



BEFORE THE VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA

First Floor 33/11 kV Substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN
VIDYUT OMBUDSMAN**

SATURDAY THE THIRTIETH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

Appeal No. 08 of 2021-22

Between

Sri B. Balaji Chandra Sekhar, #14-156, Padmasri Street, Venkatagiri Town,
Nellore - District. Cell: 9951936668.

.....Appellant

AND

1. The Assistant Engineer / Operation / Ramalayam / TSSPDCL/Hyderabad.
2. The Assistant Divisional Engineer / Operation / Amberpet / TSSPDCL / Hyderabad.
3. The Assistant Accounts Officer / ERO / Azamabad / TSSPDCL / Hyderabad.
4. The Divisional Engineer / Operation / Azamabad / TSSPDCL / Hyderabad.
5. The Superintending Engineer / Operation /Hyderabad Central Circle / TSSPDCL / Hyderabad

..... Respondents

This appeal is coming on before me for final hearing on 23.07.2022 in the presence of Sri Balaji Chandra Sekhar - appellant in person and Sri K. Seenaiyah - ADE/OP/Amberpet, Sri V. Yadagiri - AAO/ERO/Azamabad, Sri A. Prithviraj - AAE/OP/Ramalayam and Sri AVSN Murthy - JAO, representing the respondents and having stood over for consideration till this day, the Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum -2 (Greater Hyderabad Area),

Hyderabad - 45 (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL'), in C.G.No.14/2021-22/Hyderabad Central Circle dt.22.06.2021.

CASE OF THE APPELLANT

2. The appellant is the husband of one Smt. B. Saraswathi. She died on 25.03.2021. Five Service Connections are at their premises bearing H.No.2-2-1166/A/5, Tilak Nagar, Hyderabad. Since 2014, they were not residing at the said premises. Owing to the pandemic (Covid-19), the business of the appellant was stopped. There is no power supply to the premises of the appellant. Therefore, it is prayed to direct the respondents to restore power supply to his (5) Service Connections without insisting on any payments.

CASE OF THE RESPONDENTS

3. In the written reply filed by respondent No.1, it is, inter-alia, submitted that (5) Service Connections of the appellant are under Bill Stop Status. The premises was locked since 2013. The arrears are as under:-

Sl.No.	S.C.No.	Amount
1.	VZ022378	Rs 32,542/-
2.	V1095911	Rs 1952/-
3.	VZ068384	Rs 1951/-
4.	V1095910	Rs 1952/-
5.	v1095610	Rs 3079/-

4. Respondent No. 3 has also submitted written submissions stating that the bills were prepared and issued to the consumer upto May 2021, including (4) monthly minimum charges. As soon as the consumer makes payment, the services will be regularised.

AWARD OF THE FORUM

5. After hearing both sides and after considering the material on record, the learned Forum rejected the complaint.

6. Aggrieved by the Award passed by the Forum, the present appeal is preferred, contending among other things, that since the appellant has not utilised the power supply it is prayed to waive the entire arrears due and to restore the power supply.

7. It is argued by the respondents that every consumer whether he consumes energy or not shall pay monthly minimum charges as such the appellant is liable to pay the arrears for restoration of power supply.

POINTS

8. The points that arise for determination are:-

- i) Whether the appellant is entitled for restoration of his (5) Service Connections as prayed for?
- ii) Whether the Award passed by the Forum is liable to be set aside? And
- iii) To what relief?

SETTLEMENT BY MUTUAL AGREEMENT

9. Both the parties appeared before this authority on 21.07.2022. 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

10. 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.

POINTS (i) and (ii)

ADMITTED FACTS

11. The admitted facts are as under:-

The (5) Service Connections involved in this case are in the name of the wife of the appellant. She died. The appellant has not consumed the power supply since (7) or (8) years.

CRUX OF THE CASE

12. The arrears dues in this case as on 22.10.2021 are as under:-

Sl.No.	S.C.No/Cat	Arrear Amount	Surcharge	Monthly Min Charges	Fixed Charges	Deposit	RF	TOTAL AMOUNT
1.	VZ022378 Cat-II	16823/-	10346.15	4510/-	2050/-	800/-	75/-	34604/-
2.	VZ068384 Cat-I	1376/-	NIL	300/-	NIL	200/-	75/-	1951/-

3.	V1095910 Cat-I	1377/-	NIL	300/-	NIL	200/-	75/-	1952/-
4.	V1095610 Cat-I	2704/-	NIL	300/-	NIL	NIL	75/-	3079/-
5.	V1095911	1377/-	NIL	300/-	NIL	200/-	75/-	1952/-
Total		23657/-	10346/-	5710/-	2050/-	1400/-	375/-	43538/-

As correctly pointed out by the learned Forum as per the Tariff Order for the Financial Years 2013-14 to 2020-21, every consumer, whether he consumed energy or not, shall pay monthly minimum charges calculated on the billing demand plus energy charges specified for each category. That being the case the consumer (appellant) is liable to pay the dues for restoration of the (5) Service Connections.

13. Since the appellant has expressed difficulty in paying of arrears, at the most, the appellant is entitled for instalments in paying the arrears, with some conditions. Accordingly, I hold that the appellant is entitled for restoration of his (5) Service Connections as prayed for and the Award of the Forum is liable to be set aside. These points are decided accordingly.

POINT NO. (iii)

14. In view of the findings on points (i) and (ii), the appeal is liable to be allowed to the extent indicated above.

RESULT

15. In the result, the appeal is allowed, in part without costs, setting aside the Award of the Forum with the following conditions:

- 1) The appellant shall approach the respondents within one month from the date of receipt of certified copy of this Award and file a representation requesting to restore the Service Connection of his five Service Connections.
- 2) Basing on the representation stated above, the respondents shall calculate the arrears of all the five Service Connections update.
- 3) The appellant shall deposit an amount of Rs 2,000/- (Rupees Two Thousand only) for each Service Connection. On such deposit, the respondents shall restore the power supply.
- 4) The appellant shall pay the balance due amount in (12) monthly equal instalments, along-with the payment of regular bills.
- 5) If the appellant fails to comply with the conditions imposed on him, stated above, within the time fixed above, he is not entitled for any relief.

Typed to dictation by Office Executive-cum-Computer Operator, corrected and pronounced by me on this the 30th day of July 2022.

Sd/-

Vidyut Ombudsman

1. Sri B. Balaji Chandra Sekhar, #14-156, Padmasri Street, Venkatagiri Town, Nellore - District. Cell: 9951936668.
2. The Assistant Engineer / Operation / Ramalayam / TSSPDCL/Hyderabad.
3. The Assistant Divisional Engineer / Operation / Amberpet / TSSPDCL / Hyderabad.
4. The Assistant Accounts Officer / ERO / Azamabad / TSSPDCL / Hyderabad.

5. The Divisional Engineer / Operation / Azamabad / TSSPDCL / Hyderabad.
6. The Superintending Engineer / Operation /Hyderabad Central Circle / TSSPDCL / Hyderabad.

Copy to

7. The Chairperson, Consumer Grievances Redressal Forum -Greater Hyderabad Area, TSSPDCL, GTS Colony, Vengal Rao Nagar, Hyderabad.

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