



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA
First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: Smt. UDAYA GOURI

Monday the Twenty Second Day of July 2019

Appeal No. 06 of 2019-20

Preferred against Order dt:11.02.2019 of CGRF in
CG No. 618/2018-19 of Hyderabad South Circle

Between

Mr. Zain Bin Salam, S/o. Mohd Bin Salam, #18-11-67/A/15, Salam Pahalman
House, Barkas, Chandrayanagutta, Hyderabad. Cell: 9849500026.

... Appellant

AND

1. The AE/OP/Chandrayanagutta/TSSPDCL/Hyderabad.
2. The ADE/OP/Falaknuma/TSSPDCL/Hyderabad.
3. The AAO/ERO/Salarjung/TSSPDCL/Hyderabad.
4. The DE/OP/Charminar/TSSPDCL/Hyderabad.
5. The SE/OP/Hyd. South Circle/TSSPDCL/Hyderabad.

... Respondents

The above appeal filed on 23.04.2019, coming up for final hearing before the Vidut Ombudsman, Telangana State on 10.07.2019 at Hyderabad in the presence of Zain Bin Salam - Appellant and Sri. G. Vidyasagar Raj - AAE/OP/Chandrayangutta, Sri. B. Vijay Kumar - ADE/OP/Falaknuma, Ch. Krishnaiah - AAO/ERO-3/Charminar were present for the Respondents and having considered the record and submissions of both parties, the Vidut Ombudsman passed the following;

AWARD

This is an Appeal against the orders of the CGRF, Hyderabad South Circle in CG No. 168/2018-19.

2. The Appellant contended that he filed a complaint before the CGRF, Hyderabad South Circle vide CG No. 618/2018-19 seeking for rectification of

excess/wrong bills issued on his service connection No. VZ027418 in the premises bearing No. 18-11-67/A/15, Salam House, Bharkas, Chandrayanagutta,(as per the Respondents registered address of the consumer 18-11-2/E, Chandrayanagutta) and that in spite of his placing the required evidence the learned CGRF failed to appreciate the same and disposed the said matter against him. Hence aggrieved by the same the present appeal is filed.

3. The Appellant stated in the Appeal that his premises bearing No. 18-11-67/A/15, Salam House, Bharkas, Chandrayanagutta (as per the Respondents registered address of the consumer 18-11-2/E, Chandrayanagutta) was completely destroyed by electric short circuit in the month of Jan,2006 and as such he registered a complaint in the Office of TSSPDCL, Chandrayanagutta, Falaknuma, but none of the officials visited the premises and at that time the reading on his service connection VZ027418 was 3481 and the units utilised by them were 306 under the bill bearing No. 32553. He further stated that after the above incident he did not open his shop because of his financial condition till 2016 and when he started his work again in the year 2016 an amount of Rs 1,12,463/- was shown as due and the meter showed 5734 as its reading in spite of his paying an amount of Rs 32,620/- as the Respondent officials did not disconnect his service connection after his complaint. Later in the year 2016 when he opened his shop he paid an amount of Rs 10,000/- and the bill was increased to Rs 1,29,595/-. Hence prayed that the said excess bill is entirely due to the Respondents not disconnecting his service connection after the episode of electric circuit resulting in the destruction of his shop, in spite of his complaint and as such the bill amounts are absolutely not correct as he did not open his shop from Jan'2008 to 2016. Hence prayed for the rectification of bills which are alleged to be false and also to initiate action against the concerned officials.

4. The Respondents on the other hand submitted their written submissions through Respondent No.2 vide Lr.No. ADE/OP/DXI/F.No.25/D.No.49/19-20 dt.10.05.2019 stating that the service was inspected by the ADE/OP/Falaknuma on 26.09.2018 at around 17.00 Hrs during field inspection it was noticed that the meter was fixed inside of chinese fast food centre (commercial service) as on that day reading was 9942 M.No. 1B-334720, capacity 5-20 Amps. The same was submitted to the Hon'ble CGRF on 05.02.2019.

In continuation to the above subject service connection, bill was not paid regularly from long back and its accumulated to Rs 88,895/- upto Dec,2010. After that

the service was disconnected from Jan,2011 to Feb,2016 and the amount was Rs 1,17,379/-.

In the month of March,2016, the Appellant paid an amount of Rs 10,000/- and reconnected after that he also has not paid regularly, arrears were piled up Rs 1,29,290/- as per billing report enclosed. On physical inspection of load, data available on meter, the consumption pattern is correct.

The consumer approached the CGRF, as per instruction of CGRF bill was revised from May,2009 to Sep,2018 from Rs 1,20,311/- to Rs 1,04,276/- debited to Rs 17,684/- then also consumer not paid any installment and regular bills.

5. The Appellant filed rejoinder reiterating his contention that his premises was under locken key from 2006 to 2016 and that chinese fast food centre is set in on rental charges and that he has been paying huge amount and clearing the bills continuously, but still the Respondents are charging huge amounts without any justification. He requested that the due account be closed on his final payment of Rs 30,000/- and start fresh billing.

