



**BEFORE THE VIDYUT OMBUDSMAN  
Andhra Pradesh & Telangana**

:: Present ::

**C. Ramakrishna**

Date: 06-08-2014

Appeal No. 8 of 2014

Between

Sri. Md. Osman, H. No. 1-19-1 to 3, Rasoolpura, Secunderabad 500 003

**... Appellant**

**And**

1. The Asst. Engineer, Operation, Gymkhana, TSSPDCL, Secunderabad
2. The Asst. Divisional Engineer, Operation, TSSPDCL, Marredpally,  
Secunderabad

**... Respondents**

The above appeal filed on 10-04-2014 has come up for final hearing before the Vidyut Ombudsman on 04-08-2014 at Hyderabad. The appellant, as well as respondents 1 to 2 above were present. Having considered the appeal, the written and oral submissions made by the appellant and the respondents, the Vidyut Ombudsman passed the following:

**AWARD**

2. The appeal arose out of the grievance of the consumer about one of the tenants of his residential premises obtaining an electricity service

connection by producing false documentation. Hence he was seeking dismantlement of the service connection released in the name of his tenant.

3. The appellant stated in his appeal that the service connection bearing number BZ001914 was in his father's name; that they have sold the property on which the said service connection was standing in the year 1995 to one Mr. Raj Kanwar; that one of his tenants has fraudulently obtained an electricity service connection bearing number BZ043106 by producing a copy of the sale deed of the property that was sold by them in the year 1995 to Mr. Raj Kanwar; and that hence the same be dismantled.

4. The respondents were issued a notice for hearing the appeal. The respondents submitted that the appellant herein had initially filed a complaint before the CGRF with the grievance that electricity supply to his premises was disconnected on 21-01-2014 for non-payment of dues for two of the services that were not in his premises but were in a collapsed house; that subsequently he withdrew the complaint before the CGRF stating that he has paid the relevant dues against those services and asked for their dismantlement; that based on this withdrawal request, the CGRF had dismissed the complaint; and that as the appellant herein has not agitated his grievance about his tenant obtaining an electricity connection by fraudulent means before the CGRF, he cannot raise the issue here in appeal. They have also mentioned about one Md. Ahmed making a representation to them about he being the user of service connection bearing number BZ043016. The said Md. Ahmed appears to have represented to them that he is the user of the electricity service bearing number BZ043016; that he has been paying his dues regularly; that there is a court case pending about the property in question before the

Supreme Court; that the Supreme Court had ordered for maintenance of status quo on 09-04-2007; and that hence his supply cannot be disconnected etc.

5. The final hearing was conducted on 04-08-2014. The respondents' written submission raised a key point for consideration. That is, whether or not the appellant herein is entitled to raise a fresh ground without it being agitated before the CGRF in the first place. During the course of the hearings, the appellant was quizzed whether or not he had agitated the issue before the CGRF. He admitted immediately that he had not agitated the issue before the CGRF and said that if that is a prerequisite for his approaching this authority in appeal, he would certainly do so. A perusal of the CGRF's order also revealed that the issue agitated before it is totally different from what is being agitated here in this appeal.

6. Vidyut Ombudsman being an appellate authority can look into issues that were already agitated before and decided upon by the CGRFs. Appellants cannot raise totally new issues before this authority without their being adjudicated upon by the CGRFs in the first instance. In other words, Vidyut Ombudsman does not have original jurisdiction and has only an appellate jurisdiction.

7. As the appellant himself had admitted to his mistake of not agitating the issue before the CGRF, the matter is liable for dismissal and is accordingly dismissed.

8. The appellant is free to approach the CGRF in a fresh complaint and

the CGRF shall consider the complaint on merits.

9. This order is corrected and signed on this 6<sup>th</sup> day of August, 2014.

**VIDYUT OMBUDSMAN**

**To**

1. Sri. Md. Osman, H. No. 1-19-1 to 3, Rasoolpura, Secunderabad 500 003
2. The Asst. Engineer, Operation, Gymkhana, TSSPDCL, Secunderabad
3. The Asst. Divisional Engineer, Operation, TSSPDCL, Marredpally,  
Secunderabad

**Copy to:**

4. The Chairperson, CGRF-2 (Greater Hyderabad Area), TSSPDCL, H. No.  
8-3-167/E/1, CPTI Premises, GTS Colony, Vengal Rao Nagar Colony,  
Erragadda, Hyderabad - 500 045.
5. The Secretary, APERC, 11-4-660, 5th Floor, Singareni Bhavan, Red Hills,  
Hyderabad - 500 004.