

**BEFORE THE HONOURABLE
TELANGANA ELECTRICITY REGULATORY COMMISSION**

Vidyut Niyamtran Bhavan, GTS Colony, Hyderabad – 500 045

IN THE MATTER OF:

Application for Grant of Distribution Licence by

**TELANGANA RYTHU POWER DISTRIBUTION COMPANY LIMITED
(TGRPDCL)**

under Section 15 read with Section 14 of the Electricity Act, 2003

WRITTEN OBJECTIONS

Based on Complete Review of All Application Documents

Name of Objector: M. Laxmi

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Capacity: Citizen and Electricity Consumer in the State of Telangana, filing in Public Interest

**PART I: INTRODUCTION, DOCUMENTS REVIEWED AND
LOCUS STANDI**

These objections are filed in response to the TGERC public notice and are based on complete review of all documents filed by TGRPDCL: the Schedule I application, petition, MoA, AoA, Certificate of Incorporation, G.O.Ms.No.4 dated 11.03.2026, TGRPDCL's supplementary filing of 06.04.2026, the published employee appointment guidelines (<https://essp.tgnpdcl.com/tgrpdcl-consent/guidelines>), and the consolidated staff strength statement (Section 3.1, Detailed Designation Wise Vacancies).

The objector is a citizen of India and electricity consumer in Telangana filing in public interest, concerned principally with the welfare of the approximately 29 lakh agricultural consumers whose supply is proposed to be transferred to TGRPDCL. Participation in these proceedings is a right recognised under Section 94 of the Electricity Act and TGERC's own public notice.

PART II: FACTUAL RECORD — WHAT TGRPDCL ITSELF HAS FILED

Before raising any objection, the objector places on record the facts established by TGRPDCL's own documents.

A. TGRPDCL's Financial Position at Time of Application

Date of incorporation	18 March 2026 — 19 days before the application dated 06.04.2026
Net worth (CA certified)	Rs. 5,00,00,000 (Rs. 5 Crores) — share capital only; nil reserves; nil revenue
Turnover — past 5 years	Not Applicable — company has never operated
Credit rating	Not Applicable
Debt arranged / Lenders identified	Yet to be tied up — none identified
Capital adequacy proof	Self-certification by CMD only — no independent assessment
Business Plan / 5-year projections	Deferred: "within 3 months of licence coming into force"
Proposed area of supply	Total State of Telangana
Consumers proposed to be served	Agriculture, LIS, CPWS/Mission Bhagiratha, HMWSSB, Municipal water (LT VI-B)

B. Staffing: Sanctioned Strength vs. Operational Reality

Total sanctioned strength (all cadres)	2,000 (184 corporate + 1,816 field)
Engineers cadre	660 (61 corporate + 599 field)
Accounts & P&G cadre	340 (92 corporate + 248 field)
O&M cadre total	1,000 (31 corporate + 969 field)
Field O&M linemen (FM+SLI+LI+LM+ALM+JLM)	Only 625 field — 1.07 linemen per mandal (584 mandals)
Field Artisans Grades I–IV (absorbed former outsourced workers)	Only 344 field — 0.59 artisans per mandal — less than one artisan per mandal
Staffing mechanism in GO Para 9	"Deputing, recruiting and outsourcing" — NOT appointment by transfer
Staffing mechanism in guidelines	"Appointment by transfer" — permanent; a 4th mechanism not authorised by the GO

Source utilities in application Para 21	TGSPDCL and TGNPDCL only
Source utilities in guidelines	<i>TGSPDCL, TGNPDCL, TGTRANSCO, and TGGENCO — not disclosed in the application</i>

C. Approach & Methodology — What Para 22 Actually Says

TGERC's deficiency notice dated 25.03.2026 specifically found the original Para 22 "insufficient." The elaborated response makes these commitments:

- *"Ensure uninterrupted power supply with defined reliability standards." — No hours specified. No standards defined.*
- *"Achieve high reliability indices (SAIDI/SAIFI improvements)." — No baseline stated. No target given. No timeline.*
- *"Dedicated feeders for agriculture where feasible." — Feasibility undefined. Who decides it?*
- *"Smart metering at all DTRs in a phased manner." — No phase defined. No completion date.*

Ask a farmer to plant a crop on this plan. He cannot. Ask this Commission to grant a licence on this plan. It should not.

CORE FINDING: Para 22 — the only section describing how TGRPDCL will serve farmers — contains not a single quantified target, committed timeline, or operational mechanism. TGERC asked for elaboration and received aspirations. Every statement in Para 22 is a brochure aspiration. Neither the original nor the elaborated version has a single quantified commitment or strategy that transpires confidence.

PART III: THREE THRESHOLD BARS — THE APPLICATION FAILS BEFORE MERITS ARE EXAMINED

The following three objections are threshold objections. They go to the competence of this Commission to process this application as filed, regardless of the merits of the underlying proposal. The Commission should determine each in sequence, and if any is upheld, the application should be returned for complete re-filing before the Commission proceeds further.

Threshold Bar 1: The Application Is Materially Incomplete and Cannot Be Evaluated — Regulation 04 of 2016 Requires a Business Plan and Financial Projections at the Time of Filing

Regulation 04 of 2016 (TGERC Distribution Licensing Regulations) requires every applicant to file, as part of the application: (a) an approach and methodology with a statement of the plan for conducting the business of distribution during the first year and the next five years; (b) five-year forecasts of costs, revenues, and project financing; and (c) funding arrangements including identified lenders with commitment letters.

For items 22 and 23, TGRPDCL has stated only:

"Business plan will be submitted within 3 months of distribution licence coming into force as per clause 38.1 of Regulation 04 of 2016."

The Commission is being asked to evaluate an application for a state-wide electricity distribution licence without seeing the applicant's business plan, financial projections, capital expenditure programme, or funding arrangements. The Regulation requires these before the licence is granted, not three months after. Clause 38.1 governs the submission of the final approved business plan — it does not authorise deferring the initial plan required for the licensing determination itself.

The inversion this creates is not merely technical. Without a business plan, the Commission cannot assess whether TGRPDCL has a credible strategy for agricultural supply. Without financial projections, it cannot assess whether TGRPDCL can pay its power purchase bills in Month 1 or Year 3. Without identified lenders, it cannot assess whether TGRPDCL can fund capital expenditure. *This is not regulatory evaluation. It is regulatory abdication.*

Threshold Bar 1 Request: Return the application as incomplete under Regulation 04 of 2016 and require TGRPDCL to file a complete application including a business plan, financial projections, and identified debt arrangements before the Commission processes this application on merits.

Threshold Bar 2: The Proposed Transfer of the Existing DISCOMs' Undertakings Has Not Received Commission Approval Under Section 17(2)(a) — An Immediate Statutory Violation

Section 17(2)(a) of the Electricity Act, 2003 provides, in mandatory terms, that no distribution licensee shall *"assign his licence or transfer his undertaking or any part thereof by sale, lease, exchange or otherwise"* without the prior approval of the Appropriate Commission.