6. On the basis of the averments of both sides the following issues are framed:-

1. Whether the Appellant is entitled for rectification of the alleged excess bills? And
2. To what relief?

Heard both sides.

Issue No.1

7. Admittedly the Service Connection No. VZ027418 stands in the name of Mohammed Bin Salam under Category No. II at the premises bearing No. 18-11-67/A/15, Salam House, Bharkas, Chandrayangutta, Hyderabad (as per the Respondents registered address of the consumer 18-11-2/E, Chandrayanagutta) and that the said Mohammed Bin Salam is the father of the Appellant herein i.e. Zain Bin Salam. The contention of the Appellant is that in the year 2006 there was a short circuit in the month of January in their shop i.e. the above premises and that a complaint was lodged with the Respondents and hence their shop was closed since then till 2016 due to financial problems with them.

8. He also contended that at the time of the short circuit the meter reading was 3481 while their consumption was only 306 units as per the bill bearing No. 32553, but in the year 2016 when he opened his shop the meter reading was 5734 and the amount due shown was Rs 1,12,463/-. He paid an amount of Rs 32,620/- yet the amount due was shown as Rs 68,831/-. He stated that after opening the shop when he paid Rs 10,000/- the Respondents demanded a bill for Rs 1,29,595/-.

9. The contentions of the Respondents on the other hand is that the ADE/OP/Falaknuma visited the premises of the Appellant on 26.09.2018 at about 17:00 hrs during the field inspection and found that the meter was fixed inside the chinese food centre (commercial service) and the meter reading was 9942 M.No. IB-334720 with capacity of 5.20 amps. They also stated that their records show that the Appellant was not paying the bills regularly and as such it accumulated to Rs 88,895/- till Dec'2010. Hence the said service connection was disconnected in Jan'2011 and by then the amount due was Rs 1,17,379/-. Later the meter was reconnected after an amount of Rs 10,000/- was paid, but still the appellant was due Rs 1,29,290/-. They pointed out that their inspection clearly show that there was a regular consumption on the said service connection and as such the Appellant was due the amounts that were demanded under the bills. They claimed that having consumed the electricity through the service connection the Appellant is bound to pay the consumption charges. They pointed out that they have even withdrawn Rs 17,684/- on the representation of the Appellant by relaxing the consumption on the basis of average billing. They pointed out that the Appellant failed to pay any amount from Nov'2010 to Feb'2016 and even after reconnection in the month of March'2016 the Appellant is irregular in paying the bills.

10. The above mentioned averments by both sides clearly shows that the SC No. VZ027418 stands in the name of the Appellant's father and that the same is located in the premises bearing No. 18-11-67/A/15 at Salam house, Bharkas, Chandrayangutta, Hyderabad (as per the Respondents registered address of the consumer 18-11-2/E, Chandrayanagutta) and that there is a chinese fast food shop in the said premises. The contention of the Appellant that there was a short circuit in the month of Jan'2006 and as such his shop got destroyed and that he lodged a complaint with the Respondents is not supported by any documentary evidence. There is also no evidence whatsoever to show that his premises was closed from Jan'2006 to the year 2016. The contentions of the Appellant that he has been regularly paying the bills right

from Jan'2006 is also not supported by any bills showing the said payments and also contradicts his contention that his shop was closed and hence not functioning and further that he was suffering from financial problems. On the contrary the contentions of the Respondents is indirectly supported by the Appellant himself that the Appellant was not paying the bills regularly and that he did not paid the bills for a long period in spite of the Respondents withdrawing an amount of Rs 17,684/- vide JE No. 8923 of Feb'2019 on the orders of the CGRF. There is also no evidence on record to show that the Appellant has made out a case to show that hsi premises was closed right from Jan'2006 till 2016 and that he has been paying the bills continuously for his consumption of electricity. In the absence of such evidence the bills as claimed by the Respondents are in accordance with the rules provided for such collection. Hence I do not find that the bills demanded by the Respondents requires to be either rectified or withdrawn as there is no such provision for withdrawal or rectification of the bills having consumed the power. Hence decides this issue against the Appellant.

Issue No.2

11. In the result the Appeal is dismissed and the Appellant is directed to pay the due amount demanded by the Respondents in 10 equal instalments.

TYPED BY Office Executive cum Computer Operator, Corrected, Signed and Pronounced by me on this the 22nd day of July, 2019.

Sd/-

Vidyut Ombudsman

1. Mr. Zain Bin Salam, S/o. Mohd Bin Salam, #18-11-67/A/15, Salam Pahalman House, Barkas, Chandrayanagutta, Hyderabad. Cell: 9849500026.
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Copy to :

7. The Chairperson, CGRF-GHA, TSSPDCL, GTS Colony, Vengal Rao Nagar, Hyderabad.
8. The Secretary, TSERC, 5th Floor Singareni Bhavan, Red Hills, Lakdikapul, Hyd.