



BEFORE THE VIDYUT 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
VIDYUT OMBUDSMAN**

WEDNESDAY THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

Appeal No. 01 of 2026-27

Between

Sri Kadivendi Mahipal, H.No.1-146, Seetharampur Village, Parkal Mandal,
Hanamkonda District - 506 164.

..... Appellant

AND

1. The Assistant Engineer/Operation /Parkal Town - 8712484648.
2. The Assistant Divisional Engineer/Operation/Parkal - 8712484645.
3. The Assistant Accounts Officer/ERO/Parkal - 8712484644.
4. The Divisional Engineer/Operation/Hanamkonda Rural - 8712484514.

..... Respondents

This appeal is coming on before me for final hearing today in the presence of the appellant, virtually and Sri D. Raju - AE/OP/ Parkal Town, Sri J. Devender - ADE/OP/Parkal, Sri D.Thirupathi Reddy - AAO/ERO/Parkal and Sri P. Mallikarjun - DE/OP/Hanamkonda for the respondents, virtually and having stood over for consideration till this day, this Vidyut Ombudsman passed the following Award:-

AWARD

This appeal is preferred aggrieved by the Award passed by the Consumer Grievances Redressal Forum - I(Warangal), (in short 'the Forum') of Telangana State Northern Power Distribution Company Limited (in short 'TGNPDCL') in C.G.No. 332/2025-26/ Hanamkonda Circle dt.17.01.2026, allowing the complaint in part.

CASE OF THE APPELLANT BEFORE THE FORUM

2. The case of the appellant is that the respondents have released the Service Connection No. 104300766 (in short 'the subject Service Connection') to the premises of the appellant at H.No.1-146, Sitarampur Village, Parkal Madal, Hanamkonda District under Category-II for the water plant. Respondent No.3 has issued notice to the appellant demanding Rs.1,86,261/- for the period from December 2022 to January 2025. According to the appellant, had the bills with KVAH units been issued earlier during the relevant period he would have removed his additional connected load within the KWH billing. It was accordingly prayed to change the subject Service Connection to Category-III and waive the demanded amount.

WRITTEN SUBMISSIONS OF THE RESPONDENTS BEFORE THE FORUM

3. In the written reply filed by respondent No.1, before the learned Forum, it is, inter-alia, submitted that the subject Service Connection was released to the appellant for maintaining water plant on 24.11.2009. Till October 2022, the load against the above said service was 9 KW. During November 2022, RMD against the said service was recorded as 21 KW and accordingly as per the request of the appellant, the load was enhanced from 9 KW to 24 KW w.e.f. Nov 2022. The billing was done duly recording KWH units and KVAH units were not billed upto January 2025. During January 2025 excess load services were reviewed and KVAH flag was updated to the subject Service Connection. From February 2025 the billing was done as per KVAH readings. During the course of internal audit conducted in June 2025, it was observed by the Audit party that KVAH flag was updated during January 2025 but KVAH and KWH difference units were not raised while arranging KVAH flag. Thus, audit shortfall was raised against the subject Service Connection

duly billing the unbilled KVAH units from December 2020 to January 2025 and an amount of Rs.1,86,261/- was raised from the appellant. The above said shortfall amount was included in the CC bill of the appellant in September 2025.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides, the learned Forum has allowed the complaint in part and directed the respondents to change the subject Service Connection from Category-II to Category-III with immediate effect. The respondents were directed to revise the shortfall amount by applying Category-III instead of Category-II from December 2020 to January 2025 and revise the CC bills from February 2025 to January 2026 with Category-III tariffs.

5. Aggrieved by the said Award of the learned Forum, the present appeal is preferred reiterating the contents of his complaint filed before the learned Forum. It is accordingly prayed to waive the entire amount demanded by the respondents.

WRITTEN SUBMISSIONS OF THE RESPONDENTS

6 No written reply was filed by the respondents before this Authority.

ARGUMENTS

7. The appellant has submitted that no notice was served on him before demanding the amount in question; that the respondents have wrongly calculated the amount claimed and hence it is prayed to waive the entire balance demanded amount.

8. On the other hand, the respondents have supported the impugned Award and prayed to reject the appeal.

POINTS

9. The points that arise for consideration are:-

- i) Whether the appellant is entitled for waiver of the entire balance due amount claimed by the respondents?
- ii) Whether the impugned Award of the learned Forum is liable to be set aside? and
- iii) To what relief?

POINT Nos. (i) and (ii)

ADMITTED FACTS

10. The admitted facts are as under:-

- i). It is an admitted fact that the respondents have withdrawn an amount of Rs.67,881/- as per the impugned Award.
- ii) It is also an admitted fact that the appellant has not paid any amount thereafter.

SETTLEMENT BY MUTUAL AGREEMENT

11. Both the parties have appeared before this Authority virtually and physically. 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 04.04.2026. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

13. The operative provisions surrounding the issue are as under:-

Tariff Order 2025-26:-

“Clause 4.12.10 (c) :- Energy Charges shall be billed on kVAh basis, for all consumers with contracted load of 10kW/13 HP and above. For loads below 10kW/13 HP, billing shall be done based on kWh.”

