



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA

Bays No. 33-36, Ground Floor, Sector-4, Panchkula-134109

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(Regd. Post)

Appeal No. : 43 of 2025
Registered on : 30.10.2025
Date of Order : 24.12.2025

In the matter of: -

Appeal against the order dated 17.10.2025 passed by CGRF, DHBVN Gurugram in case No 4943/2025

M/S Indus Towers Ltd. Bestech Business Towers, Tower A, Industrial Plot No.1, Phase-9, Sector-66, SAS Nagar (Mohali), Punjab-160059.

Appellant

Versus

1. The XEN/OP Divn., Sohna, DHBVN, Gurugram, Haryana
2. SDO/OP, Sub Division, DHBVN, Sohna, Gurugram, Haryana

Respondent

Before:

Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:

Shri G.K. Nandan, EB/Consultant

Present on behalf of Respondents:

Shri Mukesh Gaur, SDO, DHBVN, Sohna
Shri Sanjay Bansal, Advocate

ORDER

A. M/S Indus Towers Ltd. has filed an appeal against the order dated 17.10.2025 passed by CGRF, DHBVN, Gurugram in case No. 4943/2025. The appellant has submitted as under:

1. It is submitted that our Company M/s Bharti Infratel Limited. (now known as Indus Towers Limited) (herein after referred to as 'Company') is a Joint venture between three mobile operator companies i.e. Vodafone Group, Bharti Group, and Idea Group of Companies (hereinafter referred to as 'Operator Companies'), having its registered office at Building No. 10, Tower-A, 4th Floor, DLF Cyber City, Gurugram 122002 (Haryana) and Circle Office at Bestech Business Towers, 1st Floor, Tower A, Industrial area Plot No.1, Phase 9, SAS Nagar (Mohali), Punjab 160059. M/s Indus Towers Limited has been registered as an Infrastructure Provider, Category-1(IP-1) by the Department of Telecommunications, Ministry of Communications & IT, Government of India and commenced its operations w.e.f.1st April 2008, in the business of establishment, operation, maintenance and provision of telecommunication infrastructure services which inter alia includes towers and other allied equipment's, etc. of/ to various telecom service providers including the aforesaid three Operator Companies who are providing an essential and public utility services.

2. We have obtained the connection bearing account No. 9495722000 to operate the mobile telecom tower at KALIKA District Gurugram under the jurisdiction of OP Subdivision, DHBVN, G41-Sohna.
3. Since the last several months energy bills of this connection were being issued on the consumption by multiplying a M.F. of 10, whereas the meter installed at the connection is a whole current meter having M.F. of 1. The arrears of Rs. 13839171.00 (One Crore Thirty-Eight Lakh Thirty-Nine Thousand One Hundred Seventy-One Rupees Only) had been accumulated due to non-correction of wrong billing.
4. We had submitted numerous representations to the Nigam, but we have not been heard.
5. As our complaints were not redressed by the officials of DHBVN, we had filed the complaint before Corporate CGRF DHBVN Gurugram vide our Ref. No. Spl-295/IN-1286386/CGRF/DH/25, Dated: 12-08-2025 which was registered by the Forum on 26/08/2025 vide Case No.4943/2025. Copy attached as Annexure-1.
6. We have prayed in our complaint/representation submitted before the Forum vide our reference No. Spl-295/ IN-1286386/CGRF/DH/25, Dated: 12-08-2025 That the Nigam may be directed to apply the actual and correct multiplying factor and billing may be corrected accordingly and the wrong amount charged may be refunded adjusted along with the surcharge.
7. Thereafter 3 proceedings were held home dated: 09-09-2025, 26-09-2025 and 09-10-2025.
8. On the proceeding held on the dated 26-09-2025 the reply was submitted by the defendant SDO to the forum, which was forwarded to us by the forum. After the receipt of the reply of the defendant SDO we requested to the forum that we want to submit the rejoinder to the reply of the SDO. The forum directed to file the Rejoinder vide its Interim order and emailed the same on dated:03-10-2025. The copy of the Interim order is annexed as Annexure-2. The rejoinder was filed by us vide our reference number: Spl-305/IN-1286386/CGRF/DH/25, Dated: 08-10-2025 through our official email on dated:08-10-2025. The copies of email are attached as Annexure 3A & 3B. The copy of the Rejoinder is also attached as Annexure 4.
9. During the proceedings held on dated: - 09-10-2025, no deliberations on the Rejoinder were held by the Forum. However, it was directed by the Forum to the defendant SDO to submit his reply upon the Rejoinder submitted by us. But, so far, the defendant SDO has not responded to our above-mentioned Rejoinder.
10. Shockingly, the electricity supply of our connection was disconnected by the office of defendant SDO on dated: 11-10-2025, without any notice that too during the pendency of our complaint before the CGRF.
11. On asking telephonically the reason for disconnection of the supply it was informed by the defendant SDO OP Sohnna that the supply has been disconnected as 20% payment of the disputed amount has not been deposited by us. He further informs that the supply has been disconnected on the directions of the forum. However, no such directions were given by the forum on dated: 09-10-2025 by the forum during the proceedings.

