

**JOINT ELECTRICITY REGULATORY COMMISSION
(FOR THE STATE OF GOA AND UNION TERRITORIES)
GURUGRAM**

CORAM

Shri Alok Tandon, Chairperson
Smt. Jyoti Prasad, Member (Law)

Suo-Moto Petition No. 156/2025

Date of Hearing: 06.04.2026

Date of Order: 22.04.2026

In the matter of:

Suo-moto proceeding under Section 142 and Section 146 of the Electricity Act, 2003, for non-compliance of order of the Ombudsman in the matter of refund of meter rental charges and compensation to the Electricity Consumer of Chandigarh for the period of 01.04.2023 to 05.11.2024.

And in the matter of:

1. Electricity Department Chandigarh and Others

.....Respondent No. 1

2. Chandigarh Power Distribution Limited (CPDL)

.....Respondent No. 2

Present:-

For the Hearing:-

1. Mr. U.K. Patel, Executive Engineer, EWEDC.
2. Mr. Dushyant Manocha, Advocate, CPDL.

INTERIM ORDER

1. The Commission initiated a Suo-Moto proceeding under Sections 142 and 146 of the Electricity Act, 2003 based on the report dated 19.05.2025 from learned Ombudsman for non-compliance of order of the learned Ombudsman in the matter of refund of meter rental charges and compensation to the Electricity Consumer of Chandigarh for the period of 01.04.2023 to 05.11.2024.

The brief facts of the matter are enumerated below:

2. Shri S K Nayar, President, Indian Citizen's Forum, Industrial Area Phase – II, Chandigarh on behalf of seven consumers of UT, Chandigarh had filed consumer complaint before the learned Consumer Grievance Redressal Forum (CGRF), Chandigarh for erroneous charges of meter rental despite the abolition of charges vide Commission's order dated 30.03.2023. The ED, Chandigarh had continued to levy such charges up to 05.11.2024. The learned CGRF, Chandigarh vide order dated 26.11.2024 had directed the following:

QUOTE:

"2. The Respondents/Licensee are hereby directed to refund the excess amount of meter rentals charged from all the electricity consumers of Chandigarh since 01.04.2023 along with interest at the State Bank of India Base Rate as on the 1st of April for the prevailing year, payable annually and rectify their electricity bill/account, accordingly, within 30 days from the issue of this Final Order through email.

3. The Respondents are also directed to pay Rs. 100/- per day after receipt of representation in the Sub/Division, as compensation to all the said seven electricity consumers/connections who have represented to the SDO Manimajra, till the date of rectification of their bills on account of meter rentals, within 30 days from the issue of this Final Order through email.

4. Electricity Department/Distribution Licensee should submit a compliance report to the office of the Consumer Grievances Redressal Forum, on the action taken in this regard within 45 days, from the date of issuance of Final Order by email.

5. Non-compliance of the orders of Consumer Grievances Redressal Forum, by the Electricity Department/Distribution Licensee shall be deemed to be a violation of Regulations notified by the Joint Electricity Regulatory Commission and shall be liable for appropriate action by the Hon'ble Commission under Section 142 of the Electricity Act, 2003.

6. "The Complainant, if aggrieved, by non-redressal of his grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal in prescribed Annexure-IV, to the Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs, 3rd Floor, 122015 Plot No-55-56, Service Road, Udyog Vihar, Phase-IV, Sector 18, Gurugram-(Haryana), Phone No.0124-2340954, E-mail id- ombudsman.jercuts@gov.in within one month from the date of receipt of this order."

UNQUOTE:

3. Thereafter Sri S K Nayar, President, Indian Citizen's Forum, Industrial Area Phase – II, Chandigarh had filed a representation dated 27.01.2025 before learned Ombudsman for non-implementation of the order of the learned CGRF, Chandigarh dated 26.11.2024.
4. The learned Ombudsman after hearing the parties had passed the order on 16.04.2025 and corrigendum order dated 21.04.2025 upholding the order of the learned CGRF, Chandigarh dated 26.11.2024 to an extent. The learned Ombudsman directed the following:

QUOTE:

"II. The Order in Complaint No- F-31/24, passed by Learned CGRF-Chandigarh is upheld to the extent.

III. The Electricity Department Chandigarh (The former licensee) and Chandigarh Power Distribution Ltd (The present deemed licensee) should make efforts to refund the meter rental charges wrongly charged from all the consumers of Electricity Department Chandigarh along with Interest at the State Bank of India Base Rate as on 1st April for the prevailing year, payable annually.

