dues on one time settlement on 11.12.2015 at the office of respondent no.1. The appellant requested the respondents to dismantle the above said Service Connections. The appellant received a notice from respondent no.3 claiming dues on the above said dismantled connections. When she approached the respondents no proper reply was given to her. Hence it is prayed to do justice.

### **REPLY OF THE RESPONDENT BEFORE THE FORUM**

3. In the written reply submitted by respondent No.2, it is stated that on 23.01.2020 the appellant has applied for dismantling the subject Service Connections. The said Service Connections were released in IT assessee category. She is not eligible for tariff applicable for free supply as the appellant is having more than three numbers of agriculture Service Connections in the

dry land held by her. There is no one time settlement scheme as stated by the appellant. The appellant has not cleared the dues.

#### **AWARD OF THE FORUM**

4. After considering the material on record and after hearing both sides, the learned Forum has disposed of the complaint directing the Chief General Manager (HRD) to initiate disciplinary proceedings against the erring employees of the respondents within a specified period.

5. Aggrieved by the Award passed by the learned Forum, the present appeal is preferred, contending among other things, that no concrete result has been passed in favour of the appellant. Therefore it is prayed to do justice.

#### **WRITTEN SUBMISSION OF THE RESPONDENTS**

6. In the written submissions of respondent no.3 the arrears details were mentioned, as under:-

Sl no	SC.No.	CC Charge in Rs.	Surcharge in Rs.	Total in Rs
1	5122400061	109268.41	83774.00	193042.00
2	5122400065	110391.13	83703.97	194095.00
3	5122400066	88995.16	66752.84	155748.00
4	5122400068	88995.16	66752.84	155748.00

7. Heard both sides.

### **POINTS**

8. The points that arise for consideration are:-

- i) Whether the appellant is entitled for dismantling the subject Service Connections without paying necessary charges?
- ii) Whether the impugned Award of the learned Forum is liable to be set aside? and
- ii) To what relief?

### **POINT No. (i) and (ii)**

### **ADMITTED FACTS**

9. It is an admitted fact that the four subject Service Connections are in the name of the appellant at her agriculture land at Toopranpet village. They are not dismantled so far.

### **SETTLEMENT BY MUTUAL AGREEMENT**

10. Both the parties have appeared before this Authority on different dates. 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**

11. Since I took charge as Vidyut Ombudsman on 01.07.2022 and since there was no regular Vidyut Ombudsman earlier, the appeal was not disposed of within the prescribed period.

## **CRUX OF THE MATTER**

12. The Appellant Smt.K.Rama Devi filed the present appeal in respect of dismantling of (4) numbers agriculture Service Connections, 1. 5122400061, 2. 5122400065, 3. 5122400066 and 4. 5122400068. The dispute is in regard to pending arrears against the (4) Service Connections. The appellant sought to withdraw the arrears of the said connections from the year 2000 onwards. It is reported that she has transferred the agricultural land and paid the entire dues of Rs 29,756/- for each Service Connection on one time settlement on 11.12.2015 at AAO/ERO/RAMANNAPET. Though it was claimed that they closed the accounts in the year 2015, but failed to produce no dues certificate which is mandatory for dismantling of any electricity connection. There is negligence also on the part of the respondents, where they have failed to realise the arrears against the said connections and now demanded the payment of arrears as shown below:-

Table -A

Sl.No	Service Connection	Amount as per RR Act Notice
1	5122400061	193162
2	5122400065	193042
3	5122400068	155868
4	5122400066	155860

Vide Lr. No. AEE/OP/CTPL/F.No.ERO/D.No 379/2020-21, dated 09.12.2020, the AAE/OP/Choutuppal reported that he has inspected the premises and found that there is neither LT line nor DTR and no bore well were existing. Further proposed her withdrawal of fictitious demands raised under the paying category. The given proposal was returned by the SE/OP/Yadadri Circle vide memo no. 586 dated 28.02.2020, for the reason that the Service Connections are not eligible for tariff applicable for free supply.

13. There were guidelines framed by the CGM/Commercial, vide Memo No. CGM/Comml/SE(C)/DE(C)/ADE-II/D.No.2792/14 dt.11.03.2015, for conversion of paying category to free category for agriculture consumers which is reproduced here under:-

VIDYUT OMBUDSMAN  
 TELANGANA STATE  
 FORWARD  
 12 MAY 2016  
 No. 362

SOUTH CENTRAL POWER DISTRIBUTION COMPANY OF TELANGANA LIMITED  
 O/o. the Chief General Manager (Commercial),  
 TSSPDCL, Ground Floor, Corporate Office,  
 Mint Compound, Hyderabad.