12. There after a representation was emailed on dated: 13-10-2025 vide to the SDO OP Sohna Requesting him to restore the supply disconnected illegally vide our Ref. No. Spl-309/ IN-1286386/CGRF/Rep/DH/25. Copy attached as Annexure-5A.
13. A complaint was also emailed to the corporate CGRF DHBVN Gurugram requesting them for giving the directions to the SDO for the restoration of the supply on dated: 13-10-2025 vide our Ref. No. Spl-310/IN-1286386/CGRF/Rep/DH/25. Copy attached as Annexure- 5.
14. But the supply was not restored despite of our numerous requests to the forum and the stereo and the local visits by our local representatives.
15. We were shocked to receive the email on dated:24-10-2024 Where in the order of corporate CGRF DHBVN Gurugram was attached. The copy of corporate CGRF DHBVN Gurugram vide Memo No. 4241/CGRF/GGM, dated: 24-20-2025 in respect of Complaint No. 4943/2025 is attached as Annexure- 6.
16. The corporate CGRF DHBVN Gurugram has rejected and closed the case after instituting the case on 26-08-2025 and holding the proceedings held on dated: 09-09-2025, 26-09-2026 and 09-10-2025, abruptly reportedly on the information of SDO that 20% amount of disputed amount has not been deposited by us. At no junction the above issue has been raised by the SDO or by the Forum prior to the two proceedings held earlier. It is peculiar case wherein the bills are/ were being issued on 10 times the normal bills. Since the occurrence of first default or issuance of first inflated bill issued in 2024 the bills are not being generated/uploaded regularly. Eventually disputed amount becomes 10 times the normal amount of the bill. However, if at any stage either directed by the corporate CGRF DHBVN Gurugram or communicated by the defendant SDO the legitimate 20% amount would have been deposited by us. But, at no stage it has been communicated to us and the supply has been disconnected in dictatorial manner by the office of SDO OP Sohna.
17. The energy bill upload on the portal of DHBVN on dated 16-09-2025, no correction of the multiplying factor was found on this bill. Copy attached annexure-7A. The above-mentioned bill was issued for Rs. 13839171(One Crore Thirty-Eight Lakh Thirty-Nine Thousand One Hundred Seventy-One Rupees). In the meanwhile, Revised bill was uploaded on the portal of DHBVN. In this bill however multiplying factor has been corrected from 10 to1, but there were ambiguities in this bill. The above bill is issued for Rs. 1861941(Eighteen Lakh Sixty-One Thousand Nine Hundred Forty One Rupees). We pointed out these ambiguities in our rejoinder filed vide our reference number: Spl-305/IN-1286386/CGRF/DH/25, Dated: 08-10-2025.
18. The ambiguities pointed out in our Rejoinder referred to above were as follows:
“From the perusal of the above-mentioned attached bill, it is found that earlier the meter No. 1265203UB D155775 was installed at the site of this connection up to 30-08-2022 and consequently meter No. 18603877 was installed on 31-08-2022. But no mention of MCO or M&P Report is provided.

The consumption of meter No. 1265203UB D155775 is shown in the above-mentioned bill is $125935 - 119306 = 6629$ units for 111 days, old reading date 11/05/2022 and new reading date 30/08/2022. The consumption of meter No. 18603877 is $288596 - 125935 = 162661$ units for 1-day, old reading date 16/09/2025 and new reading date 17/09/2025. Whereas the old reading date is to be taken as 31-08-2022 and days for billing come out to be 1225 instead of 1 shown on the bill.

The amount already paid by us is also required to be incorporated and the surcharge accrued is required to be adjusted accordingly. We have paid Rs. 811544 up to the period when the correct M.F. was being applied. The consumption based ACD amount is required to be adjusted accordingly as in the above bill ACD amount of Rs. 463882.27 is shown based upon the arbitrarily derived high consumption on account of wrong application of Multiplication Factor.

