



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

Friday, the Twenty Second day of April 2016

Appeal No. 11 of 2016

Preferred against Order Dt. 11-01-2016 of CGRF In

CG.No: 440/2015 of Rangareddy East Circle

Between

Shakti Sai Nagar Welfare Association, Represented by its president,
Sri. P. Sreeramulu, Shakti Sai Nagar, FCI Road, Mallapur,
Hyderabad - 500 076. Cell No. 9866297680.

..... Appellant

AND

1. The AE/OP/Mallapur/TSSPDCL/RR District.
2. The ADE/OP/Habsiguda/TSSPDCL/RR District.
3. The AAO/ERO/Habsiguda/TSSPDCL/RR District.
4. The DE/OP/Habsiguda/TSSPDCL/RR District.
5. The SE/OP/RR East Circle/TSSPDCL/Hyderabad.

..... Respondents

The above appeal filed on 11.02.2016 came up for final hearing before the Vidyut Ombudsman, Telangana State on 19.04.2016 at Hyderabad in the presence of Sri. Raja Shekara Prasad - General Secretary of the Appellant Association and Sri. P. Raja Narsingh Rao - AE/OP/Mallapur, Sri. Ch. Shekar Reddy - AAO/ERO/Habsiguda and Sri. A.Ramu - ADE/OP/Habsiguda for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant is a welfare association. The Appellant applied for a new service connection on 1.9.2015 for the reading room in the colony. At the time of release of

the service, the 1st Respondent informed the Appellant about a pending bill for Rs 9,195/- as on October, 2015 to SC No. 1203 00001 to the same premises. The Appellant claimed that the association was formed in 1997 and ever since, no officials of the Respondents informed them about this service connection and the dues and that the Association is not aware of any pending bills or the service connection.

2. The 1st Respondent AAE/OP/Mallapur submitted through a letter dt.5.1.2016 before the CGRF that the earlier service connection No. 1203 00001 stood in the name of Sri. Venkataiah and others in sy.No.101 Shakti Sai Nagar, Mallapur with dues of Rs 9,195/- under OSL since 18.4.1998. He further stated that the Association has informed him that there was a service connection No. 1203 00001 without a meter in the premises. He (1st Respondent) further informed that the president of the Appellant association has visited his office on 5.1.2016 and paid Rs 3000/- agreeing to pay the balance amount towards the dues.

3. Having noted the record and arguments, the CGRF issued a laconic order to the effect that "the complainants have to clear the existing dues in order to obtain a new service connection. The Respondents may release the new connection as per the rules in vogue." through the impugned orders.

4. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present Appeal alleging that only at the request of the 1st Respondent to pay an amount of Rs 3,000/- towards the full settlement of the due amount of Rs 9,195/-, as a compromise, he paid the amount of Rs 3,000/- on 5.1.2016 and denied the Allegation of the 1st Respondent that he has agreed to pay the balance amount also.

5. The 2nd Respondent submitted a reply dt. 15.3.2016 to the effect that after submission of an application for a new service connection by the Appellant, a meter was sent to the 1st Respondent and at the time of fixing of the new meter, the Association members revealed that there was already a service in the premises with SC No. 1203 00001 and that the meter was not existing and on the basis of the records and EBS, he found that the old service was under OSL(Outstanding Ledger) since a long time with dues of Rs 9,195/-. He further stated that the president of the association has agreed to pay Rs 5,000/- on one time settlement basis, but the 1st Respondent has demanded full payment and therefore, he claimed that the meter could not be fixed to

the premises. He asserted that the new service was not released and the application of the Appellant was rejected.

6. The president of the Appellant association submitted a reply reiterating what he claimed in the Appeal to the effect that on the promise of the 1st Respondent to pay Rs 3,000/- towards full and final settlement of the old dues, he paid Rs 3,000/- on 5.1.2016 and not as alleged by the Respondents and further he paid Rs 6,195/- on 21.3.2016 through a cheque No. 497605 under protest to the Respondents for restoration of the service connection and sought a direction to the Respondents to refund the amount of Rs 9,195/- to the Appellant association.

7. The 2nd Respondent submitted through a report dt.18.4.2016 stating that the Appellant association has paid Rs 6,195/- through a cheque dt.21.3.2016 and soon a new service connection No.1203 00295 was released on 22.3.2016.

8. During mediation, the Appellant was informed about there being no provision either in the GTCS or in the Guaranteed Standards or in the Tariff Orders for refund of the amount paid towards the arrears due. The Respondents expressed their view that no part of the due amount already collected can be withdrawn, as there is no provision to support such a step.

9. In view of the appraisal of the ground position, there could be no refund of any part of the amount paid as dues regarding the earlier connection and the matter has to be terminated at this stage. Further the Appellant has agreed that on the promise of issuing the new service connection and acceptance of Rs 3,000/- towards full settlement of arrears of Rs 9,195/- representing the dues in the old connection, he paid the amount and whereas, the 1st Respondent denied such an allegation. There could be no record of such a promise. There is no provision for refunding such an amount due to the DISCOM. Thus the matter is closed in view of implementation of the order of the CGRF and the facts and circumstances of this case.

Corrected, Signed & Pronounced on this the 22nd day of April, 2016.

Sd/-

VIDYUT OMBUDSMAN

1. Shakti Sai Nagar Welfare Association, Represented by its president,
Sri. P. Sreeramulu, Shakti Sai Nagar, FCI Road, Mallapur,
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6. The SE/OP/RR East Circle/TSSPDCL/Hyderabad.

Copy to:

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