



**BEFORE THE VIDUYUT OMBUDSMAN FOR THE STATE OF TELANGANA**  
First Floor 33/11 kV Substation, Beside Hyderabad Boat Club  
Lumbini Park, Hyderabad - 500 063

**PRESENT : SRI MOHAMMAD NIZAMUDDIN**  
**VIDUYUT OMBUDSMAN**

MONDAY THE TWENTY EIGHTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

**Appeal No. 18 of 2023-24**

Between

M/s. Utsav Industry, # 4-14-103/8, Hasanagar, Mir Alam Tank, Hyderabad,  
represented by Sri Prabhu Hadalkar, Cell: 9440944114, 9000006504.

**.....Appellant**

**AND**

1. The Assistant Engineer/Operation/Mir Alam/TSSPDCL/Hyderabad.
2. The Assistant Divisional Engineer/Operation/Mir Alam/TSSPDCL/Hyderabad.
3. The Assistant Accounts Officer/ERO/Charminar/TSSPDCL/Hyderabad.
4. The Divisional Engineer/Operation/Charminar/TSSPDCL/Hyderabad.
5. The Superintending Engineer/Operation/Hyderabad South Circle/ TSSPDCL/ Hyderabad.
6. The Chief General Manager(Commercial)/Corporate office / TSSPDCL / Hyderabad.

**..... Respondents**

This appeal is coming on before me for final hearing on 24.08.2023 in the presence of Sri Ravinder Prasad Srivatsava, authorised representative of the appellant, Sri M. Srinivas - AAE/OP/Mir Alam, Sri Venkatesh - ADE/OP/Mir Alam, Sri M. Ramana Murthy - AAO/ERO/Charminar, Smt K. Bhargavi - AO/Revenue/Hyd. South, Sri K. Chandra Shekar Rao - JAO/Billing, Sri K. Srinivas - JAO/Hyd. South on behalf of the respondents and having stood over for consideration till this day, this Viduyut Ombudsman passed the following:-

## **AWARD**

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - (Greater Hyderabad Area), Hyderabad (in short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TSSPDCL') in C.G.No 04/2023-24, Hyderabad Circle dt: 09.06.2023, allowing the complaint to revise the bill but disallowing the interest on the revised amount.

### **CASE OF THE APPELLANT BEFORE THE FORUM**

2. The case of the appellant is that the respondents have released the Service Connection No. V3005256 under LT-III Category to the appellant. From July 2020 to September 2022, the electricity bills were issued under LT Category-III, but the rates claimed in the said bills were HT tariff rates. In spite of several representations of the appellant to rectify the said bills and to refund the excess amount the respondents did not respond. The consumer is also entitled interest @ 24% p.a. on the amount of the bill erroneously claimed. It was accordingly prayed to set aside the excess amount of Rs.14,45,134/- from July 2020 to September 2022 and to revise the bills by applying the LT tariff rates. It was also prayed to adjust the excess amount paid in future bills and grant interest on the excess amount claimed.

### **WRITTEN SUBMISSIONS OF THE RESPONDENTS**

3. In the written reply submitted by respondent No.2 before the learned Forum, it is, inter-alia, stated that the appellant exceeded 100 HP load and the HT flag was raised. A proposal was sent to the Chief General Manager (Revenue) for revision of the bill.

4. In the written reply submitted by respondent No.3 before the learned Forum he too stated similar to that of respondent No.2.

### **AWARD OF THE FORUM**

5. After considering the material on record and after hearing both sides, the learned Forum has allowed the complaint directing the respondents to revise the bill as prayed for by the appellant but it did not award interest on the revised amount as claimed by the appellant.

6. Aggrieved by the Award passed by the learned Forum, the present appeal is preferred, contending among other things, that the appellant is entitled for interest @ 24% p.a. on the excess amount paid by it to the respondents. It is accordingly prayed to award interest as stated above.

