



A consumer is the important visitor on our premises.  
He is not dependent on us. We are dependent on him.  
-Mahatma Gandhi

## **TAMIL NADU ELECTRICITY OMBUDSMAN**

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

**Present : Thiru. N.Kannan, Electricity Ombudsman**

### **A.P.No. 55 of 2024**

Thiru H. Vijayakumar & Tmt. V.Kousalya,  
Plot No.53, Customs Colony, Sakthi Nagar Main Road,  
Thuraiyakkam, OMR, Chennai – 600 092.

. . . . . Appellant  
(Thiru H. Vijayakumar)

Vs.

The Executive Engineer/O&M/Maraimalainagar,  
Chengalpet Electricity Distribution Circle,  
TANGEDCO,  
110 KV SS Complex, GST Road,  
Near Ford Company,  
Maraimalai Nagar - 603209.

. . . . Respondent  
(Thiru A.Balasubramaniam, Executive  
Engineer/O&M/Maraimalainagar)

**Petition Received on: 25-07-2024**

**Date of hearing: 13-09-2024**

**Date of order: 25-09-2024**

The Appeal Petition received on 25.07.2024, filed by Thiru H. Vijayakumar & Tmt. V.Kousalya, Plot No.53, Customs Colony, Sakthi Nagar Main Road, Thuraiyakkam, OMR, Chennai – 600 092 was registered as Appeal Petition No. 55 of 2024. The above appeal petition came up for hearing before the Electricity Ombudsman on 13.09.2024. 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 has prayed for refund of excess development charges collected for the already paid in his service connection.

### **2.0 Brief History of the case:**

2.1 The Appellant has filed a complaint with the AE/O&M/Padappai, requesting rectification of billing issue with his service number, as there was a claim for reconnection charges.

2.2 Based on his complaint, the AE/O&M/Padappai inspected the issue and found that no CC charges were paid during 05/2021 for his service number. The petitioner was informed that the service connection would be reconnected only after the payment is made for pending as well as for new connection charges.

2.3 Hence, the Appellant filed a petition with the CGRF of Chengalpet EDC on 30.04.2024 to waive the reconnection charges.

2.4 The CGRF of Chengalpet EDC issued an order dated 10.07.2024. Aggrieved by the order, the Appellant has filed this appeal petition before the Electricity Ombudsman.

### **3.0 Orders of the CGRF :**

3.1 The CGRF of Chengalpet Electricity Distribution Circle issued its order on 10.07.2024. The relevant portion of the order is extracted below: -

#### **“Order:**

*மேற்கண்ட பத்திகளிலிருந்து மனுதாரரின் மின் இணைப்பு எண் 570-024-3325-ல் 05/2021 ஆம் மாத கட்டணத் தொகை ரூபாய் 1412/- செலுத்தாத காரணத்தால் கடந்த 07.01.2022 அன்று மின் துண்டிப்பு (Type-Fuse) செய்யப்பட்டுள்ளது. தொடர்ந்து இரண்டு வருடங்களுக்கு மேல் மேற்கண்ட மின் இணைப்பு மின் துண்டிப்பில் உள்ளதால் TNERC (SC) 22(6)-ன்படி "Reconnection beyond two years from disconnection date, difference of existing and required amount of following new service connection charges only shall be added to reconnection bill, in addition to reconnection fees, BPSC and testing charges wherever applicable 1.SD, 2.MCD, 3.Dev charges." மேற்கண்ட விதிகளின் படி (14.05.2024) அன்றைய*

*தேதிப்படி Rs.21,832/- தொகையை மனுதாரர் செலுத்தினால் மீண்டும் மேற்கண்ட மின் இணைப்பு எதிர்மனுதாரரால் reconnection செய்யப்படும் என்று உத்தரவிடப்பட்டு இம்மன்றத்தின் மூலம் மனு முடிக்கப்படுகிறது.”*

#### **4.0 Hearing held by the Electricity Ombudsman:**

4.1 To enable the Appellant and the Respondent to put forth their arguments, a hearing was conducted in person on 13.09.2024.

4.2 The Appellant Thiru H. Vijayakumar attended the hearing and put forth his arguments.

4.3 The Respondent Thiru A.Balasubramaniam, Executive Engineer/ O&M/ Maraimalainagar of Chengalpet Electricity Distribution Circle attended the hearing and put forth his arguments.

4.4 As the Electricity Ombudsman is the appellate authority, only the prayers which were submitted before the CGRF are considered for issuing orders. Further, the prayer which requires relief under the Regulations for CGRF and Electricity Ombudsman, 2004 alone is discussed hereunder.