Memo No. CGM (Commercial) (C) / DE(C) / ADE-III / D.No.2792/14, Dt:11-03-2015  
 Sign. Sub: - TSSPDCL - Summl - Conversion of Paying category to Free category  
 agriculture consumers - Revised Instructions issued - Reg.

- Ref:- 1. Lr.No.CP/CGRF-2/Agri Sevices/2011-12/D.No.1219/12, Dt.04.04.2012.
- 2. Memo.No.CGM(C)/SE(C)/DE(C)/ADE-III/D.No.1096/13, dt. 27.06.2013.

All the Superintending Engineers/Operation Circle are requested to comply following instructions for conversion of paying category to free category agriculture consumers:

A. Following have to be observed for categorizing Agricultural Consumers under Corporate Farmers & IT Assesses

- i) **Corporate farmers:** Companies registered under the companies act, partnership act, societies act (or) under any other applicable legislation, trust act and any other bodies corporate that may be notified from time to time.
- ii) **IT Assesses :** Income tax assesses owning agriculture land.

B. Documents / Certificates to be verified

1. Physical Inspection Report:-

- a. Inspection report of AE/Operation duly counter signed by ADE/Operation and DE/Operation. The inspection report should indicate whether the consumer is following DSM Measures or Not, as given in Tariff Order.

Income of the Consumer:-

- a. Latest Income Certificate issued by the Tahsildar /MRO or: 4(d)

3. Land Holding of the consumer:-

- a. Patta Pass Book of the Consumer or MRO certificate. Extent of wet land, no. of electrical connections of dry land has to be certified by local MRO/Tahsildar.

4. Affidavit by the Consumer on Non-Judicial Stamp Paper declaring that:-

- a. He is not an Income Tax Assessee
- b. No. of acres of Land Holdings in his name
- c. No. of Agriculture Services in his name
- d. Self income declaration.

On receipt of the proposal from the concerned DE/Operation and based on the certificate, issued by MRO, Patta Pass Books, Income Certificates, AE/ADE/Operation inspection report, DE/Operation recommendation, the Superintending Engineer / Operation / and SAO/Operation may review and take a decision to change the category (paying to free) and may withdraw the excess demand raised, if any on account of wrong categorization with proper verification & certification.

All such cases shall be reported to the Chairman & Managing Director on quarterly basis without which the transaction shall not attain finality.

*(Signature)*  
 Chief General Manager/Commercial

To:  
 All the Superintending Engineers/Operation/ MOC  
 All the Senior Accounts Officers/Operation/

Copy to: The Chair Person/CGRF-I & CGRF-II  
 H.No.8-3-970, Plot No.132, 4<sup>th</sup> Floor,  
 Sri Sai Complex, Near HDFC Bank, Srinagar Colony, Hyderabad.  
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*to necessary officer*

The Appellant is not entitled for revision of bills under free power supply. She has to comply with the stipulated conditions to avail the benefits of tariff of free supply to the agricultural Service Connections. Whereas the appellant applied for dismantling of above said four Service Connections on 23.01.2020, at the

Customer Service Centre Vide Reg. Nos. CC673201907041, CC673201907094, CC673201907098 and CC673201907105. The Service Connections were under bill stopped category during the month of May 2013. The amounts pending as on such date is shown in table-A supra. Hence the appellant is liable to pay the arrears mentioned in table-A for dismantling of Service Connections. In either of the cases, change of category from paying to free category or dismantling of the Service Connections, there is no sphere for withdrawal of arrears pending. Accordingly the appellant is liable to pay the necessary charges for dismantling the four subject Service Connections and the Award of the learned Forum is not liable to be set aside. These points are decided accordingly against the appellant and in favour of the respondents.

**POINT No. (iii)**

14. In view of the findings on point No. (i) and to (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 this the 3rd day of January 2023.

Sd/-  
**Vidyut Ombudsman**



1. Smt. Kayathi Rama Devi, w/o.K.Govardhan Reddy, H.No.8-2-684/1/10,Bhavani Enclave,Road no.12,Banjara Hills,Hyderabad. Cell: 9701717111, 9393313111.
2. The Assistant Engineer / Operation / Choutuppal / TSSPDCL / Yadadri-Bhuvanagiri District.
3. The Assistant Divisional Engineer / Operation / Choutuppal / TSSPDCL / Yadadri- Bhuvanagiri District.
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5. The Divisional Engineer / Operation / Choutuppal / TSSPDCL / Yadadri-Bhuvanagiri District.
6. The Superintending Engineer/Operation/ Yadadri Circle/TSSPDCL/ Yadadri - Bhuvanagiri District.

**Copy to**

7. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL-I (Rural), H.No.8-03-167/14, GTS Colony, Erragadda, Hyderabad - 500 045.

