



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

**:: Present:: Sri.NAGARAJ NARAM**

Monday the Twenty Fourth Day of January 2022

**Appeal No. 05 of 2021-22**

Preferred against order dated 22.04.2021 of CGRF in C G No.121 / 2020-21 of  
Mahabubabad Circle

Between

Sri. Jatoth Gopal,  
S/o. Baanya,  
Dub bathanda - Village,  
Haripirala (Bheemudu Thanda),  
Thorrur - Mandal, Mahabubabad - Dist. Cell: 7799521083 **... Appellant**

**AND**

1. The AE / OP / Chinnavangara - 9440814101  
2. The ADE / OP / Thorrur - 9440811321.  
3. The DE / OP / Thorrur - 7901093937. **.... Respondents**

The above appeal, filed on 22.05.2021 having come up for final hearing before the Vidyut Ombudsman for the state of Telangana on 31.07.2021 at Hyderabad in the presence of Sri. J. Gopal - appellant and Sri. J. Sridhara Chary – DE / OP / Thorrur, Sri. T. Yakanna – AE / OP / Chinnavangara for the Respondents and having considered the record and submissions of both parties, the Vidyut Ombudsman passed the following;

**AWARD**

This is an appeal filed against the order dated 22.04.2021 of CGRF TSNPDCL in C. G. No. 121 / 2020-21 of Mahabubabad Circle.

2. The appellant has stated and raised the following grounds in the appeal.  
a) The appellant stated that the service connection was disconnected by the other consumers and the wire has been taken away by them. On 08.07.2020, he complained to the AE and ADE to take action on those who are responsible for the issue and also for reconnection of his service. The respondents did not take any action and also refused to give reconnection, hence he gave a complaint to the CMD

/ TSNPDCL on 04.08.2020. According to the official records of the AE there was a mistake in the AADHAAR card hence they could not take any action and the AE asked him to apply for dismantlement of the service connection and apply for a fresh service connection. Hence, he had applied for disconnection of the service on 10.12.2020 and cleared all the dues on 17.10.2020. He also applied for a new service connection on 21.10.2020. The respondents gave a faulty report to the District Collector stating that they cannot reconnect the old service connection and that they cannot release two service connections to a single bore. They also stated that an amount of Rs. 25,301/- has to be paid for release of a new service connection.

b. Hence, he requested for action to be taken on those who are responsible for the removal of the service connection and reconnect his existing service connection. The respondents are at fault. It is also because of the land issues and as also the officers are not taking any action on the people responsible for the removal of his service connection.

c. The respondents are not performing their duties well due to which he is suffering and the service connection which he has been using since 1996 has been removed by other people and moreover they are demanding an amount of Rs. 25,301/- for the issue of a new service connection.

d. Hence, he requested for issuing a direction to the respondents for release of a new service connection and also take action on the people who are responsible for the removal of his existing service connection.

3. The appellant has also filed written submissions vide letter dated 31.07.2021 and stated thus.

a. The respondents objected that the name is mentioned as Kobal in AADHAAR card hence they have rejected his complaint, but he has confirmed that he is also be called as Kobal which can be seen in the LIC policy document.

b. The respondents failed to take any action on the people responsible for the removal of his service connection. He also attached a copy of action by the respondents in the past.

c. As the respondents stated that I do not have any documents proving that his name is Kobal, on the directions of the respondents he had applied for the disconnection of service connection and made the payment of the arrears.

d. He had applied for release of a new service connection on 21.10.2020, but the respondents did not release the same, hence he gave a complaint to the District Collector. The Respondents then submitted before the Collector that as already a service connection is existing a new service connection cannot be released and the respondents issued a memo for payment of Rs 19,539/- towards line expenses.

4. Submissions against the appeal have been made by the officers of the licensee as below.

a. The appellant had complained to the ADE / OP / Thorrur that the service connection No. 14521-00780 had been removed by one Sri. J. Anil S/o. J. Balu with the help of J. Anil S/o, Somulu and Sri. J. Ramesh - S/o. Yakub (names as mentioned in the complaint of the appellant).

