

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-255 of 2025

Date of Hearing:06.01.2026,
12.01.2026 & 13.01.2026
Mode: Videoconferencing
Date of Order: 29.01.2026

In the matter of

Mr. Upjeet Singh,
SCO 1124, Sector 22,
Chandigarh.

...Appellant

Versus

Executive Engineer,
Electricity 'OP' Division No. 1,
CPDL, Chandigarh.

...Respondent

In the matter of Mr. Upjeet Singh Vs Chandigarh Power Distribution Ltd.

Present:

Appellant

1. Mr. Vinod Mittal on behalf of Mr Upjeet Singh,
2. Ms Navdeep AR of Mr Upjeet Singh

Respondent(s)

1. Mr. Dhruv Shakuntlam, Sr. Executive Legal. CPDL
2. Mr Chandan Dhar, Member Inspection Team
3. Mr Anil Kumar, Manager Commercial,
CPDL Chandigarh

ORDER

The present representation was filed on 10.12.2025 under Section 42(6) of the Electricity Act, 2003 read with Regulations 35 and 36 of the Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2024, challenging the order dated 21.11.2025 passed by the Learned Consumer Grievance Redressal Forum, Chandigarh in Case No. G-56/2025.

Upon scrutiny, and being satisfied that the representation fulfilled the requirements prescribed under the Regulations, the same was admitted and notice was issued on 15.12.2025. A copy of the representation was forwarded to the Respondent–Executive Engineer Electricity ‘OP’ Division No I, Chandigarh Power Distribution Ltd. Chandigarh, calling upon them to submit their reply.

Sr.Executive, Legal has filed the reply on behalf of CPDL on dated 08.01.2026.

SUBMISSIONS ON BEHALF OF THE APPELLANT

- A. That the Appellant is filing the present appeal challenging the Final Order dated 21.11.2025 passed by the Ld. Consumer Grievances Redressal Forum (CGRF), Chandigarh, whereby the Ld. CGRF directed the Respondents to rectify the short assessment bill dated 12.08.2025 and reissue the same in accordance with Clause 6.39 of the JERC Electricity Supply Code.
- B. That the Appellant is a lawful consumer of electricity bearing Account No. 101/2254/736900Q, with Meter No. CH3E000098, which was installed, owned, sealed, and maintained by the Opposite Party (the Distribution Licensee).
- C. The said premises is owned by Mr. Upjeet Singh and is presently rented out to Mr. Vinod Mittal, who is running a bakery shop under the name and style of M/s NIK Bakers. The premises is having an electricity connection bearing Account No. 101/2254/736900Q with a sanctioned load of 85.9 kW.
- D. That the Appellant has been regularly depositing all electricity charges strictly in accordance with the bills raised by the Electricity Department, U.T. Chandigarh, from time to time and has never defaulted in payment of any energy charges.
- E. That the Sub-Divisional Officer (Operations), CPDL Electricity, Sub-Division No. 2, Sector-23, Chandigarh has issued a Notice-cum-Provisional Assessment Bill dated

12.08.2025, demanding a sum of Rs. 2,89,330/- towards alleged short assessment on the ground that the meter was recording (-32.06%) slow for the period 21.12.2024 to 01.08.2025.

F. That the Appellant immediately filed detailed written objections dated 18.08.2025, disputing the said notice-cum-provisional assessment on multiple legal and factual grounds.

"I am in receipt of your Notice-cum-Bill dated 12.08.2025 regarding alleged short assessment of Rs.2,89,330/- against my electricity account No. 101/2254/736900Q, Meter No. CH3E000098. With due respect, I strongly object to and dispute the said notice on the following grounds:

1. No prior opportunity of hearing provided:

As per the provisions of the Electricity Act, 2003 and JERC Electricity Supply Code Regulations, 2018, the consumer must be given a reasonable opportunity to represent his case before raising any short assessment bill. No such opportunity was provided in my case, rendering the notice contrary to natural justice.

