



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV Substation, Hyderabad Boat Club Lane
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN**

WEDNESDAY THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY TWO

Appeal No. 04 of 2021-22

Between

Sri Ande Laxman Rao, s/o. Late A. Pentaiah, H.No.. 4-44/180/181, Kavuri
Ridge, Tirumala Hills, Puppalguda, Hyderabad - 500 089.
Cell: 8297003033, 8297533033.**Appellant**

AND

1. The Assistant Engineer / Operation / Putlibowli / TSSPDCL / Hyderabad.
2. The Assistant Divisional Engineer / Operation / Troop Bazar / TSSPDCL/
Hyderabad.
3. The Assistant Accounts Officer / ERO / Sultan Bazar / TSSPDCL / Hyderabad.
4. The Divisional Engineer / Operation / Begum Bazar / TSSPDCL / Hyderabad.
5. The Superintending Engineer / Operation / Hyderabad South Circle/
TSSPDCL / Hyderabad. **Respondents**

This appeal is coming on before me for final hearing on 21.09.2022 in the presence of appellant, not present and Sri V. Srinivas - ADE/OP/Troop Bazar and Sri D. Pranavind - AE/OP/Puthlibowli representing the respondents and having stood over for consideration till this day, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the common Award passed by the Consumer Grievances Redressal Forum - Greater Hyderabad Area, Hyderabad - 45 (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G. Nos.126 & 130 / 2020-21/ Hyderabad South Circle dt.31.03.2020, rejecting both the complaints.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant in C.G.No.126 of 2020-21 is that the appellant filed a complaint in respect of S.C.Nos. J2006466 and J2006455 for his premises door No. 15-5-726, Ashok Bazar, Hyderabad requesting the learned Forum to restore power supply to these two Service Connections and to compensate him for mental agony and delay.

CASE OF THE RESPONDENTS BEFORE THE FORUM

3. In the written submissions of respondent No.1, 2 and 4, before the Forum, it is stated that the appellant applied for title transfer and for address correction. There were electricity dues in the name of M/s. Lakshmi Builders, therefore link services were disconnected were Service Connection No. J2006451 and other Service Connections.

4. The appellant has filed rejoinder before the learned Forum stating that the disconnected (9) link services were in the name of M/s. Lakshmi

Builders, as such dues were not cleared.

5. The appellant on his behalf and on behalf of other consumers, in C.G.No. 130 of 2020-21, has submitted that (12) Service Connections at premises bearing No.15-5-726 with Service Connection No. J2006467 and other Service Connections were not having electricity supply even after paying the bills regularly. Therefore it is prayed to restore power supply immediately.

6. In reply filed by respondent No.1, it is inter-alia submitted that since the consumers committed default in payment of electricity dues, the (4) link services were disconnected in the name of M/s. Lakshmi Builders.

AWARD OF THE FORUM

7. The learned Forum, after considering material on record and after hearing both sides, through a common Award has rejected the complaints filed by the appellant.

8. Aggrieved by the common Award passed by the learned Forum, the present single appeal is preferred, contending among other things, that the learned Forum has passed the common Award without properly analysing the facts on record and without properly considering the relevant provisions.

GROUND OF THE APPEAL

9. In the grounds of the appeal, it is, inter-alia, submitted that he is the General Power of Attorney of other consumers. Service Connection No. J2006467 of one Avinash Vavilala and other Service Connections were disconnected without proper reason. Service Connection No. J2006453 and other (5) Service Connections belong to M/s. Lakshmi Builders, who have not paid the electricity bills. It is prayed to direct the respondents to restore the power supply to (6) Service Connections including S.C. No. J2006459.

WRITTEN SUBMISSION OF THE RESPONDENTS

10. In the written submissions by respondent No.2, before this Authority, it is, inter-alia, submitted that power supply was restored to the following Service Connections:-

J2006449, J2006450, J2006455, J2006456, J2006459,
J2006464 after clearing the arrears.

The title transfer and address correction of the following Service Connections were effected:-

J2006456, J2006464, J2006450 and J2006449

The title transfer and address correction of the following Service Connections were effected:-

J2006455, J2006567, J2006465 and J2006459

Accordingly respondent No.2 claims that the grievances were resolved.

11. After the complaint was registered, the appeal was posted for hearing, but the appellant was absent on 01.10.2021, 23.10.2021, 11.07.2022, 22.07.2022, 06.08.2022, 21.09.2022. The respondents were representing from the beginning.

12. In spite of granting sufficient time, the appellant was not present. Perused the record. Heard the respondents.

POINTS

13. The points that arise for consideration are:-

- i) Whether the impugned common Award of the learned Forum is liable to be set aside?
- ii) Whether the appeal is liable to be closed? and
- iii) To what relief?

POINT No. (i) and (ii)

REASONS FOR DELAY IN DISPOSING OF THE APPEAL

14. Since I took charge as Vidyut Ombudsman on 01.07.2022 and since there was no regular Vidyut Ombudsman earlier, the appeal was not disposed of within the prescribed period.

CRUX OF THE MATTER

15. The material on record goes to show that the complaint in this appeal is in respect of electricity supply, title transfer and address correction of the consumers. As already stated, respondent No.1 filed a written submission stating that this grievances were addressed already.

16. As already stated, the appellant never appeared before this Authority on any day. If the appellant is absent on more than (2) occasions, the appeal is liable to be closed as per the Clause 3.33 of Regulation 3 of 2015 of the Hon'ble Telangana State Regulatory Commission (in short 'the Regulation'). The relevant Clause is as under:-

“Where the Complainant or the Licensee or their authorised representative fails to appear before the Ombudsman on the date fixed for hearing on more than two consecutive occasions, the Ombudsman may decide the representation ex-parte on the basis of material available on record.”

Since the grievances of the appellant in both the complaints were already addressed and since the appellant is absent continuously on more than two consecutive occasions, this appeal is liable to be closed. These points are accordingly decided.

POINT No. (iii)

17. In view of the findings on point Nos. (i) and (ii) the appeal is liable to be closed.

RESULT

18. In the result, the appeal is closed.

A copy of this Award is made available at <https://vidyutombudsman-tserc.gov.in>.

Typed to my dictation by Office Executive-cum-Computer Operator, corrected and pronounced by me on this the 26th day of October 2022.

Sd/-

Vidyut Ombudsman

1. Sri Ande Laxman Rao, s/o. Late A. Pentaiah, H.No.. 4-44/180/181, Kavuri Ridge, Tirumala Hills, Puppalguda, Hyderabad - 500 089. Cell: 8297003033, 8297533033.
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5. The Divisional Engineer / Operation / Begum Bazar / TSSPDCL / Hyderabad.
6. The Superintending Engineer / Operation / Hyderabad South Circle/ TSSPDCL / Hyderabad.

Copy to

7. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL- Greater Hyderabad Area, Door No.8-3-167/E/1, Central Power Training Institute (CPTI) Premises, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad - 45.