



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**

THURSDAY THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

Appeal No. 16 of 2021-22

Between

M/s. Bhavika Plastek Pvt.Ltd., represented by Sri K. Anil Kumar, Sy. No.634 &
635, Rampally Dayara Village, Keesara Mandal, Medchal Malkajgiri - 501301.

.....**Appellant**

AND

1. The Assistant Divisional Engineer / Operation / Keesara / TSSPDCL /
Medchal Malkajgiri District.
2. The Divisional Engineer / Operation / Keesara / TSSPDCL / Medchal
Malkajgiri District.
3. The Senior Accounts Officer /Operation / Habsiguda Circle / TSSPDCL /
Medchal Malkajgiri District.
4. The Superintending Engineer / Operation / Habsiguda Circle / TSSPDCL /
Medchal District.

..... **Respondents**

This appeal is coming on before me for final hearing on 22.08.2022 in the presence of Sri K Anil Kumar, representative of the appellant and Sri V Kishan - ADE/OP/Keesara and Sri G. Krishnaiah - AAO/HT/Habsiguda representing the respondents and having stood over for consideration till this day, this Vidyut Ombudsman passed the following:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - II (Greater Hyderabad Area) Hyderabad - 45 (in short 'the Forum') of Telangana State Southern Power

Distribution Company Limited (in short 'TSSPDCL') vide Lr.No.CP/CGRF-2/Complaint Rejected / 2021-22 / D.No.206/21 dt.24.07.2021.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The appellant is having H.T. Service Connection No. HBG3177. In the month of May 2022, the appellant used 13032 units from the grid (Licensee) and the appellant has exported 25818 units to the grid through solar. But the Licensee has debited 13032 units from their exported solar units and again on the top of that the Licensee-respondents have charged 14,000 units as minimum billing units. Though the appellant used only 13032 units the respondents have literally charged them 27032 units. Like-wise in June 2021 though the appellant has used 14856 units from the grid and they have exported 17936 units to the grid through solar. But the respondents have debited 14856 units from their exported solar units and the respondents have charged 28856 units. The appellant accordingly prayed the Forum to direct the respondents to rectify the above said wrong billing.

AWARD OF THE FORUM

3. The Forum has disposed of the complaint stating that it has rejected C.G.No.7 of 2020-21, and now the appellant claimed the refund for the further months of May 2021 and June 2021 as such the grievance of the appellant cannot be entertained.

GROUND OF THE APPEAL

4. Aggrieved by the Award passed by the Forum, the present appeal is preferred, contending among other things, that the learned Forum has rejected its complaint improperly.

5. In the grounds of appeal it is submitted that the Licensee has not accounted for the exported units to the grid in the months of May and June 2021. Therefore it is prayed to do justice.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

6. In the written submissions of respondent No.3 before this Authority, it is submitted that calculation of units was properly done; that if the quantum of electricity exported exceeds the quantum imported during the billing period, the excess quantum shall be carried forward to the next billing period as credited units of electricity and the consumer (appellant) shall get a monthly minimum bill. Hence it is prayed to close the appeal.

7. **Heard both sides.**

POINTS

8. The points that arise for consideration are:-
- i) Whether the appellant is entitled for revision of bills for the month of May and June 2021 as claimed by the appellant in respect of its Service Connection No. HBG3177 as prayed for?
 - ii) Whether the Award passed by the learned Forum is liable to be set aside? and
 - iii) To what relief?

SETTLEMENT BY MUTUAL AGREEMENT

9. Both the parties have appeared before this Authority on 22.08.2022. 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.

POINT No. (i) and (ii)

ADMITTED FACTS

11. The appellant is having Service Connection No. HBG-3177 released by the respondents on 20.03.2019 with a CMD of 350 KVA.

12. The main grievance of the appellant is that though in May 2021, the appellant used 13032 units and exported 25818 units, the respondents have debited 13032 units from the export and again charged 14000 units as minimum billing units and like-wise in June 2021 though the appellant used 14856 units from the grid and exported 17936 units to the grid through solar, the respondents have debited 14856 units from their exported solar units and again charged 14000 units.