The agricultural supply component of each existing DISCOM's undertaking — comprising 29 lakh consumer connections, associated DTRs and LT lines, PPA entitlement proportions, government subsidy revenue streams, and the operational responsibility for agricultural supply — is *plainly* "part thereof" of each DISCOM's undertaking. Its transfer to TGRPDCL is a transfer of the undertaking or part thereof

within Section 17(2)(a). Neither TGSPDCL nor TGNPDCL has applied to this Commission for approval. This Commission has not granted any such approval. *The transfer is currently in direct violation of Section 17(2)(a) and cannot lawfully proceed.*

Furthermore, even if Section 18 modification proceedings were conducted and completed, they would not resolve this problem. Section 43 of the Act — which imposes the universal service obligation — is a statutory duty of Parliament's own making, not a licence condition. The principle is fundamental: *licence conditions, being subordinate regulatory instruments created under a statute, cannot override express statutory duties imposed by that same statute.* Section 18 modifies the terms under which supply is made — the how of supply — not the obligation to supply itself. Only Parliament can alter Section 43. This Commission cannot, whether through Section 18 proceedings, a Section 16 licence condition, or any other instrument.

Section 19(2) reinforces this from the revocation end: *even upon complete revocation of a licence, the licensee is not automatically discharged from liabilities unless the Commission specifically so directs.* If revocation — the most drastic Commission action under the Act — does not discharge without a specific direction, the grant of TGRPDCL's licence (which is not even addressed to the existing DISCOMs) certainly cannot discharge their obligations.

The operational consequence is concrete: a farmer in Warangal district whose pump has been connected to TGNPDCL for fifteen years applies to TGRPDCL for restoration after a DTR failure. TGRPDCL is obligated to restore under its new licence. But TGNPDCL's Section 43 duty to this farmer also remains operative in law. The same farmer can simultaneously invoke his Section 43 right against both. Both must respond. *The answer is both — and that answer is no answer at all.*

Threshold Bar 2 Request: Declare that Section 17(2)(a) approval has not been sought or granted for the proposed transfer; direct TGSPDCL and TGNPDCL to file formal Section 17(2)(a) applications; and decline to grant the TGRPDCL licence in isolation, as doing so would not and cannot release the existing DISCOMs from their Section 43 duty, creating irresolvable dual mandatory supply obligations for the same consumers in the same areas.

Threshold Bar 3: A Distribution Licence Is Area-Based, Not Consumer-Class-Based — Section 14 Provides No Statutory Basis for TGRPDCL's Application

Section 14 of the Electricity Act provides for the grant of a distribution licence *"in any area as may be specified in it."* The statutory framework is unambiguously territorial. Section 15 requires the application to specify the area of supply. Section 43 requires every licensee to supply *any person* who applies within its area. Section 42(5) requires a CGRF for each licensee's area. Every provision attaching obligations to a distribution

licensee is premised on an area of supply. There is no provision — express or implied — for a licence restricted to a class of consumers across an entire state.

The Electricity (Amendment) Bill, 2025 — Parliament's most current expression of legislative intent — explicitly affirms the Universal Service Obligation as an obligation of the "*present distribution licensee*" — the existing area-based licensee. Parliament's own consistent understanding of its legislation reinforces its meaning and is the clearest confirmation that consumer class-based licensing is not within the Act's framework.

Parliament further provided, in the proviso to Section 14, the exclusive mechanism for the operational arrangement the Government seeks: the franchise. Under a franchise, TGRPDCL operates as agent of the existing DISCOMs for agricultural supply — achieving dedicated management, ring-fenced accounts, and operational separation without the legal impossibility of attempting to extinguish the existing DISCOMs' Section 43 duty. The principle of *expressio unius est exclusio alterius* — express mention of the franchise in the Section 14 proviso excludes the implication of class-based independent licensing for the same purpose.

When a domestic consumer in any district of Telangana applies to TGRPDCL for a new electricity connection, what does TGRPDCL do? Section 43 requires it to supply. TGRPDCL has no infrastructure, no tariff schedule, and no mandate for non-agricultural consumers. If it refuses, it is in statutory default. If it connects, it operates outside its proposed mandate. *There is no response to this question that does not expose either a statutory violation or an operational absurdity.*

Threshold Bar 3 Request: Determine as a preliminary question whether Section 14 permits a consumer-class-restricted distribution licence, having regard to the franchise mechanism, the *expressio unius* principle, the Electricity (Amendment) Bill 2025, and the impossibility of discharging the Section 43 Universal Service Obligation within a consumer-class structure. If not permitted, reject the application and invite restructuring as a franchise.

PART IV: CONSUMER RIGHTS — THE PEOPLE IN WHOSE NAME THIS IS DONE

Consumer protection is placed here — before operational or financial objections — because the agricultural consumer is the stated beneficiary of this entire exercise. The Commission must confront at the outset whether the exercise, even if legally and operationally coherent, treats the farmer as its subject or as its object.

Every document in this proceeding describes agricultural consumers as the beneficiaries of TGRPDCL's formation. Not a single document — not the application, not the supplementary filing, not the Government Order, not the guidelines — contains a sentence that was sent to, shown to, or discussed with an agricultural consumer. The 29 lakh farmers whose supply arrangements are being fundamentally restructured have not been asked for their views. They do not know that their electricity connection — established on their own application, in their own name, under their own legal right — is proposed to be transferred to a new entity in which they have had no voice.

Objection A: No Provision in the Electricity Act Permits Compulsory Transfer of Consumer Connections Without Consumer Consent on the Basis of Consumer Class Read with Section 43 of the Act

Section 2(15) of the Electricity Act defines “consumer” as any person *supplied with electricity for his own use*. The farmer whose pump is connected to the agricultural supply network is the consumer. The Government pays for that electricity through the Section 65 subsidy mechanism. *The farmer is the consumer. The Government is the payer. These are legally distinct relationships.*

Every one of the 29 lakh agricultural consumer connections was established on the farmer's own application to TGSPDCL or TGNPDCL under Section 43. That application created a legally recognised consumer-licensee relationship. The farmer did not apply to TGRPDCL. TGRPDCL did not exist when his connection was established. A complete search of the Electricity Act reveals *no provision permitting the compulsory transfer of consumer connections from one licensee to another on the basis of consumer class, read with Section 43 of the Act, without the consumer's consent*. Sections 17, 18, and 19 address licences and undertakings — not class-based consumer connections. The mass transfer of 29 lakh consumer connections by Government Order, without consumer's knowledge, consent, or application, is a mechanism that finds no basis anywhere in the Electricity Act, 2003, while TGSPDCL and TGNPDCL have their Section 43 duty to supply electricity to any consumer in their area (Universal Service Obligation).

