



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**

SATURDAY THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

Appeal No. 25 of 2022-23

Between

Sri K. Srinivasulu, H.No.6-1-96, Padma Rao Nagar, Secunderabad - 500 020.
Cell: 9494511507. **.....Appellant**

AND

1. The Assistant Engineer / Operation / Padma Rao Nagar / TSSPDCL / Hyderabad.
2. The Assistant Divisional Engineer / Operation / Padma Rao Nagar / TSSPDCL / Hyderabad.
3. The Assistant Accounts Officer / ERO / Seethaphalmandi / TSSPDCL / Hyderabad.
4. The Divisional Engineer / Operation / Paradise / TSSPDCL / Hyderabad.
5. The Superintending Engineer / Operation / Secunderabad Circle / TSSPDCL / Hyderabad. **..... Respondents**

This appeal is coming on before me for final hearing on 23.11.2022 in the presence of Sri K. Srinivasulu, appellant in person and G. Suresh - AE/OP/P.R.Nagar, Sri K.Mahesh Kumar - ADE/OP/PR Nagar, Sri L.Kishan - JAO/ERO-X and Sri Krishnanaik - Sr.Assistant representing the respondents and having stood over for consideration till this day, this Vidhyut 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. 43/2022-23/Secunderabad Circle dt.29.06.2022.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant is that Service Connection No. PZ013889, Category-II, is in the name of one Smt. K.Shashikala, wife of the appellant at premises No.6-1-96,Padma Rao Nagar, Secunderabad - 500 020. The respondent-officials raised fixed charges of Rs.36,090/- against the subject Service Connection after the expiry of the period of limitation. Therefore, he prayed the learned Forum to withdraw the said amount and return 50% of the arrears paid by him on 18.12.2021 and also to refund Rs. 16,800/- paid by him on 25.02.2013 on the ground that the Contracted Load was not enhanced to 11 KW till December 2021.

CASE OF THE RESPONDENTS BEFORE THE FORUM

3. In the written submissions of respondent No.3 on behalf of the respondents, it is, inter-alia, stated that in 2012 for an additional load of 8 KW, the consumer paid the Development Charges in September 2021. Load was updated. Thereafter, Fixed Charges were raised for Rs. 36,090/- from 01.04.2012 to October 2021.

AWARD OF THE FORUM

4. After considering material on record and after hearing both sides, the learned Forum has allowed the complaint in part and directed the respondents to adjust Rs.23,499/- (Rs. 5,600/- excess amount paid by the consumer towards Development Charges and Rs. 17,899/- paid towards 50% of the Fixed Charges), by way of adjustment of C.C. bills and also directing the respondents to collect the Fixed Charges only for (3) years prior to 03.11.2021.

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

GROUND OF THE APPEAL

6. In the grounds of appeal it is submitted that because of the indifferent and mis-leading attitude of the respondents, the appellant has to undergo a lot of mental agony and loss of peace etc. After a lapse of 3200 days, the Licensee has enhanced the Contracted Load. Therefore it is prayed to order for payment of suitable compensation to the appellant and to direct initiation of disciplinary action against the erring officials of the respondents.

WRITTEN SUBMISSION OF THE RESPONDENTS

7. In the written submissions filed by respondent No.3, before this Authority on 19.11.2022, it is, inter-alia, stating that as on 16.11.2022 there are no arrears in respect of the subject Service Connection. Hence it is prayed to

dismiss the appeal.

8. In the reply filed by the appellant, it is, submitted that the respondent-officials have reduced the arrears as '0' in respect of the subject Service Connection by making necessary adjustments in their records. Therefore it is prayed to permit the appellant to withdraw the appeal.

9. Heard both sides.

POINTS

10. The points that arise for consideration are:-

- i) Whether the appellant can withdraw the complaint as prayed for ?
and
- ii) To what relief?

POINT No. (i) and (ii)

CRUX OF THE MATTER

11. During the course of hearing, though the appellant sought permission to withdraw the appeal, he doubted that the respondents may again raise the arrears in question in future. But the respondent officials who are present on the date of hearing have assured that no such claim will be made in future. In view of this undertaking, I hold that there are sufficient grounds to permit the appellant to withdraw the appeal. This point is accordingly decided in favour of the appellant.

POINT No. (ii)

12. In view of the findings on point No. (i), I hold that the appellant can withdraw the appeal as prayed for.

RESULT

13. In the result, the appellant is permitted to withdraw the appeal. It is made clear that the respondents shall not make a fresh demand of disputed arrears already adjusted, in future.

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 3rd day of December 2022.

Sd/-

Vidyut Ombudsman

1. Sri K. Srinivasulu, H.No.6-1-96, Padma Rao Nagar, Secunderabad - 500 020. Cell: 9494511507.
2. The Assistant Engineer / Operation / Padma Rao Nagar / TSSPDCL / Hyderabad.
3. The Assistant Divisional Engineer / Operation / Padma Rao Nagar / TSSPDCL / Hyderabad.
4. The Assistant Accounts Officer / ERO / Seethaphalmandi / TSSPDCL / Hyderabad.
5. The Divisional Engineer / Operation / Paradise / TSSPDCL / Hyderabad.
6. The Superintending Engineer / Operation / Secunderabad 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.

