

**BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT
PANCHKULA**

Case No. HERC/P. No. 72 of 2025

Date of Hearing : 20/08/2026

Date of Order : 02/09/2026

IN THE MATTER OF:

Complaint under Section 142, read with Section 146 & Section 149 of the Electricity Act, 2003 & Regulation 2.32 of HERC (Forum & Ombudsman) regulations, 2020 for imposing penalty u/s 142 and institution of complaint u/s 146 of the Electricity Act, 2003 on account of non compliance of the order/ direction passed by Id. Corporate (CGRF) Gurugram as well as continuing failure to comply with the direction of order number 4844/2025 dated 24-04-2025 by respondent(s) and for direction(s) to ensure strict compliance of the direction issued by the Corporate CGRF DHBVN Gurgaon vide order dated 24-04-2025 and to impose the penalty as per HERC (Standard of Performance of Distribution Licensee and Determination of Compensation) Regulation 2020 Schedule - II Sub Clause 2.

Petitioner

1. M/s Aggarwal Fabrics, Plot Number 50-51 & 75, Sector-26, Industrial Area, Bhiwani.
2. M/S Shri Maniram Synthetic (P) Ltd, Plot Number 114-115, Industrial Area, Bhiwani.

VERSUS

Respondent

Dakshin Haryana Bijli Vitran Nigam Limited Through Its

1. The Chief Auditor/ DHBVN, Vidyut Sadan, Hisar.
2. The Chief Engineer /Operation, DHBVN, Hisar Zone, Vidyut Sadan, Hisar.
3. The Superintending Engineer/Operation, DHBVN, BTM Road, Bhiwani.
4. The Executive Engineer/Operation, City Division, BTM Road, Circle Office, Bhiwani.
5. The Sub Divisional Officer/Operation, Sub Urban No-1, Old Power House, Railway Road, Bhiwani.

Present

On behalf of the Petitioner

Sh. Akshay Gupta , Advocate

On behalf of the Respondent

1. Sh. Raghujeet Singh Madan, Advocate
2. Ms. Aerika Singh, Advocate
3. Sh. Lovepreet Singh, Advocate
4. Sh. Sandeep Dalal, XEN, DHBVN
5. Sh. Ankit Kumar, SDO, DHBVN
6. Sh. Saurav Punia, SDO, DHBVN
7. Sh. Shiv Shankar Madan, Sr.AO, DHBVN

QUORUM

Shri Mukesh Garg, Chairman
Shri Shiv Kumar, Member

ORDER

1. **Petition:**

MOST RESPECTFULLY SHOWETH:

- 1.1 That M/s Aggarwal fabrics is the partnership firm registered under Indian Partnership act. (hereinafter may be referred as firm). The firm is having its registered office at Plot number 51, sector-26, industrial area Bhiwani That the firm is having the manufacturing unit as Plot - 75, Sector-26, Industrial Area Bhiwani and Plot Number 50-51 Industrial Area Bhiwani and having the electricity connection bearing account number 4463794879 and 4854180000 respectively.
- 1.2 That the above said electricity connections are connected through, and independent feeder named "Aggarwal Fabric Independent Feeder".
- 1.3 That Mr. Ramavtar Rekhan (hereinafter referred to as petitioner-1), Partner of Aggarwal Fabrics is hereby authorized by the partners through authority letter to file the present case.
- 1.4 That M/s Sri Maniram Synthetics P Ltd company and registered under Companies act. (hereinafter may be referred as company). The company is having its registered office at 422, Ring Road Mall, Sector-3, Rohini -Delhi-110085.
- 1.5 That the Company is having the manufacturing unit at Plot 114-115, Sec-21, Industrial Area Bhiwani having electricity connection bearing account number 8858280000. The above said electricity connections are connected through, and independent feeder named "Aggarwal Fabric Independent Feeder".
- 1.6 That Mr. Ankur Aggarwal (hereinafter referred to as petitioner-2), Director of Sri Maniram Synthetic is hereby authorized by the Directors through Board resolution to file the present case. That the petitioners the industrialist of same area, connected through the same independent feeder and the nature of grievance and relief sought so filed a joint petition before Corporate CGRF DHBVN Gurgaon on 26-02-2025 and prayed:
 - i. Direct the respondent to refund the undue amount charged in the bills of complainant petitioner in the month of Jan-2025:
 - ii. If any amount is chargeable then it may be charged as per the readings of the meter placed at the yard.
 - iii. To award any other relief which the Ld. Forum deems fit
- 1.7 That Ld. Corporate CGRF DHBVN Gurgaon disposed off the case. The order passed by the CGRF held as under:

After considering the reply of both the complainant and SDO and submissions made by them in the hearing, the Forum directs the SDO (OP) : to refund the amount charged as the amount charged in Jan.2025 to the complainants for charging transmission losses for the period from 04-2024 to 08-2024 on behalf of Audit is against the provision of HERC

Supply Code 2020 and not chargeable, and further respondent is directed to follow the instructions of HERC as per the provision 4.8.2 of Electricity Supply Code-2020 and charge the line losses for the upcoming period after informing the consumer at the time of taking the readings on monthly basis and difference of readings should be taken from yard meter and consumer end meter. The case is closed. No cost on either side.”

