



(Regd. Post)

Appeal No. : 5 of 2025
Registered on : 06.03.2026
Date of Order : 11.05.2026

In the matter of:

Appeal against the order dated 06.02.2026 passed by CGRF, UHBVN Panchkula in case No UH/CGRF-326/2025

Sh. Tapan Rai, House No. 1502, Johri Pura, Jagadhri
Distt. Yamunanagar, Haryana

Appellant

Versus

1. The XEN/OP Division, UHBVN, Jagadhri
2. SDO/OP City Sub-Division, UHBVN, Jagadhri

Respondent

Before:

Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:

Shri Tapan Rai (appeared through VC / in person)

Present on behalf of Respondents:

Shri Ajit Kumar, SDO (OP) City Sub-Division, Jagadhri
Sh. Pritpal Singh, Commercial Assistant

ORDER

A. Shri Sh. Tapan Rai, House No. 1502, Johri Pura, Jagadhri, Distt. Yamunanagar, Haryana has filed an appeal against the order dated 06.02.2026 passed by CGRF, UHBVNL, Panchkula in case no. 326 of 2025. The appellant has submitted as under: -

1. Jurisdiction

This appeal is being preferred under Regulation 2.48 and 2.49 of the HERC (Forum & Ombudsman) Regulations, 2020 against the order dated 06.02.2026 passed by the Consumer Grievances Redressal Forum, UHBVN, Panchkula.

2. Background of the case

1. The appellant is a domestic consumer under UHBVN with a consistent history of moderate electricity consumption and regular bill payments without any default.
2. A dispute arose regarding abnormal billing and retrospective demand raised on the basis of alleged audit observations and incorrect readings.
3. The appellant filed a complaint before CGRF, which was admitted and heard on 27.01.2026.
4. The CGRF passed an order dated 06.02.2026 disposing of the complaint.
5. The final CGRF Order contradicts the ruling given during hearing. The appellant filed an application before the Forum pointing out the inconsistency and appealing for review of order. However, the Forum – without taking any cognizance of the appeal – directed the applicant to appeal before the Electricity Ombudsman.
6. Further, acting on the basis of the impugned order, the department has coercively disconnected electricity supply to Consumer Account No. 4105870000 on 24.02.2026, without affording any opportunity to seek rectification or prefer appeal, thereby causing grave hardship and irreparable injury to me and my family.

3. Core ground of appeal – Final order contradicts the ruling given during hearing

The present appeal is primarily founded on the fact that:

(a) Directions issued during hearing

During the hearing before CGRF:

1. The Forum observed that readings/calculations for the disputed period were unreliable.
2. The department representatives were directed to:
 - compute consumption for the disputed period on the basis of **average consumption for January 2025 to December 2025**.
3. The recalculated amount was to be payable in **six equal instalments without surcharge**, which was accepted by the appellant.

This formed the operative understanding and resolution during proceedings.

(b) Final written order materially departs from the above

The final order dated 06.02.2026:

- records that the reply of the SDO/respondent was “found in order”, and
- directs acceptance/payment of “outstanding amount” in six instalments, without:
- declaring disputed readings incorrect,
- directing recalculation based on Jan–Dec 2025 average, or
- adjudicating the billing dispute itself.

Thus, the written order **does not reflect the actual ruling issued during the hearing** and changes the substance of the decision.

4. Order is self-contradictory and non-speaking

The order itself records:

- prolonged average billing,
- abnormal consumption spike,
- audit-based demand, and
- absence of proper verification,

yet the decision:

- accepts departmental position,
- treats outstanding amount as payable, and
- disposes the complaint without adjudicating correctness of readings.

The order therefore:

- fails to decide the core dispute, and
- becomes internally inconsistent.

5. Violation of principles of natural justice

The CGRF:

- did not adjudicate whether readings were correct,
- did not determine lawful consumption, and
- did not pass a reasoned finding on liability.

Instead, it converted the matter into instalment-based recovery.

This defeats the purpose of grievance adjudication and violates principles of fair hearing.

