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

THURSDAY THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

Appeal No. 41 of 2025-26

Between

M/s. Balaji Scan Private Limited, #11-2-1145/Nampally, V.N.Colony, Hyderabad - 500 001, represented by Sri A.Shiv Rama Krishna Prasad, Director.

AND

1. The Assistant Engineer/Op/V.N.Colony/TGSPDCL/ Hyd. Central.
2. The Assistant Divisional Engineer/Op/ AC Guards /TGSPDCL/ Hyd. Central.
3. The Asst Accounts Officer/ERO/ AC Guards /TGSPDCL/ Hyd. Central.
4. The Accounts Officer/ Revenue/Hyd. Central /TGSPDCL/ Hyd. Central.
5. The Divisional Engineer/OP/ Asif Nagar /TGSPDCL/Hyd. Central.
6. The Superintending Engineer/Op/ Hyd. Central /TGSPDCL/Hyd. Central.

….. Respondents

This appeal is coming on before me for final hearing on this day in the presence of Sri Ravinder Prasad Srivastava - authorised representative of the appellant and Sri K. Vijay Kumar - ADE/OP/AC Guards and Sri M. Raju - AAO/ERO/AC Guards for the respondents 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 - II (Greater Hyderabad Area), (in

short 'the Forum') of Telangana State Southern Power Distribution Company Limited (in short 'TGSPDCL') in C.G.No. 161/2025-26/ Hyd.Central Circle dt.23.12.2025, 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.C2010822 (in short 'the subject Service Connection'). The appellant undertakes printing activity. As per the Tariff Order, the respondents are entitled to claim the CC charges under Industry LT-III, w.e.f., 01.11.2024, but claimed Commercial Category due to which the appellant was forced to pay the higher CC charges. The appellant made a representation on 30.10.2025 to respondent No.6, under Clause VII 7.1 (i)(ii) of Regulation 5 of 2016 with a request to refund of Rs.2,06,187/- which is the excess amount paid from November 2024 to September 2025 with interest thereon as per Clause 4.7.3 of Regulation 5 of 2004. The respondents ought to have resolved the grievance and refunded the excess amount within 24 hours etc., which was not done. Therefore, the appellant is also entitled for Rs.100/- per day as compensation. It was accordingly prayed to direct the respondents to revise the C.C. Charges bills of the subject Service Connection by applying LT III Industry category tariff rate and refund excess amount collected of Rs. 2,06,187/- from November 2024 to September 2025 billing months along-with interest @ 24% per annum as prescribed in Clause 4.7.3 of Regulation 5 of 2004 and interest @ 9% per annum as prescribed in Clause

2.49 (b) of Regulation 3 of 2015 pertaining to the period the amount was with-held by the Respondents and Rs. 100/- per day with effect from 15.11.2025 till date of refund of amount as prescribed in Clause XI of Schedule II of Regulation 5 of 2016.

WRITTEN SUBMISSIONS OF THE RESPONDENTS BEFORE THE FORUM

3. Respondent No.2 have not filed para wise remarks against the appellant's complaint but submitted the copy of letter addressed to respondent No.3 wherein it was requested to take necessary action for implementation of change of Category from LT Category-II to LT Category-III and also revise the bill by duly following the department procedures as per the TGSPDCL Rules.

AWARD OF THE FORUM

4. After considering the material on record and after hearing both sides respondents, the learned Forum has directed the respondents to change the Category of the subject Service Connection from Category-II to Category-III (Industry) and also directed them to revise the bills from November 2024 onwards till the date of change of Category and also to refund/adjust the excess amounts paid in future CC bills.

5. Aggrieved by the said Award of the learned Forum, the present appeal is preferred reiterating the contents of its complaint filed before the learned Forum. It is accordingly prayed to set aside the Award to the extent of not awarding interest and award interest @ 24% p.a., as prescribed in Clause 4.7.3 of Regulation 5 of 2004 and interest @ 9% p.a., as prescribed in Clause

2.49(b) of Regulation 3 of 2015 pertaining to the period the amount was with-held by the respondents and compensation of Rs.100/- per day with effect from 14.11.2025 till date of refund of amounts as prescribed in Clause XI of Schedule II of Regulation 5 of 2016.

WRITTEN SUBMISSION OF RESPONDENTS

6. In the written reply filed by respondent No.3, before this Authority, it is, inter-alia, submitted that the amount of Rs.100/- per day towards compensation and also the claim of interest are unreasonable and that the appellant has approached the learned Forum directly without registering a complaint through CSC/online mode.