- 1.8 That the order dated 24.04.2025 is to be complied with in 21 days i.e by 15.05.2025, but the order has not been complied with so far. No adjustment made in the bills issued in May-25, June-25 and July-25.
- 1.9 That the respondent has failed to comply with the order passed by Ld. Corporate CGRF DHBVN Gurgaon and forced complainant petitioner to file the complaint Before Hon’ble HERC under Section 142 Read with Section 146 & Section 149 of Electricity Act-2003 for non-compliance of order passed by Ld. Corporate CGRF DHBVN Gurgaon dated 24.04.2025.
- 1.10 *Electricity Act, 2003- Section 142 “Punishment for Non-Compliance of directions by Appropriate Commission): in case any complaint is filed before the Appropriate Commission by any person or if that Commission by any person or if that Commission is satisfied that any person has contravened any of the provisions of this Act or the rules or regulations made, thereunder; or any direction issued by the Commission, the Appropriate Commission may after giving such person an opportunity of being heard in the matter, by order in writing, direct that, without prejudice to any other penalty to which he may be liable under this Act, such person shall pay, by way of penalty, which shall not exceed One Lakh Rupees for each contravention and in case if a continuing failure with an additional penalty which may extend to Six Thousand rupees for every day during which the failure continues after contravention of the first direction.*
- 1.11 *Section 146: “Punishment for Non-Compliance of orders or directions- Whoever, fails to comply with any order or direction given under this Act, within such time as may be specified in the said order or direction or contravenes or attempts or abets the contravention of any of the provisions of this Act or any rules or regulations made thereunder, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one lakh rupees, with both in respect of each offence and in the case of continuing failure, with an additional fine which may extend to five thousand rupees for every day during which the failure continues after conviction of the first such offence:
(Provided that nothing contained in this section shall apply to the orders, instructions or directions issued under section 121.)*
- 1.12 *Section 149 (1) Where an offence under this act has been committed by a company, every person who at the time the offence was committed was in charge of and was responsible to the company for the conduct of the business of the company, as well as the company shall be deemed to be guilty of having committed the offence and shall be liable to be proceeded against and punished accordingly:*

(2) Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(3) *Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of having committed such offence and shall be liable to be proceeded against and punished accordingly.*

1.13 Regulation 2.32 of HERC (Forum and Ombudsman) Regulations, 2020 (Regulation 2.32):

“The decisions of the Forum will be recorded and duly supported by reasons. The Order of the Forum will be communicated to the complainant and the licensee in writing within 7 days of the passing of the Order. The licensee shall comply with the order of the Forum within 21 days from the date of receipt of the order. In appropriate cases, considering the nature of the case, the Forum, upon the request of the licensee, may extend the period for compliance of its order up to a maximum of three months. The aggrieved consumer may approach the Ombudsman who will provide the consumer as well as the licensee an opportunity of being heard and decide the appeal.

In case of non-compliance of the order of the appropriate Forum, the aggrieved consumer may approach the Commission who will provide the consumer as well as the Licensee an opportunity of being heard. The Commission may initiate proceedings under section 142 of the Act for violation of the Regulations framed by the Commission.”

1.14 That as per HERC (Standard of Performance of Distribution Licensee and determination of compensation) Regulation, 2020 Schedule – II Sub Clause 20 provides that in case of compliance of CGRF is not made within the time framed defined in such order or the regulations specified by the commission in this regard, the compensation of Rs.100/- per day or part thereof is payable.