Objection B: The Government's Political Promise of Free Power Does Not Confer Upon It Any Agency Over Consumer Connections

Section 65 of the Electricity Act — the statutory mechanism for the free power promise — has a precisely defined structure: the State Government pays in advance to *the licensee* (TGSPDCL or TGNPDCL) to compensate it for supplying electricity below the Commission-determined tariff. The payment flows Government → Licensee. *Section 65 creates absolutely no right, authority, agency, or ownership interest of the Government over the consumer or over the consumer's connection*. It is a financial transaction between two parties; the consumer is the beneficiary, not a party to it.

The free power political promise was made by successive governments to farmers as voters — as a sovereign commitment of benefit to them as agriculturists and citizens. In accepting free power, the farmer accepted a benefit to himself. He did not delegate to the Government the right to choose his electricity supplier. He did not consent to being transferred to a new entity. *Paying for a person's electricity does not make the payer that person's agent in matters of electricity supply.*

The paradox of the passive consumer must be confronted directly. The State may argue that because agricultural consumers pay nothing, their consent to transfer is unnecessary. This argument must be rejected emphatically. *It is precisely because the agricultural consumer pays nothing and has no commercial recourse that his statutory rights matter more, not less.* He has no bill to withhold, no market to exit, no commercial penalty to impose. His only protection is the Electricity Act and this Commission. To treat his passivity as administrative licence to reassign him is to treat free power not as his right but as the State's instrument of administrative convenience — constitutionally unacceptable under Articles 14 and 21.

The free power promise was made in the farmer's interest. Its implementation through TGRPDCL is being done without his knowledge, without his consent, and in a manner that is demonstrably worse for his supply reliability than the existing arrangement. The farmer is the subject of this reform, not its object.

Requests A & B: (i) Declare that Section 65 creates no agency or ownership interest of the Government over agricultural consumer connections. (ii) Declare that no consumer connection can be compulsorily transferred to TGRPDCL without the individual consumer's informed consent, as no provision of the Electricity Act, 2003 authorises mass administrative reassignment of consumer connections on basis of consumer class. (iii) Direct TGRPDCL and the State Government to establish a consumer information and consent mechanism before any connection is transferred.

Objection C: No Consumer Grievance Redressal Forum and No Transition Safeguards

Section 42(5) requires every distribution licensee to establish a Consumer Grievance Redressal Forum. Neither application document specifies when TGRPDCL will establish its CGRF, what the interim mechanism is, or what happens to pending grievances at the existing DISCOMs at the date of transfer. *A DISCOM without a functional CGRF at commencement violates Section 42(5) on day one.*

Migrating 29 lakh consumer accounts involves data migration, billing system integration, PPA allocation, field staff transition, and CGRF transfer. Neither document contains any transition plan, timeline, data protection measure, or billing continuity safeguard. *A transition without a plan is not a transition — it is a disruption.* The risks include incorrect or missed bills from data migration errors, loss of consumer records,

gaps in power purchase scheduling causing supply disruptions, and employee accountability confusion.

Request C: Require TGRPDCL to submit a detailed time-bound transition plan, establish its CGRF before commencement of operations, and provide specific safeguards for continuity of consumer records, billing, and grievance handling during the transition period.

PART V: OPERATIONAL IMPOSSIBILITY — WHY TGRPDCL CANNOT DELIVER WHAT IT PROMISES

Even if every legal objection were resolved, TGRPDCL's operational design makes it structurally incapable of delivering the agricultural supply improvement it promises. The core operational failures are five.

Objection D: TGRPDCL Cannot Restore Its Own Consumers' Supply — The SAIDI/SAIFI Promise Is Structurally Impossible

Section 2(17) defines a distribution licensee as one *"authorised to operate and maintain a distribution system for supplying electricity to consumers."* The core of a distribution system is the 33kV and 11kV feeder network. *TGRPDCL does not own, operate, or maintain any 33kV and 11kV infrastructure.* The GO and the MoA confirm TGRPDCL's assets are DTRs and LT lines only. The dominant cause of agricultural supply interruption in Telangana's rural network is 11kV feeder tripping and interruptions. TGRPDCL has no staff, no equipment, and no legal authority to restore 33kV and 11kV faults.

Para 22 of the supplementary filing promises *"uninterrupted power supply"* and *"high reliability indices (SAIDI/SAIFI improvements)."* SAIDI and SAIFI are determined by 11kV feeder interruption duration and frequency. *TGRPDCL controls none of the factors that determine SAIDI/SAIFI outcomes.* A licensee that cannot restore its own consumers' supply is not distributing electricity — it is a billing and subsidy-collection entity.

An 11kV agricultural feeder trips during kharif. The farmer's pump goes dead. TGRPDCL's section officer logs the complaint and contacts the existing DISCOM's office because the 11kV feeder is not his. The DISCOM's lineman is attending a more politically visible domestic feeder fault. The agricultural feeder waits. TGRPDCL can request, but cannot direct. *The farmer's paddy does not wait for financial adjustments between government entities.*

Objection E: No Mechanism Exists for New 11kV Infrastructure for New Agricultural Connections

The GO assigns “onboarding of new agricultural connections” to TGRPDCL. A new agricultural connection requires a new DTR (TGRPDCL can do this) and a new 11kV feeder extension to reach that DTR (*TGRPDCL cannot — it has no 11kV assets or mandate.*). Neither application document answers who builds, pays for, or owns the 11kV extension. TGRPDCL cannot. The existing DISCOMs have no obligation to invest for a competitor’s consumers. *This is a structural impossibility at the heart of TGRPDCL’s core mandate.*

Objection F: The Split-Asset Model Creates Irresolvable Daily Operational Conflicts

TGRPDCL owns LT assets; existing DISCOMs own 11kV and above. Every day this structure operates, it generates conflicts: when energy theft occurs on LT lines served from the existing DISCOM’s 11kV, how are losses attributed between two licensees sharing the same wire? When a fault spans both 11kV and LT, who authorises switching? *These are not edge cases — they are the daily operational reality of Telangana’s rural distribution network.* Every conflict becomes an inter-licensee dispute, and every inter-licensee dispute is a delay in restoring the farmer’s supply.

Objection G: No Wheeling Tariff Framework Exists for This Inter-Licensee Arrangement

TGRPDCL must pay wheeling charges to the existing DISCOMs for using their 11kV and HT infrastructure. No wheeling tariff has been specifically determined by TGERC for one licensee using another’s local distribution network in the same area of supply. Existing wheeling orders were designed for open access and transmission — not for this structure. Without a specific TGERC determination, *every rupee of wheeling charge will be contested, under-recovered by the existing DISCOMs, and eventually passed on to consumers.*

Objection H: Energy Accounting Is Impossible on Mixed-Load Feeders Until Feeder Separation Is 100% Complete

Para 22 commits to dedicated feeders “*where feasible*” — an admission that not all agricultural 11kV feeders are currently separated. In Telangana’s actual rural network, a single 11kV feeder commonly serves agricultural DTRs (proposed for TGRPDCL) and domestic, commercial, and panchayat consumers (remaining with the existing DISCOM).

