



## **TAMIL NADU ELECTRICITY OMBUDSMAN**

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**Before The Tamil Nadu Electricity Ombudsman, Chennai**

**Present : Thiru. S. Devarajan, Electricity Ombudsman**

**A.P. No. 1 of 2018**

Thiru. J. Gunasekaran,  
No.R-1, Rajparis Apartment,  
74/82, Kamaraj Road,  
Virugambakkam,  
Chennai - 600 092.

..... Appellant  
(Thiru. J. Gunasekaran)

Vs

The Assistant Engineer,  
Adiyakkamangalam,  
Thiruvarur Electricity Distribution Circle,  
TANGEDCO,  
Raja Street, Adiyakkamangalam 611 101

..... Respondent  
(Thiru. S. Sithivinayagam/Assistant Engineer/O&M  
Adiyakkamangalam)

**Date of hearing: 11.04.2018**

**Date of order :19.06.2018**

The Appeal Petition dt. 4.1.2018 filed by Thiru. J. Gunasekaran, No.R-1, Rajparis Apartment, 74/82, Kamaraj Road, Virugambakkam, Chennai - 600 092 was registered as Appeal Petition No. 1 of 2018. The above appeal petition came up for hearing before the Electricity Ombudsman on 11.04.2018. Upon perusing the Appeal Petition, Counter affidavit, written argument and the oral submission made on the hearing date from both the parties, the Electricity Ombudsman passes the following order ;

## **ORDER**

### **1. Prayer of the Appellant:**

The Appellant prayed to order for the payment of compensation as per the rules for effecting service connection beyond the prescribed time limit of 30 days.

### **2. Brief History of the case :**

2.1 The Appellant presented LT application form on 4.5.2017 at Adiyakkamangalam section office along with Rs.50/- as registration fee. The officials who received the application assured to issue the receipt when payment for other charges made after due intimation from the office.

2.2 But even after repeated reminders over phone and in person no receipt for the registration fee is issued and no communication for making further payment was received by him.

2.3 Subsequently on 17.7.2017 as informed from the office, the appellant had arranged to make payment of Rs.1550/- through his people at Kakkalani. But the TNEB have effected service connection belatedly. Therefore the appellant has approached the licensee. Since there was no response, the appellant has approached CGRF.

2.4 The CGRF of Tiruvarur EDC have failed to process and pass orders on the complaint filed before the CGRF dated 14.9.2017 which was acknowledged as 003/03.10.2017. Hence this application is made before the Ombudsman as no order has been passed by CGRF within 50 days. After admission of the appeal petition, the CGRF have passed orders on 08.12.2017.

### **3. Orders of the CGRF :**

3.1 The CGRF of Tiruvarur Electricity Distribution Circle hearing was conducted on 8.12.2017 and issued its order, the relevant portion of the order is extracted below :-

### “புகார் மனுதாரரின் வாதம்

புகார் மனுதாரர் 8.12.17 அன்று நடைபெற்ற மன்ற கூட்டத் தொடரில் கலந்து கொள்ளவில்லை. 4.5.17ல் விண்ணப்பித்த வணிக மின் இணைப்பை 26.7.17 அன்று காலம் தாமதமாக வழங்கப்பட்டுள்ளதாகவும் அதன் பொருட்டு இழப்பீடு வழங்க கோரியும் மன்றத்திற்கு புகார் அளித்துள்ளார்.

### உரிமத்தாரர் வாதம்

மனுதாரர் தனது கூரை கடைக்கு வணிக மின் இணைப்பு வேண்டி அடியக்கமங்கலம் பிரிவு அலுவலகத்தில் 18.7.2017 அன்று கிராம நிர்வாக அலுவலர் சான்று மற்றும் வீட்டு வரி இரசீது உடன் விண்ணப்பம் அளித்துள்ளார். அதனடிப்படையில் உரிய கள ஆய்வு மேற்கொண்டு மதிப்பீடு அனுமதி பெற்று 26.7.17 அன்றைய தினம் புதிய வணிக மின் இணைப்பு (496/26.7.17) வழங்கப்பட்டுள்ளது. மனுதாரரால் பெறப்பட்ட கிராம நிர்வாக அலுவலரது சான்றிதழ் கடந்த 12.7.17 தேதியிலும் வீட்டு வரி இரசீது 5.5.17 தேதியிலும் பெற்றுள்ளார்.