ARGUMENTS

7. It is submitted on behalf of the learned authorised representative of the appellant, that the appellant made representation to respondent No.6 on 30.10.2025 and the grievance was not redressed within prescribed time. Therefore, the appellant is entitled for compensation @ Rs.100/- per day from 08.10.2025 and also interest @ 24% p.a., as per Clause 4.7.3 of Regulation 5 of 2004 and interest @ 9% p.a, as prescribed under Clause 2.49(b) of Regulation 3 of 2015. Hence it is prayed to grant the said reliefs.

8. On the other hand, it is submitted on behalf of the respondents that the appellant has not registered its grievance in CSC and there is no lapse on the part of the respondents and hence the appellant is not entitled for

compensation or interest. It is accordingly prayed to reject the appeal.

POINTS

9. The points that arise for consideration are:-

i) Whether the appellant is entitled for interest @ 24% p.a., as claimed by it?

ii) Whether the appellant is entitled for interest @ 9% p.a., as claimed by it?

iii) Whether the appellant is entitled for compensation @ Rs.100/- per day as claimed by it?

iv) Whether the impugned Award of the learned Forum is liable to be set aside? and

v) To what relief?

POINT Nos. (i) to (iv)

ADMITTED FACTS

10. The admitted facts are as under:-

i) The respondents have released the subject Service Connection under Category-II.

ii) The Category of printing press was changed to Category-III (Industry) by the Hon'ble Commission w.e.f. 01.11.2024.

iii) The appellant has not registered its grievance in CSC.

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 29.12.2025. This appeal is being disposed of within the period of (60) days as required.

CRUX OF THE MATTER

13. The learned Forum has granted relief to the extent of change of Category of the subject Service Connection. However it did not award interest and compensation as prayed for by the appellant. Thus this appeal is in respect of interest and compensation only.

INTEREST @ 24% p.a., AS PER CLAUSE 4.7.3 OF REGULATION 5 OF 2004

14. Now relying on the Clause 4.7.3 of Regulation 5 of 2004, the appellant has requested to award interest @ 24% p.a, on excess amount outstanding on account of such wrong billing. The said Clause is reproduced here-under:-

> " 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 adjustment to subsequent bills. The Licensee shall pay to the consumer interest charges at 24% per annum on excess amount outstanding on account of such wrong billing."

Thus under the Telangana Electricity Regulatory Commission (TGERC) Supply Code, 2004, Clause 4.7.3 specifies that if a distribution licensee issues an erroneous bill, the consumer is entitled to an interest of 24% per annum on any excess amount paid.

Key provisions under Clause 4.7.3

Correction of erroneous bills: When a distribution company (licensee) determines that a bill is wrong, it must issue a revised bill. The due date for the revised payment cannot be earlier than seven days from the date of its delivery to the consumer.

Refund mechanism: If the consumer has already paid an amount higher than the corrected bill, the excess will be refunded through an adjustment in subsequent electricity bills.

Interest payment: The licensee is required to pay interest at a rate of 24% per annum on the excess amount that was billed incorrectly and has remained outstanding.

15. As already stated, the learned Forum gave the relief of revision of bills after changing Category to LT-III (Industry) but was silent on the award of interest. The word used in Clause 4.7.3 is ‘Erroneous’. Erroneous means containing error, mistake, incorrect or wrong. Erroneous billing refers to charging a customer incorrectly, often due to a manual error or factual error, it characterises anything that is in-correct or founded upon a mistake whether in facts or actions. In the instant case though the Hon’ble Commission changed the tariff Category of printing presses to Category-III (Industry) w.e.f. 01.11.2024, the respondents went on charging under earlier Tariff Category-II. This is erroneous or mistake in the billing. Hence, the respondents are supposed to pay interest @ 24% p.a., as per the Clause 4.7.3 of Regulation 5 of

2004 on the excess amount outstanding on account of wrong billing by way of adjustment.

16. Though the relief of interest was sought by the appellant as per Clause 4.7.3 of the Regulation 3 of 2004, as already stated, the learned Forum has not at all touched the said subject. When a party seeks certain relief, it is the bounden duty of the adjudicating authority to answer such relief either way. This was not done in this case. In the present case there is excess payment made by the appellant in respect of commercial activity. Further when once payment was made by the appellant and when it is the mistake of the respondents to claim excess, Clause 4.7.3 plays a vital role. Thus under this Clause the appellant is entitled for interest @ 24% p.a., Accordingly, I hold that the appellant is entitled for refund of interest @ 24% on the excess amount paid.