#### **5.0 Arguments of the Appellant:**

5.1 The Appellant has stated that there is a reconnection charges of Rs.21,793/- in his SC No.570-024-3325 and he had complained to AE/O&M/Padappai to rectify it. The Appellant has stated that a flat which is not at all having any electrical fittings and not occupied at all but suddenly charges for Rs.21,793/- has been claimed as reconnection charges which includes repeated claim of development charges. Hence to drop the additional claim of the development charges.

#### **6.0 Arguments of the Respondent:**

6.1 The Respondent has stated that the petitioner Tmt. V. Kousalya has registered a complaint in CGRF on 30.04.2024 regarding the billing issue for their flat, where in no electrical fitting connected and not occupied from day one it is

stated by the petitioner that Rs. 21793/- has been charged for reconnection for the Sc. No.570-024-3325 and the above reconnection charges to be dropped.

6.2 The Respondent has stated that based on the complaint, the site was inspected by AE/O&M/Padappai as per the report, the Sc. No. 570-024-3325, Tariff IA, the assessment made for the month of may 2021, the CC charges of Rs. 1412/- not paid by the consumer and the bill amount is Zero for the month of July 2021, Sep 2021 and Nov 2021.

6.3 The Respondent has stated that the electricity bill for the month of May 2021 in the above service connection is Rs.1412/-. Due to non-payment of electricity charges, the service connection was disconnected on 07.01.2022 and now if the said electricity connection is RC, outstanding CC Bill till (14.05.2024) Rs 1412/- + BPSC Rs.751.18/- = Rs.2163.18/-, New Service Connection Charges (CC Deposit Rs.2333/-) and Development Charges Rs.17,005/- and RC Charges Rs. 147.50/- + Testing Charges Rs. 182.90/-. So, total amount of Rs.21,832/- as on 14.05.2024. The Assistant Engineer/O&M/Padappai said that, only after the payment the service connection will be reconnected. The consumer moved to Consumer Grievance Redressal Forum, meeting was held on 13.06.2024 in that forum and the order has been issued.

6.4 The Respondent has stated that in this case, the consumer has filed an appeal in the Electricity Ombudsman. The Consumer said that the development charges have already been paid and again the development charges have been added and the excess development charges should be refunded.

6.5 The Respondent has stated that as the electricity service connection of the consumer has been disconnected for more than two years, as per the order given in the Consumer Grievance Redressal Forum and as per TNERC rules, the consumer has been provided reconnection on 24.07.2024. Development Charges are generated in the system based on Miscellaneous Charges as on that date.

6.6 The Respondent has stated that as per TNERC tariff order, the development charges for 3 phase (OH) service connection raised on 16.07.2024, the development charges per KW Rs.2145/-. Hence for 9 KW Rs.19305/-. In this connection as per system calculation development charges Rs. 1400 (already paid) has been debited from Rs.19305/-, balance Rs.17905/- has been accumulated for reconnecting the service. Therefore, it is informed that no additional development charges have been generated in the system.

**7.0 Findings of the Electricity Ombudsman:**

7.1 I have heard the arguments of both the Appellant and the Respondent. Based on the arguments and documents submitted by them, the following are the issues to be decided;

1. What is the regulation regarding the reconnection of a service connection after it has been disconnected?
2. Is it possible not to insist development charges at the time of reconnection?

**8.0 Findings on the first issue:**

8.1 I would like to discuss TNERC Supply Code 22, which addresses the restoration of electricity supply.

***“22.Restoration of Supply of Electricity:***

*(6) (i) When a service connection remains disconnected for more than six months for non-payment of electricity charges beyond the notice period of three months, if the consumer comes forward within the period mentioned below to pay the actual dues and agrees to remit the charges in clause (ii) below, the official authorized by the Licensee may grant extension of time beyond the notice period and revoke the termination of agreement provided that the lines feeding the service connection have not been dismantled, so as to facilitate reconnection of the disconnected service.*

<i>Category</i>	<i>Period for reconnection of disconnected Service</i>
<i>HT Consumers</i>	<i>Within five years from the date of Disconnection</i>
<i>LT Agricultural Consumers</i>	<i>-do-</i>
<i>Others LT Consumers</i>	<i>Within two years from the date of disconnection</i>

(ii) xxx

*(7) If the consumers of the disconnected service come forward for reconnection after the period mentioned in the sub-regulation (6)(i), the licensee shall treat them as new applicants and supply effected after recovering all charges applicable to a new service connection and all other arrears with BPSC.”*

8.2 On a careful reading of the above regulation (6)(i), it is evident that, any LT consumer other than agriculture, which remains disconnected for more than six months for non-payment of electricity charges beyond the notice period of three months, if comes forward for reconnection within a period of two years from the date of disconnection, it can be considered for reconnection. Further, it is clearly mentioned in the above regulation that if the Appellant comes forward for reconnection beyond two years the same shall be considered as new applicant and supply effected after recovering all charges applicable to a new service connection and all other arrears with BPSC.