The Tariff Order envisages that it is mandatory for the LT Industrial Consumers those having contracted load of 10 KW and above shall be billed under kVAh basis. Based on the above given provision the respondents as per the internal audit para resorted to back billing for the period from December 2022 to January 2025, by raising the audit shortfall to the extent of difference of units between kVAh and kWh units. This comes to an amount of Rs.1,86,261/-. The learned Forum based on the provisions of Tariff Order revised the billing from LT Category-II to LT Category-III since the water plants falls under LT Category-III. Initially the appellant's Service Connection had a connected load of 9KW. Consequent to recording of RMD during the month of November 2022 as 21 KW an inspection was carried out by AAE/DPE/Warangal on 09.11.2022 resulting in detection of excess connected load of 23.968 KW against the contracted load of 9KW. Subsequently vide notice for Development Charges dt.25.11.2022 the appellant was requested to pay an amount of Rs.33,358/- to regularise the excess load of 15 KW. In order to recover the amount debit JE was levied during the month of November and the amount was paid along-with the regular CC charges in the month of December 2022 and the load of 20 KW was regularised simultaneously during the month of November 2022. There is no record to show that final assessment by the designated officer was given before adding the said amount in the CC bill.

14. It is relevant to reproduce the following proceedings of TGERC:-

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
4th Floor, Singareni Bhavan, Red Hills, Hyderabad-500 004

Amendment of General Terms and Conditions of Supply - Approval - Issued

Proceedings No. APERC/Secy/01/2012

Dated: 07-03-2012

Read the following:

1. JMD (D&H)ED/Pig.RAC/APERC/D. No. 53/11 DT 23-05-2011
2. Secy/01/2006 Dated 06-01-2006

During the review meeting held on 08-11-2011, the Discoms expressed difficulty in implementing the provisions of GTCS under clause 12.3.3 and requested the commission to make certain relaxations. The Discoms stated that when an additional load is detected during inspection of an industrial service, the consumer should be given an opportunity to remove the additional connected load, if it is not required for him, as provided in clause 12.3.1 for HT services and in clause 12.3.3.3. The JMD (D&H)/APTRANSCO submitted a written representation to the commission vide reference 1 cited.

The Commission considered the representation submitted by the Discoms and felt that the certain amendments are required for well being of the consumer and hereby approves the following amendments to the General Terms and Conditions of Supply issued vide proceedings No Secy/01/2006 Dated 06-01-2006

- 1) The Distribution Licensees shall make available the copies of these GTCS (Amendment) -3/2011 at all their offices down to the Section Level for reference by any consumer who desires to refer to the same during working hours.
- 2) For clause 12.3.3.1, the following clause shall be substituted, namely:-
*12.3.3.1(l) One Month notice shall be given to regularise the additional Connected Load or part of additional load as per the requirement of the Consumer or to remove the additional connected load, if the consumer desires to continue with the additional connected load, he shall pay the required service line charges, development charges and consumption deposit, in accordance with the format prescribed in Appendix IX.

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However, if the consumer opts to remove the additional connected load and if the additional load is found connected during subsequent inspection, penal provisions shall be invoked as per the rules in vogue."

- 3) For clause 12.3.3.2 (iii), the following clause shall be substituted, namely:-
*12.3.3.2(iii) One Month notice shall be given to regularise the additional Connected load or part of additional load as per the requirement of the Consumer or to remove the additional connected load, if the consumer desires to continue with the additional connected load, he shall pay the required service line charges, development charges and consumption deposit required for conversion of LT service into LT 3(B) or HT service depending upon the connected load. However, if the consumer opts to remove the additional connected load and if the additional load is found connected during subsequent inspection, penal provisions shall be invoked as per the rules in vogue.'

This Order is signed by the Andhra Pradesh Electricity Regulatory Commission on 07th March,2012

(BY ORDER OF THE COMMISSION)

SECRETARY

Appendix IX (A)

Notice for Regularization of Additional Load Detected

Lr. No. _____
 From _____

Dated: _____
 To _____

Sub: - Regularisation of Additional Load- SC No. _____ Category _____
of _____ (Dist)

1. Inspection undertaken

Your service connection, bearing No. _____ Category _____, Village/
 Section _____ was inspected on _____ at _____ hours
 by _____ designation _____.

2. Incriminating Points observed

The Contracted Load _____ HP/kW

The Connected Load as per the Inspection _____ HP/kW

Excess of Connected Load over the Contracted Load _____ HP/kW

The Additional Connected load is Un-authorized hence, in this connection you are directed to regularize the additional connected load, partly or fully or to remove the additional load as per your requirement within 30 days from the date of service of this notice as per the clause 12.3.3 of GTCS.

For regularization of the required additional load, you are requested to pay the following charges at the rates mentioned below.

- a) Development charges _____ per HP/KW
- b) Security Deposit _____ per HP/KW
- c) Service line Charges _____
- d) Supervision Charges _____

For the regularization of the above full additional load i.e. _____, you are requested to pay the following charges within 30 days.