2. No independent testing in accredited laboratory:

The alleged meter inaccuracy (-32.06% slow) has been determined on the basis of internal inspection. However, as per regulations, meter accuracy must be tested in an NABL accredited laboratory and the consumer must be informed and allowed to witness the testing. Since this procedure was not followed, the finding is not valid.

3. Retrospective billing not sustainable:

The assessment has been raised for a retrospective period of more than 7 Months & 11 Days (21.12.2024 to 01.08.2025). Regulation 6.39 of JERC Supply Code 2018 provides that in case of defective/slow meter, the charges shall be leviable for a maximum period of Six Months (Three billing cycles). Hence, the demand of Rs.2,89,330/- is arbitrary and not in accordance with law.



4. Consumer not at fault:

The meter was installed and maintained by the department. Any defect/slow recording is solely attributable to the utility, and the consumer cannot be penalized for the same.

In light of the above, I humbly request your good self to:

Withdraw the impugned notice-cum-bill dated 12.08.2025.

Reassess the matter strictly as per JERC Regulations and Electricity Act, 2003.

Provide me a personal hearing before passing any final order.

Kindly acknowledge this representation and confirm that no coercive action (disconnection or recovery) will be taken during the pendency of my objection."

- G. That instead of adjudicating the said objections and without granting any personal hearing, the Respondents issued another electricity bill dated 30.09.2025, arbitrarily demanding an enhanced amount of Rs. 5,30,617/-, in complete disregard of the objections raised by the Appellant.
- H. That the Appellant thereafter approached the Hon'ble CGRF by filing Complaint No. G-56/2025 dated 08.10.2025, which came to be disposed of vide order dated 21.11.2025, directing the Respondents to rectify and reissue the short assessment bill dated 12.08.2025 strictly in accordance with Clause 6.39 of the JERC Supply Code and without levying late payment surcharge.
- I. Grounds of Challenge
- Failure to appreciate licensee's exclusive responsibility for meter accuracy
- That the meter in question (Meter No. CH3E000098) was installed, owned, sealed, and maintained exclusively by the Respondents, being the distribution licensee. The Appellant had no role whatsoever in the installation, inspection, maintenance, testing, calibration, or functioning of the said meter.
- That under the statutory framework of the Electricity Act, 2003 and the JERC Electricity Supply Code, the obligation to provide, maintain, and ensure the accuracy of the meter squarely rests upon the licensee. The Appellant cannot be



saddled with retrospective financial liability for an alleged defect in a departmental meter, particularly when the licensee alone was responsible for its upkeep and periodic testing.

- J. That there is no allegation, much less any finding, that the Appellant tampered with, damaged, interfered with, or caused any malfunction in the meter. In the absence of any such finding, fastening liability upon the Appellant is legally impermissible. That the CGRF has erred in failing to appreciate this fundamental allocation of responsibility and in permitting retrospective assessment without first recording a finding of consumer culpability. The impugned order is therefore vitiated by non-consideration of a material and foundational legal principle.

- K. Non-compliance with mandatory procedure for meter testing under JERC Supply Code

That the Ld. CGRF has erroneously accepted the Respondent has alleged conclusion of (-32.06%) meter slowness, despite the fact that the mandatory procedure for verification of meter accuracy was not followed. That the record reveals that the declaration of meter slowness was based solely on internal inspection/internal testing, and that the meter was never tested in a NABL-accredited laboratory, as mandatorily required under the JERC Supply Code, particularly where recovery or short assessment is proposed.

That the Supply Code further mandates that prior written notice be given to the consumer and that the consumer be afforded an opportunity to witness the meter testing. In the present case, no such notice was issued, nor was any opportunity granted to the Appellant.

- L. That any determination of meter accuracy, and consequential financial liability, based solely on internal or unilateral inspection, lacks evidentiary value and is legally unsustainable. The Respondent's failure to comply with these statutory safeguards fatally undermines the entire basis of the alleged short assessment.

That the CGRF has erred in law by permitting a revised assessment without insisting upon strict compliance with the mandatory provisions of the Supply Code. The impugned order is therefore vitiated by procedural illegality and material irregularity.