6. Failure to issue a reasoned adjudicatory order

The Forum was required to decide:

- correctness of billing,
- legality of retrospective demand, and
- liability of the consumer.

However, the order merely:

- accepts departmental reply, and
- prescribes instalments.

This amounts to disposal **without adjudication**.

7. Cause of grievance

1) The appellant had agreed during hearing only to:

- recalculation based on Jan–Dec 2025 average consumption, and
- payment of recalculated amount.

The final order instead compels payment of unverified “outstanding dues”. This has caused serious prejudice and financial liability to the appellant.

2) The the department has coercively disconnected electricity supply on 24.02.2026, without affording any opportunity to seek rectification or prefer appeal, which is against the consumer’s fundamental rights and spirit of justice.

8. Grounds of appeal

The impugned order is liable to be set aside because:

1. It contradicts the ruling issued during hearing.
2. It is non-speaking and lacks adjudicatory findings.
3. It ignores recorded defects in billing and meter reading.
4. It accepts departmental version without evidence analysis.
5. It converts adjudication into recovery mechanism.
6. It violates principles of natural justice.

9. Relief sought

The appellant respectfully prays that the Hon’ble Electricity Ombudsman may:

1. Set aside the CGRF order dated 06.02.2026.
2. **Order immediate resumption of Electricity Supply to my premises, and**
3. Grant protection against coercive recovery/disconnection during pendency of appeal proceedings.
4. Direct recomputation of consumption for the disputed period based on:
 - average consumption for Jan–Dec 2025, or
 - any scientifically justified method.
5. Direct issuance of revised bill accordingly.
6. Permit payment of recalculated dues in instalments without surcharge.
7. Pass any other order deemed just and proper.

10. Limitation

The appeal is being filed within the prescribed limitation period from receipt of the CGRF order.

As a matter of fact, the appellant did not receive the impugned order from CGRF through any formal mode of service. The copy of order was obtained subsequently through the department upon request. Hence the appeal is within limitation computed from the date of actual receipt.

B. The appeal was registered on 06.03.2026 as an appeal No. 5 of 2026 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 07.04.2026.

C. On 07.04.2026 SDO respondent has submitted reply which is as under:

“In this regard, it is intimated that account of the appellant checked and found that the billing was done on regular basis till dated 13.03.2021 (Billed units = 76231 KWH) after that billing was started on average basis (R1 basis). On dated 10.06.2023 the regular reading in CCB is 99256 KWH whereas the billing was done upto 80283 KWH due to average billing (Screen Shot of CCB is herewith enclosed). So the Actual difference of consumption 18973 KWH (99256 KWH - 80283 KWH = 18973 KWH) was charged.

So the internal audit IAP-4 during the period of audit F.Y 2024-2025 prepared the Half margin No. 51 dated 09.04.2025 Rs. 141094/- and as per nigram instruction, this office sent half margin to CBO with case ID No. 32042 dated 06.06.2025 and CBO gives direction that half margin is fully chargeable.

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

D. The hearing in this matter was held today i.e. on 07.04.2026 as scheduled. At the outset, it is recorded with serious displeasure that the authorized representative of the respondent SDO (OP) City Sub-Division, UHBVN, Jagadhri appeared without any proper authorization letter or official intimation. This is viewed as a deliberate lapse and disrespect to the proceedings of this Forum. Accordingly, the Superintending Engineer (Operation), UHBVN, Yamunanagar is hereby directed to issue an advisory Notice to the concerned officer(s) responsible for the deliberate absence and submit compliance within 07 days.

The appellant, Sh. Tapan Rai, submitted that his meter readings were taken regularly by the meter reader, yet bills continued to be generated on average basis (R-1 basis) from March 2021 to February 2024 due to a persistent R-1 error in the RAPDRP system. The appellant paid the average bills without knowledge of the underlying technical error. In June 2023, the old-version meter was replaced under Meter Change Order (MCO), but neither was the MCO got signed from the consumer nor was the old meter sent to the M&P Laboratory for accuracy testing.