It is also submitted that the Tariff of 2021-22 was issued vide Sales Circular D-12/2021, Tariff of 2022-23 was issued vide Sales Circular D-14/2022 and Tariff for 2023-24 was issued vide Sales Circular D-13/2023 & D-15/2023. The tariff of NDS category was merged with LT Industrial Category where the SOP rates were specified for KWH & KVAH consumption. DHBVN & UHBVN had filed the Application before the HERC for the clarification of the Tariff. The HERC in its Order HERC/CA-04 & CA-05 of 2023 has clarified that the NDS Category of the connection should be billed for SOP on KVAH Tariff & KVAH Consumption. The clarification was circulated by the DHBVN vide Sales Circular D-27/2023 but the SOP in the instant case is still being billed on KWH Tariff on KWH consumption. The SOP should have been billed on KVAH Tariff on KVAH consumption from 01/04/2021. The bills need to be re-casted and excess billing in the instant case needs to be refunded to us. The future billing should be on KVAH consumption on KVAH Tariff.”

19. It is pertinent to mention here that up to 09/2024 when the bills were being issued on reasonable amount. We have made all the payments timely and promptly without fail up to above-mentioned period. Thereafter, the office of SDO OP Sohna started issuing inflated bills on Multiplying Factor 10 instead of actual being 1 for several Lakhs and Crore rupees amount. Despite our continued representation, our grievances were not redressed and even the bills were not issued as per the scheduled billing cycles. As we have been receiving inflated bills due to wrong application M.F. 10 instead of actual M.F. of 1. It was primarily in the preview of the office of SDO OP Sohna to facilitate the payment made from the consumer based upon the actual M.F. during the period when the M.F. was corrected in the billing generation system and consumers on his own cannot deposit the part payment of the bill.
20. The office of SDO OP Sohna has not responded to our Rejoinder and representation and have not supplied the details/calculations and issued the bills during September for Rs. 13839171.00 and Rs. 1861941.00 Respectively. The bill of Rs.

1861941.00 is not correct. As per the simple calculation given below bill amount comes out to be Rs.466175 on KWH based consumption instead of required to be billed on KVAH based consumption as per the Tariff Order. Our motive load is capacitive in nature, and the Power Factor remains nearly unity at our above-mentioned connection. The calculation Is as follows: -

Meter reading on 17-09-2025: 288596

meter reading on 11-05-2022: 119306

Slab Calculation: -	Unit	Rate	Amount (Rs.)
	50441.51	7.380	372258.34
	44775.48	7.380	330443.04
	50579.71	7.380	373278.26
	23493.31	7.560	177609.42
		Total	Rs.1253589.06

Details of Charges for Current Cycle: -

Description	Amount (Rs.)
Fixed Charges	8383.56
Energy Charges	1253589.06
FPPAS	58521.82
Electricity Duty	16929.00
Municipal Tax / P Tax	26409.89
Total Charges	1363833.33
Less already paid by us	811544
Payable Amount	Rs.552289

After calculating the bill on KVAH based consumption and after deducting the surcharge imposed on the energy bills the payable amount will become much less.

It is pertinent to mention here that we have paid Rs. 583324 on dated:25-10-2025 under protest to get restored the supply of the connection disconnected dictatorially and illegally. The receipt of the above-mentioned payment is Annexed as Annexure-7. Now as per the details/calculation given above no amount is recoverable from us, rather refund is required to be payable on account of deliberation made in paragraph number 18 above. Nearly 100% payment of disputed amount has been get deposited by the SDO instead of 20% payment of disputed amount for which Corporate CGRF and the defendant SDO were insisting.

21. It is therefore prayed that the Nigam officials may be directed to Redress the ambiguities pointed out in paragraph 18 above and the wrong charges may be adjusted along with the surcharge and corrected bill may be issued, also calculations and details of the adjustment made may be provided by the Nigam.

B. The appeal was registered on 30.10.2025 as an appeal No. 43 of 2025 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 21.11.2025.

C. On 17.11.2025, respondent SDO has submitted as under:-

It is hereby submitted that for the subject cited account, initially an LT- CT meter was installed at site, being an LT category tower connection, having MF 10.

