



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA
Haryana Electricity Regulatory Commission
Bays No. 33 - 36, Sector - 4, Panchkula-134109
Telephone No. 0172-2572299; Website: - herc.nic.in
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(Regd. Post)

Appeal No : 36/2024
Registered on : 21.10.2024
Date of Order : 07.01.2025

In the matter of:

Appeal against the order dated 26 September 2024 passed by CGRF UHBVN Panchkula in complaint no UH CGRF 243 of 2024

Shri Mani Gupta and Shri Sanjeev Goel, House No 86, 1st Floor,
Sector-2, Panchkula

Appellant

Versus

1. The Executive Engineer (Operation), UHBVN, Panchkula
2. The SDO (Operation), Sub Urban S/Div. UHBVN, Panchkula

Respondent

Before:

Shri Virendra Singh, Electricity Ombudsman

Present on behalf of Appellant:

None

Present on behalf of Respondents:

Shri Rohit Kumar, SDO (Operation), Madanpur, UHBVN, Panchkula

ORDER

A. Shri Mani Gupta and Shri Sanjeev Goel has filed an appeal against the order dated 26.09.2024 passed by CGRF, UHBVNL, Panchkula in complaint No. UH/CGRF-243/2024. The appellant has requested the following relief: -

1. Our building has 3 floors and stilt parking area.
2. Parking area has only load of parking lights and one lift.
3. We deposited some Rs 21000 in lump sump for parking area as builder had asked him to do so as Landlord was living in USA so Landlord and messaged to UHVBN on 3 Jan 2023 about corrected bill not been received for Parking account no 8857667798 and he was replied that your bill is in minus 7716 and need not to pay anything.
4. We received parking bill of Rs 5659 with due date of 4.5.23 and requested again to UHVBN to look into that how parking bill can be so much.
5. We kept on reminding UHVBN officers about last one year bills of parking area even if its in minus.
6. We received finally 2 bills of parking on 29 August 2023 and were told that rest will follow.
7. Then We received 3 more past bills of Parking area on 31 August and a separate message from UHVBN as below:

Advance Rs 21143

Bill of 6/22 Rs 10271

Bill issued in 12/22 Rs 2675

Bill issued in 7/23 Rs 13786

Outstanding payment Rs 21143-10271-2675-13786=Rs 5589

So, billing of Rs 5659 is correct.

So, we thought that with this issue of Parking area and 3rd floor bill got resolved.

8. In the mean time We received bill of 31 days from 5.3.24 to 5.4.24 for Parking area (account no 8857667798) with due date on 3.5.24 for Rs 2666 for 430 units with MMC charges of Rs 1911 and which was paid by me.
9. We observed that Solar units generated and total consumed units are 10 and 19 in bill dated 24 May 24 whereas same is 277 and 707 in bill dated 3 May 24. Further bill dated 24 May 24 is of 30 day period whereas same is generated after 21 days which looked erratic and filed an online complaint on UHVBN portal complaint no CMPA27000834308 on 18 June 2024.
10. We examined the parking bill in detail and found that Parking meter is in category - LTS-NDS whereas all our other meters were in DS category. So, I raised a detailed complaint/request to SDO Op div A27 Urban Panchkula on 18 June itself and requested SDO Op to correct my bill as per my tariff category and applicable slab rates and refund the excess charges.
11. We also requested SDO on 18 June 2024 to rectify the category from NDS to DS. I had requested so to UHVBN authorities at various occasions in past too that bill is very high and every time we were assured that parking meter and billing is correct and at no stage we were told that parking meter is in NDS category.
12. Online complaint was closed on 20 June 2024 with the comment that bill is ok and no need of any correction. UHVBN didn't bother to even reply that it's in NDS category though I had raised the issue in detail giving reference to load and MMC of other two connections.
13. We didn't pay the bill of Rs 1816 dated 24.5.24 of Parking area and decided to wait for next bill.
14. We received another bill of Parking with due date on 1.7.24 for Rs 3803 for 31 days from 5.5.24 to 5.6.24 net billed units of 101 including arrear of Rs 1843 and MMC charges of Rs 1911 along with late payment charges of bill dated 24.5.24.
15. We again received one more bill of parking for 110 days from 5.3.24 to 23 .6 24 with due date of 4.7.24 for 56 net billed units for Rs Minus 2933 (-) after

adjusting arrears of Rs 3803 of bill dated 1.7.24 including MMC charges of Rs 6783 which itself speaks out loudly about billing system of UHVBVN.

