



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA

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

Telephone No. 0172-2572299

Website: <https://herc.gov.in/Ombudsman/Ombudsman.aspx#>

E-mail: eo.herc@nic.in

(Regd. Post)

Appeal No. : 45 of 2025
Registered on : 19.11.2025
Date of Order : 10.04.2026

In the matter of:

Appeal against the order dated 09.10.2025 passed by CGRF, DHBVN Gurugram in case No 4924/2025

Shri Pradeep Kumar S/o Sh. Ramniwas, Village Ramlavas, Tehsil & District-
Charkhi Dadri

Appellant

Versus

1. The XEN/OP Divn., Charkhi Dadri, DHBVN, Bhiwani, Haryana
2. SDO/OP, Sub Division, Jhojhu Kalan, Charkhi Dadri DHBVN, Bhiwani, Haryana **Respondent**

Before:

Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:

Shri B.P. Aggarwal, Advocate

Present on behalf of Respondents:

Shri Ashish Sodi, SDO

Shri Ashok Kumar, CA

ORDER

A. Sh. Pradeep Kumar has filed an appeal against the order dated 09.10.2025 passed by CGRF, DHBVNL, Gurugram in case no. 4924 of 2025. The appellant has submitted as under: -

1. That the present Appeal is being filed by the Appellant against the order dated 09/10/2025 passed by the Hon'ble CGRF in Appeal No. DH/CGRF/4924/GGN/2025. Copy of Order dated 09/10/2025 is enclosed herewith as ANNEXURE A-1.
2. That the brief facts of the case are as given below: -
 - i. That Appellant Pradeep Kumar is the registered consumer and has obtained an electricity connection through Account No. 8078772000 under LTS category, having the sanctioned load of 35 KW. Copy of the bill is enclosed herewith as ANNEXURE A-2.
 - ii. That in the month of June 2022 the meter of the Appellant was defective and started excess MDI and these facts were informed to the respondent by the Appellant, thereafter the Appellant has deposited the bill of Rs. 217214 with the respondent after get it correct on 19.09.2022.
 - iii. That the Appellant requested to the respondent to get the meter checked and correct and issue the revised correct bill but neither the meter was checked or corrected nor the actual /average bill was issued by the respondent. In the month of July 2023, the Appellant has received a bill of Rs. 74,81,639/- whereas the average consumption of the Appellant was around 1500 to 2000

units per month and hence it was not possible for the Appellant to deposit such bill.

- iv. That the Appellant again made the complaint and thereafter MCO was issued on 27.07.2023 for the replacement of the meter but the meter was changed on 03/10/2023 by the respondent, whereas it was required to change within 7 days from the date of defective.
 - v. That after more than one year of the replacement of the meter, the respondent checked the meter on 18/10/2024 at M & P laboratory, Dadri. During the period June 2022 to Oct. 2024 the respondent has not issued the average bill or corrected bill but the bill with huge arrears was issued and the current bill was also not accepted by the respondent except on 19.09.2022 when Rs. 217214 was accepted by the respondent.
 - vi. That the respondent has revised the bill to the tune of Rs. 15,09,687/-in the month of December 2024, in which huge amount of late payment surcharge was also there. The Appellant approached to the respondent with the request to waive the LPSC and accept the payment in 6 installments but there the respondent fails to waived the LPSC and allowed the Appellant to pay in installments and hence the Appellant filed the complaint before the Hon'ble CGRF. Copy of the revised bill is enclosed herewith as ANNEXURE A-3.
 - vii. That the respondent submitted the reply and after considering the submission of the parties the Hon'ble Forum and disposed off the appeal with the direction to pay the entire amount and waive off the surcharge of the consumer as per SWS Scheme 2025 but did not allowed the installments or waived the entire LPSC. Copies of the complaint and reply are enclosed herewith as ANNEXURE A-4(Colly)
 - viii. That the Appellant made many representations to revised the bill and accept the payment but no action taken. copies of the representation dated 24-04.2024,10.0i.24 &,09.04.25 are enclosed herewith as ANNEXURE A-5(Colly).
3. Aggrieved from the order dated 09/10/2025 passed by the Hon'ble Forum the Appellant has challenged the order on the following ground besides the other ground:-

GROUNDS

- a) Because the order passed by Hon'ble Forum is against the rules and regulation and Electricity Act, 2003 as the respondent was required to raised the monthly bills on the basis of the correct meter.
- b) Because the Hon'ble Forum failed to considered the facts that as per clause 6.9.1d(ii) of The Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2014, the respondent was required to changed the meter within 7 days of establishing the meter defective but the respondent was failed to changed the meter for more than a year when it came to know about the defective meter in the month of June 2022.