Service Line charges	Development charges	Security Deposit
-	2000.0	400.0

If you opt to remove the additional connected load or part of additional connected load, you may make a representation to the Divisional Engineer/Operation _____ within 15 days from the date of service of this notice. In case there is no representation, your service will be disconnected immediately on expiry of the notice period of 30 days from the date of service of this notice and your service will remain under disconnection until the payments are received and additional Connected Load is regularized

If any additional load is found connected during subsequent inspection penal provisions shall be invoked as per rules in vogue.

Signature of the Designated Officer

Copy to:

Designated officer for payment of assessed amount
Section officer

In the above given proceedings, the Hon'ble Commission has given amendment to GTCS wherein the Clause 12.3.3.1 was amended. The relevant change in the new amended Clause is that the consumers were given the option to remove additional connected load when detected by way of inspection and other-wise can regularise the excess connected load by way of payment of requisite charges.

15. Astonishingly, the respondents violated the above given provisions and gave the notice for Development Charges high handedly without giving any opportunity to the appellant to exercise his option to remove or to regularise the load. Instead the Development Charges and Security Deposit amount of Rs.33,358/- were directly levied in the CC bills and collected under the threat of disconnection. This action of the respondents is unwarranted and totally against the provisions given by the Hon'ble TGERC and later kVAh billing was also imposed consequent to above 10KW contracted load and short billing amount was raised for an amount of Rs.1,86,261/-. The following are the observations whether the excess connected load is to be regularized or not.

IS THE EXCESS LOAD OF 15 KW IS ACTUAL CONNECTED LOAD OF THE SUBJECT SERVICE CONNECTION

16. The record shows that there exists another Service Connection S.C.No.10430-00766 of the appellant which was utilised for welding works. Consequent to the meter defect of this Service Connection part load was directed to the water plant service. During such period DPE inspection was conducted and excess connected load was identified and regularised. It is quite clear that the diverted load is not the actual load of the water plant service which was stop gap arrangement to conduct the business.

OPPORTUNITY TO REMOVE EXCESS LOAD

17. The appellant was denied the right to exercise his option by not serving the notice as per Appendix - IX (A) wherein an opportunity to remove the additional connected load or part of additional connected load and even to regularize the total load was given to the appellant. Naturally since the diverted load is not the actual load of the water plant, the appellant would remove the diverted load and may not had to pay the demanded amount and its consequential kVAh billing amount.

DERATION OF LOAD

18. The record shows that the subject Service Connection No. 10430-00658 was derated from 24 KW to 10 KW in May 2025. This makes it clear that the diverted load is unwanted and appellant had to suffer consequent to inappropriate action of the respondents.

OUSTER OF RIGHT TO REMOVE

19. The foregoing para makes it quite clear that the appellant was denied his legitimate right given by Hon'ble TGERC to choose the quantum of load to be connected against the subject Service Connection and option to remove the diverted welding machinery load, which could have avoided the unnecessary charges levied initially Rs.33,358/- towards Development Charges and security charges and later Rs.1,86,261/- levied towards difference of units between kWh and kVAh.

DIRECT LEVY OF SHORTFALL AMOUNT IN THE CC BILL

20. Vide letter dt.04.11.2025, respondent No.3 stated that in view of non receipt of reply from AE/OP/Parkal (Town) the shortfall amount was straight-away included in the CC bill of the appellant during the month of September 2025. Here the affected party i.e., the appellant, as already stated, was not given any opportunity to raise the objection against the shortfall amount of Rs.1,86,261/-. Thus without any notice to the appellant, the amount was levied in the CC bills which is against the law of natural justice. In view of these factors, I hold that the appellant is entitled for waiver of the entire balance due amount claimed by the respondents and the impugned Award of the learned Forum is liable to be set aside to that extent. These points are accordingly decided in favour of the appellant and against the respondents.

Point No(iii)

21. In view of the findings of point Nos. (i) and (ii), the appeal is liable to be allowed and the impugned Award is liable to be set aside.

RESULT

22. In the result the appeal is allowed and the impugned Award is set aside. Accordingly the amount of Rs.1,86,261/- levied in the month of September 2025 is withdrawn. Time for Compliance is within (15) days from the date of receipt of copy of this Award.

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 22nd day of April 2026.

**Sd/-
Vidyut Ombudsman**

1. Sri Kadivendi Mahipal, H.No.1-146, Seetharampur Village, Parkal Mandal, Hanamkonda District - 506 164.
2. The Assistant Engineer/Operation /Parkal Town - 8712484648.
3. The Assistant Divisional Engineer/Operation/Parkal - 8712484645.
4. The Assistant Accounts Officer/ERO/Parkal - 8712484644.
5. The Divisional Engineer/Operation/Hanamkonda Rural - 8712484514.

Copy to

6. The Chairperson, Consumer Grievances Redressal Forum of TGNPDCL- Nakkalagutta, Hanamkonda, Warangal.