16. All these bills of Parking area including dated 1.7.24 and 4.7.24 are of tariff Category LTS-NDS.
17. UHVBVN instead of replying to my request dated 18 June 2024 and telling status of parking meter (DS/NDS) revised our parking bill on 4 July in casual manner for last 3 month period.
18. Parking bills of few months is tabulated below for analysis:

Bill due date	Period of Bill	KWHE		KWHI		KWHS		Solar units generated	Bill	MMC
		Old	New	Old	New	Old	New			
4.8.23	243	0	180	1184	2054	982	1200	218	5659	14985
29.8.23	61	180	380	2054	2354	1200	1590	390	6874	3761
20.10.23	61	380	380	2354	2520	1590	1590	0	3853	3761
26.12.23	61	380	380	2520	2717	1590	1769	179	2570	3761
23.2.24	62	380	380	2717	2962	1769	1983	214	2385	3823
29.3.24	29	380	380	2962	3090	1983	1983	0	1837	1788
3.5.24	31	380	650	3090	3790	1983	2260	277	2666	1911
24.5.24	30	650	650	3790	3799	2260	2270	10	1816	1850
1.7.24 as on 5.6.24	31	650	650	3799	3900	2270	2270	0	3803	1911
4.7.24 as on 23.6.24	110	380	651	3090	3417	1983	3109	1126	2933 (Minus)	6783
12.8.24	33	651	651	3417	3417	3109	3109	0	2075	2035

19. That It was not understood that how imported units which was 3790,3799 and 3900 in previous 3 months respectively got reduced to 3417 as on 23.6.26.
20. That It was also not understood that how solar units generated is 839 from 5.6.24 to 23.6.24 for 18 days (3109-2270) whereas in bill dated 24.5.24 it was only 10, and in bill dated 1.7.24 it was nil and in bill dated 20.10.23 also it was nil and in bill dated 26.12.23 for 61 days period it was only 179 and in bill dated 4.8.23 for 243 days it was only 218 whereas for 110 days period bill dated 4.7.24 it is 1126 units.
21. That it can be seen that a bill of 243 days was raised on 4.8.23 for Rs 5659 which clearly shows that bill was corrected /revised on 4.8.23 also when it was being requested many a times that we are not receiving bill of parking for long.
22. Number of units imported also vary hugely as in bill dated 3.5.24 for 31 days it is 700 units (3790-3090) whereas for bill dated 1.7.24 for 31 days it is 101 (3900-3799) units and in bill dated 24.5.24 for 30 days its only 9 (3799-3790) units
23. It is to be noted that its bill of Parking area and there cannot be seasonal/monthly variations in consumption. All above analysis was discussed with OP in detail and they told that Net metering is in manual mode so the error.
24. That generally a Solar plant of 2 KW produces 8 units per day UHBVNL/OP promotes solar plants and its more than 2 years that solar plant has been installed so solar units generated should be more than 4800 (300x2x8) taking 300 days accounting for cloudy and foggy weather but Solar unit generated is

- shown only 1126 till 23.6.24. Complainants have got their Solar inverter checked and its working fine which is proved by OP 1 itself in billing dated 4.7.24 when 1126 units have been found to be generated in 110 days averaging more than 10 per day but nil or very low units being accounted in other billing cycles discouraging the Complainants in participation in Solar power and green Energy vision of India.
25. When I enquired about my faulty reading of 1st floor then it was told that its smart metering so a fault and when I asked about Parking reading pattern which was revised by UHVBN also then it was told that its manual billing system. so in a way either manual and smart both billing systems of UHVBN are unreliable or UHVBN is taking convenient excuses as it suits it.
 26. The logic of Smart meter with solar metering being in manual system is not understood.
 27. So was requested to share day wise consumption of Parking area since installation of Meter to find out if the meter is working properly or its faulty as my another issue of meter of 1st floor in same building (no 1388240000) is separately pending with UHVBN where also it had unexplainable jump on 19/12/23 and erratic and unexplainable consumption pattern from 19.12.23 to 4.3.24 when it was replaced by UHVBN.
 28. As the house was completed in August 2020 so there was need of correcting my parking bill from August 2020 itself more specifically when it was requested on 27 Oct 2022 as bill was being received on higher side.
 29. It is a matter of investigation on what count UHVBN has revised my parking bill on 4.7.24 vis a vis bill dated 1.7.24 and as law abiding citizen we believe in IT systems and smart metering system of UHVBN and pay every bill on time without a doubt in mind that such kind of discrepancies which are not even explainable.
 30. I requested MD, UHVBN to help in correcting my parking bill on 17.7.24 and I was told that old meter will be removed and new in DS category will be installed on same day.
 31. The Parking meter was changed from NDS to DS category on 26 July 2024 after paying Rs 20187 as charges. All my request to not to charge Rs 20187 were not agreed to.
 32. UHVBN has resorted to unfair trade practices and have revised bills when pointed out that too in adhoc manner for 3 month period and even then closing meter reading of revised bill of later record date eg imported units as on 5.6.24 is 3900 and as on 23.6.26 got reduced to 3109.