b. The ADE /OP / Thorrur had inspected the premises and found out that the service wires had been removed by the brothers because of the land issues between them. The removed lines were reconnected four times by Sri. MD Yakub - line inspector / Aripirala based on the complaint of the appellant. The appellant had applied for a new service connection and hence the AE / OP / Chinnavangara visited the field of the appellant and found that the service wire was missing and instructed the appellant to bring the service wire for release of service connection, but the appellant denied the same. After inspecting the records the AE / OP / Chinnavangara finally found out that the service was in the name of the family members of the appellant

c. On 21.09.2020, the appellant approached the HRPCL (Human Rights Protection Council of India) through which he agreed to make the necessary payments for extension of the electricity line and also for the correction in his name. On his request an estimate for an amount of Rs. 25,302/- was prepared and a demand notice was given to the appellant on 24.09.2020. The Appellant has not paid any amount till now.

d. On 16.10.2020 Sri. Jatoth Gopal alias Kubula has applied for the disconnection of the service connection no. 14521-00780. As the appellant does not have any proof to show his other name is Kubula, the Sarpanch of Dubba Thanda (where the appellant resides) came to the office of the AE / OP / Chinnavangara and confirmed that the appellant Sri. Jatoth Gopal is himself Jatoth Kubula.

e. On the representation made by the appellant, the AE / OP / Chinnavangara has requested a No Due Certificate from the AAO / ERO / Thorrur on 17.10.2020. The AAO / ERO / Thorrur issued the same on 13.11.2020.

f. On 21.10.2020 Sri. Jatoth Gopal has applied for release of a new service connection through me-seva. On his application Sri. MD. Yakub - line inspector / Aripirala has inspected the premises and found that the appellant is already using a service connection No.14521-00780 in his premises. Hence the application of the appellant has been rejected and the same has been informed to the appellant on 11.01.2021.

g. On 03.03.2021 Sri. Jatoth Somulu, brother of Sri. Jatoth Gopal visited the office of the DE / OP / Thorrur and filed an application requesting not to issue any service connection to his brother and that there is a civil suit No. 249 / 2020 pending in the Court.

h. The TSNPDCL is giving a subsidy for releasing new agriculture service connections and DTR related works, as the appellant has shown the already existing borewell for release of new service connection this subsidy is not applicable to the appellant and moreover the service number 14521-00780 has been released by applying the subsidies and hence again subsidy will not be applicable to the same borewell.

i. The Appellant has complained twice to the Hon'ble Minister for Panchayat Raj and also to the Collector or Mahabubabad District for release of a new service connection. The reasons mentioned supra were informed to the Hon'ble Minister for Panchayat Raj and also to the Collector or Mahabubabad District.

j. On 21.01.2021 the appellant Sri. Jatoth Gopal has complained to the Chairperson / CGRF / Warangal. A detailed report has been submitted to the Chairperson / CGRF on 29.01.2021. On 22.04.2021 the CGRF rejected the complaint of the appellant stating that as a new borewell was not laid in the field of the appellant a new service connection cannot be released. After payment of all the charges as specified in the demand notice, the appellant himself is responsible for getting the Right of way.

5. The respondents further submitted their written submissions vide letter dated 09.08.2021 stating that as below.

- a. On 08.07.2020, Sri. Jatoth Gopal has made a complaint to ADE/OP/Thorrur regarding the disconnection of his AGL service connection 14521-00780 by Sri. Jatoth Anil, S/o. Balu on 28.06.2020 with the help of Sri. Jatoth Anil, S/o. Somla, Sri. Jatoth Ramesh, Sri. Yakub, S/o. Ramdas (Name were mentioned by the complainant).
- b. The ADE / OP / Thorrur has made detailed enquiry on the above matter and submitted that the service wire of AGL service SC No.14521-00780 was removed repeatedly by the brothers of Sri. J. Gopal, S/o. Bane, Sri. MD. Yakub, line inspector / Haripirala has made reconnection four times so far. In this regard, the AE / OP / Chinnavangara also went to the location for arranging the reconnection of the service wire, but in the location service wire was not available. Thus, AE / OP / Chinnavangara has requested Sri. J. Gopal to bring the service wire. But the consumer refused to bring the service wire. It is also observed from the records that the said SC No. 14521-00780 is standing in the name of Sri. Jatoth Kubula.
- c. On 21.09.2020, Sri. J. Gopal has made an application through Human Rights Protection council of India (HRPCL) dated 21.09.2020 and requested the LT extension of his agriculture service connection in his name. Accordingly, an estimate prepared and demand notice served to the consumer for an amount of Rs. 25,302/- and acknowledged the same on 24.09.2020, no payment was made by the appellant yet.
- d. On 16.10.2020, Sri. J. Gopal alias Jatoth Kubula, has made an application to the AE / OP / Chinnavangara to dismantle service No. 14521-00780, wherein he has not provided any documentary evidence to authenticate himself as Jatoth Kubula, in this regard the Surpanch of Dubba Thanda has accompanied the applicant and orally authenticated Sri. J. Gopal as Jatoth Kubula. As per the above request, the AE / OP / Chinnavangara has requested the AAO / ERO / Thorrur for No Due Certificate for SC No. 14521-00780 the same was obtained on 13.11.2020.
- e. Subsequently on 21.10.2020, Sri. J. Gopal has applied for new agriculture service connection through MEE-Seva vide application No. NC022001406666. During the field inspection of newly applied agriculture service connection, applicant has shown the borewell which is already utilising the supply from the service connection No.14521-00780. Hence new service connection application has been rejected due to existing service to some borewell and same was intimated to the consumer through a letter and consumer acknowledged the same on 11.01.2021.