IV. The bills shall be corrected accordingly within 15 days from the date of issue of this order through email.

V. The Respondent (EWEDC) is also directed to pay a compensation @RS 100 per day from the from the 15th day of filling the complaint (Resolve within 7 days of receipt of complaint, if no additional information is required. If required, within 7 days of receipt of additional information) with SDO Manimajra till 31st January, 2025 i.e. the date of notification issued by Chandigarh Administration regarding "THE CHANDIGARH ELECTRICITY REFORMS TRANSFER SCHEME, 2025." The new entity CPDL is no way responsible for any delay because they have acquired Distribution Operation w.e.f. 1.02.2025 only and they still under transition phase.

VI. There has already been a delay of almost Four months that consumers have not been refunded their legitimate amount along with admissible interest any further delay on same grounds shall be viewed seriously and it will amount to contempt.

VII. The Electricity Department/Licensee should submit a compliance report to the office of Electricity Ombudsman on the action taken in this regard within 30 days from the issuance of this Order by email.

VIII. The appeal is disposed of accordingly."

UNQUOTE:

5. The Commission on 19.05.2025 had received a report from the learned Ombudsman. It was noticed that the order of learned Ombudsman has not been implemented by ED, Chandigarh. Therefore, the Commission issued a show cause notice dated 17.07.2025 to ED, Chandigarh and Executive Engineers, Chandigarh Power Distribution Limited (CPDL) to submit their reply within two weeks to show cause why action under Sections 142 and 146 of the Electricity Act, 2003 shall not be initiated for non-compliance of order of learned Ombudsman. Both the parties

submitted their reply. The Commission after going through the reply of the parties, had observed that the order of the learned Ombudsman was not complied with therefore initiated a Suo moto proceeding against both ED Chandigarh as Respondent No. 1 and Chandigarh Power Distribution Limited (CPDL) as Respondent No. 2 under Sections 142 and 146 of the Electricity Act, 2003.

6. Chandigarh Power Distribution Limited (CPDL), the Respondent No.2, vide letter dated 30.01.2026 intimated the Commission that CPDL has passed the credit towards refund of meter rental charges along with interest in respective consumer's account, which shall be reflected in their upcoming bill. Further, in the said letter the Respondent No.2 submitted that the total amount of Rs 10.91 Crore refunded by CPDL shall be adjusted against the past arrear dues recoverable as per Clause 10 of the Share Purchase Agreement. Thereby, the Commission notes that the affected consumers have been compensated to that extent.
7. Further, during hearing held on 06.04.2026, the Respondents submitted that the order of the learned Ombudsman has been complied with except the direction to pay compensation @ Rs 100/- per day from 15th day of filing complaint. The Commission makes it clear that the validity of the order of learned Ombudsman is not in question before the Commission. The principle of law is clearly established through plethora of judgments with regard to the redressal of the consumer grievances through Consumer Grievances Redressal Forum established under the Electricity Act, 2003. The Act further provides for an appeal to the Ombudsman. There is no further appeal provided for against the order of the Ombudsman and therefore it attains finality. The Commission cannot sit in appeal against the order of the Ombudsman.
8. The Electricity Rules, 2005 under clause 7 (4) (b) require the Ombudsman to prepare reports and forward to the Commission. In the instant case, the Commission has instituted a Suo Moto proceeding based on the reports of learned Ombudsman. The Commission is within its jurisdiction to initiate action against the erring discoms under the relevant provisions of law. The scope of the proceeding under Section 142 is limited i.e., to enforce or to seek compliance of the defaulting party of the orders/direction passed by the Commission/forum. In these proceeding the Commission is concerned with the issue as to whether there is any noncompliance or disobedience of the order passed by learned Ombudsman and if so, compel the erring party to comply the order in in true letter and spirit. In case the parties are aggrieved by the order of learned Ombudsman, the remedies can be availed before the appropriate forum in accordance with the law.
9. In this regard, the Commission draws the attention towards the order of the learned CGRF, Chandigarh upheld by the order of the learned Ombudsman with respect to Rs. 100/- per day compensation to all the said seven electricity


consumers/connections. Hence, the Respondent No. 1 and 2 are directed to comply with the order in terms of directions therein.

10. Therefore, the Commission directs the Respondent No. 1 and 2 to submit its compliance report through an affidavit within two weeks for consideration of the commission before disposing of the matter.

Sd/-
(Jyoti Prasad)
Member (Law)

Sd/-
(Alok Tandon)
Chairperson

(Certified copy)


(Rajesh Dangi)
Secretary I/c

22/04/26

Place: Gurugram, Haryana
Date: 22nd, April, 2026