It has been observed that repeated generation of exception lists and internal audits by UHBVN failed to detect the prolonged average billing for more than two years (March 2021 to 10.02.2024). The belated raising of half-margin/audit para has resulted in avoidable harassment to the consumer and escalation of the dispute.

The Electricity Ombudsman has specifically directed that **clarification** be called for from the **Superintending Engineer (IT), UHBVN, Panchkula** regarding:

- (a) the nature and cause of the recurring R-1 error in the RAPDRP system; and
- (b) why replacement of the meter (virtually or physically) is the only remedy to remove the R-1 error from the system. The said clarification shall be submitted within **10 days**.

In view of the above facts and submissions, the following **clear and binding directions** are issued:

1. As per Regulation 3.18(iii) of the Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020, the appellant is directed to deposit 40% of the amount assessed by the Forum (i.e., 40% of Rs. 1,41,094/-), which works out to Rs. 56,437.60 (Rupees Fifty-Six Thousand Four Hundred Thirty-Seven and Sixty Paise only), within 07 days from the date of receipt of this order. Upon receipt of the said deposit of Rs. 56,437.60, the respondent SDO (OP) City Sub-Division, UHBVN, Jagadhri shall restore the electricity supply to Consumer Account No. 4105870000 within 48 hours without fail, the same will be adjusted in the final bill.
2. The respondent SDO (OP) City Sub-Division, UHBVN, Jagadhri shall forthwith:
 - o Contemporary consumption pattern with the current downloadable version meter for the period from 10.02.2024 till date (as per the applicable instructions of the Nigam in the matter) be used to overhaul the consumer account during the defective period from 03/2021 to 02/2024 and also provide slab-wise benefit to the consumer for the entire defective meter period from March 2021 to 2/2024 (as per the tariff applicable).
 - o Prepare a revised bill accordingly (after adjusting the amount of Rs. 56437.60/- submitted by the consumer in compliance to point no. 1).
3. The respondent shall identify and submit the names/designations of the following officials who failed to detect the prolonged average billing (and seek their explanation by they should not be held responsible for dereliction of their duties leading to consumer harassment:
 - o Ledger Keeper
 - o Commercial Assistant
 - o Members of the Internal Audit Party for the period March 2021 to 10.02.2024.
4. The entire re-computation and revised bill shall be pre-audited by the Audit Wing as well as the CBO Wing of UHBVN before submission to this office. No request for post-audit or any excuse in this regard shall be entertained.
5. The respondent shall submit the revised bill, calculation sheet, pre-audit report, and all other compliances to this office within 15 days from the date of deposit by the appellant, with a copy to the appellant.

6. No surcharge shall be levied on the revised final amount worked out duly pre-audited.

The matter shall be listed for further hearing on 08.05.2026.

E. On 16.04.2026 SE/Project for Chief Engineer/IT, UHBVN, Panchkula has submitted reply which is as under:

This is with reference to the order dated 07.04.2026 in appeal no. 5 of 2026 dated 09.03.2026 on above cited subjects.

In this context, in compliance of the above order dated 07.04.2026, the following clarifications are under: -

A) Nature and Cause of Recurring R-1 Error: The R-1 basis is a pre-defined formula for average billing. The error occurred repeatedly because once the system flags a meter as "Faulty" (triggered here by the ANT remark), it continues to generate average bills automatically. This loop persists until the Operation Sub-Division manually intervenes to update the status. In this case, the non-updation of meter status by the Sub-Division resulted in the prolonged R-1 billing.

B) Requirement for Meter Replacement (Virtual/Physical): To stop R-1 billing, the meter status must be updated to "OK." This can be done through BR-4 (Billing Revision) if the MR remark is incorrect and the meter is in healthy condition, or through a Meter Change if the meter has been replaced at site.

Improvement in Billing system: It is submitted that this is an old case related to March, 2021. Following upgradation has already been incorporated in billing system: -

- The ANT remark does not update the meter status to "Faulty."
- Provisional Billing is now used instead of Average (R-1) in case of ANT remark by MR. This will enable auto adjustment of provisional bill amount whenever MR feed OK Remark without any manual updation from subdivision.