13. In the written submissions of respondent No.3, the details of units in the case are mentioned as under:-

Month	Input units (A)	Export units (B)	Minimum units charged	Banked solar units (B-A)	Cumulative Banked Solar units
May 2021	13032	25818	14000	12786	12786
June 2021	14852	17936	14000	3080	15866

CRUX OF THE MATTER

14. At this stage it is necessary to refer to Clause 7.1 of the agreement entered into between the parties in February 2020 which is as follows:-

“if the quantum of electricity exported exceeds the quantum imported during the Billing Period, the excess quantum shall be carried forward to the next Billing Period as credited Units of electricity and the eligible consumer shall get a monthly minimum bill; if the quantum of electricity Units imported by the Eligible Consumer during any Billing Period exceeds the quantum exported, the DISCOM shall raise its invoice for the net electricity consumption after adjusting the credited Units of electricity as per applicable retail supply tariff decided by regulatory commission to the concerned DISCOM.”

15. As per the C.C. bill for the month of May 2021, the import units are 13052 (kVAh) and the export units are 25818. Thus the exported units have exceeded the quantum of imported units. Therefore the bill for the said months was issued for 14000 units (monthly minimum units 350 and 80% 50 units). Similarly the C.C. bill for the month of June 2021, the import units are 14856, whereas the export units are 17956, exceeding the import units. Therefore 14000 minimum units were charged in compliance with Regulation 6 of 2016

of the Telangana State Electricity Regulatory Commission. At this stage it is necessary to refer to the Clause 11.2 of the agreement which reads as under:-

“The eligible consumer shall pay the minimum charges every month as prescribed in retail supply Tariff and as per General Terms and Conditions of Supply (GTCS), even if no electricity is consumed for any reason whatsoever and also if the charges for electricity actually consumed are less than the minimum charges.”

Now it is also necessary to refer to Clause 10.2 of the Regulation 6 of 2016 which reads as under:-

10.2 For each billing period, the Distribution Licensee shall show separately:-

- (a) The quantum of electricity units exported by the Eligible Consumer;
- (b) The quantum of electricity units imported by the Eligible Consumer;
- (c) The net quantum of electricity units billed for payment by the eligible consumer;
- (d) The net quantum of electricity units carried over to the next Billing Period;

Provided that if the quantum of electricity exported exceeds the quantum imported during the Billing period, the excess quantum shall be carried forward to the next Billing period as credited units of electricity and the eligible consumer shall get a monthly minimum bill;

Provided further that if the quantum of electricity units imported by the Eligible consumer during any Billing Period exceeds the quantum exported, the Distribution Licensee shall raise its invoice for the net electricity consumption after adjusting the credited units of electricity.

The procedure involving the accounting of electricity exported and imported in billing is explained in the above clause.

16. The appellant's plea is that they have been charged extra charges by levying the monthly minimum charges of 14000 units along with the units drawn from the grid. The respondents statement clearly shows that cumulative solar units of 15866 are available. These units shall be credited while raising its invoice for the net electricity consumption after adjusting the credited units of electricity in case the quantum of electricity units imported by the appellant exceeds the exported quantum during any billing period.

17. A perusal of the table in Paragraph No. 13 clearly shows that the bills for the months of May and June 2021 were correctly issued taking into consideration the units imported and units exported, Regulation, GTCS and agreement. Therefore there is no reason to interfere with the bills of May and June 2021. Therefore, I hold that the appellant is not entitled for revision of bills for the month of May and June 2021 as claimed by the appellant in respect of its Service Connection No. HBG3177 as prayed for. These points are accordingly decided against the appellant and in favour of the respondents.

POINT No. (iii)

17. In view of the findings on point No. (i) and (ii) the Award of the Forum is not liable to be set aside.

RESULT

18. In the result the appeal is rejected, without costs.

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

Typed to my dictation by Office Executive-cum-Computer Operator, corrected and pronounced by me on this the 1st day of September 2022.

Sd/-

Vidyut Ombudsman

1. M/s. Bhavika Plastek Pvt.Ltd., represented by Sri K. Anil Kumar, Sy. No.634 & 635, Rampally Dayara Village, Keesara Mandal, Medchal Malkajgiri - 501301.
2. The Assistant Divisional Engineer / Operation / Keesara / TSSPDCL / Medchal Malkajgiri District.
3. The Divisional Engineer / Operation / Keesara / TSSPDCL / Medchal Malkajgiri District.
4. The Senior Accounts Officer /Operation / Habsiguda Circle / TSSPDCL / Medchal Malkajgiri District.
5. The Superintending Engineer / Operation / Habsiguda Circle / TSSPDCL / Medchal District.

Copy to

6. The Chairperson, Consumer Grievances Redressal Forum -GHA, TSSPDCL, GTS Colony, Vengal Rao Nagar, Hyderabad.