33. UHVBN has failed to provide us monthly bills as per SLA with Metering agency and have not provided us correct bills for entire period since 23.12.21 till date and have resorted to unfair trade practice by making fake/inflated/incorrect bills.
34. We filed appeal with CGRF on 1.8.24 and CGRF have found all above points raised by us correct and has observed in its order that such type of incidents bring bad name and fame to the Nigam and directed SDO operation to treat parking area connection as DS and overhaul the account since 23.12.21 in DS category and disposed off the case without cost to either of the parties.

Prayer

1. To direct UHVBN to refund Rs 20187 charged for conversion of Meter from NDS to DS category in light of orders of CGRF.
 2. To Compensate the Complainants by Rs 1,00,000 for harassment, unfair trade practices and poor services.
 3. To reimburse Legal expenses of Rs 20,000 for consultation and drafting.
- B.** The appeal was registered on 21.10.2024 as an appeal No. 36/2024 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 12.11.2024.
- C.** The respondent XEN vide letter dated 07.11.2024 has submitted reply, which is reproduced as under:

Please refer to your office memo no. 1797/EO/HERC/Appeal no. 36/2024 dated 21.10.2024 on the subject cited matter. The detailed reply received from SDO OP S/U S/Divn UHBVN, Panchkula vide his office memo no. 1926 /S/U /CA dated 05.11.2024 which is reproduced as under:-

1. The said connection bearing account no. 8857667798 was released by the department vide A & A no. A27-1221-31 dated 06.12.2021 under the NDS category applied by the consumer Smt. Swatantarta Viz in the parking area of the H. No. 86 Sec -2 and accordingly the bill as per the applicable tariff of NDS category. There is no such provision in the billing system to correct the billing from NDS to DS as per the Nigam instructions.
2. In reference to the billing discrepancy as submitted by the user in his complaint, it is submitted that the bill of the consumer raised in the month of 8/2022 was of incorrect KWH (import) consumption due to which a bill of amount Rs. 24,638/- was raised which was corrected in the next billing cycle from the period of 06/2022 to 10/2022 and accordingly the bill raised as per correct consumption in negative amount of Rs. 7616/-.

3. It is worthwhile to mention here that due to error while punching of reading the bill for the period of 10/2022 to 6/2023 could not be generated and nor any payment made by the user. The said error was removed from the system after taking up the matter with M/s Infinite team and bill of amount Rs. 5659/- was raised in 07/2023 and same was cleared by the consumer.
4. After this period of 06/2023, the bill was raised on regular units and bill as per the NDS tariff was raised to the consumer and same was paid by the consumer. In the month of 4/2024 during manual punching of the reading, the KWH import units were wrongly punched as 3790 on high units due to which the bill of amount of Rs. 2666 was raised and same was paid by the consumer and as per his request application the said bill of the period of 3/2024 to 6/2024 had been corrected and accordingly bill in negative amount of Rs. 2933/- was raised.

So, all the incorrect bills which were generated due to wrong punching had been corrected by the Sub division as per the applicable tariff category and as per the direction of the CGRF court, an amount of Rs. 25176/- had been adjusted into his account and same had been approved by the CBO office on dated 05.11.2024. The said account had been disconnected and new connection had been applied by the owner under domestic category and same had been released by the department.

- D.** Hearing was held on 12.11.2024, as scheduled. Both the parties were present during the hearing through video conferencing. At the outset, the appellant submitted that no reply has been received. The respondent SDO is directed to provide a copy of the reply immediately. The appellant may submit rejoinder, if any, within 10 days with an advance copy to the respondent. Acceding to the request of the appellant, the matter was adjourned for hearing on 10.12.2024.
- E.** The respondent XEN vide email dated 06.12.2024 has submitted additional submission in reply, which is reproduced as under:

The detailed reply was already submitted on 07.11.2024. Now, following additional facts are hereby submitted by SDO 'Op.' S/Urban S/Division UHBVN Panchkula vide memo no. 1938/SU/CA dated 04.12.2024 which is reproduced as under please:

1. The consumer has requested for the refund of Rs.20187/- charged for conversion of meter from NDS to DS category. It is submitted that Rs.20187/- were paid by consumer during application of new connection under DS category applied vide Application no. A27-724-134 and the break-up of different charges included in this payment. The amount is non-refundable except advance

consumption deposit fee of Rs.7500/- which will be reviewed in every financial year based on consumption.

