



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 Fourth Day of March, 2016

Appeal No. 04 of 2016

Preferred against Order Dt. 7-12-2015 of CGRF In

CG.No: 334/2015 of Hyderabad Central Circle

Between

M/s Sri Krishna Agencies, Represented by Niraj Ganatra, Manager
5-4-779/790, Beside ISKCON Temple, Abids, Hyderabad - 500 001.

... Appellant

AND

1. The AE/OP/Abids/TSSPDCL/Hyderabad.
2. The ADE/OP/Hyderguda/TSSPDCL/Hyderabad.
3. The AAO/ERO/Mint Compound/TSSPDCL/Hyderabad.
4. The DE/OP/Saifabad/TSSPDCL/Hyderabad.
5. The SE/OP/Hyd.Central Circle/TSSPDCL/Hyderabad.

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Respondents

The above appeal filed on 21.01.2016 coming up for hearing before the Vidyut Ombudsman, Telangana State on 25.02.2016 at Hyderabad in the presence of Sri. Niraj Ganatra - Appellant and Sri. B. Madhusudhan Rao - AAE/OP/Abids, Additional charge, Sri. Rambabu - ADE/OP/Hyderguda and Sri. A. Ramana Rao - AAO/ERO V for the Respondents and having considered the record and submissions of both the parties, the Vidyut Ombudsman passed the following;

AWARD

The Appellant has been running Honda authorised service center at Abids, Hyderabad drawing power supply through SC No E2004247 with contracted

load of 5.0 KW. The contracted load was later enhanced to 12.0 KW on payment of development charges. The Appellant was served with a bill for Rs 44,000/- in the month of June, 2015 though the usual monthly consumption was between Rs 10,000/- and Rs 15000/-. The Appellant claimed that they do not have any heavy equipment to consume such volume of power. When there was no response from the Respondents, the Appellant preferred a complaint before CGRF.

2. The 1st Respondent AAE/OP/Abids /Hyderabad represented before the CGRF that on 8.5.2014 a case of having additional load of 7 KW over contracted load of 5 KW was booked. The Appellant failed to pay the development charges and the security deposit as required for availing 12 KW. He stated that on payment of the development charges and security deposit, the load was enhanced to 12 KW in June, 2015 and the billing was done on KVAH basis. He claimed that the accumulated KVAH units for the past consumption were billed in the month of June, 2015 as per the Clause (3)(2) 1 of the Terms and Conditions of LT Supply of Tariff Order 2015-16.

3. The 3rd Respondent claimed that as per the Tariff Order, for the service of 10 KW load, the billing should be done with KVAH consumption. Therefore, he stated that the difference of KWH units and KVAH units from May 2014 to May 2015 was included in the bill for the month of June 2015, which the Appellant has to pay.

4. Before the CGRF, the Appellant pleaded that he was normally getting CC bills below Rs 15000/- per month and that suddenly he received an excess bill in June 2015, which he claimed needed rectification.

5. The 2nd Respondent stated that as per the inspection report dt 8.5.2014 of the DPE, the KVAH reading noted was 16,494. The additional load was regularised from June, 2015 onwards. He undertook to revise the difference of KWH and KVAH units, withdraw the excess bill amount and issue a revised bill to the Appellant within 3 days.

6. Having considered the material on record and also the arguments and undertaking, the CGRF observing that since the additional load has been regularised in the month of June, 2015 KVAH, the billing may be effected only from June, 2015 onwards and directed that the bills should be issued accordingly, through the impugned orders.

7. Aggrieved and not satisfied with the impugned orders, the Appellant preferred the present appeal claiming that he has been running a small business of Honda two wheeler service and that it is very difficult for him to pay ACD amount of Rs 8,474/- and that his business is a service oriented one and that he is finding it difficult to pay such huge power consumption charges every month .

8. Efforts at mediation could not succeed, because there is no meeting point between the parties. On the basis of the record, the following issues arise for determination:

- i. Whether the Appellant is entitled to waiver of ACD amount of Rs 8474/-?
- ii. Whether the impugned orders are liable to set aside?

Issues 1 & 2

9 The service of the Appellant was inspected on 8.05.2014 and excess load of 7KW over the contracted load of 5 KW was discovered. The appellant was served with a demand for deposit of development charges of Rs 8400/- and security deposit of Rs 5600/-, which was paid on 18.10.2014. As per the Clause (3)(2) 1 of the Terms and Conditions of LT supply (Tariff Order 2015-12016) for the service having more than 10 KW load, the billing should be done on KVAH basis. Such billing covering the difference between KWH and KVAH units was made from May, 2014 to May, 2015 and it was included in the bill for the month of June, 2015 which resulted in the Appellant getting more than the usual CC bill containing arrears and claiming that it was an excess bill. The 2nd Respondent undertook to withdraw the back billing before the CGRF, about which there is no dispute now. The Respondents demanded ACD amount of Rs 8474/- which has not been withdrawn. This ACD amount is being demanded by the Respondents based on the total load of 12 KW, discovered with the Appellant on the date of inspection on 8.05 2014.

10. As per the calculation sheet submitted by the 3rd respondent AAO/ERO/Mint compound , the ACD has been levied based on the consumption recorded from April, 2014 to March, 2015 taking average of 2 months consumption which is detailed below:-

Consumption from April, 2014 to March, 2015:	15,316
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units

Average units for 12 months:

15316

12

1276

For one month		
Total bill for 1276 units: EC		Rs
11787.2		
	ED	Rs
76.56		
	CC	Rs
40		
	FC	Rs
636		
per month		Rs
12,539.76		
For two months=	Rs	
12,539.76x2=25,079.52		
Hence the security deposit required=		Rs
25,080		
Security deposit already available with the DISCOM =		Rs
16,606		
Balance security deposit payable by the Appellant =		Rs
8,474		

11. The consumption for 12 months shown as 15,316 units from April, 2014 to March, 2015 does not included the excess units calculated earlier on the basis of KVAH units.

12. The demand for ACD amount of Rs 8474 levied during FY 2014-2015 is in tune with Clause 4(1) of the Regulation 6 of 2004. Nothing is brought on record to

show that the claim for ACD amount of Rs 8474/- is against the Regulation or norms. The demand for ACD amount of Rs 8474/- is found legitimate and legal.

The issues 1 & 2 are answered accordingly.

In the result, the appeal is dismissed confirming the impugned orders.

Typed by cco, Corrected, Signed and Pronounced by me on this the 4th day of March, 2016.

Sd/-

VIDYUT

OMBUDSMAN

1. M/s Sri Krishna Agencies, Represented by Niraj Ganatra, Manager
5-4-779/790, Beside ISKCON Temple, Abids, Hyderabad - 500 00.
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Copy to:

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