The consumer account is out of binder and the MF is corrected as 1. A bill revision case has been registered vide case id no. 199044359 dated 17.09.2025 and sent to CBO Hisar for approval / refund of Rs. 11372109/- (One Crore thirteen lac Seventy Two thousand One hundred Nine Only). The same has been approved by CBO Hisar and reflected in energy bill M/o 10/2025.

In the meantime, wrong ACD was charged to consumer by billing cycle due to wrong MF. So a bill revision case has been registered vide case id no. 3383770170 for adjusting/refund an amount of Rs. 927764/-. At present this case is still pending on part of CBO Hisar. After approval the same amount will be adjusted in consumer account.

This is submitted for your kind information and further necessary action please.

D. The respondent's counsel vide email dated 19.11.2025 has submitted reply, which is reproduced as under: -

1. That, the appellant is a consumer of DHBVN and initially an LT-CT (Low Tension- Current Transformer) meter was installed at the site of the appellant. Being an LT category tower connection, the MF was 10. But later, the Meter Change Order (MCO) for the account of the appellant was done and a three phase whole current meter was installed at the site. After the MCO, MF should be 1, but due to technical issue of concerned binder currently in transit, MF couldn't be done. And the arrear bill has been issued for the period from 26-08-2024 to 07-04-2025 of 353020 consumed units to Rs. 10921424/- (One Crore Nine Lakh Twenty One Thousand Four Hundred Twenty Four Only).
2. That after that the consumer had filed the complaint in CGRF Gurugram. In the meantime, the technical issue was resolved now the consumer account is out of binder and the MF is corrected as 1 and the respondent department prepared a sundry of Rs. 11372109/- which is annexed as Annexure R-1 and sent to CBO Hisar for approval/ refund of Rs. 11372109/- (One Crore Thirteen Lakh Seventy Two Thousand One Hundred Nine Only). The same has been approved by CBO Hisar and reflected in energy bill month of 10/2025 which is annexed as Annexure R-2.
3. That it is pertinent to mention here that as per HERC Regulation No. HERC/48/2020/Ist Amendment/2022- clause no. 2.18, the complainant would have to pay 20% of the disputed amount, then the complainant can file the complaint in CGRF. The respondent department told during the hearing in CGRF on 09-10-2025 that the complainant has not submitted 20% of the disputed amount. After considering this, Forum has observed that the complainant failed to deposit the 20% of the disputed amount as per HERC

Regulation No. HERC/48/2020/Ist Amendment/2022- clause no. 2.18 Sub-clause

ii) Cases Other than that covered under (i) above: 20% of the disputed amount other than the current bill amount.

In view of this the Forum decided to reject the case as per HERC regulation.

4. That as per the guidelines of the Nigam the respondent department had disconnected the supply of the appellant. After that the appellant have paid Rs. 5,83, 324/- on dated 25-10-2025 (Annexure R-3) and the respondent department has restored the supply of the appellant.

5. That in the meantime, wrong ACD was charged, to consumer, by billing cycle due to wrong MF. So, a bill revision case has been registered vide case id no. 3383770170 for adjusting/ refund an amount of Rs. 927764/- (Nine Lakh Twenty Seven Thousand Seven Hundred Sixty Four Only). At present this case is still pending on part of CBO Hisar. After approval the same amount will be adjusted in consumer account.

So, it is, therefore, prayed that keeping in view the above contentions of the respondent department the present appeal of the appellants may kindly be dismissed. And pass any other order in favour of respondent in the interest of justice.

E. Hearing was held on 21.11.2025, as scheduled. Both the parties were physically present. At the very outset Shri G.K. Nandan representative on behalf of the appellant submitted a letter bearing reference Spl.-317/IN-1286386/Ombudsman/25 dated 20.11.2025 vide which he has submitted a tentative net payable amount of 396968/-. Furthermore, vide his rejoinder he has given his justification regarding the deposit of 20% amount as mentioned in the order of the CGRF. Furthermore, he has informed that though KVAH billing is applicable on the NDS category consumers but the connection bearing account no. 9495722000 relating to M/s Indus Tower Ltd. at village Kaliaka, under operation sub division, Sohna (G-41, Sohna) DHBVN, Gurugram was billed on KWH basis.