2. The advance consumption deposit Rs.10000/- of previous NDS connection has already been refunded to consumer through the same sundry of Rs.25176/- vide which the account of consumer was overhauled as per decision of CGRF.

F. Hearing was held 10.12.2024, as scheduled. Both the parties were present during the hearing through video conferencing. At the outset, Sh. Sanjeev Goyal appellant stated that we withdraw our appeal as already intimated vide email dated 20.11.2024.

During the course of the hearing on 12.11.2024, it was put to the Appellant as to whether the issues urged/contentions raised in the present appeal has been taken before the CGRF. Mr. Sanjeev Goyal, appearing on behalf of the appellants mentioned that the matter may be decided as per rules. The matter was thereafter adjourned to 10.12.2024 for filing of Reply and Rejoinder thereto. The Haryana Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2020 inter alia state that

3.16: - "Any complainant, aggrieved by orders of the Forum may himself or through his authorized representative make a representation in writing including through email or facsimile mode to the Ombudsman. The representation of the complainant shall be acknowledged within 3 days of its receipt clearly indicating the date of receipt & unique case number assigned to it."

3.18: - "No representation to the Ombudsman shall lie unless:

(i) The consumer had, before making a representation to the Ombudsman approached the Forum constituted under sub-section (5) of Section 42 of the Act, for redressal of his grievance;

Pursuant to the hearing dated 12.11.2024, an email has been received from the Appellant dated 20.11.2024, wherein it was incorrectly mentioned that during the hearing dated 15.11.2024, the undersigned has stated that the appeal on the issues raised does not lie and therefore, the Appellant wishes to withdraw the present appeal. It is however, been made clear that firstly, no hearing in the instant matter was held on 15.11.2024. Secondly, the onus to set up a case lies on the Appellant and the decision to withdraw the same also solely vests with the Appellant. The undersigned does not render any advice as is sought to be conveyed in the email dated 20.11.2024. As such, the Appellant, if wishes to withdraw the present appeal, may intimate the same with correct particulars or may contest on merit. The matter was therefore, being adjourned to 07.01.2025. The interim order dated 11.12.2024 was issued accordingly.

G. Sh. Sanjiv Goyal, the appellant, vide email dated 12.12.2024 has submitted that in compliance to interim order dated 11.12.2024 in Appeal no. 36 of 2024 it is to inform that I want to withdraw my appeal filed with Ombudsman in case Sanjeev Goyal Vs

SDO Operation UHVBNL Panchkula against the order of CGRF in Complaint No. 243 of 2024 date 26.09.2024.

H. Hearing was held today, as scheduled. The respondent SDO was present during the hearing through video conferencing. None appeared on behalf of the appellant. Since the appellant vide email dated 12.12.2024 has already informed to withdraw his appeal filed in this case Sanjeev Goyal Vs SDO Operation UHVBNL Panchkula against the order of CGRF in Complaint No. 243 of 2024 date 26.09.2024, the appeal is dismissed as withdrawn.

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

Given under my hand on 7th January, 2025.

Sd/-

(Virendra Singh)

Electricity Ombudsman, Haryana

Dated: 07.01.2025

CC-

Memo. No. 4783-89/HERC/EO/Appeal No. 36/2024

Dated: 07.01.2025

1. Shri Mani Gupta and Shri Sanjeev Goel, House No 86, 1st Floor, Sector-2, Panchkula.
2. The Managing Director, UHBVN, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula.
3. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula.
4. The Chief Engineer (Operation), UHBVN, IP No.: 3&4, Sector-14, Panchkula.
5. The SE (Operations), UHBVN, Panchkula, SCO 96, Sector-5, Panchkula.
6. The Executive Engineer (Operations) UHBVN, Panchkula, Flat No. 519 to 522, Power Colony, Industrial Area Phase-2, Panchkula.
7. The SDO (Operations), Sub-Urban, UHBVN, Panchkula, 66 KV, Sub-station, Power Colony, Industrial Area, Panchkula.