f. On 03.03.2021, Sri. Jatoth Somla, brother of Sri. Jatoth Gopal has made representation to our office stating that not to execute any electricity related work (such as erection of poles and reconnection of service wire) to his brother Sri. Jatoth Gopal, as the land dispute between them was initiated before the Hon'ble Junior Civil Court, Thorrur vide O. S. No. 249/2020.

g. It is stated that TSNPDCL is giving the subsidy for DTR involvement and up to three poles of LT line involvement for release of new agricultural service provided with a newly digged borewell. In this matter, Sri. J. Gopal has shown the borewell, which is already in use with the supply from the SC No. 14521-00780, hence the subsidy shall not be availed for the second time as the said service connection was already availed the subsidy at the time of release of service.

h. Sri. J. Gopal has made complaint to the Hon'ble Minister for Panchayat Raj and Rural Development and two times to the District Collector, Mahabubabad on account of non release of agricultural service, the reasons mentioned above for non release of the service were submitted to the Hon'ble Minister and District Collector.

i. On 21.01.2021, Sri. J. Gopal has made a complaint to the CGRF, Warangal regarding the non release of agriculture service. A detailed report in this regard was submitted to the Chairperson, CGRFF, Warangal on 29.01.2021. The CGRF, Warangal has given final order stating that release of agriculture service is not tenable as the applicant has not shown any newly drilled bore well.

j. Further, it is submitted that if the applicant want supply for same borewell, the applicant has to pay 100% service line charges, even after receipt of the payment if any Right of Way (ROW) issue emerges while execution of work, the applicant has to resolve the issue.

k. On 31.07.20201 the respondents have appeared for hearing before the Hon'ble Vidyut Ombudsman, wherein the oral orders were received to conduct the survey for alternate LI line extension routes, In this connection on 03.08.2021 the ADE / OP / Thorrur along with AE / OP / Chinnavangara and concerned section staff has conducted field survey and found two alternate LT line extension routes besides already proposed LT line route-1 for which demand notice of Rs. 25,302/- was served to the applicant for application No. NC02001406666.

l. The estimated cost for the proposed LT line extension route-2 is Rs. 75,384/- and the estimated cost for the proposed LT line extension route-3 is Rs. 47,380/-. In this regard, the two proposed LT extensions route-1 and 3 are inevitably passes over

the land of Sri. Jatoth Balu (brother of J. Gopal) the same is being strongly objected by him while surveying on 03.08.2021.

m. The following few points are submitted for consideration.

1. Due to the land dispute of Sri. J. Gopal with his brother Sri. J. Somla. They are repeatedly removing the service wire of the existing agriculture service connection and dragging the electricity department into their dispute.

2. As per the clause 5.4.1.1 general terms and conditions of supply (GTCS) the consumer has to bring the service wire for reconnection of the service subject to the No ROW issue and legal issue, Non providing of wire by the consumer, the supply company shall not hold any responsibility.

3. The consumer shall arrange at his own expense for any necessary way-leave licence or sanction as per GTCS clause No. 5.2.4 (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 or sanction is granted. Any extension expenses incurred in placing the supply line in accordance with the terms granted. Any extra expenses incurred in placing the supply line in accordance with the terms of the way leave, license or sanction shall be borne by the consumer. In the event of the way leave, licensee 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.