Regarding the regulation 2.18, the appellant has informed that the bill for the month of November 2025 has been raised with zero (0) consumption but still he is ready to pay 10% of the instant bill amounting to Rs. 8,70,467/- which was considered by Electricity Ombudsman in light of reply received from SDO/Operation, Sohna, Gurugram submitted vide email dated 19.11.2025. It was mentioned in reply to point no. 5 that DHBVN has processed a case vide case id no. 3383770170 for adjusting/refund for an amount of Rs. 9,27,764/- on account of excess ACD charged. Keeping in view the consent of the appellant to deposit 10% of the dispute bill for the month of November, 2025 and excess payment available with DHBVN authority. The case was considered as per HERC Regulation No. HERC/48/2020/1st amendment 2022 clause no. 2.18. since the case fulfills the requirement of deposit of the amount which in term is more than the 6 bills of the consumers. The case was heard further.

The reply submitted by respondent SDO was taken on record and it was observed that DHBVN Authorities have initiated process for correction of the

multiplying factor from 10 to 1 and the appellant has also made a payment of Rs. 5,83,324/- on dated 25.10.2025 after that the supply at the said site stands restored. The representative of the appellant contended that the billing is also required to be carried out in compliance to the various tariff orders issued from time to time and the billing should be carried out on KVAH reading instead of KWH reading. It was further informed that the load at site is capacitive in nature therefore no calculation should be done to convert KWH reading to KVAH reading by dividing with any arbitrary power factor value of 0.9 or else. It was also apprised by respondent SDO that the initially the meter was LT/CT operated meter having multiplying factor of 10 which was later on changed with normal whole current meter. The MF updation could not be carried out as there was migration of data from non-RAPDRP system to RAPDRP this led to the mistake. Both the parties are directed as under: -

1. SDO operation, Sohna, Gurugram will trace the CA-21 and CA-22 record of the account no. 9495722000 of M/s Indus Tower Ltd. at village Kaliaka under operation sub division, Sohna in order to work out the exact date and reading of the change of meter.
2. Respondents will work out the ledger from the reading mentioned in the record of CA-21/CA-22 and prepare a ledger from the very date itself till date. The tariff applicable from time to time including KVAH tariff will be levied while preparing the ledger.
3. The compliance report of the activities mentioned at sr. no. 1 & 2 upto 03.12.2025 by the respondent with copy to the appellant.
4. Both the respondent and the appellant will have a joint meeting within 17 days from the issue of this interim order in order to sort out to their difference of opinion. The MOM of the same be also be submitted to this office by the respondent after doing the needful as per the instructions of the DHBVN.
5. The respondent will submit the case before their commercial back office and get the same audited within next 15 days so that the appeal may be closed timely.
6. The name and designation of delinquent Officers/officials who were responsible for non updation of the multiplying factor leading to consumer harassment by way of erratic bills and dis-connection on account of non-payment be also intimated as it was informed by the respondent SDO that the migration of data was done in year 2021-2022. It is deplorable that neither the ledger keeper nor the commercial assistant ever bothered to verify the correctness of multiplying factor in spite of the repeated communication made by the appellant.

The case is adjourned and now will be heard on 24.12.2025.

F. On 27.11.2025, appellant has submitted rejoinder to the reply filed by respondent's counsel which is as under: -

The points already raised in our Appeal are not deliberated here to avoid unnecessary repetition.

It has been deliberated by the Counsel of the subdivision that bill has been corrected during the month of 10/2025. It is pointed out that the bill was corrected during

the month of September 2025. During the month of September 2025 two energy bills were issued. One bill was issued on 15-09 -2025 and another was issued on 26-09-2025. In the bill issued on 26-09-2025 the adjustments of over charged amount have been made but not fully. It is pertinent to point out that the energy bills are still being issued on KWH reading instead of required to be billed on KVAH consumption in accordance with the tariff order for the years 2021, 2022, 2023, 2024 and 2025 respectively.

Regarding deposit of 20% amount, it is reiterated that the SDO OP Sohna has never pointed out during the proceedings held on dated: 09-09-2025, 26-09-2025 and 09.10.2025. The inflated amount crores of Rupees were reflected on the energy bills. It is pertinent to point out that the defendant SDO never informed that how much is the legitimate amount to be payable by us. If it would have been pointed out and part payment would have facilitated the same would have been deposited by us promptly. Instead, the defendant SDO informed to our local representative to wait, and the inflated bill would be corrected in the forthcoming bill. But the correct bill has not been issued even to date. The copy of the bill issued in November 2025 is attached for reference wherein even the SOP/Energy charges are not levied. Moreover, every time the bills were issued with different charged amounts and different adjusted amounts. Moreover, as already deliberated in our Appeal if regarding the deposit of 20% amount would have been communicated by the defendant SDO we would have deposited promptly as this amount comes out to be less than Rupees One Lakh, whereas we were forced to deposit Rs.583324 as the supply of our installation/site was disconnected dictatorially.

