



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

WEDNESDAY THE TWENTY NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

Appeal No. 06 of 2024-25

Between

Sri P. Karthik, Plot No.423, Iskabai, Beeramguda, Ameenpur,
Sangareddy - 502 302. Cell: 9676781390.

.....Appellant

AND

1. The Assistant Engineer/Operation/Patancheru Rural/TSSPDCL/Sangareddy.
2. The Assistant Divisional Engineer/Operation /Patancheru/TSSPDCL/
Sangareddy.
3. The Assistant Accounts Officer/ERO/Patancheru/TSSPDCL/Sangareddy.
4. The Divisional Engineer/Operation/Patancheru/TSSPDCL/Sangareddy.
5. The Superintending Engineer/Operation/Sangareddy/TSSPDCL/Sangareddy.

.....Respondents

This appeal is coming on before me for final hearing on this day in the presence of the appellant, virtually and Sri Manikanta - AE/OP/Patancheru, Sri N. Durga Prasad - ADE/OP/Patancheru, Sri B. Bhaskar - AAO/ERO/Patancheru and Sri Bhaskar Rao - DE/OP/Patancheru for the respondents, virtually and having stood over for consideration, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - Rural, (in short 'the Forum') of Telangana State

Southern Power Distribution Company Limited (in short 'TGSPDCL') in C.G. No.238/2023-24/Sangareddy Circle dt.16.03.2024, allowing the appeal in part and awarding compensation of Rs.5,000/- (Rupees five thousand only) to the appellant herein and also directing the Licensee - Chief General Manager/HRD/TSSPDCL for initiation of disciplinary proceedings against the erring officials etc.,

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant before the learned Forum is that the respondents have released Service Connection No.0515 00929 to the appellant. The respondents have levied Development Charges against the said Service Connection in case No.SGRD/SGRD/PTCR/E254823/20. The sanctioned load of subject Service Connection was 5.0 kW even before the inspection of the subject Service Connection on 11.12.2019. On the application of the appellant for sanction of 7.0 kW load, the respondents have to regularise only for additional 2.0 kW. But they have levied charges on 5.0 kW. In spite of approaching respondents 1 and 2, requesting them for rectification of the dispute, the dispute was not resolved. Therefore it was prayed to levy additional charges only for 2.0 kW.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

3. In the written reply filed by respondent No. 2 before the learned Forum, it is, inter-alia, submitted that the appellant has applied for additional load of 3 kW to the existing load of 2 kW, making 5 kW on the subject Service

Connection vide CSC No.AL658191545011 on 19.03.2019. It was rectified in CSC on 20.03.2019 and effected in Electronic Billing Statement (in short 'EBS') by respondent No. 3 on 01.02.2021. The auto generated development charges case was booked vide case No. SGRD/SGRD/PTCR/E254823/20 against the subject Service Connection from 2kW to 7 kW. An amount of Rs.11,080/- was demanded for additional load. On the representation of the appellant on 18.11.2021, for rectification of the load in Preliminary Assessment Order (in short 'PAO') and Final Assessment Order (in short 'FAO'), letter was addressed to the Corporate Office for deletion of Final Assessment Order for further processing.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides, the learned Forum has allowed the complaint in part, as stated above.

5. Aggrieved by the said Award of the learned Forum, the present appeal is preferred, contending among other things, that the Independent Member of the learned Forum calculated the amount payable to the appellant as Rs.1,42,000/- and hence he prayed to Award the said compensation to him.

WRITTEN SUBMISSION OF THE RESPONDENTS

6. In the written reply filed by respondent No. 2, before this Authority, he has reiterated the contents of his written reply filed before the learned

Forum.

ARGUMENTS

7. The appellant has submitted that, in fact, he has suffered a lot in the hands of the respondents in respect of his grievance; that there is abnormal delay in addressing his grievance by the respondents and hence he prayed to award the compensation of Rs.1,42,000/- as calculated by the learned Independent Member of the Forum.

8. On the other hand, the respondents have submitted that the appellant is not entitled for compensation as prayed by him and it is prayed to reject the appeal.

POINTS

9. The points that arise for consideration are:-

- i) Whether the appellant is entitled for compensation of Rs.1,42,000/- as prayed for?
- ii) Whether the Award of the learned Forum is liable to be set aside? and
- iii) To what relief?

POINT Nos. (i) and (ii)

ADMITTED FACTS

10. It is an admitted fact that the respondents have released the subject Service Connection in favour of the appellant. It is also an admitted fact that initially the respondents have released the load of 2.0 kW to the subject

Service Connection.

SETTLEMENT BY MUTUAL AGREEMENT

11. Both the parties have appeared before this Authority virtually. Efforts were made to reach a settlement between the parties through the process of conciliation and mediation. However, no settlement could be reached. The hearing, therefore, continued to provide reasonable opportunity to both the parties to put-forth their case and they were heard.

