

**BEFORE THE ELECTRICITY OMBUDSMAN**  
**(For the State of Goa and Union Territories)**  
**Under Section 42 (6) of the Electricity Act, 2003**  
3<sup>rd</sup> 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-264 of 2026

Date of Hearing: 06.05.2026

Mode: Videoconferencing

Date of Order: 09.06.2026

In the matter of  
Sh. Raml Lal Arora,  
House No. 4, Sector 21A,  
Chandigarh

...Appellant

Versus

Executive Engineer,  
OP Div-3, CPDL,  
Chandigarh.

...Respondent(s)

**In the matter of Sh Ram Lal Arora Vs Executive Engineer, OP Div-3, CPDL,  
Chandigarh.**

Present:

Appellant

1. Shri Ram Lal Arora

... Appellant in person

Respondent(s)

1. Mr Ankush Sethi, Executive Engineer OP Div-3, CPDL

2. Mr. Dhruv Shakuntlam, Executive Legal, CPDL

... Respondent(s)



## ORDER

The present representation was filed on 10.04.2026 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 09.03.2026 passed by the Learned Consumer Grievance Redressal Forum, Chandigarh in Case No.H-11/2026 dated 09.03.2026.

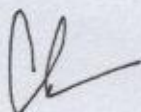
Upon scrutiny, and being satisfied that the representation fulfilled the requirements prescribed under the Regulations, the same was admitted and notice was issued on 15.04.2026. A copy of the representation was forwarded to the Respondent-Executive Engineer, OP Div-3, CPDL, Chandigarh calling upon them to submit their reply/comments.

The Executive Engineer, Executive Engineer, OP Div-3, CPDL, Chandigarh vide reply dated 05.05.2026 has filed the comments/ reply to the petition filed by the Appellant. The Appellant vide his letter dated 19.05.2026 has filed the Rejoinder/ Replication in response to the reply filed by the Respondent dated 05.05.2026.

All the documents have been taken on record.

### **A. Submissions on behalf of Appellant.**

1. The present Representation arises out of the deliberate non-compliance and wilful disobedience of the Order dated 09.03.2026 passed by the Hon'ble Consumer Grievance Redressal Forum ("CGRF") in Complaint No. H-11/2026
2. The Appellant submitted that he is a 78-year-old senior citizen and a retired Government employee residing along with his wife and son as a tenant on the second floor of House No. 4, Sector 21-A, Chandigarh. It was submitted that a separate electricity meter has been installed for the portion occupied by him and that electricity bills are regularly issued on the basis of actual consumption recorded through the said meter. According to the Appellant, he has been regularly paying electricity bills and has never defaulted in payment of electricity dues.



3. The Appellant submitted that the sanctioned load of the electricity connection bearing Account No. 3032141000402K was 3.000 kW. Upon noticing the existence of certain additional light points, fan points and plug points in the premises, the Appellant apprehended that the connected load might marginally exceed the sanctioned load. Although such additional load points were not actually being used, the Appellant, describing himself as a law-abiding consumer, voluntarily approached the office of the Respondent on 30.09.2025 and disclosed the additional load of 1.870 kW under the Voluntary Load Enhancement Scheme (VDS 2025).
4. It was contended that before submitting the application for enhancement of load, the Appellant specifically enquired from the officials of the Respondent regarding any charges payable under the Voluntary Disclosure Scheme and was informed that no charges would be levied in cases where additional load was voluntarily disclosed by the consumer. According to the Appellant, he proceeded with the application on the basis of such representation made by the officials of the Respondent.
5. The Appellant submitted that he was surprised to find that the electricity bill issued on 01.01.2026 contained an additional demand of Rs. 3,068/-, comprising Rs. 2,068/- towards Additional Consumption Deposit (ACD) and Rs. 1,000/- towards Service Connection Charges. It was argued that these charges had not been disclosed to him at the time of seeking enhancement of load and that, had he been informed of such financial implications, he would not have opted for enhancement of load.
6. The Appellant further contended that the levy of Service Connection Charges was totally unjustified in the facts of the present case, as neither the electricity meter nor any service line, wiring, or other electrical infrastructure was replaced or modified pursuant to the enhancement of load. According to the Appellant, even the Respondent had acknowledged before the Learned CGRF that the application for enhancement of load was processed within the same category, there was no conversion from single-phase to three-phase supply, and no modification was carried out in the existing service connection. In these



circumstances, the Appellant questioned the basis for levy of Service Connection Charges amounting to Rs. 1,000/-.

