



**BEFORE THE VIDUYUT 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  
VIDUYUT OMBUDSMAN**

TUESDAY THE THIRTY FIRST DAY OF JANUARY  
TWO THOUSAND AND TWENTY THREE

**Inward No. 589 of 2022-23**

Between

Mr.Syed Waseem Pasha,Divisional Railway Manager,(Traction Distribution),  
1st Floor, Sanchalan Bhavan, South central Railway, Secunderabad-500025.

**.....Appellant**

**AND**

1. The Divisional Engineer / Operation / Tandur/TSSPDCL/Vikarabad District.
2. The Senior Accounts Officer / Operation/Vikarabad/TSSPDCL/Vikarabad District.
3. The Superintending Engineer / Operation / Vikarabad Circle/TSSPDCL Vikarabad District.

**..... Respondents**

This appeal is coming on before me for the final hearing on 30.01.2023 in the presence of Sri G.Naveen Kumar- authorised representative of the appellant and having stood over for consideration till this day, this Viduyut Ombudsman passed the following:-

**ORDER**

The Divisional Railway Manager, South Central Railway, Secunderabad filed an appeal before this Authority aggrieved by the Award passed by the Consumer Grievances Redressal Forum (in short 'the Forum') of Telangana State

Southern Power Distribution Company Limited (in short 'TSSPDCL') In CG.No 144/ 2021-22/Vikarabad circle Dated 31.03.2022.

2. A notice was issued to the proposed appellant to hear it on the point of limitation as the appeal was filed after the period of limitation.

3. The authorised representative of the proposed appellant has submitted that due to rush of official work the appeal was not filed within the prescribed time. Therefore it is prayed to condone the delay and register the appeal.

4. The presence of the respondents is not required.

5. The point for consideration is,

whether the delay can be condoned in registering the appeal beyond (60) days as prayed for?

#### **POINT**

6. As seen from the records, the learned Forum has disposed of the complaint in CG.No 144/2021-22 on 31.3.2022. The copy of the Award shows that it was dispatched to the parties on 19.4.2022. Thus at the most the copy of the Award might have reached the parties by 29.04.2022. At this stage it is necessary to refer Clause 3.19 (a) of Regulation 3 of 2015 of Hon'ble Telangana State Electricity Regulatory Commission, which reads as under:-

- a. The complainant including an association representing the complainant(s), if aggrieved by the order of the forum may prefer a representation to the

Ombudsman within 45 days from the date of receipt of the order of the Forum.

*Provided that the Ombudsman may entertain a representation of the complainant after the expiry of the period of 45 days if he is satisfied that there was a sufficient cause for not filing it within said period allowing it be filed, within a further period of not exceeding 15 days.*

The above Clause makes it quite clear that the appeal has to be filed before this Authority within (45) days from the date of receipt of the copy of the Award from the Forum. However this Authority may also extend a further period not exceeding 15 days. Thus at any cost the appeal must be filed within (60) days ( 45 days +15 days) before this Authority after receipt of the copy of the Award by the complainant. Thus in the instant case the proposed appellant might have received the certified copy of the Award by 29.04.2022. The appeal must have been filed on or before 13.06.2022 within (45) days. After availing fifteen(15) days the appeal might have been passed on or before 28.06.2022. But the instant appeal was filed on 11.01.2023 much beyond the period of limitation. The time limit enshrined under Clause 3 of the Regulation is to be followed in true letter and spirit because of the fact that speed is the essence of the Regulation. This authority cannot condone the delay beyond the permissible limits of 60 days (45+15) days .

7. Even the Hon'ble Supreme Court has extended the period of limitation included the filing the appeals etc., before the Courts and Tribunals between 15.03.2020 to 28.02.2022 in view of the COVID related problems. This matter is

not covered in the said period. In view of these factors I hold that the delay beyond (60) days cannot be condoned in registering the appeal.

8. In the result, return the appeal as barred by limitation.

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

Typed to my dictation by Private Secretary, corrected and pronounced by me on this the 31st day of January 2023.

Sd/-  
**Vidyut Ombudsman**

1. Mr.Syed Waseem Pasha,Divisional Railway Manager,(Traction Distribution), 1st Floor, Sanchalan Bhavan,South central Railway, Secunderabad-500025.
2. The Divisional Engineer / Operation / Tandur/TSSPDCL/Vikarabad District.
3. The Senior Accounts Officer / Operation/Vikarabad/TSSPDCL/Vikarabad District.
4. The Superintending Engineer / Operation / Vikarabad Circle/TSSPDCL Vikarabad District.