M. Absence of protective safeguards in the impugned order

That even while directing reissuance of the assessment bill, the CGRF failed to prescribe essential safeguards, including:

- (a) Mandatory testing of the meter in a NABL-accredited laboratory;
- (b) Granting the Appellant the right to witness such testing;
- (c) Adjustment or refund of any excess amount already paid; and
- (d) Protection against coercive recovery or disconnection pending final determination.

That the absence of such directions leaves the Appellant exposed to arbitrary recovery proceedings and the imminent threat of disconnection, thereby defeating the very purpose of consumer protection envisaged under the Electricity Act and the JERC Regulations.

In view of the facts and grounds stated hereinabove, the Appellant prayed that this Authority may be pleased to:

- a) Set aside the Final Order dated 21.11.2025 passed by the CGRF;
- b) Declare the impugned provisional and consequential assessments as illegal and unenforceable;
- c) Direct strict compliance with the JERC Supply Code before any determination of meter accuracy or recovery.

SUBMISSIONS ON BEHALF OF RESPONDENT NO. 1

That the present appeal has been preferred by the Appellant assailing the final order dated 21.11.2025 passed by the Learned Consumer Grievance Redressal Forum (CGRF), Chandigarh, whereby the Respondent was directed to restrict the retrospective short assessment to a maximum period of six (06) months from the date of testing/checking of the meter.

At the outset, the Respondent submits that it has already complied with the said order in full. In view thereof, the Respondent submits that the present appeal does not survive for consideration and does not call for any further adjudication.

That one electricity connection exists at SCO No. 1124, Sector-22, Chandigarh, in the name of Sh. Upjeet Singh, bearing Account No. 101/2254/736900Q, having a sanctioned load of 85.9 kW under the Non-Residential Supply (NRS) category.

That the electricity meter installed at the above-mentioned premises was checked by the officials of the Respondent, and as per the Inspection Report dated 01.08.2025, the meter was found to be recording –32.06% slow. The defect was duly rectified on the same date.

A copy of the Inspection Report, along with Meter Testing Report No. 278 and photographs taken at the time of inspection, is annexed for record.

That upon detection of slow recording, a notice-cum-bill vide Memo No. 1225 dated 12.08.2025 was issued to the Appellant, provisionally assessing a shortfall amounting to ₹2,89,330/- for the period 21.12.2024 to 01.08.2025, while simultaneously affording the Appellant an opportunity to submit objections, in compliance with the principles of natural justice.

It is pertinent to submit that the initial short assessment of ₹2,89,330/- covered a period of seven (07) months and eleven (11) days, which was subsequently restricted to six (06) months in compliance with the final order dated 21.11.2025 passed by the Learned CGRF.

That the Appellant, vide letter dated 18.08.2025, raised objections to the notice-cum-bill on the following grounds:

- (a) No prior opportunity of hearing was provided;
- (b) The meter was not tested in an independent accredited laboratory;
- (c) The assessment ought to have been limited to six months as per Regulation 6.39 of the JERC Electricity Supply Code, 2018.

That upon receipt of the objections, the Respondent issued a personal hearing notice vide Memo No. 1488 dated 25.08.2025, calling upon the Appellant to appear before the concerned SDO on 29.08.2025. However, the Appellant failed to avail the said opportunity.

That aggrieved by the notice-cum-bill, the Appellant filed a complaint before the Learned CGRF, Chandigarh, being Complaint No. G-56/2025.

That the Respondent filed its reply before the CGRF and categorically submitted that the short assessment was raised strictly in accordance with Clause 6.39 of the JERC Electricity Supply Code, 2018, and after following due procedure.



That the Appellant filed a rejoinder dated 10.11.2025, reiterating the plea that assessment should be limited to six months and that the meter must be tested in a NABL-accredited laboratory.

That the Respondent filed a reply to the rejoinder, clarifying that the assessment was in accordance with the Supply Code and that the meter had indeed been tested through a NABL-accredited laboratory.

That the Learned CGRF, after appreciating the pleadings and documents on record, passed the final order dated 21.11.2025, directing the Respondent only to restrict the retrospective assessment to a maximum period of six (06) months.

That in full and unconditional compliance with the aforesaid order, the Respondent issued a revised assessment dated 04.12.2025 for a period of six (06) months, amounting to ₹2,48,951/-.

That the inspection and testing of the meter were conducted during periodic inspection as mandated under the JERC Electricity Supply Code, 2018. The relevant provisions are reproduced herein below:

Regulation 6.32:

The Licensee shall conduct periodical inspection/testing of meters as follows:

- (i) Single-phase meters – once every five years
- (ii) LT three-phase meters – once every three years
- (iii) HT/EHT meters – yearly

Regulation 6.34:

The Licensee shall have the right to test any meter if there is reasonable doubt about its accuracy.

That since the meter in question was an LT three-phase meter, inspection and testing were squarely covered under Regulations 6.32(2) and 6.34. Upon detection of abnormal recording, the meter was tested through YMPL Mobile Laboratory, a NABL-accredited laboratory, in the presence of the Appellant's representative.

The Meter Test Report was handed over on the spot and duly acknowledged.

That the contention of the Appellant regarding denial of opportunity of hearing is false and contrary to record. Opportunities were provided vide letters dated 12.08.2025 and 25.08.2025, and the Appellant himself chose not to appear for the personal hearing.



That the allegation regarding absence of testing through an accredited laboratory is completely baseless. The meter was tested by a NABL-accredited laboratory, and the test report, MRI data, and consumption data were duly supplied.

The meter was found to be -32.06% slow, which has since been rectified.

That although the initial assessment included an additional residual billing period, the Learned CGRF rejected the same and restricted the assessment strictly to six (06) months in terms of Regulation 6.39. The Respondent has complied with the said direction in letter and spirit by issuing the revised assessment.

In view of the foregoing submissions, it is most respectfully prayed that this Authority may be pleased to:

- (a) Uphold the order dated 21.11.2025 passed by the Learned CGRF, Chandigarh;
- (b) Direct the Appellant to pay the revised short-assessed amount along with current electricity dues; and
- (c) Dismiss the present appeal as being devoid of merit and not maintainable, and pass such other order(s) as this Hon'ble Authority may deem fit and proper in the facts and circumstances of the case.

Proceedings:

The proceedings of the case are completed through video conferencing on 06.01.2026, 12.01.2026 and 13.01.2026.

Ms. Navdeep, learned representative for the Appellant, submitted that the present dispute pertains to Premises No. SCO-1124, Sector-22, Chandigarh. The said premises is owned by Mr. Upjeet Singh and is presently rented to Mr. Vinod Mittal, who is running a bakery under the name and style of M/s NIK Bakers. The premises is having an electricity connection bearing Account No. 101/2254/736900Q with a sanctioned load of 85.9 kW.

It was further submitted that the SDO (Operations), Sub-Division No. 2, Sector-23, CPDL, Chandigarh issued a Notice-cum-Provisional Assessment Bill dated 12.08.2025, raising a demand of Rs. 2,89,330/- towards short assessment on the allegation that the meter was recording slow by (-32.06%) during the period from 21.12.2024 to 01.08.2025. The Appellant stated that written objections to the said



notice were submitted vide letter dated 18.08.2025; however, no personal hearing was afforded thereafter.

The Respondent submitted that the electricity connection stands in the name of the owner, Mr. Upjeet Singh, who is the registered consumer, whereas M/s NIK Bakers is only a tenant. It was contended that the notice of personal hearing was duly issued to the registered consumer. The Respondent further undertook to file its detailed reply to the complaint on or before 09.01.2026.

In view of the above submissions, the Respondent is directed as under:

1. To file its reply to the complaint on or before 09.01.2026, with an advance copy to the Appellant.
2. The Appellant may file rejoinder, if any, on or before 14.01.2026.
3. To place on record the meter-reading chart for the period April 2024 to September 2025.
4. To file the complete meter testing report along with the meter tamper/event log for a period of six months prior to the alleged date of incidence, i.e., 01.08.2025.
5. To ensure the presence of the official who conducted the meter testing/inspection on the relevant date, on the next date of hearing.

In compliance to the orders, dated 06.01.2026 the Respondent submitted their reply along with the meter temper log, Meter reading details and Meter event details. During the hearing on 12.01.2026, the Respondent clarified that they have carried out the inspection as a routine inspection to check the meter accuracy and found that the meter was running slow by 32.06%. This was happening due to a loose carbonized potential wire at the meter terminal. The loose connection was repaired and meter tested again and found to be working within the permissible limits. Accordingly, they raised an assessment bill for the period the R Phase of the meter not recording. Further, they have submitted that they have raised a Memo No 1225 dated 12.08.2025 intimating the Appellant that if they have any query on the assessment, meter testing etc. the same may be made to the SDO S/D No. 1. The Appellant raised objections vide letter dated 18.08.2025. The Respondents have also issued a Personal hearing notice for 29.08.2025 vide memo No 1488 dated 25.08.2025



It was directed that Respondent to share all the data as submitted to this Authority with the Respondent latest by 14.01.2026 and Appellant could file their written arguments within one week with an advance copy to the Respondent. Respondent can file the rejoinder if any within next Four working days.

The Appellant filed written arguments dated 20.01.2026, wherein it was, inter alia, contended that the impugned short assessment bill suffers from statutory and procedural infirmities under the JERC Electricity Supply Code, 2018. The Appellant asserted that the electricity meter was installed, owned, sealed, and maintained exclusively by the Distribution Licensee, and that no role whatsoever was attributable to the Appellant in relation to the meter's accuracy, testing, or maintenance. It was further contended that the allegation of meter slowness was based on unilateral internal inspection, unsupported by transparent, independent, and procedurally compliant testing, and that no valid or effective notice of personal hearing or meter testing was ever served upon the Appellant. The Appellant denied receipt of any lawful notice and alleged violation of principles of natural justice. It was also urged that in the absence of any allegation of meter tampering or theft, the Respondent was not entitled to raise any retrospective monetary demand, and that even the revised assessment issued pursuant to the CGRF's order remained legally unsustainable.

The Respondent filed a rejoinder dated 28.01.2026, denying the allegations raised by the Appellant and reiterating that the short assessment was issued strictly in accordance with Regulation 6.39 of the JERC Electricity Supply Code, 2018, pursuant to an inspection conducted on 01.08.2025, which revealed that the meter was recording 32.06% slow. The Respondent submitted that the meter installed was a three-phase, four-wire integrated Prodigy type meter with built-in current transformers and thread-through configuration, and that the inaccuracy arose due to a loose R-phase potential connection, which was rectified during inspection. It was further submitted that the meter was tested through a NABL-accredited laboratory, that the test report was provided to the consumer, and that post-rectification the meter was found to be recording within permissible limits. The Respondent asserted that due opportunity to file objections and appear for personal hearing was duly provided, and that the revised assessment limiting the period to six months was issued in compliance with the CGRF's directions and the applicable regulatory framework. The Respondent, therefore, prayed for dismissal of the appeal and affirmation of the CGRF's order.



Findings and Analysis.

This Authority has examined the pleadings, documents placed on record by both parties, and the oral submissions advanced during the course of hearing. The Appellant initially assailed the notice-cum-provisional assessment issued by the Respondent vide Memo No. 1225 dated 12.08.2025 and approached the Learned Consumer Grievance Redressal Forum, Chandigarh. Being aggrieved by the final order dated 21.11.2025 passed by the Learned CGRF in Complaint No. G-56/2025, the Appellant has invoked the appellate jurisdiction of this Authority.

Before addressing the specific grounds raised in the appeal, it becomes necessary to clarify the technical and legal distinction between a "Defective meter" and a "Faulty / inaccurate metering arrangement", as the classification directly determines the applicable regulatory provision and the permissible period of assessment under the JERC Electricity Supply Code, 2018.

A. A three-phase metering system derives energy measurement from voltage inputs of all phases and current inputs corresponding thereto. Where the internal electronics or metering mechanism itself malfunctions such as:

- failure of display,
- internal current or voltage channel failure, or
- non-recording despite correct inputs

—and such failure stands confirmed through prescribed testing, the meter qualifies as a defective meter. In such cases, Regulation 7.12 of the JERC Electricity Supply Code governs assessment, limiting retrospective billing to a maximum of three months.

However, where the meter continues to function and record energy, but records inaccurately due to defects external to the meter electronics such as

- loose, broken, carbonized, reversed, bypassed, or otherwise impaired current or potential connections
- the defect lies in the metering system and not in the meter mechanism itself.

In such situations, the meter does not become defective per se; rather, the arrangement results in faulty or incomplete measurement. Such cases attract



Regulation 6.39 of the JERC Electricity Supply Code, which permits adjustment for a period not exceeding six months preceding the date of detection.

Non-recording or under-recording attributable to a single phase due to CT or associated wiring defects does not automatically render the meter defective. Replacement of the meter alone does not cure such defects unless the underlying metering system fault stands rectified.

- B. The meter in question, bearing Meter No. CH3E000098, stands installed against Account No. 101/2254/736900Q for a sanctioned load of 85.9 kW. The Respondent has confirmed that the installation comprises a PRODIGY make, three-phase, direct-connected, composite electronic energy meter.

The meter conforms to applicable BIS standards and the CEA (Installation and Operation of Meters) Regulations, and employs an integrated construction with built-in current measurement. The meter uses a thread-through (through-type) conductor arrangement, wherein phase conductors pass directly through the meter body for current sensing. Such configuration constitutes a recognized and approved method of current measurement for direct-connected meters and aims to ensure system accuracy and revenue integrity.

Given the integrated and sealed design of the meter, the Distribution Licensee retains exclusive control over internal components, calibration, accuracy class, and functional integrity. Section 55 of the Electricity Act, 2003, read with the CEA Metering Regulations, places the statutory responsibility for ensuring meter correctness and accuracy upon the Licensee.

It remains an admitted position that the Respondent installed, owned, and maintained the meter. The Appellant exercised no role in installation, calibration, or internal inspection of the meter. However, Regulation 6.16 of the JERC Electricity Supply Code casts upon the consumer the responsibility of safe custody of the meter installed within the consumer's premises and obliges the consumer to promptly report any visible fault or abnormality.

- C. The Respondent conducted inspection of the meter on 01.08.2025 during a stated routine inspection. The Respondent exercised its authority under Regulation 6.34 of the JERC Supply Code to test the meter. However, the Respondent did not issue



any prior notice to the Appellant before undertaking testing, as required under Regulation 6.37, despite admitting that the inspection did not arise from any complaint or consumer request.

The record further shows that the person present during testing lacked awareness of the testing procedure. More importantly, the meter event data submitted by the Respondent pursuant to directions of this Authority establishes that R-phase potential remained missing from 25.09.2024 at approximately 22:03 hours until 01.08.2025, when the inspection team detected the defect.

The inspection report (Report No. 278 dated 01.08.2025) records that the meter showed an accuracy deviation of (-32.06%) due to a carbonized R-phase potential wire at the meter terminal. Since the meter terminal remained sealed, the Appellant had no access or opportunity to detect or report this defect. The inspection team repaired the carbonized connection, after which the same meter recorded consumption within permissible limits.

These facts conclusively establish that:

- The meter electronics and mechanism remained healthy and functional;
- The inaccuracy arose solely due to a defect in the metering system connection; and
- The meter therefore cannot be classified as defective.

Accordingly, the case squarely falls under faulty / inaccurate metering arrangement governed by Regulation 6.39, and not under defective meter provisions of Regulation 7.12.

- D. The Appellant contended that the Respondent failed to test the meter through a NABL-accredited laboratory as mandated under the Supply Code. The record, however, demonstrates that the Respondent conducted testing through M/s YMPL Mobile Laboratory, which holds valid NABL accreditation. The meter testing report forms part of the record. This Authority therefore finds no merit in the Appellant's objection on this count.

At the same time, compliance with NABL testing requirements does not absolve the Respondent from adherence to procedural safeguards relating to notice and



consumer participation, particularly where the inspection does not arise from any consumer complaint.

- E. The Respondent issued the provisional assessment notice dated 12.08.2025 and invited objections, which the Appellant submitted on 18.08.2025. The Respondent also issued a subsequent communication dated 25.08.2025. However, the Respondent did not grant or conduct any effective personal hearing before proceeding further in the matter.

The failure to conduct a personal hearing after receipt of objections constitutes a procedural infirmity. While this lapse does not nullify the entire assessment, it vitiates any mechanical or excessive computation of liability beyond the limits prescribed under the JERC Electricity Supply Code 2018.

- F. The Respondent correctly invoked Regulation 6.39 of the JERC Electricity Supply Code in treating the case as one of faulty / inaccurate metering. However, the Respondent erred in computing assessment for a period exceeding six months (three billing cycles) immediately preceding the date of detection.

Regulation 6.39 imposes a clear statutory ceiling on retrospective adjustment. Any assessment beyond this period lacks legal sanction and cannot sustain.

In view of the foregoing findings:

- The meter does not qualify as a defective meter under Regulation 7.12;
- The case falls under faulty / inaccurate metering arrangement governed by Regulation 6.39;
- NABL testing requirement stands satisfied;
- Procedural safeguards relating to notice and hearing suffered partial non-compliance; and
- The assessment must strictly remain confined to a maximum retrospective period of six months preceding the date of detection.
- The findings above answer all issues raised by the Appellant and guide the operative portion of this Order

In view of the findings and analysis recorded hereinabove, and in exercise of the powers conferred under the JERC (Electricity Ombudsman) Regulations, this Authority hereby issues the following directions:



- (1).This Authority holds that Meter No. CH3E000098 does not fall within the category of a defective meter under Regulation 7.12 of the JERC Electricity Supply Code, 2018. The inaccuracy arose due to a faulty / incomplete metering arrangement attributable to a carbonized R-phase potential connection. Accordingly, the case stands governed by Regulation 6.39 of the JERC Electricity Supply Code, 2018.
- (2).The Respondent is entitled to carry out a short assessment on account of inaccurate metering, subject strictly to compliance with Regulation 6.39 of the JERC Electricity Supply Code, 2018.
- (3).The Respondent shall restrict the retrospective adjustment to a maximum period of six (06) months / three billing cycles immediately preceding the date of detection, i.e. 01.08.2025. Any assessment beyond the said period stands set aside and declared unsustainable.
- (4).The Respondent shall re-compute the short-assessment amount strictly in accordance with Regulation 6.39 and issue a revised assessment bill to the Appellant.
- (5).The Appellant shall be permitted to pay the recomputed short-assessment amount in six (06) equal monthly installments, payable along with the regular current electricity bills.
- (6).The Respondent shall not levy any Late Payment Surcharge (LPSC), interest, or penal charges on the installment amount, provided each installment is paid within the due date of the corresponding current bill. In the event of default in payment of any one installment, the entire outstanding balance of the assessed amount shall become immediately payable and shall be recovered in the immediately succeeding billing cycle, in accordance with law.

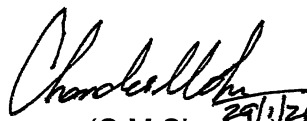
Subject to timely payment of current dues and installments, the Respondent shall not initiate any coercive recovery action, including disconnection of electricity supply, in respect of the assessed amount.

If the Appellant has already deposited any amount in excess of the recomputed liability, the Respondent shall adjust such excess amount in subsequent electricity bills.



- (7).The Respondent shall ensure strict compliance with procedural safeguards, including issuance of prior notice and grant of effective personal hearing, in all future cases of meter testing and assessment arising out of routine inspections.
- G. The Respondent shall comply with Directions No. 3 and 4 above and issue the revised assessment bill within thirty (30) days from the date of this Order. The installment facility shall commence from the immediately succeeding billing cycle following issuance of the revised bill.
- H. With the above directions, the appeal stands partly allowed. All pending applications, if any, stand disposed of.

Dated: 29.01.2026


(C M Sharma)

Ombudsman JERC