### **WRITTEN SUBMISSION OF RESPONDENTS**

7. In the written replies dt.25.07.2023 and 21.08.2023 filed by respondent No.3 before this Authority, it is, inter-alia, submitted that they have

complied with the Award passed by the learned Forum and a sum of Rs.13,02,797/- was given credit to the subject Service Connection on 21.08.2023. It is also submitted that there was delay in payment of Development Charges by the appellant for regularising the load, as such the appellant is not entitled for any interest.

### **ARGUMENTS**

8. Heard both sides.

### **POINTS**

9. The points that arise for consideration are:-

- i) Whether the appellant is entitled for interest @ 24% p.a. on the excess amount claimed paid by the appellant to the respondents ? and
- ii) To what relief?

### **POINT No. (i) and (ii)**

### **ADMITTED FACTS**

10. It is an admitted fact that the respondents have released the subject Service Connection in favour of the appellant under LT Category-III. It is also an admitted fact that the learned Forum has given relief as claimed by the appellant to revise the bills from July 2020 to September 2022 under LT Category-III.

## **SETTLEMENT BY MUTUAL AGREEMENT**

11. Both the parties appeared before this Authority on 05.08.2023 and 24.08.2023. 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**

12. The present appeal was filed on 18.07.2023. This appeal is being disposed of within the period of (60) days as required.

## **CRUX OF THE MATTER**

13. The appellant claimed revision of bills during the relevant period and also interest on the excess amount paid by the appellant. The learned Forum has granted relief of revising the bill. It appears that the respondents have complied with the revision of bills as on today. So the remaining grievance of the appellant is in respect of the interest on the excess amount paid by the appellant. At this stage it is necessary to refer Clause 4.7.3 of Regulation 5 of 2004 of Andhra Pradesh State Electricity Regulatory Commission as adopted by Telangana State Electricity Regulatory Commission. The said Clause reads as under:-

**Clause 4.7.3:-**

“On examination of the Complaint, if the licensee finds the bill to be erroneous, a revised bill shall be given to the consumer indicating a revised due date of payment, which should be fixed not earlier than seven days from the date of delivery of the revised bill to the consumer. If the consumer has paid any excess amount, it shall be refunded by way of adjustment in subsequent bills. The licensee shall pay to the consumer interest charges at 24% per annum in the excess amount outstanding on account of such wrong billing.”

A perusal of above said Clause makes it quite clear that if the bill raised by the Licensee is erroneous, the said bill shall be revised and the excess amount paid shall be refunded by way of adjustment in subsequent bills. This revision of the bill is over now, but the next part of the said Clause also directs that the Licensee shall pay to the consumer interest charges @ 24% p.a. on the excess amount outstanding on account of such wrong billing. As per the dictionary meaning of the word 'erroneous' is 'wrong'; 'incorrect'. Since the bill prepared by the respondents earlier was wrong or incorrect or erroneous that bill was rectified as directed by the learned Forum. It appears that the Licensee-respondents have complied with the revision of the bill and they gave credit to the account of the appellant. Now the next duty of the respondents is to pay interest @ 24% p.a. on the excess amount paid by the appellant. The appellant is entitled for the said interest as claimed by him and the respondents cannot escape such duty.



14. The appellant has prepared a sheet indicating the interest claimed by it which is as under:-

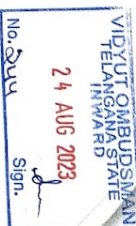
S.C. No. V 3005256  
 STATEMENT SHOWING THE DETAILS OF EXCESS AMOUNT PAID DUE TO CLAIM OF HT TARIFF RATE CLAIMED INSTEAD OF LT TARIFF RATES  
 FROM JULY, 2020 TO SEPTEMBER, 2022