7. The Appellant also challenged the levy of Additional Consumption Deposit. It was contended that the said amount was demanded despite the fact that electricity consumption is measured through the installed meter and regular bills are raised on the basis of actual consumption. The Appellant submitted that he had consistently paid his electricity bills on time and had never defaulted in payment of dues. According to him, the demand for additional deposit was arbitrary and amounted to an unjustified financial burden upon a consumer who had voluntarily approached the Respondent for regularization of load.
8. It was further submitted that the Appellant paid the disputed amount under protest solely to avoid the possibility of disconnection of electricity supply, which is an essential service and basic necessity. According to the Appellant, a consumer is often compelled to comply with such demands in order to ensure continuity of electricity supply and cannot be said to have voluntarily accepted the charges merely because payment was made.
9. The Appellant submitted that immediately upon receipt of the bill dated 01.01.2026 containing the disputed charges, he approached the Respondent seeking waiver of the same and subsequently requested withdrawal of the enhanced load through representations dated 09.01.2026 and 02.02.2026. Since no satisfactory relief was granted, he approached the Learned Consumer Grievance Redressal Forum, Chandigarh.
10. It was contended that the Learned CGRF, by order dated 09.03.2026, accepted his request for withdrawal of the enhanced load. However, according to the Appellant, the Learned Forum failed to adequately address his grievance relating to refund of the Additional Consumption Deposit and Service Connection Charges. The Appellant submitted that his grievance throughout has not been with regard to the correctness of meter readings, billing of actual energy consumption, or tariff applied by the Respondent. Rather, the dispute is confined to the levy of ACD and Service Connection Charges amounting to

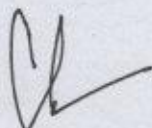


Rs. 3,068/- which, according to him, were neither disclosed at the time of enhancement of load nor justified in the circumstances of the case.

11. The Appellant denied the Respondent's contention that the charges were a natural consequence of enhancement of load and reiterated that the Respondent ought to have informed him in advance regarding all applicable charges. It was argued that failure to disclose such charges before processing the application amounts to unfair treatment of the consumer. The Appellant further submitted that the relationship between a distribution licensee and a consumer should be fair, transparent, and consumer-friendly, particularly where the consumer himself voluntarily approaches the licensee for compliance with the regulatory framework.
12. The Appellant also submitted that being a senior citizen aged about 78 years, he expected a fair and considerate approach from the Respondent. He contended that the levy and recovery of the impugned charges caused him financial hardship and mental distress and that he had been compelled to pursue litigation for redressal of his grievance.
13. On the aforesaid grounds, the Appellant prayed for refund of the amount of Rs. 3,068/- recovered towards Additional Consumption Deposit and Service Connection Charges, along with any other consequential relief deemed appropriate. The Appellant further sought compensation towards mental harassment, litigation expenses, and such other reliefs as may be considered just and proper in the facts and circumstances of the case.

#### **B. SUBMISSIONS ON BEHALF OF RESPONDENT**

1. The Respondent submitted that Chandigarh Power Distribution Limited (CPDL) is the deemed distribution licensee for the Union Territory of Chandigarh in terms of the fifth proviso to Section 14 of the Electricity Act, 2003 and has been entrusted with the responsibility of distribution and retail supply of electricity in the Union Territory of Chandigarh with effect from 01.02.2025 pursuant to the Chandigarh Electricity Reforms Transfer Scheme, 2025.



