



VIDYUT OMBUDSMAN FOR THE STATE OF TELANGANA
First Floor 33/11 kV substation, Hyderabad Boats Club Lane
Lumbini Park, Hyderabad - 500 063

:: Present:: R. DAMODAR

Wednesday, the Twenty First Day of December 2016

Appeal No. 61 of 2016

Preferred against Order Dt. 31-08-2016 of CGRF In

CG.No: 190/2016-17 of Rangareddy East Circle

Between

Sri. A. Purushotham, C/o. Greenwood Estates, IInd Floor, H.No.5-4-187/3 & 4,
Soham Mansion, M.G.Road, Secunderabad - 500 003.
Cell: 8978144447.

... Appellant

AND

1. The ADE/OP/Sainikpuri/TSSPDCL/RR Dist.
2. The AAO/ERO/Sainikpuri/TSSPDCL/RR Dist.
3. The DE/OP/Sainikpuri/TSSPDCL/RR Dist.
4. The SE/OP/RR East Circle/TSSPDCL/Hyderabad..

... Respondents

The above appeal filed on 18.10.2016 coming up for hearing before the Vidyut Ombudsman, Telangana State on 21.12.2016 at Hyderabad. While the Appellant was absent and Sri. E. Narasimha Reddy - AAO/ERO/Sainikpuri was present for the Respondents and having considered the record and submissions, the Vidyut Ombudsman passed the following;

AWARD

The Appellant has SC No. 230301581 secured in the month of September,2008 for construction of residential apartments. When the DISCOM sent a bill for Rs 1,91,636/- in the month of March,2015 the Appellant resisted. The data from September,2008 to February,2015 disclosed that the DISCOM issued bills upto May,2012 and later, the meter readings were not taken, but a bill was issued for Rs 1,46,176/- in the month of November,2014 + monthly minimum charges upto March,2016.

2. The Appellant addressed the DISCOM informing that he had completed the construction work in December,2012 and ever since, the usage of power was minimum. He gave a complaint to say that the meter stopped functioning since September,2014.

The officials of the DISCOM instead of replacing the meter, have disconnected the service in the month of March,2015. The DISCOM officials have been showing an amount of Rs 2,23,877/- as due with monthly minimum charges having been levied from December,2014 under the disconnection period.

3. When the amount was not paid, the DISCOM officials disconnected 4 link services for non payment of dues of the service connection in question. On 24.3.2016 the Appellant paid Rs 1,00,000/- for restoration of supply for the link services. On verification of the record, it was found that an amount of Rs 76,474/- was due after receipt of Rs 1,00,000/-. The Appellant requested the Respondents to dismantle the service connection, after paying the due amount of Rs 76,474/-. A complaint to that effect was given to the CGRF.

4. The 1st Respondent ADE/O/Sainikpuri filed a reply dt.18.7.2016 to the effect that DEE/DPE booked a case against the service connection on 8.10.2014 for 18962 units amounting to Rs 1,68,127/-. In the next month, there was a bill for 16194 units for Rs 1,78,853/- including previous arrears and the service was disconnected in February,2015 for non payment. The link services were disconnected on 21.3.2016 and restored on payment of Rs 1,00,000/- by the Appellant. The Appellant submitted a letter for dismantling the service on 2.6.2016 and it was not done, because a short billing case was pending. Later DEE/O/Sainikpuri issued final assessment order as 0 amount, since the Appellant has paid the assessed amount. The 2nd Respondent AAO/ERO/Sainikpuri issued an order for dismantlement of the service connection, after adjusting all amounts and collecting balance amount of Rs 76,474/-.

5. The 2nd Respondent/AAO through letter dt.21.7.2016 stated that as against the demand raised during disconnection period, an amount of Rs 45,970/- was withdrawn, security deposit of Rs 13,928/- was adjusted against the dues and an amount of Rs 76,474/- was collected in May,2016. He further stated that the short billing amount of Rs 1,46,170/- was paid by the Appellant.

6. After considering the material on record and the contentions of the parties and also the fact that the final assessment order was passed with 0 amount, the CGRF has passed an order for dismantlement of the service connection through the impugned orders.

7. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present appeal seeking the following reliefs:

- a. The Appellant is entitled to refund of excess amount paid by him.

- b. The billing resorted to by the Respondents is arbitrary.
- c. The CGRF failed to appreciate the fact that from June,2012 to Dec,2014 the service was not under usage.
- d. The Appellant paid certain amounts only under the threat of disconnection of the link services.

8. The 2nd Respondent in the Appeal submitted a report dt.1.11.2016 to state that as per the instructions of the CGRF, the bill was revised for the period from December,2013 to November,2014 and after the revision, an amount of Rs 8712/- was found to the credit of the Appellant and this fact was informed to the representative of the Appellant by phone and so far he (the 2nd Respondent) has not received any information for transferring the excess balance amount to another service connection of the Appellant.

9. Similar is the letter of the 2nd Respondent dt.5.12.2016 disclosing that an amount of Rs 8712/- was available and when the service connection of the Appellant was dismantled, the balance amount was transferred to his another service connection No. 1304-22-01797 in the month of November,2016 as per the request of the Appellant.

10. A similar reply from ADE/Electrical, Operation/Sainikpuri is filed through letter dt.15.12.2016 to say that after verifying the entire record, the 2nd Respondent/AAO/ERO issued a bill for Rs 8,712/- as credit to the Appellant, which was adjusted in the service connection No. 1304-22-0797 belonging to the Appellant at his request.

11. The Appellant having received the initial notice of appearance on 19.10.2016 has not appeared in this case. Similarly there has been no representation on behalf of the Appellant, in spite of initial notice and telephonic information. The claim of the Respondents that an amount of Rs 8712/- was adjusted to the credit of another service connection of the Appellant bearing No. 1304-22-01797 as per the request of the Appellant, remained uncontested. The 2nd Respondent who is present submitted his reply dt.15.12.2016 to the effect that the excess amount of Rs 8,712/- was arrived at after verifying all previous records and he adjusted the amount to the credit of another service connection of the Appellant, which discloses that the matter has been settled. The 2nd Respondent/AAO/ERO represented that the Appellant had agreed to the said arrangement and further the appellant informed him that he would withdraw the Appeal. Though there is no presence of the Appellant in this Appeal, from the statement of the 2nd Respondent and his report dt.15.12.2016 which shows that the Appellant had agreed to the claim of the 2nd Respondent about verification of all previous records and finding an amount of Rs 8712/- as excess amount lying with the DISCOM and adjustment of this

amount of the credit of another service connection of the Appellant, a conclusion can be drawn that the matter thus has been settled and no further orders need be passed in this appeal. The Appeal is disposed of accordingly.

TYPED BY CCO, Corrected, Signed and Pronounced by me on this the 21st day of December, 2016.

Sd/-

VIDYUT OMBUDSMAN

1. Sri. A. Purushotham, C/o. Greenwood Estates, IInd Floor, H.No.5-4-187/3 & 4, Soham Mansion, M.G.Road, Secunderabad - 500 003.
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Copy to:

6. The Chairperson, CGRF, Greater Hyderabad Area, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad.
7. The Secretary, TSERC, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad.