

**BEFORE THE ELECTRICITY OMBUDSMAN
(For the State of Goa and Union Territories)
Under Section 42 (6) of the Electricity Act, 2003**

3rd Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18
Gurugram (Haryana) 122015,
, Email ID: ombudsman.jercuts@gov.in
Phone No.:0124-4684708

Appeal No-236 of 2025

**Date of Video Conferencing: 13.05.2025 &
21.05.2025
Date of Final Order: 29.07.2025**

In the matter of

M/s ATUL FURNITURES,
(Through Mr. Ritesh Manchanda)
Plot No 08, Industrial Area Phase-II
Chandigarh.

.... Appellant

Versus

Executive Engineer,
Division-2, Industrial Area Phase-1,
Chandigarh Power Distribution Ltd. (CPDL),
Chandigarh.

.... Respondent

Parties present:

Appellant(s)

1. Mr. Ritesh Manchanda in person.

Respondent(s)

1. Mr. Pankaj Gautam,
SDO, Division-2, Industrial Area Phase-1,
Chandigarh Power Distribution Ltd. (CPDL),
Chandigarh.
2. Ms Preeti Singh, M&P Lab,
Chandigarh Power Distribution Ltd. (CPDL),
Chandigarh.
3. Mr Lalit Singh, M&P Lab,

Chandigarh Power Distribution Ltd. (CPDL),
Chandigarh.
4. Mr Dhruv Shakuntlam,
Executive Legal,
Chandigarh Power Distribution Ltd. (CPDL),
Chandigarh.

FINAL ORDER

This Final Order is being passed in continuation of the Interim Order dated 22.05.2025, wherein directions were issued for the third-party testing of the disputed energy meter bearing Serial No. CH2E-93635, in accordance with Regulations 6.35 and 6.36 of the JERC Electricity Supply Code, 2018.

In the said Interim Order, it was directed that the meter in question be sent to an independent NABL-accredited laboratory for testing. The testing agency was required to extract and furnish the following specific parameters:

- Consumption data for the last one year prior to removal of the said meter.
- Voltage profile recorded during the same period.
- Monthly Maximum Demand Indicator (MDI) data for the said duration.
- Tamper event data, including detailed tamper logs for the corresponding one-year period.

The Appellant, M/s Atul Furnitures, through communication dated 27.05.2025, duly submitted written consent for the said third-party testing, as required under Regulation 6.36.

Subsequently, the Respondent, Sub-Divisional Officer (SDO), CPDL, vide email dated 25.06.2025, informed that formal requisitions were sent to the following government-authorized laboratories:

- SDO, M&P Sub-Division, UHBVN Ltd., Dhulkot, Haryana
- SDO, M&E Laboratory, PSPCL, Patiala, Punjab
- SDO, M&E Laboratory, PSPCL, Jalandhar, Punjab



However, as reported by the Executive Engineer, 'OP' Division-2, CPDL in communication dated 01.07.2025, all the above laboratories expressed their inability to extract the historical technical data as required.

Further, CPDL attempted to engage the testing facilities of Noida Power Company Limited (NPCL) and CESC Limited, Kolkata, both associated entities, but no response was received from either of them.

In view of these limitations, CPDL recommended approaching the OEM (Original Equipment Manufacturer) of the meter for data retrieval and testing. However, this too did not yield results as the OEM failed to respond to the request.

The Appellant, in email dated 03.07.2025, also reported a joint visit (with a Junior Engineer from CPDL) to the PSPCL M&E Testing Laboratory, Patiala, but the lab was unable to conduct testing due to the unavailability of corresponding meter records for the Jaipur Meter installed at the site. In light of the exhaustive efforts undertaken by both the utility and the Appellant—which include engagement with independent NABL labs, attempts with OEM, and visits to testing labs—it is clear that retrieval of the required historical data is technically unfeasible at this stage.

Accordingly, in the absence of a conclusive test report from an accredited agency and with no retrievable supporting data from either the meter or the manufacturer, the Forum is compelled to adopt a pragmatic, equitable, and technically viable resolution in accordance with the principles of natural justice.

Upon review of available records, including meter replacement data and consumption history, the Forum notes that:

The disputed meter reading of 35096 was last recorded on 22.10.2023.

The meter (bearing Serial No. CH2E-93635) was reportedly replaced in March 2024, after which consumption patterns stabilized.

Therefore, the only viable remedy in this case is to compute the energy consumption for the disputed period using Regulation 7.12 of the JERC Electricity Supply Code, 2018, which states:

7.12 – Billing in case of defective/stuck/stopped/burnt meter:

In case of defective/stuck/stopped/burnt meter, the consumer shall be billed on the basis of higher of monthly consumption of corresponding month of the previous



*year and average monthly consumption of immediately preceding three months.
These charges shall be leviable for a maximum period of three months only during
which time the Licensee is expected to have replaced the defective meter.*

Order:

The Respondent, CPDL, is directed to assess the consumption of M/s Atul Furnitures for the disputed period—from 22.10.2023 to the date of meter replacement in March 2024—in accordance with Regulation 7.12 as reproduced above.

The Licensee shall ensure that this billing is limited to a maximum of three months, based on the methodology laid down in the regulation.

With this direction, the representation filed by M/s Atul Furnitures through Mr. Ritesh Manchanda stands disposed of.

A certified copy of this Order be sent to the Executive Engineer, 'OP' Division-2, CPDL, Chandigarh, for immediate compliance.

A copy of this Order shall also be provided to the Appellant.

Chandigarh Power Distribution Ltd. (CPDL) is directed to submit a compliance report to the Office of the Electricity Ombudsman within 4 weeks from the date of this Order by email.


(C M SHARMA) 29/7/25

Electricity Ombudsman
For Goa & UTs (except Delhi)

Dated: 29.07.2025