A simple illustration: on a mixed feeder, 100 units are injected at the substation; 60 units reach TGRPDCL’s agricultural DTRs; 35 units reach the existing DISCOM’s domestic consumers; 5 units are lost as feeder line losses. *How are those 5 units of*

loss allocated between two licensees who share the same wire? There is no technically clean answer. Any allocation is arbitrary, contestable, and a permanent source of regulatory disputes.

The proposed DTR-level metering on mixed feeders is non-compliant with Regulation 3 of the CEA Metering Regulations, 2006, which requires metering at each point of exchange of electrical energy between licensees. On a shared feeder, *the exchange point is the substation — not individual DTRs*. TGRPDCL's proposed metering point is structurally incorrect as a licensee-exchange measurement under the CEA Regulations.

Furthermore, the existing DISCOMs' AT&C loss accounts will be permanently distorted: energy flowing to agricultural DTRs will appear in their purchase accounts but never in their sales accounts, artificially inflating their AT&C losses. *AT&C figures — the primary metric for tariff determination, regulatory performance review, and Central grant eligibility — will be permanently meaningless for all three entities*. The Commission's own tariff orders will be built on data that does not represent the utilities' real performance.

Requests D–H: (i) Require TGRPDCL to specify the legally binding mechanism by which it will ensure 11kV restoration and achieve SAIDI/SAIFI improvements without operational control over the 11kV network. (ii) Require a binding answer to who builds and pays for new 11kV feeder extensions for new agricultural connections. (iii) Require a binding Inter-Licensee Service Level Agreement as a pre-condition. (iv) Require feeder-wise separation data and make feeder separation completion a pre-condition for the licence on each mixed-load feeder. (v) Have TGERC technical staff verify CEA Metering Regulations 2006 compliance.

PART VI: STAFFING — THE GUIDELINES EXPOSE A PROCESS THAT IS LEGALLY VOID, ADMINISTRATIVELY PRE-EMPTIVE, AND ARITHMETICALLY INCAPABLE

TGRPDCL's published appointment guidelines, read against its own sanctioned strength statement and the operative GO, reveal a staffing framework with twelve compounding failures — each independently disqualifying and all flowing from TGRPDCL's own documents.

A. The Guidelines Operate Outside the Authority of the Government Order — and Against Its Protective Intent

GO Para 9 authorises staffing by "*deputing, recruiting and outsourcing as may be required*" — *three specific, reversible mechanisms and nothing else*. The guidelines introduce a *fourth mechanism: "appointment by transfer" — permanent separation from the parent employer and absorption into TGRPDCL*. Appointment by transfer is not deputation (which is temporary and reversible). It is not recruitment (fresh candidates). It is not outsourcing (contractors). *The guidelines have no authority in the GO that constitutes TGRPDCL.*

This is not a technical oversight. The GO's choice of reversible mechanisms reflects a clear and unambiguous legislative intent: *the existing DISCOMs' sanctioned strength must not be permanently disturbed*. That intent is compelled by ground reality. The existing DISCOMs at the time this application is pending are:

- *Operating substations with skeleton crews of two staff members — below the minimum prescribed by the CEA (Safety Requirements for Construction, Operation and Maintenance of Electrical Plants and Electric Lines) Regulations, 2011, creating a safety violation and personal liability exposure for field officers under Section 151 of the Electricity Act.*
- *Leaving newly commissioned substations idle and non-operational solely for want of authorised staff to operate them — including substations funded through RDSS grants, meaning grant money is producing zero consumer benefit.*
- *Running operational substations through retired employees who are engaging unauthorised third parties to operate high-voltage equipment in direct violation of Regulation 3 of the CEA Safety Regulations 2011.*
- *Field officers aware of these safety violations, forced by the absence of any authorised alternative to formally look away — carrying personal liability under Section 151 of the Electricity Act and the CEA Safety Regulations for every day the violations continue.*

This is the workforce from which 2,000 staff are proposed to be permanently removed. The supernumerary post mechanism in the guidelines (Para 2.2(e)) ensures that for every person transferred to TGRPDCL on promotion, one parent DISCOM post is permanently abolished. The very entities on whose 11kV network TGRPDCL entirely depends are being systematically dismantled to staff the entity that depends on them.

The circularity is striking: TGRPDCL's promise of improved agricultural supply depends on the existing DISCOMs maintaining their 11kV network in good condition. TGRPDCL's staffing mechanism permanently weakens those entities. *TGRPDCL's creation systematically undermines the preconditions for its own success.*

B. The Process Is Legally Vulnerable at Every Stage and Constitutionally Flawed

- **Irrevocable Employee Choice vs. Absolute Employer Discretion (Art. 14):** Para 3(d) binds employees permanently and irrevocably; para 3(e) gives TGRPDCL unlimited rejection power without reasons. *The employee is absolutely bound; TGRPDCL is bound by nothing.* This is arbitrary state action on its face, directly challengeable under Article 14.
- **8-Day Unreasonable Window:** A lifetime career decision — 5-year VRS ban, parent DISCOM severance, irrevocable statewide posting, service under non-existent regulations — on 8 calendar days' notice. *This fails every standard of informed consent in service jurisprudence.*
- **Transfers Before Regulatory Approval:** Employees join TGRPDCL 25 May 2026; TGERC hearing 28 May 2026. *TGRPDCL is treating the Commission's decision as a foregone conclusion.* Parent DISCOM posts are being made supernumerary before the licence is granted. If the Commission refuses the licence, the transfers will have irreversibly depleted the existing DISCOMs.
- **Promotions Without Framework:** One-grade promotion promised, but TGRPDCL has no service regulations or promotion policy. Future promotions are "subject to the promotion policy of TGRPDCL" — *a document that does not exist.*
- **Seniority Inversion (Arts. 14/16):** Junior transferees promoted one grade above seniors who stay — *supersession without merit assessment*, inviting mass litigation before the Telangana High Court and CAT, locking seniority lists and disrupting parent DISCOM operations.
- **Absorbed Artisans:** Artisans (Grades I–IV) — previously outsourced workers regularised as permanent employees, who do the physical field work of DTR repair, conductor replacement, and LT maintenance — receive only *one additional pay increment*. One increment for an irrevocable permanent transfer and a 5-year VRS ban. *The large majority of artisans will rationally not opt, collapsing the physical field restoration workforce.*
- **Secret Pre-Selection:** Para 4(c) prefers employees already on deputation at TGRPDCL, who were placed there between 18 March and 30 April 2026 through no public process, on no published criteria, by unidentified selecting authorities. Combined with para 3(e)'s unlimited rejection right, *this is a three-stage opaque mechanism that fails constitutional standards of transparent public employment.*