The Power Factor of our installation is unity (1) so the KVAH consumption and KWH consumption is same. The tariff applicable is 665p/KVAH from 01/04/2021 as per Sales Circulars attached and 680P/KVAH from 04/2025 as per Sales Circular 03/2025. The bill issued on 26/09/2025 is for the period 11/05/2022 to 17/09/2025 for recorded 169290 KWH @ 738p/KWH. The recorded KVAH must be 169290 because the PF is 1. So, the billing needs to be done on recorded KVAH at KVAH tariff. Since the meter is Tri vector and records KVAH, the calculation of $KWH/0.90 = KVAH$ done by the subdivision is not in order. For the installations/sites where Power Factor is unity $KWH/1=KVAH$. If the KVAH is not recorded by the Nigam despite the repeated instructions of the Nigam and tariff orders, then it is deficiency on the part of the SDO concerned for which the consumer cannot be punished and overbilled. It is worthwhile to mention here that the bills have not been generated issue on regular basis. For example, after 04/2025 the bill has been issued during the month of 09/2025. Earlier also the bills have been issued in the month of 10/2024, and the next will has been issued in the month of 04/2025. The bills are still being issued on KWH reading contrary to the instructions and tariff order, that the bills of NDS category are to be issued on KVAH based consumption. Again, the bill for the month of November 2025 has been issued on KWH consumption instead of required to be issued on KVAH consumption. In the bill issued during the month of November 2025 an adjustment of rupees 631638 0.65 has been met but still the ACD amount of ₹260 652 is incorporated against the sanction load of 15 kilowatt. Despite of repeated requests clear cut calculation

and details of the adjustment and charging of the amount made in the bill have not been provided to us. The bills or not issued on regular basis. These have been issued after a gap of 5-6 months for the huge amount of crores of rupees. In fact, the bills have been issued 10 times the normal Bill due to wrong application of multiplication factor. The consumer has not been facilitated during the above-mentioned period to deposit the legitimate energy charges instead, bills of 10 times amount were issued. It is therefore prayed that the Nigam may be directed to issue correct bill on the basis of recorded KVAH consumption instead of KWH being levied and the Excess ACD amount charged may be refunded along with the surcharge accrued. The Nigam officials may be directed to supply us the copy of clearly explainable calculation and details of the adjustment and charging of the amount made in the bills. Although the bill issued in November, 2025 is not issued correctly as energy charges levied is nil (0) and the bill is defective, we are ready to pay the 10% amount of this bill.

G. On 22.12.2025 respondent SDO has submitted further reply which is as under:-

As per the subject cited above, it is hereby submitted that according to the directions issued by the Hon'ble Electricity Ombudsman, in the hearing held on dated 21/11/2025, vide point no 1 & 2, this office verified all the official record to get the details of CA-21 & CA-22. While doing so, it has been gathered that no meter change activity has been performed for the said account before or after the R-APDRP migration of the Sohna subdivision. It has been found that the then area incharge JE had inadvertently performed MF change activity on the said account which was supposed to be performed on some other connection instead. This resulted into wrong MF updation i.e. from 1 to 10 for the said account, which further led to a dispute in the energy bills over a period spraining more than three years. The same has been informed to the complainant also (as directed in point no-3, in the interim order).

Further as directed in the point no-4 of the interim order, it is submitted that the complainant had been contacted telephonically to have a joint meeting to sort out the differences. The appellant informed that the respondents should firstly calculate the amount of FSA levied for the period from 01/09/2021 to 31/03/2023(as per the directions of Nigam's sales circulars), secondly the total payment made from the date of issuing first wrong bill i.e. May 2022 to till date, is to be cross verified and thirdly the reading process is to be migrated from kWh to kVAh. All the submissions of the appellant have been considered thoroughly & necessary calculations have been made and the account of the appellant has been overhauled for the period of May 2022(last Ok reading) to Oct 2025(latest ok reading) which also includes the calculations of FSA for the above mentioned period which is to be refunded.

The payments for the disputed period i. e. from May 2022 to till date have also been verified properly and the request for the migration of billing from kWh to kVAh has been forwarded to commercial back office.