- c) Because the Hon'ble Forum failed to considered the facts that MCO was issued on 27.07.2023 but it was changed on 03.10.2023, thus the respondent has violated the rules and regulation and liable to pay the penalty for its deficiency.
 - d) Because the Hon'ble Forum failed to considered the facts that the respondents were required to check the meter immediately after its replacement on 03.10.2023 and the meter was checked by the respondent on 18/10/2024 at M & P laboratory, Dadri, when it was found that the meter was really defective.
 - e) Because the Hon'ble Forum failed to considered the facts that during the defective period the respondents should have raised the average bill based on the previous consumption but the respondent has raised the huge bill amounting to few lakh, thus the Appellant was unable to make the payment of the bill.
 - f) Because the Hon'ble Forum failed to considered the facts that the revised bill was raised after more 2 and half years after the meter was found defective in June 2022 and hence the Appellant is also liable to pay the bill in the installments without surcharge but the installments were not allowed by the Forum and surcharged was also not waived .
 - g) Because the Hon'ble Forum failed to considered the facts that the respondents have not given the detailed of the revised bill i.e. for the defective period what was the bill charged in the revised bill.
 - h) Because the Hon'ble Forum did not allowed the Appellant to deposit the bill in installments and also did not waive the entire surcharge which was charged illegally.
4. That Appellant has not filed any other similar Appeal either before this Hon'ble Court or any other Courts in India.

PRAYER

In view of the above facts and circumstance it is most respectfully prayed that this Hon'ble Commission may kindly be pleased to:-

- a. To set aside the order dated 09.10.2025 passed by the Hon'ble CGRF in Appeal No. DH/CGRF/4924/GGN/2025 and accept the appeal of the Appellant, thereby directing the respondents to waive the entire surcharge on the bill and also allowed the Appellant to deposit the bill in 6 monthly installments, in the interest of justice.
- b. Award the compensation and costs of present proceedings in favour of Appellant and against the Respondent and;
- c. Any other or further order which this Hon'ble Commission may deem fit and proper in the facts and circumstances of the case in favour of the Appellant in the interest of justice.

B. The appeal was registered on 19.11.2025 as an appeal No. 45 of 2025 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 08.12.2025.

C. Hearing was held on 08.12.2025, as scheduled. Both the parties were physically present. During the hearing the appellant counsel raised the issue that the bill of the consumer was not raised on correct reading after reporting to the office of SDO Operation, Jhojhu Kalan regarding registration of exceptionally high MDI in the meter, furthermore the partial relief was provided by the CGRF at DHBVN but the entire surcharge was not waived off furthermore 6 nos, instalments to pay the bill was not entertained leading to matter before Electricity Ombudsman.

The respondent SDO informed that he is holding the dual charge of Sub Division in this matter as the present incumbent of the sub division is due to retire in January 2026. Before taking any further necessary action in the matter respondent SDO and the appellant are directed to ensure the following action:-

(a) The appellant counsel is required to submit the detail of the amount deposited in full in compliance to the order of the CGRF as confirmed by him during the hearing held today. The proof pertaining to deposit of the disputed amount will serve the purpose as required as per 2.1.8 clause of the HERC regulation 2022 to admit the case.

Furthermore, the appellant is required to furnish the detail of any application moved before the authority concerned seeking submission of bill in part payment or depositing any portion of the bill under protest. Appellant is also required to explain under what circumstances he has submitted the request of waiving the entire surcharge in toto whereas prima-facie the wilful default is on appellant side.

