



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

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

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN**

FRIDAY THE SECOND DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

Appeal No. 06 of 2023-24

Between

M/s. Pride India Private Limited, Sy.No.88 & 90, Pride Hills, Balapur,
Ranga Reddy District - 500 005, represented by Shafia Anjum.

.....Appellant

AND

1. The Assistant Engineer / Operation / Pahadishariff / TSSPDCL / Ranga Reddy District.
2. The Assistant Divisional Engineer / Operation / Mamidipally / TSSPDCL / Ranga Reddy District.
3. The Assistant Accounts Officer / ERO / Kandukur / TSSPDCL / Ranga Reddy District.
4. The Divisional Engineer / Operation / Kandukur / TSSPDCL / Ranga Reddy District.
5. The Superintending Engineer / Operation / Rajendra Nagar Circle / TSSPDCL / Ranga Reddy District.

..... Respondents

This appeal is coming on before me for final hearing on 23.05.2023 in the presence of Sri B.R.P. Srivastava, authorised representative of the appellant and Sri Shaik Apsar Bhasha - AE/OP/Pahadishariff 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 Award passed by the Consumer Grievances Redressal Forum - II, Greater Hyderabad Area, Hyderabad - 45 (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No 343/2022-23/Rajendra Nagar Circle dt.06.04.2023, rejecting the complaint.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant is that the respondents have released Service Connection No. 277500036 (in short 'the subject Service Connection') in favour of the appellant (Shafia Anjum). It appears that there is a venture in the name and style "Pride India Pvt., Ltd.," and the appellant-Shafia Anjum is in possession of the premises where the subject Service Connection was installed. The appellant filed an online application vide CC-1522233337857 on 13.12.2022 for additional load of 3 KW for the subject Service Connection. But no action was taken by the respondents even up to 25.12.2022. Therefore it was prayed to direct the respondents to release 3 KW additional load to the subject Service Connection of the appellant and to award compensation.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

3. In the written reply submitted by respondents No.2, it is stated that spot inspected was conducted and it was observed that there are more than 75 Service Connections in the name of Pride India Pvt., Ltd., and there are CC

dues in respect of 15 Service Connections for an amount of Rs. 26,145/-. One Mr.Jag Jeevan Reddy has given a complaint not to issue any further service connection in Sy. No 78 to 90 of M/s. Pride India Pvt., Ltd.,. Cases in S.L.P. No 027326 and 027327 of 2018 are pending before the Hon'ble Supreme Court. The cases are in respect of illegal layout in the above said land. Accordingly the case of the appellant for additional load was not considered.

4. In the written reply submitted by respondent No.3 also, more or less, the similar contents as mentioned by respondent No.2 were mentioned.

AWARD OF THE FORUM

5. After considering the material on record and after hearing both sides, the learned Forum has rejected the complaint mainly on the ground that the cases are pending before the Hon'ble Supreme Court.

6. Aggrieved by the Award passed by the learned Forum, the present appeal is preferred, contending among other things, that the learned Forum has not considered the material on record properly and that the parties herein are not the parties before the Hon'ble Supreme Court. It is accordingly prayed to set-aside the impugned Award of the learned Forum and to direct the respondents to release the 3 KW additional load to the subject Service Connection of the appellant and also to award compensation.

WRITTEN SUBMISSION OF RESPONDENTS

7. In the written reply submitted by respondent No.2, it is stated that since cases are pending before the Hon'ble Supreme Court, additional load was not released to the subject Service Connection of the appellant.

SETTLEMENT BY MUTUAL AGREEMENT

8. Both the parties have appeared before this Authority on different dates. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. Owing to the said settlement process, the respondents have agreed for release of additional load to the subject Service Connection of the appellant. The respondents have also released the additional load to the subject Service Connection of the appellant. On 23.05.2023 the authorised representative of the appellant has filed a memo stating that on 16.5.2023 the respondents have fixed the new meter with an additional load of 3 KW. Thus the grievance of the appellant was redressed.

ARGUMENTS

9. Heard both sides.

POINTS

10. The points that arise for consideration are:-

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

POINT NO. (i) AND (ii)

REASONS FOR DELAY IN DISPOSING OF THE APPEAL

11. The present representation was filed on 06.05.2023. This appeal is being disposed of within the period of (60) days as required. Thus there is no delay in disposing of the appeal.

CRUX OF THE MATTER

12. As already stated the respondents have redressed the grievance of the appellant by fixing the new meter and also by releasing the additional load of 3 KW to the subject Service Connection after the present appeal was filed and after conciliation is made. Admittedly the parties here-in and also the parties before the Hon'ble Supreme Court and also the subject matter are not one and the same. Therefore the action of the respondents in redressing the grievance is correct.

13. The learned authorised representative of the appellant has relied on the judgement of the Hon'ble Supreme Court reported in MADAN LAL v. STATE OF HIMACHAL PRADESH ¹ wherein the Hon'ble Supreme Court, more or less, in a similarly situated case has held that potable water or electricity are integral part of right to life within the meaning of Article 21 of the Constitution of India and that these are basic necessities for human being and can well be termed as essentials of human rights. These principles also

¹ 2018 SSC-Online HP-1495

equally apply in the present case. That apart, the appellant is already having subject Service Connection. She only prayed for additional load. Thus there cannot be any reason to reject the prayer of the appellant. However the grievance was redressed. In view of these factors the appeal is liable to be closed and the impugned Award is liable to be set-aside.

POINT No. (iii)

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

RESULT

15. In the result, since the grievance of the appellant is redressed, the appeal is closed.

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

Typed to my dictation by Private Secretary, corrected and pronounced by me on the 2nd June 2023.

Sd/-

Vidyut Ombudsman

1. M/s. Pride India Private Limited, Sy.No.88 & 90, Pride Hills, Balapur, Ranga Reddy District - 500 005, represented by Shafia Anjum.
2. The Assistant Engineer / Operation / Pahadishariff / TSSPDCL / Ranga Reddy District.
3. The Assistant Divisional Engineer / Operation / Mamidipally / TSSPDCL / Ranga Reddy District.

4. The Assistant Accounts Officer / ERO / Kandukur / TSSPDCL / Ranga Reddy District.
5. The Divisional Engineer / Operation / Kandukur / TSSPDCL / Ranga Reddy District.
6. The Superintending Engineer / Operation / Rajendra Nagar Circle / TSSPDCL / Ranga Reddy District.

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.