1.15 That as per HERC Fee regulations 10-2005 with its subsequent amendment(s), the connection of the complainant of HT category and using for commercial purpose as such Rs. 50,000 (Rupees Fifty Thousand) is the court fee, which is being deposited vide Demand Draft Number

Prayer:

It is, therefore, most humbly prayed that considering the submissions brought out above, this Hon’ble Commission may kindly be pleased to:

- i. To direct institution of complaint under Section 142 RW Section 146 of Electricity Act, 2003 for failure to comply with the order / direction passed by the Ld. CGRF on dated 24.04.2025 as well as continuing

failure to comply with the directions against the respondent SDO and:

- ii. Direct the respondent(s) to comply with order passed by the Ld. Corporate CGRF DHBVN vide order dated 24.04.2025 and:
- iii. To impose penalty of Rs. 1 Lakh on respondent(s) under Section 142 of Electricity Act 2003 for failure to comply with the order / direction passed by Ld. CGRF on 24.04.2025 as well as continuing failure to comply with the directions and pay the dues to the complainant and:
- iv. To direct the respondent(s) to pay compensation @ Rs.100/ Day for non-compliance of order passed by CGRF within 21 days and:
- v. To award the penalty imposed on respondent(s) in favour of the complainant- petitioner and:
- vi. Direct respondent(s) to pay Rs. 1,00,000/- (Rs. One Lac only) as court fee and litigation expenses and:
- vii. To allow any other relief as deemed fit by the hon'ble Commission.

2. Reply of respondent submitted on 08/12/2026:

Most Respectfully Showeth:-

- 2.1 The present reply is being filed on behalf of the Respondent through Sh. Sandeep Dalal working as XEN/OP, City Division, Dakshin Haryana Bijli Vitran Nigam, (hereinafter referred to as 'DHBVN'), who is competent to file the present reply and is also fully conversant with the facts and circumstances of the case on the basis of knowledge derived from the record.
- 2.2 The present petition has been filed by the Petitioners under Section 142, read with section 146 and 149 of the Electricity Act, 2003 & Regulation 2.32 of HERC (Forum & Ombudsman) Regulations, 2020, seeking imposition of penalty under Section 142 and institution of complaint under Section 146 of the Electricity act, 2003 on account of non-compliance as well as continuing failure to comply with the order/ direction dated 24.04.2025 passed by the Corporate Forum for Redressal of Consumer Grievances, Gurugram (hereinafter referred to as 'Ld. CGRF') in case bearing No.DH/CGRF/4844/2025 by the Respondents.
- 2.3 The Ld. CGRF, Gurugram vide its order dated 24.04.2025, directed the Respondents as under:
"...to refund the amount charged as the amount charged in Jan 2025 to the complainants for charging transmission losses for the period from 04-2024 to 08-2024 on behalf of audit is against the provision of HERC Supply Code 2020 and not chargeable, and further respondent is directed to follow the instructions of HERC as per the provision 4.8.2 of Electricity Supply Code-2020 and charge the line losses for the up-coming period after informing the consumer at the time of taking the readings on monthly basis and difference of readings should be taken from yard meter and consumer end meter."
- 2.4 The Respondent had duly complied with the said order in its true spirit. Pursuant to necessary administrative approvals, DHBVN processed the refund vide SC/AR No. 283/215 dated 07.09.2025 and accordingly refunded a total sum of Rs. 2,49,862/- to the Petitioners

under protest, by way of adjustment in their subsequent electricity bills. Copy of SC/AR No. 283/215 dated 07.09.2025 is appended herewith marked as Annexure R-1. The said refund was duly reflected in the Petitioners' bills as under:

- a. The Respondent duly adjusted an amount of Rs. 43,329/- in the electricity bill dated 03.10.2025, and a further amount of Rs. 1,10,729/- in the subsequent bill dated 15.10.2025, issued in the name of Petitioner No. 1. Copy of electricity bill dated 03.10.2025 and 15.10.2025 are appended herewith marked as Annexure R-2 (colly).
 - b. Similarly, an amount of Rs. 95,804/- was adjusted in the electricity bill dated 03.10.2025, issued in the name of Petitioner No. 2. Copy of electricity bill dated 03.10.2025 is appended herewith marked as Annexure R-3.
- 2.5 It is submitted that the Respondent at all times acted in good faith and with due regard to the directions of the Ld. CGRF. Any delay, if any, occurred in implementation of the said order was purely procedural and administrative in nature, arising solely due to the time taken for obtaining necessary approvals from the competent authorities within the Department.
- 2.6 It is submitted that immediately upon receipt of the order dated 24.04.2025 passed by the Ld. CGRF, the same was forwarded to the Executive Engineer (XEN) 'OP' City Division, DHBVN, Bhiwani, vide letter dated 07.05.2025, seeking necessary advice and approval for implementation. A copy of the said letter dated 07.05.2025 is appended.
- 2.7 In pursuance thereof, the office of XEN 'OP' City Divn, DHBVN Bhiwani referred the matter to Legal Remembrancer (LR), Panchkula vide memo no. 2470 dated 14.05.2025, for legal opinion. Upon examination, the office of the LR decided to prefer a writ petition challenging the order of the Ld. CGRF, and accordingly, Advocate Sh. Sandeep Chhabra was engaged by the LR, Panchkula, vide Memo No. 83/SCD(73)25 dated 11.09.2025. Copy of the memo dated 14.05.2025 and 11.09.2025 are appended.
- 2.8 The above sequence of events clearly demonstrates that the Respondent had acted with due diligence and transparency in processing the matter through the prescribed administrative and legal channels. Any delay, if any, was purely incidental to the time taken for obtaining necessary approvals and clearances and cannot, by any means, be construed as wilful or deliberate non-compliance.
- 2.9 Upon receipt of requisite approval on 04.09.2025, the Respondent took immediate steps and processed the refund on 07.09.2025 without any further lapse of time. The Respondent further intimated the Hon'ble Commission regarding such compliance through communication bearing memo no. CH-4265 dated 27.10.2025, addressed to the Registry of HERC, Panchkula. A copy of the said intimation is appended.
- 2.10 It is submitted that the Respondent had fully and faithfully complied with the directions issued by the Ld. CGRF, Gurugram, and the refund