(b) The respondent SDO is required to submit the following information before the next date of hearing: -

i) The action taken by the respondent department on the basis of complaint made by the appellant regarding excess MDI recorded by the meter.

ii) Was this ambiguity within the permissible limits, if not the reason for not replacing the meter for nearly 12 months. During the period consumer approached the respondent regarding erratic behaviour of meter, name of the official on the basis of whose report meter was being billed on OK reading for another 1 year (although meter reading falling under the ambit of JE operation concerned).

iii) Any M&P report after reporting of consumer about the erratic behaviour of his meter being LT-CT Operated meter.

iv) In spite of having the contract with billing agency for monthly dumping of the meter data and analysis of the same under what circumstances the same could not be detected.

v) What was the reason for erratic behaviour of meter that was figured out in the M&T lab, Charkhi Dadri or the report given by the manufacture of the meter.

- vi) Is it true that the respondent department failed to get the part payment from the consumer deposited post 09/2022 and what action was taken by respondent to recover the dues during the period.
- vii) Under what circumstances the defaulting amount from the consumer could not be got deposited in spite of SWS-2025 in vogue and that to with provision of instalments.
- viii) The respondent SDO is also required to get the application from the appellant cross checked from the record available in his office vide which the appellant has requested for part payment or depositing any portion of the bill under protest after 09.02.2022 till the replacement of the defective meter.

The case is adjourned and now will be heard on 05.01.2026.

D. The respondent SDO vide email dated 02.01.2026 has submitted reply, which is as under:

Point 1 &2

This is to submit that factual position regarding the delay in meter updation and billing correction in respect of the consumer related to Case ID 8783305987.

Upon receipt of the consumer's complaint regarding incorrect billing, the matter was reported to the concerned Junior Engineer (JE) on 19.01.2023 through to CBO (SVR). Accordingly, a meter report was prepared and forwarded. After discussion with the (CBO), it was advised that the issue could be resolved through a (MCO).

As per the advice of CCB, the meter was replaced by the JE vide MCO No. 01/3685 dated 27.07.2023. However, during this period, the concerned JE, Sh. Ramniwas, fell seriously ill, which caused an unavoidable delay in completion of the related official work and system updation. Unfortunately, he later expired. Due to these unforeseen and unavoidable circumstances, the meter updation and corresponding billing correction could not be completed within the stipulated time

Subsequently, the meter updation was carried out on 31.03.2024. However, the meter could not be physically checked, as per Report No. 14/901 dated 01.10.2024 & MT report 1017 Dt. 18.10.2024. The approval of Sundry was ultimately received on 25.11.2024.

Point - 3&5

Regarding meter checking, at the time of inspection, the meter was compared with Accucheck and meter accuracy was found within permissible limits; however, the Meter RTC was found failed. As per meter data, abnormal MDI values were recorded, which are not in accordance with the Meter Factor (MF), details of which are as under: -

201.5 kW & 651.3 KVA dated 27.02.2023
447.2 kW & 645.1 kVA dated 22.07.2023
265.3 kW & 631.1 kVA dated 09.08.2023

Further, as per data, MDI was found exceeded on 11.04.2023 (230 kW). The BCS software communicated with the meter and data was taken accordingly. In view of the above abnormal MDI data, the meter was treated as defective.

Point-04

During the relevant period, Sub Division data updation work was in progress in the system. Due to shortage of staff and transition to the new software system, operational difficulties were faced, which also contributed to the delay. Subsequently, the issue was resolved and the consumer-related work was completed.

Point -06

As per records, the consumer made part payment of the outstanding amount; however, full payment was not made initially. The details of payments made by the consumer are enclosed herewith for ready reference.

Point-07

The consumer was informed about the settlement as per Service Request dated 05.07.2025, but he was not satisfied with the proposal of 50% payment. Later, after due consideration by the CGRF, the consumer agreed to the settlement and made the required payment accordingly.

In view of the facts stated above, it is respectfully requested that the case may kindly be considered and necessary action for final billing correction may please be taken at the earliest in the interest of Nigam.

- E.** Hearing was held on 05.01.2026, as scheduled. All parties were present during the VC. The reply submitted by the SDO, Jhojhu Kalan was considered, and it is evident that there were lapses on the part of the respondent DHBVN department in replacing the meter in a timely manner. As a result, the consumer has suffered due to these lapses by the DHBVN authority.

The main issue now revolves around whether, when the meter was recording exceptionally high MDI (as mentioned in the reply of the SDO on dates 27.02.2023, 22.07.2023, and 09.08.2023), there was any abnormal increase in the kWh/kVAh consumption of the consumer during that period.