2. The Respondent submitted that the present Appeal arises out of the order dated 09.03.2026 passed by the Learned Consumer Grievance Redressal Forum (CGRF), UT Chandigarh, whereby the Forum directed the Respondent to consider the Appellant's request for reduction of load only after expiry of the period prescribed under the applicable regulations.
3. It was submitted that the Appellant, who is residing as a tenant in the premises in question and is using electricity through Account No. 3032141000402K, had voluntarily applied for enhancement of sanctioned load from 3.000 kW to 4.870 kW under the Voluntary Load Enhancement Scheme (VDS 2025) by submitting an application dated 30.09.2025. The said request was processed and approved on 16.10.2025 by the competent authority.
4. The Respondent submitted that consequent upon approval of the load enhancement, an amount of Rs. 3,068/- comprising Rs. 2,068/- towards Additional Consumption Deposit (ACD) and Rs. 1,000/- towards Service Connection Charges became payable in accordance with the applicable tariff provisions and regulatory framework. The enhanced sanctioned load was accordingly reflected in the electricity bill issued on 01.01.2026 and the aforesaid charges were duly incorporated in the billing system.
5. The Respondent contended that the levy of ACD and Service Connection Charges was neither arbitrary nor erroneous but was a direct consequence of the load enhancement sought by the Appellant himself. It was argued that once the Appellant voluntarily opted for enhancement of sanctioned load, all consequential charges and liabilities flowing therefrom became applicable in accordance with the governing regulations and tariff orders.
6. The Respondent further submitted that the bills issued to the Appellant were generated on the basis of actual meter readings through the computerized billing system and that no error in billing, tariff application, meter reading, or calculation of charges had been demonstrated by the Appellant. According to the Respondent, the revised ACD reflected in the bill dated 01.01.2026 was solely attributable to the increase in sanctioned load and was consistent with the applicable regulatory provisions.



7. The Respondent also relied upon the consumption data of the Appellant for the relevant period and submitted that the same did not disclose any abnormality or discrepancy warranting interference with the impugned demand.
8. With regard to the Appellant's request for reduction of load, the Respondent submitted that the request was made shortly after the enhancement of load and was therefore governed by Regulation 5.107 of the JERC (Electricity Supply Code) Regulations, 2018, which prescribes a minimum period before an application for reduction of load can be entertained. It was contended that the regulatory requirement is intended to ensure stability in load management and prevent frequent alterations in sanctioned load.
9. The Respondent submitted that the Learned CGRF had correctly appreciated the regulatory position and had rightly directed that the request for reduction of load be considered only after expiry of the prescribed six-month period. According to the Respondent, the impugned order is based upon proper appreciation of facts and applicable regulations and does not suffer from any legal infirmity warranting interference in appellate proceedings.
10. The Respondent further submitted that the relationship between the consumer and the distribution licensee is governed by the Electricity Act, 2003, tariff orders, and the Supply Code Regulations. It was contended that the charges raised pursuant to enhancement of load are statutory and regulatory in nature and become payable upon grant of the enhanced load. In support of this contention, reliance was placed upon the judgment of the Hon'ble Supreme Court in *Dakshin Haryana Bijli Vitran Nigam Ltd. v. Paramount Polymers Pvt. Ltd.*, wherein it was observed that liabilities arising under the statutory framework governing electricity supply are binding upon the consumer.
11. On the aforesaid grounds, the Respondent prayed that the Appeal be dismissed and the order passed by the Learned CGRF be upheld.



### **C. Proceedings:**

The present Appeal has been filed by Shri R. L. Arora under Section 42(6) of the Electricity Act, 2003 assailing the Order dated 09.03.2026 passed by the Learned Consumer Grievance Redressal Forum, Chandigarh in Complaint No. 11/2026.

The grievance of the Appellant arises out of the levy of Additional Consumption Deposit (ACD) and Service Connection Charges amounting to Rs.3,068/- consequent upon enhancement of sanctioned load from 3.000 kW to 4.870 kW under the Voluntary Load Enhancement Scheme. The Appellant has prayed for refund of the said amount along with compensation and litigation expenses.

Upon receipt of the Appeal, notice was issued to the Respondent. In response thereto, the Respondent filed its written reply opposing the Appeal and contending that the enhancement of load was carried out pursuant to the Appellant's own request dated 30.09.2025 and that the impugned charges were levied strictly in accordance with the applicable regulations, tariff orders, and approved schedule of charges.

