



**VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA**  
First Floor 33/11 kV substation, Hyderabad Boats Club Lane  
Lumbini Park, Hyderabad - 500 063

:: Present:: Smt. UDAYA GOURI

Monday the Eleventh Day of March 2019

**Appeal No. 54 of 2018**

Preferred against Order dt:17.11.2018 of CGRF in  
CG No. 203/2018 of Karimnagar Circle

Between

Sri.E. Narahari Sharma, H.No.6-5-92, Market Road, Vemulawada (Town),  
Siricilla, Karimnagar - Dist. Cell: 9246932088.

... Appellant

**AND**

1. The AE/OP/Town/Vemulawada - 9440814075.
2. The ADE/OP/Vemulawada - 9490610236.
3. The AAO/ERO/Vemulawada - 9440814064.
4. The DE/OP/CESS-2/Sircilla - 9440814059.

... Respondents

The above appeal filed on 02.01.2019, coming up for final hearing before the Vidyut Ombudsman, Telangana State on 13.02.2019 at Hyderabad in the presence of Sri. E. Narahari Sharma - Appellant and R.Anusha - AE/OP/Vemulawada town and Sri. A. Devender Kumar - AAO/ERO/Vemulawada for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

**AWARD**

This is an Appeal filed against the orders of the CGRF Karimnagar Circle in CG No.203/2018 dt. 17.11.2018.

2. The averments made in the Appeal are as follows:-

The Appellant stated that he has filed a complaint before the CGRF Karimnagar Circle seeking for rectification of the excess bills and the change of category II to Category I

for his service connection No. 20201 05714, contending that they have not been using the said service connection since March,2013 in view of another service connection bearing No. 20201 13222 being given to them under Category I i.e. Domestic Service, but the learned CGRF failed to appreciate their contentions and failed to rectify the bills and order for change of category from the date of their application i.e. August,2008. Hence aggrieved by the said order the present Appeal is filed.

3. The Appellant i.e. Sri. Narahari Sharma resident of H.No.6-5-92, Market Road, Vemulawada (Town), Sircilla, Karimnagar filed the Appeal stating that he is allotted service connection No. 20201 05714 under Category II and that later they have given an application before the CESS Officials seeking for change of the category of their service connection from Category II to Category I and that in spite of the said application the Respondents have not changed the same but have allotted another service connection bearing No. 20201 13222 in the month of June,2013 and as such since then they were not utilising the services on the service connection No. 20201 05714, yet the Respondents have issued a bill for an amount of Rs 1,66,071/- and as such aggrieved by the same they sought for rectification of the bills and change of categorisation II to I from the year 2009 for the purpose of billing.

4. The Respondents on the other hand filed their written statement through Respondent No.1 i.e. AE/OP/Vemulawada vide Lr.No. AE/OP/VMDT/CESS/D.No.360/2018-19 dt.13.02.2019 stating that as per the Co-operative Electric Supply Society Ltd., Sircilla, Sri. E. Narahari Sharma is having SC No. 20201 05714 and having arrears of Rs 1,66,071/- as on July,2018. As per complaint we inspected the consumer premises having another domestic meter bearing SC No. 20201 13222 is running under Category I in the same premises. The SC No. 20201 05714 billed under Status - 1 upto March 2018 in Category II. After that April, 2018 to July,2018 billed under status - 9. We observed the consumer had taken SC No.20201 3222 in April,2013. The consumption units are billed according to the load consumption. There is no mistake of reading. Hence the actual arrears of Rs 1,66,071/- withdrawing amount Rs 60,785/-.

5. Heard both sides.

6. In the face of the said averments by both sides the following issues are framed:

1. Whether the Appellant has given any application seeking for change of Category II to I and the same is not considered by the Respondents and as such is entitled for withdrawal of bills as sought for ? and
2. To what relief?

**Issue No. 1**

7. Admittedly the Appellant Sri. E Narahari Sharma R/o. Vemulawada was originally allotted service connection No. 20201 05714 under Category II and he has been utilizing the same till a second service connection bearing No. 20201 13222 was allotted to him in the month of April, 2013. The contention of the Appellant is that since category II is non domestic category he sought for changing of the said category to Category I i.e. Domestic category and in spite of his applications for the said change of category on 02.12.2009 , 02.11.2010 and 12.03.2018, the Respondents have not responded to his requests, but when another service connection under category I i.e. Domestic service vide service connection No. 20201 13222 was allotted to him, he has been utilising the supply from the said connection since June,2013 and the service connection No. 20201 05714 was not being utilised by him, yet the Respondents have issued a bill for an amount of Rs 1,03,611/- till March,2013 alleging to be the arrears on the un utilised service connection and that too under Category II and later issued another bill showing the total amount as 1,66,071/- claiming to be the bill upto June,2018. As such prayed that the service connection No. 20201 05714 be dismantled and all the alleged arrears to be withdrawn by the Respondents.