The respondent department is directed to constitute a committee comprising the XEN/Operation, XEN/M&P, and other subordinate staff such as the SDO Operation concerned, SDO M&T Lab, along with the SDO M&P of the concerned area. The committee shall review the load survey of the consumer event by event and submit a report on whether there has been an increase in the kWh/kVAh consumption corresponding to the kW and kVA values as mentioned: 201.5 kW & 651.3 kVA dated 27.02.2023, 447.2 kW & 645.1 kVA dated 22.07.2023, and 265.3 kW & 631.1 kVA dated 09.08.2023. The report shall also include comments on the working of the meter in the case of a defective RTC as is corroborated by SDO M&T lab DHBVN, Hisar in his memo no. 1017/MT-43 dated 18.10.2024 issued against account no. 8078772000 of M/s Pardeep S/o Sh. Ram Niwas Village Ramlawas, Jhojhu.

The consumer's account may be overhauled for the defective period, and the final figure payable by the consumer shall be worked out accordingly. The sheet should be submitted before the next date of hearing from the audit wing of DHBVN, so that

the matter may be closed after issuing an appropriate order by the Electricity Ombudsman.

The report is required to be completed within a time period of 28 days.

The case is adjourned and now will be heard on 02.02.2026.

- F.** Hearing was held on 02.02.2026, as scheduled. The Counsel for the Appellant, vide email dated 31.01.2026, requested that the hearing be conducted through Video Conferencing (VC) due to unavoidable circumstances. Accordingly, both parties appeared through VC.

Vide email dated 31.01.2026, the Respondent/SDO requested extension of time for submission of the Load Survey Analysis Report.

During the course of the hearing, the Respondent/SDO has intimated that a Committee has already been constituted for preparation of the Load Survey Analysis Report and that the same shall be submitted within one week.

Having considered the request of the Respondent and the oral submission made during the hearing, the Electricity Ombudsman is pleased to grant fifteen (15) days time from today, i.e., up to 17.02.2026, for filing/submission of the Load Survey Analysis Report. The Respondent shall simultaneously supply a copy of the said report to the Appellant's Counsel.

Accordingly, the case is adjourned and now will be heard on 27.02.2026.

- G.** On 25.02.2026 SDO respondent has submitted as under:-

In the appeal no 45 of 2025, it is most respectfully submitted that in compliance with the directions issued by this Hon'ble Authority vide Interim Order dated 05.01.2026, the matter was examined in detail by a duly constituted committee.

The committee has carried out event-wise analysis of:

1. Load survey data.
2. Energy consumption (kWh/kVAh).
3. MDI events.
4. Meter performance including RTC behavior.

The Committee Report is hereby submitted for kind perusal of this Hon'ble Authority. The key findings are summarized below:

1. The recorded high MDI values are not supported by corresponding energy consumption.
2. No abnormal load pattern is observed in the load survey data.
3. Technical inconsistency exists between demand and energy parameters.
4. Abnormal readings are attributable to RTC/meter-related irregularities.

Prayer:

It is most respectfully prayed that this Hon'ble Authority may kindly:

1. Take the Committee Report on record
2. The bill is already corrected for abnormal MDI and surcharge as per SVS'2025 already adjusted according to Corporate CGRF order.
3. The consumer has already cleared his bill.
4. Pass further appropriate orders

H. The hearing in the above-captioned appeal was held today, i.e., on 27.02.2026, as scheduled. Both parties appeared through video conference. The counsel for the Appellant argued for complete waiver of the surcharge, contending that the delay in meter replacement and correction of billing was entirely attributable to the Respondents, resulting in undue hardship to the Appellant.

The Respondent SDO submitted that, in compliance with the CGRF order dated 09.10.2025, the MDI penalty of approximately Rs. 1.3 Crore and surcharge of Rs. 2 Lakhs were considered; a sundry of Rs. 1.3 Crore was prepared and approved; and the bill was accordingly settled at Rs. 25 Lakhs. This amount was paid by the Appellant after availing benefits under the Surcharge Waiver Scheme (SWS) 2025 of DHBVN.

The Ombudsman queried the Respondent regarding the meter's functioning. The SDO stated that the meter recorded abnormal MDI values only, while energy consumption was calculated as per the relevant sales circular, with surcharge adjusted accordingly.