#### **9.0 Finding on the second issue:**

9.1 The Appellant contends that the reconnection charges of Rs.21,793/- imposed on his service number (SC No. 570-024-3325) are unjustified. He states that he had raised a complaint with the AE/O&M/Padappai to rectify the issue.

9.2 The Respondent counters the Appellant Tmt. V. Kousalya, claimed that Rs. 21,793/- had been charged for reconnection of the service connection (SC No. 570-024-3325), despite the flat being unoccupied and without any electrical fittings. Based on this complaint, the site was inspected by AE/O&M/Padappai, and it was found that the consumer had not paid CC charges of Rs.1,412/- for May 2021. Additionally, the bills for July, September, and November 2021 showed zero charges. The service connection was disconnected on 07.01.2022 due to non-payment of the May 2021 bill.

9.3 The Respondent further explains that as of 14.05.2024, the outstanding balance included the original CC bill of Rs. 1,412/-, BPSC of Rs. 751.18/-, new service connection charges (CC deposit of Rs. 2,333/-), development charges of Rs.

17,005/-, reconnection (RC) charges of Rs. 147.50/-, and testing charges of Rs. 182.90/-, totaling Rs. 21,832/-. The Assistant Engineer (AE) confirmed that the reconnection would only be processed after the full payment was made.

9.4 Further, the Respondent clarified that since the service connection being disconnected for more than two years, the reconnection was processed as per the rules of the Tamil Nadu Electricity Regulatory Commission (TNERC). Development charges were generated by the system based on miscellaneous charges at the time of reconnection on 24.07.2024. As per TNERC tariff order, the development charges for a 3-phase overhead service connection amounted to Rs. 21,450/- (Rs. 2,145/- per kW for a 9 kW connection). The system deducted the Rs. 1,400/- that was previously paid, leaving Rs.17,905/- as the balance for reconnection. Therefore, no excess development charges were added, and the system only generated the correct amount based on the applicable charges.

9.5 The inference from TNERC Supply Code Regulation 22 is that consumers who have had their electricity service disconnected for non-payment can still be eligible for reconnection, provided they act within specified timeframes. For LT consumers, excluding agricultural users, reconnection is possible within two years from the date of disconnection, as long as the service lines remain intact and the consumer agrees to pay all outstanding dues and applicable charges. However, if the reconnection request is made after this two-year period, the consumer will be classified as a new applicant and will need to settle all charges associated with a new service connection, as well as any arrears.

9.6 In this case, the Appellant's service connection was disconnected on 07.01.2022 due to non-payment of CC charges for May 2021. Since the Appellant has come forward for reconnection after a period of two years i.e. on 24.07.2024, the Appellant's reconnection request must be considered as a new application as per TNE Supply code regulation 22(6). This necessitates the payment of the required development charges, among other fees. During the hearing, this explanation was provided to the Appellant, who understood the existing regulations. Consequently, it was clarified to the Appellant that there would be no repeated claim

of development charges due to non-payment of CC charges. Since the reconnection after two years is treated as a new application, the Appellant's claim for a refund of the repeated development charges is therefore rejected.

## **10.0 Conclusion:**

10.1 Based on my findings in the paragraphs above, the Appellant's prayer to refund the development charges is rejected.

10.2 With the above findings A.P.No.55 of 2024 is disposed of by the Electricity Ombudsman.

**(N. Kannan)**  
Electricity Ombudsman

“நுகர்வோர் இல்லையேல், நிறுவனம் இல்லை”  
“No Consumer, No Utility”

To

1. Thiru H. Vijayakumar & Tmt. V.Kousalya, - By RPAD  
Plot No.53, Customs Colony,  
Sakthi Nagar Main Road,  
Thuraipakkam, OMR, Chennai – 600 092.

2. The Executive Engineer/O&M/Maraimalainagar,  
Chengalpet Electricity Distribution Circle,  
TANGEDCO,  
110 KV SS Complex, GST Road,  
Near Ford Company, Maraimalai Nagar - 603209.

3. The Superintending Engineer, - By Email  
Chengalpet Electricity Distribution Circle,  
TANGEDCO,  
No. 130, GST Road, Chengalpet – 603 001.

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

5. The Secretary, - By Email  
Tamil Nadu Electricity Regulatory Commission,  
4th Floor, SIDCO Corporate Office Building,  
Thiru-vi-ka Industrial Estate, Guindy, Chennai – 600 032.

6. The Assistant Director (Computer) - **For Hosting in the TNERC Website**  
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