C. The Arithmetic: 584 Mandals, 29 Lakh Consumers, and What the Numbers Mean

Total Telangana mandals (33 districts)	Approximately 584 mandals
All field O&M and Artisan per mandal	$969 \div 584 = 1.66$ persons per mandal
Field O&M linemen (FM+SLI+LI+LM+ALM+JLM) per mandal	<i>625 $\div$ 584 = 1.07 linemen per mandal</i>
Agricultural consumers per mandal (average)	Approximately 4,966 consumers
Agricultural DTRs per mandal (estimated)	<i>Approximately 770 to 857 DTRs</i>
DTRs per field lineman	<i>Approximately 730 to 820 DTRs per person</i>
If artisans do not opt	<i>Shortfall exceeds 80% below established minimum of 5 to 7 per mandal</i>

The geographic dimension: rural mandals in Narayanpet, Jogulamba Gadwal, Nagarkurnool, Mulugu, Bhadradi Kothagudem, Jayashankar Bhupalpally, Adilabad, Nirmal and Kumuram Bheem Asifabad span 200 to 400+ square kilometres. One-way travel to a remote agricultural DTR: 45 minutes to 1 hour. *Complete DTR failure restoration cycle (complaint receipt to re-energisation): 4 to 8 hours.* During that time, every other failure in the mandal waits. During peak kharif and rabi seasons, simultaneous DTR failures are the rule: a 1% simultaneous failure rate across 800 mandal DTRs generates 8 concurrent unattended restoration jobs — all waiting on one O&M person.

The seasonal dimension is decisive. Kharif paddy in its flowering and grain-filling stage (August–September) requires irrigation at regular intervals. A DTR failure not restored within 24 to 48 hours causes irreversible yield loss that no subsequent irrigation compensates. For a farmer with 2 acres under paddy and Rs. 25,000 to Rs. 35,000 per acre invested in seeds, fertiliser, pesticides, and labour, a single multi-day DTR outage destroys the entire season's return. *The farmer's crop does not care about inter-licensee service level agreements or regulatory penalty mechanisms. It dies on a fixed biological schedule.*

This makes the staff across all four utilities — TGTRANSCO, TGGENCO, TGSPDCL, TGNPDCL, and TGRPDCL — to engage in litigations rather than serving consumers, crippling operations sector-wide.

COMBINED FINDING ON STAFFING: TGRPDCL's own documents establish a 12-point compounding failure: the GO-unauthorised mechanism (appointment by transfer); undisclosed extension to TGTRANSCO and TGGENCO; voluntary

process with no guaranteed strength; 8-day irrevocable window; employees joining 3 days before the hearing; pension trust unformed; 5-year VRS bar; supernumerary post mechanism permanently eroding parent DISCOM capacity at breaking point; promotions without service regulations; seniority inversion generating mass litigation; absorbed artisans offered one increment; opaque deputation preference; and 1.07 linemen per mandal against an established minimum of 5 to 7. Every failure is drawn from TGRPDCL's own published documents.

Request on Staffing: (i) Stay all appointment by transfer orders until after the Commission's decision on the licence application. (ii) Require TGRPDCL to disclose cadre-wise and mandal-wise staffing on the basis of the sanctioned strength statement, against established minimum norms. (iii) Require TGRPDCL to publish service regulations before any employee makes an irrevocable transfer decision. (iv) Address on affidavit the seniority inversion and its consistency with Articles 14 and 16. (v) Constitute and fund the pension trust before permanent transfers commence. (vi) Certify that post-transfer parent DISCOM strength remains above the minimum for safe operation under CEA Safety Regulations 2011.

PART VII: GOVERNANCE — STRUCTURAL CONFLICTS THAT MAKE INDEPENDENT OPERATION IMPOSSIBLE

Every Director of TGRPDCL simultaneously holds a senior position in TGSPDCL or TGNPDCL. The Director (Finance)/TGNPDCL must negotiate wheeling charges with TGNPDCL on behalf of TGRPDCL. The Director (Operations)/TGSPDCL must set 11kV restoration priorities balancing his own DISCOM's consumers against TGRPDCL's. The Company Law Advisor of TGRPDCL is the Company Secretary of TGSPDCL. *TGRPDCL has zero directors who do not simultaneously serve in the entities with which TGRPDCL must deal at arm's length.*

These are structural contradictions. They cannot be cured by disclosure or recusal protocols. The AoA (Article 58(v)) further provides that the company "*shall comply with such directions as may be issued by the Government of Telangana from time to time in matters of policy.*" A licensee constitutionally bound to follow Government policy directions is not an independent regulatory entity — it is an arm of the Government, which is precisely what the Electricity Act's framework of independent regulation was designed to prevent.

Request: Require TGRPDCL to demonstrate an independent governance structure — with directors who do not simultaneously hold senior positions in entities with which TGRPDCL must negotiate at arm's length — as a mandatory pre-condition for the licence.

PART VIII: FINANCIAL IMPOSSIBILITY — WHY TGRPDCL CANNOT SURVIVE AS AN INDEPENDENT ENTITY

Financial impossibility operates across five independent grounds that compound each other.

Objection I: Rs. 5 Crores of Capital Cannot Underwrite a State-Wide DISCOM — The 2005 Rules Are Not Met

The Distribution Licence Rules, 2005 require a new applicant to demonstrate financial capability based on net worth and operational track record. TGRPDCL has: zero operating history; Rs. 5 Crores of share capital only; nil reserves; nil credit rating; no arranged debt; and a capital adequacy claim resting entirely on self-certification by the CMD who is seeking the licence. *Self-certification of a regulatory requirement is not compliance with that requirement.* A single feeder augmentation project in rural Telangana costs more than Rs. 5 Crores. The Commission cannot grant a state-wide DISCOM licence on the strength of capital that would not sustain a sub-divisional project.

Objection J: Transfer of Accumulated Arrears Ensures Negative Net Worth From Day One

The formation modalities propose transferring accumulated GENCO arrears and associated liabilities — reportedly totalling approximately Rs. 26,950 crores attributed to agricultural supply — to TGRPDCL. *A company incorporated 19 days before this application, with Rs. 5 Crores of capital and no revenue, is being loaded with legacy debt that ensures a negative net worth at inception.* This makes TGRPDCL unable to service debt, unable to raise market funds, unable to meet the 2005 Rules' creditworthiness standard, and structurally incapable of paying its own power purchase bills.

Objection K: 100% Subsidy Dependence Creates a Direct Risk to Farmers' Power Supply

Since every consumer of TGRPDCL receives subsidised or free power, TGRPDCL's entire revenue depends on timely Government subsidy. Historical experience confirms that the existing DISCOMs have suffered subsidy payment delays that caused GENCO arrears and supply disruptions. TGRPDCL — with no independent revenue, no cross-subsidy buffer, and a negative net worth — is *far more* vulnerable to this risk than the existing DISCOMs.