(1) SL. NO.	(2) BILLING MONTH	(3) AMOUNT CLAIMED WITH HT TARIFF RATE RS.	(4) DATE OF PAYMENT	(5) AMOUNT PAID RS.	(6) AMOUNT PAYABLE WITH LT TARIFF RATE RS.	(7) (3)-(6) DIFFERENCE EXCESS PAID RS.	(8) NO. OF DAYS AS ON 25.3.2023	(9) INTEREST ON EXCESS AMOUNT PAID @ 24% P.A. RS. %	(10) (7) + (9) TOTAL REFUNDABLE RS.
1	July, 2020	176266	25.7.2020	176266	117104	59163	567	37618	96780
2	August, 2020	411709	27.8.2020	411709	309076	102633	537	63233	165866
3	September, 2020	205503	22.9.2020	205503	177467	28036	507	16720	44756
4	October, 2020	200233	20.10.2020	200233	169688	37545	877	21650	59195
5	November, 2020	275916	20.11.2020	275916	235648	42269	847	23541	65809
6	December, 2020	210621	19.12.2020	210621	173292	37329	817	20053	57382
7	January, 2021	326609	27.1.2021	326609	244020	82589	787	42738	123327
8	February, 2021	258663	23.2.2021	258663	216733	41930	757	20871	62801
9	March, 2021	264797	23.3.2021	264797	193413	71384	727	34123	105537
10	April, 2021	224028	19.4.2021	224028	159759	64269	697	29454	93723
11	May, 2021	152815	15.5.2021	152815	118665	34150	667	14977	49127
12	June, 2021	71072	21.6.2021	71072	41044	30028	637	12577	42605
13	July, 2021	174513	19.7.2021	174513	140093	34420	607	13738	48157
14	August, 2021	324210	24.8.2021	324210	240811	83399	577	31642	115041
15	September, 2021	290960	18.9.2021	290960	246835	44125	547	15870	59925
16	October, 2021	283009	20.10.2021	283009	207119	75890	517	15870	101588
17	November, 2021	271620	22.11.2021	271620	229053	42567	487	25798	56198
18	December, 2021	294395	19.12.2021	294395	216095	78300	457	23528	101828
19	January, 2022	238779	19.1.2022	238779	201848	36931	427	10369	47300
20	February, 2022	386772	23.2.2022	386772	291109	95663	397	24972	120635
21	March, 2022	269582	23.3.2022	269582	228904	42678	357	10299	52927
22	April, 2022	221728	25.4.2022	221728	184273	37455	337	8300	45754
23	May, 2022	228721	19.5.2022	228721	168470	59802	307	12072	71874
24	June, 2022	218379	20.6.2022	218379	174562	43817	277	7981	51738
25	July, 2022	366236	30.7.2022	366236	320992	45264	247	7351	52616
26	August, 2022	253537	22.8.2022	253537	213688	41849	217	5971	47821
27	September, 2022	401763	23.9.2022	401763	350112	51651	187	6351	58002
TOTAL		7004007		7004007	5558873	1445134		555429	2000563

*[Handwritten signature]*

15. The respondents have filed the revised bill which is as under:-

SOUTHBEN POWER DISTRIBUTION COMPANY OF TELANGANA LIMITED  
 ERD-3: OPERATION CIRCLE SOUTH: GR:HYDERABAD  
**BILL REVISION**



Office Note Submitted to AAO/ERO III South/HRD  
 Sir -  
 Subj - TSPDCI - SC No. V3005256 CAT-3 - HT Flag removed - Withdrawal of Excess Billed amount - Report furnished by the field - Submitted for approval  
 Ref - Lt. No. AAE/Op/Minhan/90/D.No.526/22 Dt.20.11.2022 duly counter signed by the AAE/Op/Minhan/HRD/HRD/HRD received on 12.12.2022

It is submitted that the AE/Op/Minhan has submitted a bill revision proposal duly counter signed by the Assistant Divisional Engineer/SD/Minhan, vide reference cited. In respect of SC No. V3005256, Cat-III, LOAD 95HP due to specific reasons as mentioned under HT Category the flag removed. Hence proposed bill revision.