as directed stood duly effected. It is further submitted that the refund had been made under protest in order to comply with the order passed by the Ld. CGRF's while preserving its right to pursue appropriate legal remedies against the same.

PRAYER

In view of the foregoing submissions, it is most respectfully prayed that this Hon'ble Commission may kindly:

- a. Take note of the compliance efforts undertaken by the Respondents and accept the explanation provided regarding the delay, if any, in compliance of order passed by Ld. CGRF,
 - b. Not impose any penalty/cost as the delay, if any, was neither deliberate nor attributable to any willful default, but was occasioned due to circumstances beyond the control of the Respondent, AND/ OR
 - c. Pass any other order(s) deemed fit and proper in the facts and circumstances of the case in the interest of justice.
3. The case was heard on 10/12/2025, Respondent No. 5, SDO was not present during the proceedings. The submission made by the XEN regarding the SDO being on earned leave was not accepted by the Commission, as no prior request for exemption from personal appearance was placed on record. The Commission, therefore, imposes a cost of ₹25,000/- (Rupees Twenty-Five Thousand only) upon the said SDO for his non-appearance. The Counsel for the respondents submitted that the order has been complied and submitted the compliance report in the matter. The Counsel for the petitioner submitted that while he is satisfied with the compliance report, he emphasized that there were repeated delays by the officers of the respondent Nigam in implementation of the orders of the Consumer Grievances Redressal Forum (CGRF). The Commission called Director (Operations) and Director (Finance) of DHBVN, who were present in the court. The Commission expressed its displeasure over the recurring defaults by DHBVN officials in ensuring timely compliance of the orders issued by the CGRF, Electricity Ombudsman, and this Commission. Examination of the case record revealed a casual and negligent approach on the part of the SDO, XEN, CBO and LR offices. The Commission also pointed out deficiencies in the auditing process, particularly with respect to the framing of erroneous half margins, which have resulted in unnecessary consumer harassment. Further, the Commission observed that the lack of communication with consumers and failure to resolve grievances in a time-bound manner have led to avoidable litigation, thereby causing wastage of public resources. After hearing the concerned officers at length, the Commission directs the

Director(Operations), DHBVN, to formulate and submit a comprehensive Standard Operating Procedure (SoP) within a period of four (4) weeks from the date of this order. The SoP shall be duly approved by the competent authority and shall encompass, inter alia, the following aspects: i. Preparation of detailed guidelines for defending cases before the CGRF, Electricity Ombudsman, and Haryana Electricity Regulatory Commission. ii. Clear instructions for ensuring compliance with orders of the CGRF, Ombudsman, and Commission within prescribed timelines. iii. Specification of time allocation and responsibilities for each office/official, viz. SDO, XEN, SE/Op, LR, CBO, etc. iv. Prescription of penal measures and disciplinary action for delays or non-implementation by any officer/official. v. Structure for regular review meetings to be held at the level of XEN, SE, Chief Engineer, and Directors. vi. Procedure for recovery of cost imposed, penal interest, litigation expenses, and court fees etc from delinquent officials/officers concerned.