The GO Para 8 commits a Government guarantee on TGRPDCL's bank debt. This protects TGRPDCL's bankers — not farmers. *If the Government delays subsidy for 60 days, TGRPDCL cannot pay generators. Generators curtail power. Farmers lose supply.* The structure designed to improve agricultural power supply has built into it the mechanism most likely to destroy it.

The farmer's power supply becomes directly and immediately exposed to the State's fiscal position in a way that no other DISCOM's agricultural supply has ever been.

Objection L: Subsidy Default Will Cascade and Cripple All Three DISCOMs Through the Shared 11kV Network

A TGRPDCL payment default to GENCOs will not stay contained. Agricultural power flows through the existing DISCOMs' 11kV lines. GENCO curtailment of TGRPDCL's power schedule causes load shedding on shared feeders that also affects the existing DISCOMs' own consumers — even if those DISCOMs have paid their own GENCO bills in full. *The proposed three-DISCOM structure has no financial firewall. Physical sharing of the network makes TGRPDCL's financial failure operationally inseparable from the existing DISCOMs' service obligations.*

Objection M: Cross-Subsidy Elimination Is Legally Required But Structurally Impossible for TGRPDCL

Section 61 mandates that tariffs shall progressively reflect actual cost of supply and that cross-subsidies shall be reduced and eliminated over time. TGRPDCL serves only subsidised consumers — agriculture, lift irrigation, and water supply. It has no commercial or industrial consumers to generate any cross-subsidy. *TGRPDCL is structurally incapable, by design, of ever moving toward cost-reflective tariffs.* It institutionalises cross-subsidies in perpetuity and entrenches Government subsidy dependence into the distribution architecture, directly contrary to Section 61's mandate.

Requests I–M: (i) Commission an independent financial assessment of the capital required to operate TGRPDCL at the proposed scale. (ii) Require independent verification of the pre- and post-restructuring balance sheets of TGSPDCL and TGNPDCL. (iii) Require the State Government to file a binding subsidy disbursement schedule with an escrow mechanism specifying release dates and consequences of delay — as a mandatory pre-condition for the licence.

PART IX: THE REAL PURPOSE — BALANCE SHEET REHABILITATION AND DOUBLE ACCESS TO CENTRAL GRANTS

The objector submits that the dominant operational purpose of TGRPDCL's formation is not improving agricultural power supply management — it is a five-stage financial engineering scheme that requires this Commission's licence grant as its essential predicate.

- **Stage 1 — The Problem:** TGSPDCL and TGNPDCL carry large accumulated GENCO arrears and severely impaired net worth. They are approaching or failing the financial eligibility criteria for RDSS and other Central Government grants, including AT&C loss benchmarks, GENCO payment timelines, collection efficiency thresholds, and positive net worth trajectory. The existing

DISCOMs, in their current financial condition, cannot access the Central grants their infrastructure programmes require.

- **Stage 2 — The Instrument:** TGRPDCL is incorporated on 18 March 2026 with a clean balance sheet. A distribution licence application is filed before this Commission nineteen days later. *The Commission's licence grant is the essential predicate — without it, TGRPDCL is not a recognised independent DISCOM, the balance sheet operation in Stage 3 has no regulatory sanction, and the Central grant applications in Stage 4 have no basis.*
- **Stage 3 — The Balance Sheet Operation:** Accumulated GENCO arrears and associated liabilities — reportedly totalling approximately Rs. 26,950 crores attributed to agricultural supply — are transferred to TGRPDCL. TGSPDCL and TGNPDCL show immediately improved financials on paper. *The AT&C loss improvement is not real — it is a measurement artefact of splitting the licensee structure. The GENCO arrear reduction is not real — it is a book transfer between related government entities. No rupee of actual debt has been repaid; it has merely been relocated to an entity with no capacity to service it.*
- **Stage 4 — Double Grant Access:** The existing DISCOMs, with rehabilitated financials, access RDSS and Central grants they were previously ineligible for. TGRPDCL simultaneously applies for its own tranche of Central grants as a new independent DISCOM with a fresh balance sheet. Total Central grant inflow to Telangana's power sector is effectively doubled through restructuring — not through any genuine operational improvement. The Central Government's RDSS programme is being accessed on the basis of metrics that reflect financial re-arrangement, not reform.
- **Stage 5 — The Consequence:** TGRPDCL carries thousands of crores of inherited debt with no revenue stream to service it and no cross-subsidy buffer. It becomes a fiscal time bomb requiring a State Government bailout. The Central grants have been accessed and spent. The farmer's power supply is left in the hands of an entity that is structurally insolvent from the first day of its existence. The original problem — the existing DISCOMs' financial distress — has not been solved; it has been transferred to an entity even less capable of bearing it.

The Commission is the keystone of this scheme. Without the licence, TGRPDCL has no regulatory legitimacy. The licensing power under Section 14 was conferred to regulate entry of new licensees in the public interest — not to sanction balance sheet restructuring operations. The exercise of a statutory power for a purpose extraneous to the statute is a colourable exercise of power, void under Article 14 of the Constitution as consistently held by the Supreme Court of India.

TGRPDCL's captive-consumer structure compounds this: 29 lakh agricultural consumers are permanently assigned by administrative fiat with no choice, no competitive pressure, and no supply chain accountability. *Section 14's permission for multiple licences was inserted to promote competition. TGRPDCL does the opposite: it creates an additional monopoly without accountability, in the name of a competition-enabling provision.*

This Commission's signature on a licence order is the one element that makes the entire scheme work. The Commission is being asked to provide that signature without being told what the scheme is for.

Request: (i) Direct the State Government and TGRPDCL to disclose on affidavit all communications relating to RDSS or any other Central grant applications premised on TGRPDCL's formation. (ii) Commission independent verification of pre- and post-restructuring DISCOM balance sheets. (iii) Forward a copy of the final order to the Ministry of Power, REC (RDSS implementing agency), and the Office of the CAG before any Central grant applications premised on this restructuring are processed.

PART X: SYSTEMIC RISKS — PRECEDENT, REGULATORY INTEGRITY, AND THE SIMPLER ALTERNATIVE

Objection N: This Licence Creates a National Precedent With No Principled Limit

If TGERC grants TGRPDCL a licence on the ground that Section 14 permits consumer-class-restricted licensing, it establishes a legal principle it cannot distinguish from the following application: a private company applies for a licence to supply exclusively High Tension industrial consumers across the entirety of Telangana.

"On what legal principle would TGERC refuse that application?"

There is no principled answer. The legal framework is identical. An industrial-consumer-only licence would strip the existing DISCOMs of every cross-subsidy contributor overnight, making subsidised supply to domestic and agricultural consumers impossible. The domestic consumer paying Rs. 2–4/unit is cross-subsidised by the HT industrial consumer paying Rs. 8–10/unit. Remove the HT consumers to a separate licensee and the domestic tariff must rise to cost-reflective levels or the existing DISCOM collapses. *The very consumers for whom TGRPDCL is being created are destroyed within months by the precedent TGRPDCL's creation sets.*

TGERC's decision in this matter will be the first regulatory order in India granting a consumer-class-restricted distribution licence. It will be cited before every SERC and before APTEL across India.