4. The newly registered agriculture service of the applicant has been rejected on account of showing the already existing borewell (instead of newly dug borewell). However, if the existing service dismantled and applicant desires the connection, the service shall be revoked and reconnection shall be given to same borewell under the below circumstances.

a) Subject to the condition of service wire provision, way leave sanction and no legal issue from the neighboring consumers.

b) If the applicant desires the connection over the poles, the connection shall be given soon after receipt of 100% service lines charges for any one of the above proposed alternate routes 1,2, and 3 applicants choice

subject to the condition service wire provision, way leave sanction and no legal issue form the neighboring consumers.

o. Further, it is stated that, on 04.08.2021 Sri. Jatoth Somla brother of Sri. Jatoth Gopal has again made representation to our office, wherein he also stated that, he will commit suicide in local police station and requested not to give any electricity connection to his brother Sri. Jatoth Gopal as the land dispute between them was initiated before the Hon'ble Junior Civil Court, Thorrur.

6. Heard the appellant and the officers of the licensee. The short issue that arises for consideration is whether the appellant is entitled to the relief sought for and if so the pending litigation has any bearing on the issue

7. Admittedly, the service was provided to the appellant earlier by the company and it was under use. Later due to property disputes the between brothers and the appellant the utilization of the service connection appears to be in jeopardy.

8. The appellant is entitled to a service connection for his agriculture field as it had been in existence. According, to the appellant the company gave the connections but it could be properly put to use due issues with neighbors and family members of the appellant. Moreover, there is family dispute and the same has landed in court of law under civil litigation.

9. At the same time the officers of the licensee have found unforeseen excuses to deny the appellant to deny the power supply. Firstly, they stated that the supply cannot be released as there are variations in the name of the appellant in the appellant in the application and the ADHAR submitted by him. Then they raised the issue of civil litigation. They also now contend that the appellant should provide the right of way and necessary service wire to provide the connection.

10. Albeit, the actions of the officers in the field smack of irresponsibility and callousness towards the consumer. It has been stated that the service line has been dismantled by the third parties thrice even though it was laid earlier due litigation between them. Nowhere it is stated as to why action has been legally for punishing the culprits who have taken away the wire. On the contrary, they now want the



appellant to bring the service wire and pay the amount afresh. Theft of wire which is live cannot happen without the connivance of the field staff.

11. It may be true that the company cannot provide service connection when the land or property is in dispute and there is litigation pending around it. But at the same time, it cannot be said conclusively that the company has been restrained by a competent court not to provide supply. As long as there is no restriction, the company is free to provide the service connection. Inasmuch as the service was existing earlier and the same is an undisputed fact. In the absence of any restriction, the company ought to have ensured release of supply.

12. Since the company has not put forth the true situation in the matter, it may be appropriate to request the revenue and police authorities to ensure assistance to the company in releasing the power supply.

13. Accordingly, this authority deems it appropriate to request the concerned RDO to inspect the cause inspection of the land and verify if there is any pending litigation. Initiate action to provide supply by clearing any right of way issue subject to any litigation in court of law and specific directions thereof restraining any authorities in taking any action in favour of the appellant in respect of the land. For that the purpose the 3<sup>rd</sup> respondent shall cause the visit of RDO to the field and act according to directions / guidance provided by the RDO. It is requested that the RDO may ascertain if the appellant can be provided any assistance under any scheme of the government for ensuring releasing of power supply.

14. The RDO may also take the assistance of the concerned circle inspector of police in order to ensure law and order situation is taken care of. It is requested that the concerned circle inspector of police may render necessary support and assistance to the RDO in causing investigation and ensuring release of supply to the appellant in this matter by the distribution company subject any order of the competent court.

15. The appellant shall cooperate with the distribution company and the other authorities requested in this order and place the true picture of his case. The distribution company shall cause to take necessary action in the matter as

expeditiously as possible and file a compliance report of the action taken in the matter within period of 4 weeks from the date of receipt of this order.

16. Office to ascertain the concerned RDO along with the circle inspector and communicate this order to the concerned RDO and circle inspector of police for rendering assistance to the company.

TYPED BY Office Executive cum Computer Operator, Corrected, Signed and Pronounced by me on this the 24th day of January, 2022

Sd/-

**Vidyut Ombudsman FAC**

1. Sri. Jatoth Gopal,  
S/o. Baanya,  
Dub bathanda - Village,  
Haripirala (Bheemudu Thanda),  
Thorrur - Mandal, Mahabubabad - Dist.  
Cell: 7799521083

2. The AE/OP/Chinnavangara - 9440814101
3. The ADE/OP/Thorrur - 9440811321.
4. The DE/OP/Thorrur - 7901093937.
5. The Revenue Divisional Officer
6. The Circle Inspector

**Copy to :**

7. The Chairperson, CGRF-TSNPDCL, Nakkalagutta, Hanamkonda, Warangal..