After doing all the necessary calculations as requested by the appellant, it has been concluded that the total amount refundable is Rs 1,01,937/- & the sundry for the same has been framed and the necessary bill revision case has been initiated vide BR case id no -3249889768, dated - 22/12/2025. The calculations have been cross verified by the appellant thoroughly & he has shown his satisfaction. Hence the issue stands resolved. This is submitted for your kind information and further necessary action please.

H. Vide email dated 23.12.2025 appellant has submitted as under:-

Please refer to the attached communication of the Respondent SDO vide his office Memo No.4209, Dated: 22-12-2025, wherein the wrong assessment which was being made due to wrong application of Multiplying Factor is adjusted. After the above-mentioned adjustment there is refundable amount of Rs. 1,01,937. We have also deposited Rs.87047 vide the attached Receipt as per the directions given in the Interim Order. Thus, refundable amount becomes $1,01,937 + 87,047 =$ Rs. 1,88,984. We are satisfied with the above-mentioned adjustment of wrong assessment made by the office of Respondent SDO.

I. Hearing was held on 24.12.2025. Both parties were present. The respondent department alongwith its counsel attended the hearing through Video conference wherein the appellant as present physically. The appellant expressed his satisfaction with the action taken by the respondent but have requested that the amount of Rs. 87047/- submitted by him be also got adjusted. During the hearing, the respondent department has agreed that the amount of Rs. 87,047/- as raised by the appellant will also be accounted for after taking into consideration the energy bill raised post 10/2025 as they have overhauled to the consumer account from May, 2022 to 10/2025. Furthermore, it was emphasized by Electricity Ombudsman that the respondent department is required to get the amount adjusted in the consumer account at the earliest otherwise the surcharge being levied by the DHBVN on the unpaid bill shall be applicable to the appellant.

Decision

The present appeal emanates from a grievance filed by the appellant-consumer alleging erroneous and excessive billing due to the incorrect application of the Multiplying Factor (MF). The appellant contended that, despite the installation of a whole current meter at the site - where the MF is mandatorily 1—the respondent Nigam erroneously applied an MF of 10, leading to inflated bills over an extended period.

Aggrieved by the persistent billing irregularity, the appellant first approached the Corporate Consumer Grievance Redressal Forum (CGRF) and, upon dissatisfaction, preferred this appeal before the Electricity Ombudsman. During the pendency of these proceedings, this office issued an Interim Order dated 21.11.2025, directing the respondent Nigam to verify relevant records, conduct joint deliberations with the appellant, and submit a compliance report.

In pursuance thereof, the appellant filed a rejoinder, while the respondent—through the SDO/Operation, Sub Division Sohna—submitted a detailed reply. Joint meetings were held between the parties to reconcile the dispute.

Upon meticulous examination of the pleadings, replies, rejoinder, interim compliance reports, revised calculations, and oral submissions made during the hearing held on 24.12.2025 through video conferencing, the following facts emerge as conclusively established:

It is an admitted position by the respondent department that the Multiplying Factor in the appellant's account was inadvertently altered from 1 to 10 by a Junior Engineer (JE) of the Operation Sub Division, Sohna. It is further admitted that:

- No meter replacement activity occurred before or after the migration to the RAPDRP system;
- The meter installed at the site was a whole current meter, for which the MF is mandatorily 1;
- The intended change in MF pertained to another consumer's account but was erroneously applied to the appellant's account.

Such an error cannot be dismissed as merely clerical; it demonstrates a serious lapse in diligence, inasmuch as an MF of 10 presupposes the presence of a CT/PT-operated metering system, which was admittedly absent in this case.

Consequently, the appellant was subjected to grossly inflated bills, compelled to make payments under protest, and endured significant financial distress. Despite repeated representations by the appellant highlighting the MF discrepancy, the grievance was not expeditiously redressed at the sub-divisional level, reflecting inadequate verification and oversight by the field officers.

In compliance with the directions of this office, the respondent department:

- Overhauled the appellant's account for the period from May 2022 to October 2025;
- Rectified the billing after duly accounting for Fuel Surcharge Adjustment (FSA) and the applicable transition from kWh to kVAh billing;
- Forwarded the matter to the Commercial Back Office for audit and approval.

Vide Memo No. 4209 dated 22.12.2025, the SDO/Operation, Sohna, confirmed that a net refundable amount of ₹1,01,937/- has been ascertained, and a sundry adjustment bearing Ticket No. 3249889768 dated 22.12.2025 has been initiated.