8. The Respondents on the other hand contended that the Appellant was utilising the service connection No. 20201 05714 under Category II and later the service connection No. 20201 13222 was obtained by him under Category I and has been utilising the same. They also contended that since the earlier service connection i.e. 20201 05714 was being utilised by the Appellant they have billed for the said service connection as per the utility. They claimed that the bill issued to the Appellant is in accordance with the provisions for billing and as such contended that the Appellant is neither entitled for change of category II to I without application and is not entitled for withdrawal of their arrears billed against the service connection No. 20201 05714 as the same has been utilised by the Appellant.

9. The said averments of both sides admittedly go to show two service connections i.e. SC No. 20201 05714 under Category II and 20201 13222 under Category I are allotted in the name of the Appellant and that originally the Appellant was using the services from the service connection No. 20201 05714. The contention of the Appellant is that he sought for change of the category of the service connection 20201 05714 from Category II to Category I i.e. from Non Domestic to Domestic one, but the Respondents have not heeded to his request and are now asking him to pay the bills though he has not utilised the same from the time of the allotment of the second service connection. The Respondents on the other hand denied the same. They pointed out that no application has been given by the Appellant for change of category and as such contended that the billing had to be done under Category II for the service connection No. 20201 05714. In the face of the said denial of the Application being filed by the Appellant for change of category, the burden lies on the Appellant to support his contention that he filed applications on 02.12.2009, 02.11.2010 and 12.03.2018, but a perusal of the evidence adduced by the Appellant shows that the Appellant except making an oral claim failed to file any documentary evidence to show that he has made such applications. He did not even filed one application out of the alleged three applications claimed to have been filed by him. As such there is nothing on record to show that the Appellant filed any applications seeking for change of categorisation from Category II to I.

10. In the above mentioned circumstances let us now consider the records to see if the Appellant has not used the services of the service connection No. 20201 05714. The Appellant contended that they have not used services of the said service connection after March,2013 in view of the second connection given to him vide SC No. 20201 13222. The Respondents on the other hand denied the same and pointed out that in spite of the second connection the Appellant has been utilizing the services from the service connection No. 20201 05714. In the face of the said contentions by both sides, since the Respondents is contending that the Appellant has utilised the services of the service connection No. 20201 05714, the burden lies on the Respondents to support the same. The documentary evidence adduced by the Respondents before this office clearly show that the service connection No. 20201 05714 recorded the consumption on the said meter till March,2013. The Appellant who denied having used the services from the said connection failed to explain the consumption recorded on the meter pertaining to

the service connection No. 20201 05714. Hence in the face of the records submitted by the Respondents this office finds that the finding of the CGRF is absolutely in order and does not require to be interfered.

11. Since there is nothing on record to show that the Appellant has sought for change of category II to I pertaining to service connection No. 20201 05714 and since the records show that the services of the said service connection has been utilised till March,2013 even as per the admissions of the Appellant the Ombudsman concludes that the Appellant is liable to pay the consumption charges till March,2013 i.e. Rs 1,04,626/- as ordered by the CGRF. Hence decides this issue against the Appellant.

**Issue No.2**

12. In the result the Appeal is dismissed directing the Respondents to dismantle the service connection No. 20201 05714 forthwith and the Appellant is directed to pay the arrears of Rs 1,04,626/- within 30 days from the date of this order.

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

TYPED BY Office Executive cum Computer Operator, Corrected, Signed and Pronounced by me on this the 11th day of March, 2019.

Sd/-

**Vidyut Ombudsman**

1. Sri.E. Narahari Sharma, H.No.6-5-92, Market Road, Vemulawada (Town), Sircilla, Karimnagar - Dist. Cell: 9246932088.
2. The AE/OP/Town/Vemulawada - 9440814075.
3. The ADE/OP/Vemulawada - 9490610236.
4. The AAO/ERO/Vemulawada - 9440814064.
5. The DE/OP/CESS-2/Sircilla - 9440814059.

**Copy to :**

6. The Chairperson, CGRF-I,TSNPDCL,Nakkalagutta, Hanamkonda, Warangal.
7. The Secretary, TSERC, 5<sup>th</sup> Floor Singareni Bhavan, Red Hills, Lakdikapul,Hyd.