Upon consideration of the submissions, records, Committee Report, M&T Lab Report dated 18.10.2024, and meter self-diagnostic/event logs, it is observed that the meter suffered from Real Time Clock (RTC) malfunction, leading to erroneous Maximum Demand Indicator (MDI) capture. The energy consumption remained normal and consistent with the consumer's load pattern. This constitutes a "defective meter" under Regulation 6.9.1 of the Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2014 (as amended), which covers meters that are dead-stop, burnt, or otherwise malfunctioning, requiring replacement and account overhauling.

The meter shall accordingly be treated as defective from the date of receipt of the Appellant's application/complaint highlighting the erratic behaviour (19.01.2023) until the date of actual effecting of the Meter Change Order (MCO) in the billing system (31.03.2024).

The delay in replacement (from January 2023 to July 2023) and in system updation (till March/November 2024) violates the timelines prescribed under Regulation 6.9.1 of the HERC Electricity Supply Code Regulations, 2014 (as amended), read with the Haryana Electricity Regulatory Commission (Standards of Performance for the Distribution Licensee) Regulations, 2004 (as amended), which mandate replacement of a defective meter within 7 days (or 72 hours for burnt meters). The explanation regarding the illness and demise of the concerned Junior Engineer is accepted as an unavoidable circumstance and not a deliberate lapse. Nevertheless, the Nigam is expected to maintain robust backup arrangements at the Sub-Division level to ensure continuity of essential functions such as MCO updation, sundry processing, and billing corrections, as per guidelines in the DHBVN Internal Audit Manual.

Provisional billing based on abnormal MDI was incorrect. The CGRF order granted partial relief, pursuant to which the Appellant paid Rs. 25 Lakhs under SWS 2025. A fresh and comprehensive overhauling of the account is required, strictly in accordance with:

- Regulation 6.9.1 of the HERC Electricity Supply Code Regulations, 2014 (as amended): Provisional billing during defective period on the average of the corresponding period of the previous year or past 6 months, with final adjustment based on actual/new meter data; no surcharge leviable during the defective period.
- DHBVN Sales Manual and related provisions on billing during defective/dead-stop/faulty meter periods.
- Relevant Sales Instructions/Compendium of Commercial Instructions (December-2024), including Sales Instruction No. 04/2017, D-24/2021, D-17/2020, etc., dealing with account overhauling in cases of defective meters and MDI abnormalities.
- DHBVN Internal Audit Manual guidelines for sundry adjustments, debit/credit entries, and verification.

The Respondents are directed to carry out the following entire exercise to be completed within 15 days from the date of issue of this order:-

1. To overhaul the Appellant's account No. 8078772000 for the defective meter period (19.01.2023 to 31.03.2024) strictly in accordance with the provisions cited above.
2. The benefit already availed under SWS 2025 in compliance with the CGRF order remains binding on the Respondents, as the relief granted was limited to defective MDI adjustment rather than full treatment as a defective meter case from the date of application.
3. No surcharge shall be charged during this period
4. The final payable or refundable amount shall be determined. If any amount is found payable by the Appellant, it shall be recovered in four equal instalments without any surcharge (If any amount is refundable, it shall be adjusted/refunded in the next billing cycle. If the refundable amount exceeds the bill for the next cycle, the balance shall be adjusted in subsequent bills).
5. The entire calculation will be got audited from CBO and audit team.

The compliance report, along with a copy of the revised bill(s), shall be submitted before this office within 18 days.

The final order in the matter shall be pronounced after receipt of the final calculation sheet duly audited from the respondent. The respondent (DHBVN) is directed to furnish the same latest by 20.03.2026.

- I.** This office fixed the date of hearing in the matter on dated 08.04.2026 at 11:00 A.M. to be attended physically wherein SDO/Operation and Xen/Operation were directed to furnish the reply complete in all respect upto 07.04.2026 without any excuse as the compliance report of the interim order dated 27.02.2026 was not received.