Month/Yr	Bill Date	HTL / Meter	Reading	Units	Billd. MD	Est. Chg	Cost Chg	ARRAY BILLED				TO BE BILLED				DIFFERENCE					
								PA	Total	Est. Chg	PA	Total	Est. Chg	PA	Total	Est. Chg	PA	Total			
AUG/2022	08-Aug-22	01 / 01	140395	36772	63.16	63.16	218191.82	2000.00	32643.25	1666.32	25243.89	2501.44	1200.00	4177.00	1606.32	213687.72	12047.42	800.00	25096.25	0.00	38854.67
AUG/2022	16-Aug-22	01 / 01	137840	40596	63.36	63.36	33881.13	2000.00	32643.25	2432.76	346106.14	312589.20	1200.00	4767.00	2438.76	320091.96	18267.93	800.00	26646.25	0.00	45114.18
AUG/2022	24-Aug-22	01 / 01	1340140	21091	66.38	66.38	17083.42	2000.00	31023.20	1301.82	211778.72	197066.90	1200.00	4993.50	1301.82	174662.22	9764.52	800.00	26642.00	0.00	37196.52
AUG/2022	05-Sep-22	01 / 01	1319544	19353	68.36	68.36	181810.06	2000.00	38769.50	1103.58	223783.24	149252.10	1200.00	5142.40	1163.58	156831.68	32483.66	800.00	33673.50	0.00	66911.46
AUG/2022	11-Sep-22	01 / 01	1301022	26536	62.74	62.74	189722.36	1685.00	27292.20	1592.16	220201.72	177791.20	1125.00	3764.40	1592.16	184277.76	11941.16	560.00	23827.80	0.00	36028.56
AUG/2022	09-Mar-22	01 / 01	1241196	42270	70.64	70.64	347670.46	1685.00	33454.20	1749.42	292958.37	219833.70	1125.00	4238.40	1749.42	201847.92	64461.46	560.00	29715.80	0.00	94237.26
AUG/2022	06-Dec-21	01 / 01	1145760	31179	70.00	70.00	254447.63	1685.00	32925.20	1870.74	270182.38	206899.30	1125.00	4200.00	1870.74	226092.64	45580.70	560.00	28666.20	0.00	74456.90
AUG/2022	08-Oct-21	01 / 01	1113946	29856	66.46	66.46	255665.90	1685.00	29961.00	1791.36	281676.06	200035.20	1125.00	4167.60	1791.36	246834.60	16091.93	560.00	24861.00	0.00	81651.98
AUG/2022	11-Sep-21	01 / 01	1085167	35760	66.30	66.30	255663.93	1685.00	29997.00	2090.70	322472.18	239461.50	1125.00	3972.00	2090.70	246081.20	53138.98	560.00	24861.00	0.00	81651.98
AUG/2022	10-Aug-21	01 / 01	1030582	34845	64.60	64.60	286660.48	1685.00	32077.00	319.32	669666.08	336977.40	1125.00	3972.00	319.32	41043.72	8133.37	560.00	23899.00	0.00	32852.37
AUG/2022	07-Aug-21	01 / 01	997611	18073	63.20	63.20	38832.76	1685.00	27651.00	1004.38	188664.85	121088.40	1125.00	4080.00	1004.38	127090.48	34666.85	560.00	27315.00	0.00	62941.85
AUG/2022	10-Aug-21	01 / 01	979712	23863	68.00	68.00	180848.75	1685.00	31395.00	1371.78	222500.72	153182.10	1125.00	4080.00	1371.78	159758.88	42642.25	560.00	27090.00	0.00	70121.35
AUG/2022	03-Sep-21	01 / 01	953846	27844	67.70	67.70	223017.13	1685.00	31161.00	1678.42	282393.79	188583.80	1125.00	3972.00	1678.42	193432.44	42642.25	560.00	26019.00	0.00	40667.47
AUG/2022	09-Feb-21	01 / 01	952998	31307	66.20	66.20	223845.37	1685.00	29991.00	1878.42	282393.79	200734.90	1125.00	3972.00	1878.42	216732.32	14084.77	560.00	26853.00	0.00	81326.71
JAN/2021	13-Jan-21	01 / 01	895679	33233	67.40	67.40	290014.65	1685.00	30927.00	1494.24	200250.24	238071.10	1125.00	4080.00	1494.24	173292.04	53883.71	560.00	24147.00	0.00	389134.92
OCT/2020	06-Dec-20	01 / 01	831548	29504	63.60	63.60	178003.22	1685.00	29133.00	2029.14	274653.79	168566.50	1125.00	3906.00	2029.14	232687.44	13219.35	560.00	25277.00	0.00	41906.35
NOV/2020	06-Nov-20	01 / 01	837464	33819	63.10	63.10	241806.65	1685.00	29133.00	2029.14	274653.79	226587.20	1125.00	3906.00	2029.14	182687.22	10495.07	560.00	25277.00	0.00	34283.07
OCT/2020	06-Oct-20	01 / 01	800768	24322	65.10	65.10	167822.47	1685.00	171216.00	1541.52	139690.99	152677.40	1125.00	2664.00	1541.52	177466.92	11561.87	560.00	14632.00	0.00	26773.87
SEP/2020	08-Sep-20	01 / 01	782956	25992	36.40	36.40	185948.27	1685.00	120126.00	204240.09	308216.60	1125.00	4440.00	2093.88	309075.48	64469.61	560.00	13653.00	0.00	100644.61	
AUG/2020	13-AUG-20	01 / 01	757774	44893	74.00	74.00	307286.21	1685.00	307286.21	204240.09	409740.09	30816.60	1125.00	4440.00	2093.88	309075.48	64469.61	560.00	14632.00	0.00	89827.45
JUL/2020	03-Jul-20	01 / 01	718556	18483	76.30	76.30	135627.90	1685.00	37660.00	988.98	174151.88	110436.10	1125.00	4440.00	988.98	117338.08	425126.30	560.00	33291.00	0.00	389274.35
<b>TOTAL</b>							438702.86	438702.86	44012.20	44012.20	656722.32	626223.80	23950.00	106724.20	44031.00	820563.28	469842.56	13520.00	652782.60	0.00	1361254.45