The Respondent further submitted that the enhanced load was sanctioned on 16.10.2025 and that the Appellant's subsequent request for reduction of load was governed by Regulation 5.107 of the JERC (Electricity Supply Code) Regulations, 2018. The Respondent accordingly prayed for dismissal of the Appeal.

The Appellant thereafter filed a rejoinder/replication reiterating the averments made in the Appeal and disputing the legality of the charges levied by the Respondent. The Appellant, inter alia, contended that he had voluntarily disclosed the additional connected load and that the consequential charges were neither disclosed nor explained to him at the time of seeking enhancement of load.

The matter was heard. The parties were afforded adequate opportunity to place their submissions and documents on record. The pleadings, documents, submissions of the parties, and the impugned order passed by the Learned CGRF have been carefully considered and are being dealt with in the succeeding paragraphs.



#### **D. Analysis and Findings**

I have carefully considered the pleadings of the parties, the impugned order passed by the Learned Consumer Grievance Redressal Forum, Chandigarh, the documents placed on record, and the submissions advanced during the course of proceedings. The principal grievance of the Appellant relates to the levy of Additional Consumption Deposit (ACD) of Rs.2,068/- and Service Connection Charges of Rs.1,000/-, amounting in aggregate to Rs.3,068/-, consequent upon enhancement of the sanctioned load from 3.000 kW to 4.870 kW under the Voluntary Load Enhancement Scheme.

The record reveals that the electricity connection bearing Account No. 303/2141/000402K stands in the name of Mr. Charan Singh, who is the registered consumer. The Appellant, Mr. R. L. Arora, has admitted that he is occupying the premises as a tenant. It is also a matter of record that the application dated 30.09.2025 seeking enhancement of load and the subsequent application dated 09.01.2026 seeking reduction of load were submitted by the Appellant. No authorization, consent letter, power of attorney, or No Objection Certificate from the registered consumer has been placed on record.

The provisions of Regulations 5.29, 5.30, 5.98 and 5.107 of the JERC (Electricity Supply Code) Regulations, 2018 contemplate that requests involving modification of an existing electricity connection should be supported by the prescribed documents and, where the applicant is not the registered consumer, by the requisite authorization from the person in whose name the connection stands. The record therefore indicates that the Respondent ought to have verified the authority of the applicant before processing the request for enhancement or reduction of load.

However, it is equally evident that the enhancement of load was approved by the Respondent on 16.10.2025 and was thereafter acted upon. The validity of the enhancement itself has not been specifically challenged before this Authority, nor is the registered consumer a party to the present proceedings. In these circumstances, this Authority does not consider it appropriate to reopen or adjudicate upon the validity of the enhancement of load in the present appeal. The



controversy before this Authority is confined to the legality of the consequential charges levied pursuant to the enhancement already sanctioned and acted upon.

The Appellant has primarily contended that he was informed by officials of the Respondent that no charges would be payable under the Voluntary Disclosure Scheme and that the subsequent levy of ACD and Service Connection Charges was therefore arbitrary and unjustified. The Respondent, on the other hand, has submitted that the charges were levied strictly in accordance with the applicable regulatory framework.

Insofar as the levy of Additional Consumption Deposit is concerned, the same is statutory and regulatory in nature and is intended to secure payment obligations arising from the sanctioned load and applicable tariff category. Once enhancement of sanctioned load is granted, the consequential revision of security deposit, wherever prescribed under the applicable regulations and tariff orders, follows as a natural consequence. The liability to furnish such deposit is not dependent upon the consumer's past payment record. Therefore, the Appellant's contention that ACD ought not to have been levied merely because he had regularly paid his electricity bills cannot be accepted.

The contention that the Appellant was not informed about the consequential charges before applying for enhancement of load also does not invalidate a charge otherwise recoverable under the applicable regulatory framework. The rights and liabilities of consumers and distribution licensees are governed by the Electricity Act, the Supply Code Regulations, tariff orders and approved schedules of charges. Any alleged oral assurance or misunderstanding cannot override statutory provisions.

The Appellant has further argued that no meter replacement, service line augmentation, phase conversion, or other physical modification was undertaken and therefore the levy of Service Connection Charges was unjustified. However, no material has been placed on record to demonstrate that the said charges were recovered contrary to the applicable tariff order or approved schedule of charges governing load enhancement cases. Mere assertion that no physical work was



undertaken is insufficient, in the absence of any specific regulatory provision prohibiting such recovery.