J. On email dated 02.04.2026, SDO respondent has submitted clarification and submission of revised sundry details which is as under:-

It is respectfully submitted that the consumer details in the above-mentioned case are as under:

A/C No.: 8078772000 Name: Pardeep Village: Ramalwas

The consumer's bill was found to be on the higher side due to an MDI issue. In this regard, Account Overhaul MDI has been carried out as per Sundry No. 411-157, and the details are as follows:

1. MDI Penalty Details:

MDI Penalty: ₹98,71,180/-

MDI Penalty Surcharge: ₹32,31,728/-

Net Total: ₹1,31,02,908/-

Proposed LPSC: ₹1,96,544/-

Adjusted Amount: ₹1,32,99,452/- (Adjusted in the bill of 25.11.2024)

2. Revised Sundry Details:

Total Faulty Bill Amount as per ledger (Pending surcharge): ₹5,88,556/-

Already adjusted surcharge under SWS (07/2025) LPSC Refund: ₹2,54,443/-

Balance Amount: ₹3,34,113/-

Already LPSC Adjusted (09/2022): ₹1,36,133/-

Adjustable LPSC Amount: ₹1,97,980/-

The amount of ₹1,97,980/- will be adjusted in the next bill as per Sundry No. 452-147. The above revision has been carried out as per Hon'ble Electricity Ombudsman interim order to rectify the consumer's grievance. It is therefore requested that the same may kindly be taken on record in Appeal No. 45/2025 and necessary action may be taken accordingly after the final order of Hon'ble Electricity Ombudsman.

K. On email dated 07.04.2026, Xen/Op, Charkhi Dadri has submitted reply in appeal no. 45 of 2025 which is as under:-

In reference to the interim order dated 27.02.2026 in the subject cited matter and the reply submitted by SDO OP Sub Division DHBVN Jhojhu Kalan vide memo no 16 dated 02.04.2026. The point wise details as sought in the interim order is submitted as under:

1. The calculation for overhauling the appellant's account, submitted by the Sub Division which is duly vetted by CBO, Hisar, is attached for ready reference of Hon'ble Electricity Ombudsman.
2. After the detailed calculation as per Nigam instruction an amount of Rs. 197980/- is liable to be adjusted against Surcharge and the same will be adjusted in the next billing cycle.
3. No surcharge is charged to the appellant for the period.

4. Refundable amount of Rs. 197980/- will be adjusted in the next billing cycle accordingly.
5. The vetted calculation is attached for the ready reference.

L. The hearing in the above-captioned appeal was held i.e. on 08.04.2026, as scheduled. Both the parties were present.

FINAL ORDER

The present appeal arises out of the order dated 09.10.2025 passed by the Corporate Grievance Redressal Forum (CGRF), DHBVN Gurugram in Case No. 4924/2025, whereby partial relief was granted to the Appellant. The Appellant had challenged the correctness of billing arising from abnormally high Maximum Demand Indicator (MDI) readings recorded in his LT-CT meter (Account No. 8078772000, LT category, sanctioned load 35 kW) due to Real Time Clock (RTC) malfunction, and sought complete waiver of surcharge along with instalment facility.

Brief Facts

The Appellant's meter developed a defect manifesting in erroneous MDI recordings (notably 201.5 kW & 651.3 kVA on 27.02.2023, 447.2 kW & 645.1 kVA on 22.07.2023, and 265.3 kW & 631.1 kVA on 09.08.2023), while energy consumption (kWh/kVAh) remained normal and consistent with the consumer's historical load pattern. The Appellant promptly reported the anomaly on 19.01.2023. The meter was eventually replaced vide MCO dated 27.07.2023, but updation in the billing system was delayed until 31.03.2024 owing to the serious illness and subsequent demise of the concerned Junior Engineer. The M&T Lab Report dated 18.10.2024 confirmed RTC failure, rendering the meter "defective" within the meaning of Regulation 6.9.1 of the Haryana Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2014 (as amended).

The CGRF granted partial relief, pursuant to which the Appellant deposited ₹25 Lakhs after availing benefits under the Surcharge Waiver Scheme (SWS) 2025. Aggrieved by non-waiver of the entire surcharge and denial of instalments, the Appellant preferred the present appeal.

Proceedings and Interim Directions

Detailed hearings were held on 08.12.2025, 05.01.2026, 02.02.2026 and 27.02.2026. Vide Interim Order dated 27.02.2026, this office directed the Respondents to:

1. Treat the meter as defective for the period 19.01.2023 to 31.03.2024;
2. Overhaul the account strictly as per Regulation 6.9.1 of the Supply Code, DHBVN Sales Manual, Compendium of Commercial Instructions (December-2024) and Internal Audit Manual;
3. Levy no surcharge during the defective period;

4. Determine the final payable/refundable amount and, if refundable, adjust/refund the same in the next billing cycle (with balance carried forward to subsequent bills if necessary).