If approved an amount of Rs. (13,61,784.00) [Thirteen Lakhs Sixty One Thousand Seven Hundred Eighty Four only] will be withdrawn from provision & J.P. set as at the end of the ledger accordingly.

**13,02,197 (Rupee Thirteen Lakhs Two Thousand Seven Hundred and Ninety Seven only)**

The Checked: JAO/CRS

Divisional Engineer, City-III Division, Hyderabad, T.S.S.P.D.C.I



16. In view of the Clause referred to above the appellant is entitled for interest @ 24% p.a. on the excess amount paid by the appellant to the respondents till the amount is actually adjusted. This point is accordingly decided in favour of the appellant and against the respondents.

**POINT No. (ii)**

17. In view of the findings on point Nos. (i), the appeal is liable to be allowed.

**RESULT**

18. In the result, the appeal is allowed awarding interest @24 % p.a. on the excess amount paid by the appellant to the respondents from the respective dates of payment of the amount till it is adjusted in future bills. The respondents shall comply with the Award of this Authority within (15) days from the date of receipt of a copy of this Award as required under Clause 3.38 of Regulation 3 of 2015 of the Telangana State Electricity Regulatory Commission.

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 the 28th day of August 2023.

**Sd/-  
Vidyut Ombudsman**

1. M/s. Utsav Industry, # 4-14-103/8, Hasanagar, Mir Alam Tank, Hyderabad, represented by Sri Prabhu Hadalkar, Cell: 9440944114, 9000006504.
2. The Assistant Engineer/Operation/Mir Alam/TSSPDCL/Hyderabad.
3. The Assistant Divisional Engineer/Operation/Mir Alam/TSSPDCL/Hyderabad.
4. The Assistant Accounts Officer/ERO/Charminar/TSSPDCL/Hyderabad.
5. The Divisional Engineer/Operation/Charminar/TSSPDCL/Hyderabad.
6. The Superintending Engineer/Operation/Hyderabad South Circle/ TSSPDCL/ Hyderabad.
7. The Chief General Manager(Commercial)/Corporate office / TSSPDCL / Hyderabad.

**Copy to**

8. The Chairperson, Consumer Grievances Redressal Forum of TSSPDCL- Greater Hyderabad Area, Door No.8-3-167/E/1, Central Power Training Institute (CPTI) Premises, TSSPDCL, GTS Colony, Vengal Rao Nagar, Erragadda, Hyderabad - 45.