The record further shows that after receipt of the bill dated 01.01.2026, the Appellant sought reduction of the sanctioned load. In this regard, Regulation 5.107 of the JERC (Electricity Supply Code) Regulations, 2018 stipulates that an application for reduction of load in respect of LT connections can be considered only after expiry of the prescribed period. Since the enhancement of load was sanctioned on 16.10.2025, the Respondent was justified in informing the Appellant that the request for reduction of load could not be considered before expiry of the prescribed period. In any event, the subsequent request for reduction of load does not extinguish liabilities lawfully incurred at the time the enhancement was sanctioned and acted upon.

The Appellant has also sought compensation on account of alleged mental harassment and litigation expenses. Compensation can be awarded only where there is evidence of arbitrariness, negligence, deficiency in service, malafide conduct, or violation of statutory obligations. No such material has been placed on record in the present case. On the contrary, the Respondent appears to have acted substantially in accordance with the applicable regulatory framework.

This Authority appreciates the fact that the Appellant, being a senior citizen, voluntarily approached the Distribution Licensee for regularization of the connected load. However, adjudication under the Electricity Act, 2003 and the regulations framed thereunder must necessarily be based upon statutory rights and obligations rather than equitable considerations alone.

In view of the foregoing discussion, this Authority finds that no illegality has been established in the levy of Additional Consumption Deposit and other consequential charges arising from the sanctioned load enhancement. The Respondent was also justified in informing the Appellant that the request for reduction of load could only be considered in accordance with Regulation 5.107 of the JERC (Electricity Supply Code) Regulations, 2018. Consequently, no case is made out for refund of the impugned charges, award of compensation, or interference with the impugned order passed by the Learned Consumer Grievance Redressal Forum.



#### **E. Conclusion & Directions**

In view of the foregoing discussion and findings, this Authority is of the considered opinion that the Appellant has failed to establish any illegality, arbitrariness, deficiency in service, or violation of the applicable statutory or regulatory framework in the levy of Additional Consumption Deposit (ACD) and other consequential charges arising from the enhancement of sanctioned load from 3.000 kW to 4.870 kW.

This Authority further finds that the Respondent was justified in informing the Appellant that any request for reduction of load would be governed by the provisions of Regulation 5.107 of the JERC (Electricity Supply Code) Regulations, 2018 and could only be considered in accordance with the conditions prescribed therein.

The plea of the Appellant that he was allegedly informed that no charges would be payable under the Voluntary Load Enhancement Scheme cannot override the statutory provisions, tariff orders, or approved schedule of charges governing the relationship between the consumer and the Distribution Licensee.

No material has been placed on record to establish that the impugned charges were recovered in contravention of any specific provision of the applicable tariff order, Supply Code Regulations, or any direction issued by the Commission. Similarly, no case is made out for grant of compensation, litigation expenses, or any other consequential relief.

However, this Authority observes that the applications for enhancement and subsequent reduction of load were processed on the basis of requests submitted by a person other than the registered consumer, without any authorization, consent, or No Objection Certificate from the registered consumer having been placed on record. While the validity of the enhancement itself is not under consideration in the present proceedings, the Respondent is advised to ensure strict compliance with the provisions of the JERC (Electricity Supply Code) Regulations, 2018 in future and to verify the authority of applicants seeking modification of existing electricity connections standing in the name of another person.

Accordingly, the Appeal is dismissed.

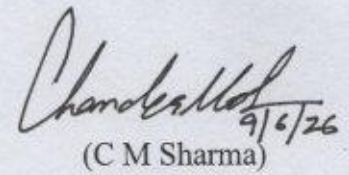
The impugned Order dated 09.03.2026 does not warrant interference by this Authority, albeit for the reasons recorded in the present Order.

The parties shall bear their own costs.

The Appeal stands disposed of accordingly.

Let a copy of this Order be supplied to the parties and be uploaded on the website of the Commission.

Pronounced accordingly.

  
(C M Sharma)

Ombudsman (JERC)

Dated: 09.06.2026