The appellant, upon review of the revised calculations and supporting records, has expressed satisfaction with the corrective measures taken vide submission dated 24.12.2025. However, the appellant has rightly pointed out that a payment of ₹87,047/- made on 19.12.2025 must also be accounted for in the final reconciliation, as the account overhaul covers the period up to October 2025.

While the substantive billing dispute stands resolved on merits, the aspects of consumer hardship and administrative accountability warrant consideration. It is evident that:

- a) The appellant endured undue hardship solely attributable to a grave, albeit inadvertent, lapse on the part of the respondent's officials;
- b) Elementary prudence and cross-verification at the time of altering the MF could have prevented this error;
- c) The failure of supervisory and commercial staff to promptly address the appellant's repeated objections constitutes a deficiency in service.
- d) The respondent department is also required to ensure the recovery of the amount from the consumer whose MF was not updated to 10 as admitted by SDO vide his memo no. 4209 dated 22.12.2025 on account of reduced billing of energy units

Thus, mere rectification of the bills, though essential, does not fully meet the ends of justice in circumstances involving prolonged consumer distress and evident lapses in service standards of the respondent department.

ORDER

In view of the foregoing findings, record placed in the file and in exercise of the powers conferred upon this office, it is ordered as under: -

1. The refundable amount of ₹1,01,937/-, as determined and agreed by the respondent, shall be adjusted in the appellant's future bills. Additionally, any excess Additional Consumption Deposit (ACD) lying with the respondent shall be recalculated based on actual consumption, and the excess amount (arising from the erroneous billing) shall be refunded to the appellant along with interest as applicable.
2. The payment of ₹87,047/- deposited by the appellant on 19.12.2025 shall be duly accounted for in addition to the aforementioned ₹1,01,937/-. The net refundable/adjustable amount, after complete reconciliation, shall be adjusted in the appellant's next electricity bill within thirty (30) days from the date of this order.

In the event of delay or if the adjustable amount exceeds the monthly bill, interest at the rate of 8% per annum shall be payable by the respondent DHBVN on the outstanding amount until full adjustment.

3. A penalty of ₹5,000/- (Rupees Five Thousand only) is hereby imposed upon the officials responsible for the erroneous alteration of the Multiplying Factor namely, Sh. Deepak Kumar, UDC (officiating as CA), and Sh. Rajesh Panwar, JE at ₹2,500/- each. The aforesaid penalty amount of ₹5,000/- shall be credited to the appellant's electricity account (M/s Indus Towers Ltd., Village Kaliyaka, Sohna, Account No. 9495722000) within thirty (30) days from the date of this order.
4. In case of any non-compliance with this order, the respondent department shall initiate disciplinary proceedings against the concerned officials under Rule 7 of the Haryana Civil Services (Punishment & Appeal) Rules, 2018, for dereliction of duty

and causing undue harassment to the consumer, and submit an action-taken report to this office.

The appeal is allowed to the extent indicated above.

The instant appeal is disposed of accordingly.

Both parties shall bear their own costs. The file be consigned to records.

A copy of this order be sent to the appellant and the respondent for strict compliance.

Given under my hand on 24th December, 2025.

Sd/-

(Rakesh Kumar Khanna)
Electricity Ombudsman, Haryana

Dated:

CC-

Memo. No.2462-68/HERC/EO/Appeal No. 43/2025

Dated: 26.12.2025

To

1. M/S Indus Towers Ltd. Bestech Business Towers, Tower A, Industrial Plot No.1, Phase-9, Sector-66, SAS Nagar (Mohali), Punjab-160059 (Email p-gk.nandan@industowers.com)
2. The Managing Director, DHBVN, Hisar (Email md@dhbvn.org.in).
3. Legal Remembrancer, Haryana Power Utilities, Panchkula (Email lr@hvpn.org.in).
4. The Chief Engineer Operation, DHBVN, Delhi (Email ceopdelhi@dhbvn.org.in).
5. The SE/OP, Circle, Gurugram-II, DHBVN, Gurugram HVPNL Complex, Near Police Line, Mehrauli Road, Gurugram-122001 (Email seop2gurugram@dhbvn.org.in)
6. The XEN/OP, Divn., Sohna, DHBVN, Gurugram, (Email xenopsohna@dhbvn.org.in)
7. SDO/OP, Sub Division, DHBVN, Sohna, Gurugram (Email sdoopsohna@dhbvn.org.in)