REASONS FOR DELAY IN DISPOSING OF THE APPEAL

12. The present appeal was filed on 06.05.2024. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

13. In the present matter, the only point that is involved is, whether the appellant is entitled for more compensation of Rs.1,42,000/- as observed by the Independent Member of the learned Forum than the compensation of Rs.5,000/- as awarded by the learned Forum.

14. The record reveals that the appellant has applied for additional load of 3 kW to the existing load of 2 kW total making 5 kW on LT Service Connection in CSC/Patancheru on 19.03.2019. That was effected in EBS by the respondents on 01.02.2021. An auto-generated DC case was booked from 2 kW to 7 kW on 11.12.2019. PAO and FAO notices were generated and

issued for an amount of Rs.11,080/-. On consumer representation dt.18.11.2021, letter was addressed to the Corporate Office for deletion of FAO notice. Another application was received for Category change from LT-Category-II to LT Category-I on 29.07.2020. That was effected in EBS on 01.09.2020.

15. The time frame mentioned as per Schedule-II of Regulation 5 of 2016, for processing the above applications is as follows:-

VIII. Processing of applications and intimation of relevant charges payable for new connection/sanction of additional load/Demand				
Sl.No.	Service Area	Time standard	Compensation payable in case of violation of standard	
i.	All cases-if connection feasible from existing network for release of supply	Within 2 working days of receipt of application	Rs.200/- for each day of default	
X. Transfer of ownership and conversion of services				
ii.	Change of category	Within 7 days along-with necessary documents and prescribed fee, if any	Rs.200/- for each day of default	Not applicable

In the present case it is observed that there was abnormal delay on the part of the respondents in processing the above applications which shows the gross negligence of the respondents. At this stage it is necessary to refer to

Schedule-II of Regulation 5 of 2016, Licensee's Standards of Performance (in short 'SoP'). As per Clause (6), the consumer shall be required to make a claim for compensation for non-compliance of a guaranteed standard within (30) days of violation of such service standard by a licensee to a senior officer (Divisional Engineer) etc., However where the Licensee fails to pay the compensation the aggrieved consumer can approach the learned Forum. Since the appellant has not made a complaint as per the SoP, he is not entitled for compensation as claimed by him. However, still this Authority has power if it is found that there was any deficiency of service. The relevant Clause of Regulation 3 of 2015 of TSERC dt.03.10.2015 is extracted below:-

“While awarding compensation, the Forum may consider the standards of performance notified by the Commission or may award a reasonable compensation as the Forum deems to be appropriate to the complainant in facts and circumstances of the case(s)/grievance(s).

Thus this Authority need not confine only to SoP but also to examine the entire issue in a broader view. At the cost of repetition this Authority can enhance the compensation in suitable cases like the present one.

16. As per the material available on record, the additional load was effected in EBS on 01.02.2021 which is approximately (20) months from the date of application i.e., 19.03.2019. As per SoP it has to be effected in two days. The change of Category was effected in EBS on 01.09.2020 which is approximately (one) month from the date of application i.e., 29.07.2020. As per SoP it has to be effected in seven days. This shows the gross negligence on

the part of the respondents. In view of these reasons, I hold that the appellant is entitled for additional compensation of Rs.15,000/-(Rupees fifteen thousand) in addition to the compensation of Rs.5,000/- already awarded by the learned Forum, though not as observed by the learned Independent Member. The Award of the learned Forum is liable to be set aside to this extent. These points are accordingly decided partly in favour of the appellant and against the respondents.

POINT No. (iii)

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

RESULT

18. In the result, the appeal is allowed and the Award of the learned Forum is confirmed in part and the appellant is awarded additional compensation of Rs.15,000/- (Rupees fifteen thousand only) in addition to the compensation of Rs.5,000/- already awarded by the learned Forum to be adjusted in his immediate future electricity bills in Service Connection No.0515 00929. This amount shall be recovered from the erring respondents. The Chief General Manager/HRD/TGSPDCL/Hyderabad is directed to see that the departmental disciplinary proceedings are initiated and action is taken on the erring officials for causing inconvenience to the appellant and delay in releasing of additional load to the service, beyond resolving time as per

Schedule-II of Regulation 5 of 2016, dt.13.07.2016, published in Telangana Gazette on 16.07.2016, Licensees' Standards of Performance and fix the responsibility from whom the said compensation shall be recovered. The respondents shall file compliance within (30) days from the date of receipt of copy of this Award.

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 the 29th day of May 2024.

**Sd/-
Vidyut Ombudsman**

1. Sri P. Karthik, Plot No.423, Iskabai, Beeramguda, Ameenpur, Sangareddy - 502 302 Cell: 9676781390.
2. The Assistant Engineer/Operation/Patancheru Rural/TSSPDCL/Sangareddy.
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6. The Superintending Engineer/Operation/Sangareddy/TSSPDCL/Sangareddy.

Copy to

7. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL-Rural, H.No.8-03-167/14, GTS Colony, Yousufguda, Hyderabad.