INTEREST @ 9% P.A., AS PER CLAUSE 2.49(b) OF REGULATION 3 OF 2015

17. In the present case, the appellant is claiming interest @ 9% p.a., as per Clause 2.49(b) of Regulation 3 of 2015. Clause 2.49(b) is reproduced here-under:-

Clause 2.49(b) of Regulation 3 of 2015

> Return to the Complainant the undue charges paid by the Complainant along with simple interest at 9% per annum for the period for which the undue charges were withheld by the Licensee;

The above given Clause is a general Clause and Clause 4.7.3 of Regulation 4 of 2005 awarding interest @ 24% p.a., is the specific Clause. The appellant has the option to avail either of the two but not both. However, the specific Clause to award interest @ 24% p.a., shall prevail over the general Clause. Hence, when once the interest @ 24% p.a., was awarded the appellant cannot be awarded interest @ 9% p.a., again.

COMPENSATION @ Rs.100/- PER DAY TOWARDS VIOLATION OF STANDARDS OF PERFORMANCE

18. In the present case the appellant is claiming compensation as per SoP @Rs.100/- per day before the learned Forum on the ground that the respondents have not rectified the consumer bill complaint in stipulated time and breached Guaranteed Standards of Performance item XI of Schedule II of Regulation 5 of 2016. The said item is reproduced below:-

Sl.No.	Service Area	Time Standard	Compensation payable in case of violation of standard	
			to individual consumer if the event affects a single consumer	to individual consumer if the event affects more than one consumer
i.	If no additional information is required	Within 24 working hours of receipt of complaint	Rs.100 for each day of default	not applicable
ii	If additional information is required	Within 7 working days of receipt of complaint		

Here it is relevant to refer Clause 6 of Schedule-II of Regulation 5 of 2016 which is reproduced below:-

> "6. A consumer shall be required to make a claim for compensation for non-compliance of Guaranteed Standard within Thirty (30) days of violation of such service standard buy the Licensee to a senior officer (Divisional Engineer) as may be designated by the Licensee for this purpose, who is based at the headquarters of the Licensee. The same officer is responsible for the monitoring compliance of the Regulation and submitting the periodical reports to the Commission as may be required. The licensee shall fix the responsibility on their staff/officers for default in the service and shall realise the amount of compensation from the concerned individual's (employee) salary after adjustment of the compensation in the consumer bill by way of a rebate. The Licensee shall pay compensation to the affected consumers through a rebate in the bill, automatically and without any delay."

19. From the above factors it is crystal clear that the consumer is required to make a claim for compensation within (30) days of violation of such a service standard by a Licensee to a senior officer (Divisional Engineer etc.,). The above mandatory procedure was not followed by the appellant and hence it is not liable to be awarded with the compensation as stated above. In view of these reasons, I hold that the appellant is entitled for interest @ 24% p.a., as per Clause 4.7.3 of Regulation 5 of 20024. The appellant is not entitled for interest @ 9% p.a., as per Clause 2.49(b) of Regulation 3 of 2015 and also not entitled for compensation @ Rs.100/- per day as claimed by it. These points are decided accordingly partly in favour of the appellant and partly in favour of the respondents.

POINT No. (v)

20. In view of the findings on point Nos. (i) to (iii), the appeal is liable to be allowed in part and the impugned Award is accordingly liable to be set aside to the extent indicated above.

RESULT

21. In the result, the appeal is allowed in part. The appellant is awarded interest @ 24% p.a., on the excess amount paid by it from November 2024 to September 2025 billing months. The appeal in respect of award of interest @ 9% p.a., and compensation @ Rs.100/- per day are rejected. The respondents are directed to adjust the interest amount in future bills of the subject Service Connection of the appellant and file compliance before this Authority 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 8th day of January 2026.

Sd/-
Vidyut Ombudsman

1. M/s. Balaji Scan Private Limited, #11-2-1145/Nampally, V.N.Colony, Hyderabad - 500 001, represented by Sri A.Shiv Rama Krishna Prasad, Director.

2. The Assistant Engineer/Op/V N Colony/TGSPDCL/ Hyd. Central.
3. The Assistant Divisional Engineer/Op/ AC Guards /TGSPDCL/ Hyd. Central.
4. The Asst Accounts Officer/ERO/ AC Guards /TGSPDCL/ Hyd. Central.
5. The Accounts Officer/ Revenue/Hyd. Central /TGSPDCL/ Hyd. Central.
6. The Divisional Engineer/OP/ Asif Nagar /TGSPDCL/Hyd. Central.
7. The Superintending Engineer/Op/ Hyd. Central /TGSPDCL/Hyd. Central.

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.