ஆகவே மேற்கண்ட ஆவணங்கள் பெறப்பட்ட தேதிக்கு முன்னர் 4.5.17 அன்று விண்ணப்பம் அளித்ததாக புகார் மனுதாரர் தனது புகார் மனுவில் தெரிவித்துள்ளது உண்மைக்கு புறம்பானதாகும். மாண்புமிகு தமிழ்நாடு மின்சார ஒழுங்குமுறை ஆணையின் வழிகாட்டுதலின்படி புதிய வணிக மின் இணைப்பு விண்ணப்பம் அளித்த தேதியிலிருந்து ஒரு மாதத்திற்குள் வழங்கப்பட்டது. ஆகவே, மேற்கண்ட புகார் மனுவினை தள்ளுபடி செய்திட வேண்டும் என உதவி மின்பொறியாளர் /அடியக்கமங்கலம் தனது வாதத்தில் குறிப்பிட்டார். என்னுடைய வாதத்திற்கு ஆதரவாக விண்ணப்ப படிவ நகல் கிராம நிர்வாக அலுவலர் அளித்த சான்று, வீட்டு வரி இரசீது நகல், மதிப்பீடு அனுமதி நகல் ஆகிய ஆவணங்களை இம்மன்றத்திற்கு சமர்ப்பிக்கிறேன்.

### மன்ற தீர்ப்பு

மேற்கண்ட உரிமத்தாரர் வாதத்தினையும் வழங்கப்பட்ட ஆவணங்களின் பரிசீலனையிலும் மனுதாரர் 4.5.2017 ல் விண்ணப்பம் அளித்திருக்க வாய்ப்பில்லை என்பது தெளிவாகிறது. மேலும், மின் இணைப்பு கால வரைமுறைக்குள் வழங்கப்பட்டுள்ளதாலும் மனுதாரரின் கோரிக்கையினை இம்மன்றம் தள்ளுபடி செய்கிறது”

#### **4. Contention of the Appellant :**

4.1 The Appellant presented LT application form on 4.5.2017 at Adiyakkamangalam section office along with Rs.50/- as registration fee. The officials who received the application assured to issue the receipt when payment for other charges made after due intimation from the office.

4.2 But even after repeated reminders over phone and in person no receipt for the registration fee is issued and no communication for making further payment was received by him.

4.3 Subsequently on 17.7.2017 as informed from the office the appellant had arranged to make payment of Rs.1550/- through his people at Kakkalani.

4.4 It is lapse on the part of the TNEB to effect the service connection on 26.7.2017 based on the application along with the registration fee received on 4.5.2017.

4.5 I have submitted the application on 4.5.2017 with VAO certificate dated 3.5.2017. When I was asked to submit tax receipt too which I got it on 5.5.2017 after paying the tax and submitted to them.

4.6 On receiving intimation I arranged to make payment but EB Adiyakkamangalam informed me that they misplaced the VAO Certificate dated 3.5.2017 originally submitted along with application on 4.5.2017 when EB Adiyakkamangalam was shifting their office to new premises at Tamaraikulam street and asked for original new certificate from VAO which necessitated me to resubmit new certificate issued by VAO with revised issuing date.

#### **5.0 Counter affidavit filed by the Respondent :**

5.1 Application seeking commercial service connection to Petitioner's petty shop had been received by Assistant Engineer/O&M/Adiyakkamangalam, TANGEDCO on 18.7.2017 in complete shape.

5.2 Applicant had produced his application through his representative only with contact by applicant through mobile phone.

5.3 Based on the application, the site was inspected and service connection was effected on 26.7.2017. Further, there is no delay in TANGEDCO part for effecting the service connection as per TNERC norms.

6. **Hearing held by the Electricity Ombudsman:**

6.1 To enable the Appellant and the Respondents to put forth their arguments in person, a hearing was conducted on 11.04.2018.

6.2 Thiru. J. Gunasekaran has attended the hearing and putforth his side arguments.

6.3 Thiru. S. Sithivinayagam, AE/O&M/Adiyakkamangalam has attended the hearing on behalf of the Respondent and putforth his side arguments.