Objection O: The Commission's Institutional Independence Is at Stake

The Electricity Act, 2003 was enacted to create regulatory commissions structurally insulated from Government direction. Sections 82 and 85 create TGERC and provide security of tenure to its Members. TGRPDCL's AoA (Article 58(v)) binds the company to follow Government policy directions. *A Commission that grants regulatory cover for a balance sheet restructuring scheme designed to access Central grants will be seen as an instrument of Government policy, not an independent regulator.* The institutional damage to TGERC's credibility — once done — cannot be easily repaired.

Objection P: All Objectives Are Achievable Through Section 86 — Creating a New DISCOM Is Grossly Disproportionate

The principle of regulatory proportionality requires that regulatory intervention be the minimum necessary to achieve the legitimate objective. Every objective cited for TGRPDCL is fully achievable by a Commission direction under Section 86 to the existing DISCOMs at zero establishment cost:

- *Ring-fenced agricultural accounts: fully separate segment accounts, subsidy sub-accounts, feeder-level energy accounting, and annual regulatory reporting.*
- *Dedicated agricultural supply management: an Agricultural Supply Division within each DISCOM with its own General Manager, ring-fenced budget, dedicated field staff, and performance targets set as licence conditions.*
- *Service quality enforcement: specific, enforceable standards for agricultural feeder restoration times, daily supply hours, and new connection timelines with financial penalties for breach.*
- *Grant eligibility: RDSS guidelines recognise SPV structures for grant purposes without requiring an independent distribution licence.*

Every rupee spent on TGRPDCL's establishment overhead is a rupee that does not reach the agricultural consumer. Full corporate headquarters, Board of Directors, independent IT systems, three sets of annual regulatory filings, the transition cost of migrating 29 lakh accounts, the legal costs of the multiple court proceedings the appointment guidelines will generate — all of this serves the structure, not the farmer.

A Section 86 direction achieves the same result at zero establishment cost using the existing DISCOMs' infrastructure, institutional knowledge, field staff, and stores. *When a simple instrument achieves the objective, the Commission is not free to choose a complex instrument that harms consumers merely because the Government prefers it.*

Requests N–P: (i) Refer the preliminary legal question on consumer-class-restricted licences to APTEL under Section 111 for authoritative national

determination. (ii) Declare that the Commission will not permit its licensing power to be used for purposes extraneous to the Electricity Act, including balance sheet restructuring. (iii) Consider issuing a direction under Section 86 to the existing DISCOMs to implement ring-fenced agricultural supply accounting, dedicated Agricultural Supply Divisions, and specific feeder service quality standards as a proportionate alternative to granting the licence, and direct the existing DISCOMs to submit proposals for this within 30 days.

PART XI: CONSOLIDATED PRAYERS TO THE HON'BLE COMMISSION

The objector respectfully prays that the Hon'ble Commission may be pleased to:

PART A: PRAYERS FOR REJECTION OF TGRPDCL APPLICATION

The objector prays that the Hon'ble Commission may be pleased to:

- **Threshold Determination:** Determine as a preliminary legal question whether Section 14 permits a consumer-class-restricted distribution licence, having regard to the expressio unius principle, the Electricity (Amendment) Bill 2025, and the structural impossibility of discharging the Section 43 Universal Service Obligation within a consumer-class structure.
- **Reject if Class-Based Licensing Not Permissible:** If the Commission determines class-based licensing is not permissible under Section 14, reject the application and invite the Government to restructure the arrangement as a franchise under the Section 14 proviso.
- **APTEL Reference:** Refer the preliminary legal question to APTEL under Section 111 for authoritative national determination.
- **Return Incomplete Application:** Return the application as materially incomplete under Regulation 04 of 2016 for want of a business plan, financial projections, and identified debt arrangements, and require complete re-filing.
- **Section 17(2)(a):** Determine whether Section 17(2)(a) approval for transfer of the existing DISCOMs' undertakings has been sought and obtained; if not, direct TGSPDCL and TGNPDCL to file formal Section 17(2)(a) applications and decline to grant TGRPDCL's licence in isolation.
- **Stay Transfers:** Stay all appointment by transfer orders and joining activities until the Commission has decided the licence application.

PART B: PRE-CONDITIONS IF APPLICATION CONSIDERED ON MERITS

If proceeding on merits, require the following as mandatory pre-conditions:

I. Consumer Rights

1. Declare that the mass transfer of 29 lakh consumer connections by Government Order, without consumer's knowledge, consent, or application, is a mechanism that finds no basis anywhere in the Electricity Act, 2003 while TGSPDCL and TGNPDCL have their Section 43 duty to supply electricity to any consumer in their area (Universal Service Obligation).
2. Declare that Section 65 creates no agency, authority, or ownership interest of the Government over agricultural consumer connections, and that the free power promise does not authorise compulsory transfer of consumer connections without individual consent.

Operational Safeguards

3. Require TGRPDCL and the existing DISCOMs to submit a binding Inter-Licensee Service Level Agreement covering: 11kV restoration times and penalties; who builds and pays for new 11kV feeder extensions for new agricultural connections; energy accounting on mixed-load feeders; and inter-licensee dispute resolution — as a mandatory pre-condition.
4. Require TGRPDCL to submit feeder-wise data identifying all non-agricultural consumers on each proposed feeder, and make feeder separation completion a pre-condition on each mixed-load feeder.
5. Have TGERC technical staff verify whether the proposed DTR-level metering on mixed-load feeders complies with Regulation 3 of the CEA Metering Regulations 2006.
6. Direct TGRPDCL to establish its Consumer Grievance Redressal Forum before commencement of operations and to submit a detailed time-bound transition plan for migrating 29 lakh consumer accounts before the licence is granted.

II. Staffing

7. Require TGRPDCL to disclose cadre-wise and mandal-wise actual staffing on the basis of the sanctioned strength statement, assessed against established minimum section staffing norms across 584 mandals.
8. Require TGRPDCL to publish and gazette complete service regulations — including a promotion policy — before any employee makes an irrevocable transfer decision.
9. Certify that post-transfer parent DISCOM posts will not be abolished and strength remains above minimum for safe substation operation under CEA Safety Regulations 2011.

III. Financial Transparency, Governance and Financial Capacity

10. Require TGRPDCL to demonstrate an independent governance structure with directors who do not simultaneously serve in entities with which TGRPDCL must negotiate at arm's length.
11. Commission an independent financial assessment of capital required to operate TGRPDCL at the proposed scale, and verify compliance with the Distribution Licence Rules, 2005.
12. Require the State Government to file a binding subsidy disbursement schedule with an escrow mechanism as a pre-condition for the licence.