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

F. On 28.04.2026, SDO respondent has submitted reply as under:

"In this connection, it is submitted that the above-mentioned consumer has filed an appeal before the Hone'ble Ombudsman vide Appeal No. 5 of 2026 dated 09.03.2026. The point-wise reply is as under:

The consumer has deposited 40% of the amount on dated 10.04.2026, and the electricity supply has been restored accordingly.

The account has been overhauled on the basis of the current downloaded meter reading and an amount of Rs. 54,781/- has been adjusted.

Explanation has been sought from the Ledger Keeper and the Commercial Assistant. Copies of the same are attached herewith.

Further, it is submitted that the members of the Internal Audit Party during the period from March 2021 to 10.02.2024 included Sh. Surinder Nanda, UDC (now retired).

The amount of Rs. 54,781/- has been adjusted vide SC&A No.1/34. The said amount, pertaining to the due/billed difference, has been adjusted and will be reflected in the next billing cycle.

This is submitted for your kind information and necessary action.”

G. On 06.05.2026, SDO respondent has submitted reply which is as under:-

In this connection, it is intimated that the above-mentioned consumer has filed an appeal before the Hon'ble Electricity Ombudsman, Haryana, Panchkula. The point-wise reply is as under:

1. The consumer has deposited 40% of the amount (Rs.60,000) on 10.04.2026, and the electricity supply has been restored on dated 10.04.2026.
2. The account has been overhauled on the basis of the current downloaded meter reading. As per slab-wise calculation, the amount comes to Rs 54,781 plus Rs 13,084 as surcharge, totaling Rs 67,865 (adjustable amount).
3. Explanations have been obtained from the Ledger Keeper and Commercial Assistant (Explanation copy attached). The member of the internal audit party for the period from March 2021 to 10.02.2024, Sh. Surinder Nanda, UDC, has since retired.
4. The adjustable amount (Sundry/BR) was sent to CBO via email. However, submission on the CBO portal is pending, as the BR is not being accepted due to the RCO case not being closed. The binder could not be closed due to reading errors in two connections, resulting in the issue. The matter has been verbally discussed with CBO, and an amount of Rs 67,865 has been agreed upon as adjustable.
5. The revised bill is under process. The calculation sheet is attached, and the pre-audit report is also under process.

This is for your kind information that the total bill of the consumer is Rs 1,56,173. The consumer has deposited Rs 60,000 on 10.04.2026, and an adjustment of Rs 67,865 is to be made. After adjustment, now the net payable amount comes to Rs 28,308/-.

Decision

1. The appellant, a domestic consumer (Account No. 4105870000), has been maintaining a consistent record of moderate consumption and timely payments. The dispute arose due to prolonged average billing (R-1 basis) from March 2021 onwards, despite regular meter readings allegedly being taken by the meter reader. This persisted until February 2024 due to a technical error in the billing system triggered by an “ANT” remark, which was not rectified timely by the field staff.
2. In June 2023, the meter was replaced under a Meter Change Order (MCO), but proper documentation and laboratory testing protocols were not followed. Subsequently, an internal audit (IAP-4) raised a half-margin demand of Rs. 1,41,094/- for the differential units (18,973 kWh), which was charged to the appellant. Aggrieved by the CGRF order and subsequent disconnection of supply, the appellant approached this office.
3. Vide interim order dated 07.04.2026, this office directed the respondents to submit a detailed point-wise reply, clarify the reasons for recurring R-1 billing, and take necessary corrective measures.
4. In compliance, the respondents submitted replies dated 28.04.2026 and 06.05.2026 (Memo No. 513). It was informed that:
 - a) The consumer deposited 40% of the demanded amount (Rs. 60,000/-) on 10.04.2026, leading to restoration of supply.
 - b) The account was overhauled based on actual downloaded meter readings.
 - c) An adjustment of Rs. 67,865/- (Rs. 54,781/- principal + Rs. 13,084/- surcharge) was processed.
 - d) After adjustment, the **net payable amount stands at Rs. 28,308/-**.
 - e) Explanations were called from concerned officials.