Compliance by Respondents

In compliance with the aforesaid Interim Order, the Respondents have submitted the following:

- Revised sundry calculation (Sundry No. 452-147) duly vetted/pre-audited by the Commercial Back Office (CBO), DHBVN Hisar vide Memo No. 170/AO/CBO dated 07.04.2026;
- A refundable/adjustable amount of ₹1,97,980/- (after adjustment of surcharge already availed under SWS 2025) has been determined;
- Memo No. 16 dated 02.04.2026 issued by SDO/OP, Jhojhu Kalan and Memo No. 944 dated 07.04.2026 issued by XEN/OP Division, Charkhi Dadri confirming that the said amount shall be adjusted in the next billing cycle;
- No surcharge has been levied on the Appellant for the defective period.

The Appellant's counsel, during the final hearing, expressed full concurrence with the calculations and compliance submitted by the Respondents and requested a copy of the same (already provided by this office).

Analysis and Findings

1. The Committee Report, M&T Lab Report dated 18.10.2024, meter self-diagnostic/event logs and load survey data conclusively establish that the high MDI readings were solely attributable to RTC malfunction and were not supported by corresponding energy consumption. The meter is therefore held to be defective from 19.01.2023 to 31.03.2024 under Regulation 6.9.1 of the Supply Code.
2. The delay in replacement and system updation, though explained by unavoidable circumstances, constitutes a lapse on the part of the Nigam. However, the explanation regarding the Junior Engineer's illness and demise is accepted as bona fide.
3. Provisional billing based on abnormal MDI was incorrect. The account has now been overhauled in accordance with the directions contained in the Interim Order dated 27.02.2026.
4. The refundable amount of ₹1,97,980/- stands duly audited and is liable to be adjusted as per the Nigam's own calculations.

Decision

After hearing both the parties and going through the record made available on file, I have carefully perused the entire record and decided that the appeal is allowed in part. The Interim Order dated 27.02.2026 is made absolute with the following clarificatory and operative directions:

1. The Respondents shall forthwith adjust the refundable amount of ₹1,97,980/- in the subsequent/next billing cycle of the Appellant's Account No. 8078772000.
2. In the event the current consumption bill for the next billing cycle is less than ₹1,97,980/-, the entire refundable amount (or the balance thereof) shall be carried forward and adjusted in the subsequent bills until the full amount is adjusted.
3. No further surcharge, interest or penalty shall be levied or recovered from the Appellant on account of the defective meter period (19.01.2023 to 31.03.2024).
4. The Respondents shall issue the revised bill(s) incorporating the aforesaid adjustment and furnish a copy of the same along with compliance report to this office within 15 days of the date of this Final Order.

Other Directions

- Since the consumer has already cleared the bill under SWS 2025 and the matter stands fully complied with, the case is closed without imposition of any penalty or costs upon either party.
- Both parties shall bear their own costs.
- The Nigam is advised to strengthen backup mechanisms at the Sub-Division level to ensure continuity of MCO updation and billing corrections in future, as per the DHBVN Internal Audit Manual.

The instant appeal is disposed of accordingly.

Both parties to bear their own costs.

File may be consigned to record.

Given under my hand on 10th April, 2026.

Sd/-

(Rakesh Kumar Khanna)

Electricity Ombudsman, Haryana

Dated: 10.04.2026

CC:

Memo No.112

/EO/HERC/Appeal No. 45/2025

Dated:13.04.2026

To

1. Shri Pradeep Kumar S/o Sh. Ramniwas, Village Ramlavas, Tehsil & District- Charkhi Dadri (email bpagarwal57@gmail.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, Hisar (Email ceophisar@dhbvn.org.in).
5. The SE/OP, Circle, Bhiwani, DHBVN, (Email seopbhiwani@dhbvn.org.in)
6. The XEN/OP, Divn., Charkhi Dadri, DHBVN, Bhiwani (Email xenopdadri@dhbvn.org.in)
7. SDO/OP, Sub Division, Jhojhu Kalan, Charkhi Dadri, DHBVN, Bhiwani (Email sdoopjhojhu@dhbvn.org.in)