IV. Real Purpose and Central Grants

13. Direct the State Government and TGRPDCL to disclose on affidavit all communications relating to RDSS or any other Central grant applications premised on TGRPDCL's formation.
14. Commission independent verification of pre- and post-restructuring DISCOM balance sheets and the basis of attribution of transferred liabilities.
15. Forward a copy of the final order to the Ministry of Power, REC, and the Office of the CAG before any Central grant applications premised on this restructuring are processed.

V. Section 86 Alternative

16. Consider issuing a direction under Section 86 to the existing DISCOMs to implement ring-fenced agricultural supply accounting, dedicated Agricultural Supply Divisions, and specific feeder service quality standards as a proportionate alternative to granting the licence, and direct the existing DISCOMs to submit proposals within 30 days.

VI. Procedural

17. Require TGRPDCL to provide written answers to the specific questions in these objections at least 10 days before the public hearing, and make those answers available to objectors for response.

CONCLUSION: For the foregoing reasons, the TGRPDCL application deserves rejection in protection of consumer rights, regulatory integrity, and constitutional service jurisprudence. Pass such further orders as the Commission deems fit in the public interest, in the interest of electricity consumers of Telangana.

Respectfully submitted,

Name: M.Laxmi
Date: 14.05.2026
Place: Hyderabad

ANNEXURE: LEGAL PROVISIONS, DOCUMENTS, AND PRINCIPLES RELIED UPON

Electricity Act, 2003

- Section 2(15) – Definition of consumer: any person supplied with electricity for his own use. The farmer is the consumer regardless of who pays; the Government's Section 65 subsidy does not alter this.
- Section 2(17) – Distribution licensee: authorised to operate and maintain a distribution system. TGRPDCL, owning only DTRs and LT lines, does not satisfy this definition.
- Section 14 – Grant of licence for a specified area of supply; franchise proviso. Area-based framework. No provision for consumer-class restriction.
- Section 15 – Procedure for grant of licence. Application must specify area of supply.
- Section 16 – Conditions of licence: the power to specify conditions is vested exclusively in the Commission, not the licensee. The Section 16 proviso prohibits the Commission from specifying any condition inconsistent with the Act — including a consumer-class restriction inconsistent with Section 43.
- Section 17 – Licensee not to do certain things: Section 17(2)(a) prohibits transfer of licence or undertaking or any part thereof without prior Commission approval.
- Section 18 – Modification of licence conditions: the Commission's power, after notice and hearing. Limited to conditions of the licence; does not extend to the Section 43 statutory duty.
- Section 19 – Revocation of licence: Section 19(2) provides that even upon complete revocation, the licensee is not automatically discharged from liabilities without a specific Commission direction.
- Section 42(5) – Consumer Grievance Redressal Forum: mandatory for every distribution licensee.
- Section 43 – Universal service obligation: absolute statutory duty, not a licence condition. Cannot be modified by Commission order under Section 16 or Section 18. Only Parliament can alter it.

- Section 61 – Tariff principles: progressive elimination of cross-subsidies. Structurally impossible for TGRPDCL.
- Section 65 – Government subsidy mechanism: Government pays licensee to compensate for below-cost tariff. Creates no ownership, agency, or authority over consumers or consumer connections.
- Section 82, 85 – Creation and independence of TGERC.
- Section 86 – Functions and powers of State Commission: power to issue directions to licensees — the proportionate and lawful alternative to granting TGRPDCL's licence.
- Section 94 – Powers of Commission to receive evidence from any person.
- Section 111 – Appeal to and reference to APTEL.
- Section 151 – Personal liability of persons responsible for safety of electrical installations.

Subsidiary Legislation and Policy Documents

- Distribution Licence Rules, 2005 – Capital adequacy, creditworthiness, and code of conduct requirements.
- CEA (Safety Requirements for Construction, Operation and Maintenance of Electrical Plants and Electric Lines) Regulations, 2011 – Minimum staffing standards for substation operation; authorised persons for electrical work.
- CEA Metering Regulations, 2006 – Regulation 3: Metering at each point of exchange between licensees. Mixed feeder metering at DTR level is non-compliant.
- TGERC Distribution Licensing Regulations 2016 (Regulation 04 of 2016) – Mandatory business plan and financial projections at time of application.
- National Electricity Policy, 2005 – Competition model and cross-subsidy framework.
- Tariff Policy, 2016.
- RDSS Guidelines, Ministry of Power.
- Electricity (Amendment) Bill, 2025 – Explicitly affirms Universal Service Obligation in the "present distribution licensee" (area-based); contains no provision for consumer-class-restricted licences; confirms by sustained Parliamentary omission across 2003–2025 that class-based distribution licensing is outside the Act's framework.

TGRPDCL's Own Documents Relied Upon

- G.O.Ms.No.4, Energy (Power.1) Department, dated 11.03.2026 – Paras 5, 8, 9.
- Schedule I application (Document 1) – Items 12, 13, 14, 15, 16, 20, 21, 22, 23.
- Supplementary filing (Document 2) – Elaborated Para 22; director profiles; Net Worth Certificate; Undertaking on capital adequacy.

- TGERC deficiency notice dated 25.03.2026 – TGERC itself found Para 22 insufficient.
- MoA – Object IV (includes substations, contradicting GO asset boundary); Object V (assets "as may be transferred" — asset boundary unsettled at time of filing).
- AoA – Article 58 (Board composition — entire Board from existing DISCOMs); Article 58(v) (Government policy directions binding on the Company).
- Consolidated Staff Statement (Section 3.1) – 625 field O&M linemen + 344 field artisans for 584 mandals.
- Appointment Guidelines (<https://essp.tgnpdcl.com/tgrpdcl-consent/guidelines>) – Appointment by transfer (not authorised by GO); 8-day irrevocable window; TGRPDCL rejection right without reasons; joining by 25 May; pension trust unformed; 5-year VRS bar; supernumerary post mechanism; preference for opaquely-selected deputation staff.

Legal Principles Applied

- Expressio unius est exclusio alterius – Express mention of the franchise (Section 14 proviso) excludes consumer-class licensing for the same purpose.
- Contemporanea expositio – Parliament's own 2025 Amendment Bill reaffirms USO in the area-based present licensee and omits class-based licensing, confirming the Act's consistent meaning.
- Licence conditions cannot override statutory duties: subordinate regulatory instruments cannot override provisions of the parent statute.
- Colourable exercise of statutory power – Licensing power cannot be used for a purpose (balance sheet rehabilitation, grant access) extraneous to the Electricity Act, 2003.
- Regulatory proportionality: minimum necessary intervention is preferred; Section 86 achieves the Government's objectives without any of the legal, operational, or financial consequences of TGRPDCL.
- Article 14, Constitution of India – Arbitrary state action void: applied to irrevocability/rejection asymmetry, seniority inversion, opaque deputation preference, and compulsory consumer transfer without consent.
- Article 16, Constitution of India – Equality of opportunity in public employment: applied to seniority inversion and arbitrary rejection without reasons.