7.0 **Arguments putforth by the appellant on the hearing date:**

7.1 The appellant has reiterated his arguments furnished in the appeal petition.

7.2 Appellant has argued that he has submitted the application on 4.5.2017 at Adiyakkamangalam section office along with Rs.50/- as registration fee and VAO certificate dated 3.5.2017. Further when he was asked to submit the tax receipt, the same has been obtained on the next day which was submitted on 5.5.2017.

7.3 But even after repeated reminders over phone and in person no receipt for the registration fee is issued and no communication for making further payment was received by him. In the meantime the EB Adiyakkamangalam informed the appellant that they misplaced the VAO Certificate dated 3.5.2017 originally submitted along with application on 4.5.2017 when EB Adiyakkamangalam was

shifting their office to new premises at Tamaraikulam street. Therefore the appellant has been asked for original new certificate from VAO which necessitated to resubmit new certificate issued by VAO along with payment of Rs.1550/- on 18.07.2017 through his people at Kakkalani.

7.4 The appellant has further argued that it is lapse on the part of the TNEB to effect the service connection on 26.7.2017 eventhough he has submitted his application along with the registration fee on 4.5.2017. Since the licensee has provided new service connection belatedly, the appellant requested compensation as per Distribution Standards of Performance Regulation.

#### **8.0 Arguments putforth by the Respondent on the hearing date:**

8.1 The representative of respondent has reiterated the contention furnished in the counter affidavit.

8.2 The respondent has argued that the appellant has given an application seeking commercial service connection to his petty shop only on 17.7.2017 in complete shape. Based on the application, the field inspection has been done on 18.07.2017 and on the same day all the charges related to the service connection has been collected.

8.3 After collecting necessary service connection charges on 18.07.2017, a new commercial service connection has been effected to the appellant's petty shop on 26.7.2017 and hence there is no delay for effecting the service connection as per TNERC norms. Further the respondent argued that he has not received any application on 04.05.2017 as stated by the appellant.

#### **9. Findings of the Electricity Ombudsman:**

9.1 I have heard the arguments of both the appellant and the respondent. In this connection, the following are the issues to be decided.

- i) the time limit for effecting new LT service connection as per DSOP Regulation,
- ii) Whether any compensation can be given to the appellant.

#### **10. Findings on the first issue:**

10.1 The time limit for effecting new LT service connection has been specified in DSOP Regulations. In this regard I would like to refer Regulation 4 of Tamilnadu Electricity Distribution Standards of Performance Regulation which is given below:

#### ***“4. Duties of the Licensees to Supply on Request***

*Section 43 of the Act deals with duty to supply and read as below:*

*"43. (1) Every distribution licensee, shall, on an application by the owner or occupier of any premises, give supply of electricity to such premises, within one month after receipt of the application requiring such supply:*

*Provided that where such supply requires extension of distribution mains, or commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the Appropriate Commission.*

*Provided further that in case of a village or hamlet or area wherein no provision for supply of electricity exists, the Appropriate Commission may extend the said period as it may consider necessary for electrification of such village or hamlet or area.*

*(2) It shall be the duty of every distribution licensee to provide, if required, electric plant or electric line for giving electric supply to the premises specified in sub-section (1):*

*Provided that no person shall be entitled to demand, or to continue to receive, from a licensee a supply of electricity for any premises having a separate supply unless he has agreed with the licensee to pay to him such price as determined*

by the Appropriate Commission.

(3) If a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default.”

The Licensees shall endeavor to give supply within a week but not exceeding 30 days wherever no extension or improvement works are involved in giving supply.

The Licensees shall observe the following time schedule for supply of electricity involving extension of distribution lines, etc.

Table I :

Category (1)	Time Schedule for LT (2)
(a) Involving no extension or improvement work	Preferably within a week but not exceeding 30 days
(b) Involving Extension and Improvement without Distribution Transformers	60 days
(c) Involving Extension and Improvement with Distribution Transformers	90 days

10.2 On a careful reading of the above regulation, it is noted that every distribution licensee, shall, on an application by the owner or occupier of any premises, give supply of electricity to such premises, within one month after receipt of the application requiring such supply.

10.3 Further the Licensees shall endeavor to give supply within a week but not exceeding 30 days wherever no extension or improvement works are involved in giving supply. Further, the time schedule involving extension of distribution lines has been clearly mentioned in the Table 1.

