



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

TUESDAY THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

Appeal No. 24 of 2022-23

Between

Mr. Abdul Quddus Qureshi, H.No.8-1-402/190, 1st floor, Gulshan Colony,
Shaikpet, Hyderabad - 500 008. Cell: 9849792953.

.....Appellant

AND

1. The Assistant Engineer / Operation / Shaikpet / TSSPDCL / Hyderabad.
2. The Assistant Divisional Engineer / Operation / Golconda / TSSPDCL / Hyderabad.
3. The Assistant Accounts Officer / ERO / Rethibowli / TSSPDCL / Hyderabad.
4. The Divisional Engineer / Operation / Mehdipatnam / TSSPDCL / Hyderabad.
5. The Superintending Engineer / Operation / Hyderabad Central Circle / TSSPDCL/Hyderabad.

..... Respondents

This appeal is coming on before me for final hearing on 09.01.2023 in the presence of Sri Abdul Quddus Qureshi - appellant in person and Sri S. Shanmuga Reddy - AE/OP/Shaikpet 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 - Greater Hyderabad Area (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No.96/2022-23, Hyderabad Central Circle, dt.18.08.2022, allowing the complaint with specific directions to the respondents.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant is that the appellant is having electricity Service Connection No. B3001848 at his premises bearing H.No. 8-1-402/190, Gulshan Colony, Shaikpet, Hyderabad. The appellant has leased out his three shops in the ground floor to a General Store, Fresno Grocer and a Tailor. It appears that one shop was vacated on 08.06.2022. The appellant received the electricity bill No.1659 for the month of May 2022, but it was totally blank without any printing on it. It is accordingly prayed to direct the respondents to enquire about the said bill.

WRITTEN REPLY OF THE RESPONDENTS BEFORE THE FORUM

3. In the written reply submitted by respondent No.1, it is, inter-alia, submitted that while issuing the subject bill, the Spot Billing Machine's printer did not work properly and the bill came blank. Subsequently, properly printed bills were issued to all the consumers including the appellant.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides, the learned Forum has allowed the complaint and directed the respondents to issue necessary instructions to the concerned meter reader for issuing the bills to the appellant with clear data etc.,

5. Aggrieved by the impugned Award passed by the learned Forum, the present appeal is preferred, contending among other things, that the machine was not at fault. In fact, the complaint of the appellant is regarding swapping of electricity bills between his cousin Mr. Imtiyaz and line-man Mr. Hussain. It is accordingly prayed to make proper enquiry at the earliest.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

6. In the written replies of respondent No.2 dt. 17.10.2022, before this Authority it is submitted that due to defect in the Spot Billing Machine while issuing the electricity bills, the bill of the appellant pertaining to April 2022 was not properly printed. Subsequently the said defect was rectified.

7. In the written replies of respondent No.3 dt. 10.10.2022,14.11.2022 and 07.12.2022 before this Authority it is submitted that due to defect in the Spot Billing Machine while issuing the electricity bills, the bill pertaining to May 2022 was not properly printed. Subsequently the said defect was rectified.

8. Heard both sides.

POINTS

9. The points that arise for consideration are:-
- i) Whether there is swapping of any bills in this case as claimed by the appellant?
 - ii) Whether the impugned Award of the learned Forum is liable to be set aside? and
 - iii) To what relief?

POINT No. (i) and (ii)

ADMITTED FACTS

10. It is an admitted fact that the respondents have released the electricity Service Connection No. B3001848 to the premises of the appellant at Gulshan Colony, Shaikpet, Hyderabad. Now it is admitted by both the parties that the defect in respect of the subject bill was rectified.

SETTLEMENT BY MUTUAL AGREEMENT

11. 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. 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. 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

13. During the course of hearing this Authority enquired with the appellant as to whether he has sustained any loss of damage or inconvenience due to non printing of the subject electricity bill. The appellant specifically submitted that he has not sustained any loss or damage etc., The material on record goes to show that while issuing the subject bill, since the machine was not properly working, there was no printing of billing particulars enabling the appellant to pay the bill. However it appears that the said defect was rectified and the respondents have given sufficient time to the appellant to pay the bill. At this stage it is necessary to refer to Clause 2.37 of Regulation 3 of 2015 of Hon'ble Telangana State Electricity Regulatory Commission, which reads as under:-

“The Forum may reject the grievance at any stage under the following circumstances:

- a. Where proceedings in respect of the same matter or issue between the same Complainant and the Licensee are pending before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority as the case may be;

- b. Where cases fall under Sections 126,127,135 to 139,152 and 161 of the Act;
- c. Where the grievance has been submitted two years after the date on which the cause of action arose or ceases to continue, whichever is later.
- d. In the cases, where grievances are:
 - Frivolous, vexatious, malafide;
 - without any sufficient cause; or
 - Where there is no prima facie loss or damage or inconvenience caused or to be caused to the Complainant or the consumers who are represented by an association or group of consumers.

Provided that no grievance shall be rejected in writing unless the Complainant or Association of persons has been given an opportunity of being heard.”

Clause 2.37 (d) of the Regulation stated above makes it quite clear that when there is no prima-facie loss or damage or inconvenience etc., caused or to be caused to the complainant (consumer), the Forum may reject the grievance. As already stated, prima-facie, there is no loss or damage or inconvenience caused to the appellant when he received the bill without print. The respondents have immediately issued the correct bill. Further there is no swapping of the bills as alleged by the appellant. In view of these factors, now there is no further grievance to the appellant after the impugned Award. Accordingly, I hold that there is no swapping of bills as claimed by the appellant and the impugned Award of the learned Forum is not liable to be set aside. These points are accordingly decided against the appellant and in favour of the respondents.

POINT No. (iii)

14. In view of the findings on point No. (i) and (ii), the impugned Award of the Forum is not liable to be set aside.

RESULT

15. In the result, the appeal is rejected, without costs, confirming the Award passed by the Forum.

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 14th day of February 2023.

Sd/-
Vidyut Ombudsman

1. Mr. Abdul Quddus Qureshi, H.No.8-1-402/190, 1st floor, Gulshan Colony, Shaikpet, Hyderabad - 500 008. Cell: 9849792953
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6. The Superintending Engineer / Operation / Hyderabad Central 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.