Additionally, the Chief Engineer/IT wing vide Memo No. Ch-230/XEN/Projects/F-41 dated 16.04.2026 explained the systemic nature of the R-1 error and improvements made in the billing system thereafter.

This Forum has carefully examined the pleadings, replies, documents on record, and submissions made during hearings.

1. **Billing Anomaly:** There was a clear lapse on the part of the respondents in not rectifying the meter status in the system despite regular readings being available. The prolonged R-1 (average) billing for over three years was attributable to internal procedural and technical deficiencies, including failure to update meter status and improper handling of the MCO.

2. **Consumer's Conduct:** The appellant paid the average bills in good faith and cooperated during proceedings. He has expressed satisfaction with the corrective actions taken by the respondents during the course of this appeal.
3. **Departmental Lapses:** There has been negligence on the part of concerned officials — including the Ledger Keeper, Commercial Assistant, staff at CBO in timely detection and rectification of the prolonged average billing. Such lapses resulted in avoidable financial burden and harassment to the consumer as mentioned in respondent SDO office memo no. 171,172 and 173 dated 17.04.2026 itself.

This Forum takes a serious view of these administrative and procedural lapses, which undermine consumer trust and the efficient functioning of the billing system.

In view of the above and in the interest of justice, the following directions are issued:

1. The **net payable amount of Rs. 28,308/-** (as worked out by the respondents) shall be accepted from the appellant. No additional surcharge or late payment charges shall be levied on this amount till the generation of the revised/final bill.
2. A penalty of **Rs. 3,500/- each** is imposed upon the delinquent officials responsible for the lapses (identified by the respondents in terms of their duties and responsibilities as per UHBVN instructions as mentioned in memo no. 171, 172 and 173 dated 17.04.2026). The said penalty amount shall be deposited by the concerned officials through BA-16 and credited to the appellant's account No. 4105870000 as compensation/sundry credit.
3. The respondents shall:
 - i. Complete the adjustment of all sundry credits/BR (including the penalty amount) and generate a clear, final revised bill.
 - ii. Hand over the final bill along with a detailed statement of account to the appellant.
 - iii. Ensure compliance within **45 days** from the date of receipt of this order.

In case of default in compliance, appropriate action shall be initiated against the concerned officials as per rules.

The appeal is **disposed of** with the above directions. The respondents are directed to implement this order in letter and spirit and submit compliance report within the stipulated time

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 11th May, 2026.

Dated:11.05.2026

Sd/-
(Rakesh Kumar Khanna)
Electricity Ombudsman, Haryana

CC:

Memo No.495-493 /EO/HERC/Appeal No. 5/2026

Dated:11.05.2026

To

1. Sh. Tapan Rai, House No. 1502, Johri Pura, Jagadhri, Distt. Yamunanagar, Haryana (Email: traico@gmail.com)
2. The Managing Director, Uttar Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula (Email md@uhbvn.org.in)
3. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula (Email lr@hvpn.org.in)
4. The Chief Engineer (Operation), Uttar Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula (Email ceoppanchkula@uhbvn.org.in)
5. The Superintending Engineer (IT), Uttar Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula (Email seit@uhbvn.org.in) to offer his comment on the query raised at page no. 2 within the stipulate time period.
6. The Superintending Engineer (Operations), UHBVN, Yamunanagar, Hydrel Colony, Near Kanhiya Sahib Chowk, Yamuna Nagar. (Email seopyamunanagar@uhbvn.org.in)
7. XEN/OP Division, UHBVN, Jagadhri, Hydrel Colony, Near Kanahiya Sahib Chowk, Yamuna Nagar (Email xenopjagadhri@uhbvn.org.in)
8. SDO/OP, City Sub-Division, UHBVN, Jagadhri, Building No-1 Near RTA Office Gandhi Dham Colony Jagadhri (Email sdoopcityjagadhari@uhbvn.org.in)