## **11. Findings on the second issue:**

11.1 In the case on hand, the appellant has stated that he has given application on 04.05.2017 itself along with Rs.50/- as registration fees. But he has not submitted any record for having given the application on 04.05.2017. Further, the appellant has paid Rs.1550/- towards service connection charges, meter caution deposit, security deposit etc. only on 18.07.2017 for which the receipts have been made available.

11.2 The respondent has stated that the appellant has submitted an application seeking commercial service connection to his petty shop on 18.7.2017 in complete shape. And thereafter based on the application, the site was inspected and service connection was effected on 26.7.2017. Further, the respondent stated that since the new service connection has been effected within 30 days from the date of application there is no delay on their part for effecting the service connection as per TNERC norms.

11.3 The appellant has not submitted the copy of application submitted by him or the acknowledgement for having received the same by the licensee. Further the appellant has not produced the receipt for registration fee of Rs.50/- for having paid the same.

11.4 As per the records on hand, the appellant has paid the following amounts towards new service connection on 18.07.2017 as detailed below.

Sl No.	Description	Amt in Rs.	Date	Receipt Number
1	47604-Meter Caution Deposit	700	18-07-2017	TRG564AR4S1422
2	48100-Cc Deposit	200	18-07-2017	TRG564AR4S1422
3	61962-Appl&Regn.Fees (61909a)	50	18-07-2017	TRG564AR4S1422
4	61909-S.C Charges (61909b)	250	18-07-2017	TRG564AR4S1422
5	55101-Development Charges	400	18-07-2017	TRG564AR4S1422

11.5 As per my findings in para 11.4, the appellant has paid the Registration fees and other fees only on 18.07.2017 vide Receipt No.TRG564AR4S1422. Further based on the above payment, the respondent has effected new service connection to the appellant on 26.07.2017 i.e. within 30 days from the date of receipt of application.

11.6 Further, as per my findings in para 10 above, the respondent has effected new service connection to the appellant within 30 days from the date of receipt of application i.e. within the time limit as specified in the Tamil Nadu Electricity Distribution Standards of Performance Regulation 2004.

11.7 Therefore, as per my findings in para 11.5 and para 11.6 above, I am unable to give any compensation to the Appellant.

## **12. Observation:**

12.1 The duty of the licensee is to issue acknowledgment whenever the requisitions for supply of energy (Applications) is received. It seen from most of appeals, the licensee is not in the practice giving acknowledgement which is highly regrettable. In this appeal also the contention of appellant is that eventhough he has submitted the application on 4.5.2017, he was advised only on 17.7.2017 over phone to make payment of necessary charges. The appellant paid the charges on 18.7.2017 and the application was registered on 18.7.2017.

12.2 Therefore, the licensee is advised to adhere the regulation 27 of TNE Distribution Code wherein it has been specified that the given application even if incomplete, and irrespective of whether they are handed over in person or by post should be acknowledged in writing. If they are in order, they shall be registered immediately and acknowledged. If they are incomplete, the defects should be indicated and returned officially without registration. Such lapse in this regard may be avoided in the future.

### 13. Conclusion :

13.1 As per my findings in para 11.5 and para 11.6 above, I am unable to interfere with the orders of CGRF of Tiruvarur EDC.

13.2 With the above findings the A.P. No. 1 of 2018 is finally disposed of by the Electricity Ombudsman. No Costs.

**(S. Devarajan)**  
Electricity Ombudsman

To

1) Thiru. J. Gunasekaran,  
No.R-1, Rajparis Apartment,  
74/82, Kamaraj Road,  
Virugambakkam,  
Chennai - 600 092.

2) The Assistant Engineer,  
Adiyakkamangalam,  
Thiruvarur Electricity Distribution Circle,  
TANGEDCO,  
Raja Street, Adiyakkamangalam 611 101.

3) The Superintending Engineer,  
Thiruvarur Electricity Distribution Circle,  
TANGEDCO,  
No. 73-C, Durgalaya Road,  
Tiruvarur 610 001.

4) The Chairman & Managing Director,  
TANGEDCO,  
NPKRR Maaligai,  
144, Anna Salai,  
Chennai -600 002.

5) The Secretary,  
Tamil Nadu Electricity Regulatory Commission,  
19-A, Rukmini Lakshmipathy Salai,  
Egmore, Chennai – 600 008.

6) The Assistant Director (Computer) – **For Hosting in the TNEO Website please**  
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