4. Compliance report received on 13/01/2026:

- 4.1 The present compliance report is being filed on behalf of the Respondent through Subhash Kumar Singh working as Superintending Engineer/Commercial, Dakshin Haryana Bijli Vitran Nigam, (hereinafter referred to as 'DHBVN'), who is competent to file the present reply and is also fully conversant with the facts and circumstances of the case on the basis of knowledge derived from the record.
- 4.2 The present petition has been filed by the Petitioners under Section 142, read with section 146 and 149 of the Electricity Act, 2003 & Regulation 2.32 of HERC (Forum & Ombudsman) Regulations, 2020, seeking imposition of penalty under Section 142 and institution of complaint under Section 146 of the Electricity act, 2003 on account of non-compliance as well as continuing failure to comply with the order/ direction dated 24.04.2025 passed by the Corporate Forum for Redressal of Consumer Grievances, Gurugram (hereinafter referred to as 'Ld. **CGRF**') in case bearing NO.DH/CGRF/4844/2025 by the Respondents.
- 4.3 That vide the Interim Order dated 10.12.2025, the Hon'ble Commission directed as under:
"the Commission directs the Director(Operations), DHBVN, to formulate and submit a comprehensive Standard Operating Procedure (SoP) within a period of four (4) weeks from the date of this order. The SoP shall be duly approved by the competent authority and shall encompass, inter alia, the following aspects:
 - i. *Preparation of detailed guidelines for defending cases before the CGRF, Electricity Ombudsman, and Haryana Electricity Regulatory Commission.*

- ii. *Clear instructions for ensuring compliance with orders of the CGRF, Ombudsman, and Commission within prescribed timelines.*
- iii. *Specification of time allocation and responsibilities for each office/official, viz. SDO, XEN, SE/Op, LR, CBO, etc.*
- iv. *Prescription of penal measures and disciplinary action for delays or non-implementation by any officer/official.*
- v. *Structure for regular review meetings to be held at the level of XEN, SE, Chief Engineer, and Directors.*
- vi. *Procedure for recovery of cost imposed, penal interest, litigation expenses, and court fees etc. from delinquent officials/officers concerned. "*

- 4.4 That pursuant to the said directions above the Respondent has duly issued the Sales Instruction after the approval of the Competent Authority and has encompassed the guidelines given by this Hon'ble Commission. The said comprehensive Standard Operating Procedure ('SOP') was published on 07.01.2026 and a copy of the same is also forwarded to the Hon'ble Commission vide email dated 07.01.2026. The said SOP is annexed for the kind perusal of the Hon'ble Commission.
- 4.5 In view of the foregoing, the Respondent respectfully prays that this Hon'ble Commission may kindly be pleased to -
- i. Take on record the present Compliance Report; and
 - ii. Pass any other order (s) as may be deemed fit and proper in the interest of justice.
5. The case was heard on 08/04/2026, The Counsel for the respondents submitted that the directions of the Commission have been complied with and SOP has been circulated. The Counsel for the petitioner also agrees with the compliance report. The Commission heard the salient features of the SOP and observes that while the SOP has been framed and circulated, the result/ outcome of the same can only be assessed after implementation of the same with due diligence. To ensure the effective implementation of SOP, the Commission directs the respondents to submit a detailed report on the progress of implementation of SOP at each stage ie XEN, SE, CE, Director/Op , WTD etc as per clause 11 upto 30/06/2026 so that reduction in litigation can be assessed.
6. The case was heard on 08/07/2026, The Counsel for the respondents requested for more time to file the report in compliance to the earlier directions. Sh. Sandeep Dalal, XEN submitted that the circle wise data is being compiled and the same will be submitted shortly. The Commission notes with concern the casual approach of DHBVN and directs Director/Operations to appear in person and submit the progress report on next date of hearing.

7. Implementation status submitted by DHBVN received on 03.08.2026:

The Abstract of Circle-wise Status of Review & Implementation of CGRF/Ombudsman/HERC Cases for the 1st quarter (i.e. April 2026 to June 2026) in respect of Annexure-A (as received from field offices):-

	Operation Circle	Brief Status
I	Gurugram-II	8 cases (including Ombudsman, CGRF & HERC) reported. 7 of the cases have been implemented. 1 HERC matter relating to infrastructure development is under process and legal opinion is being obtained from LR Office.
2	Jind	6 cases reported. 5 cases are pending due to implementation issues, refund process, Ombudsman proceedings and ongoing hearings. 1 case has been complied with.
3	Narnaul	6 cases reported. All matters are pending before the Hon'ble Punjab & Haryana High Court or are under process for filing of CWP. Necessary advocates have been engaged and hearing dates have been fixed.
4	Gurugram-I	20 cases reported. 16 of the CGRF/Ombudsman/HERC orders have been implemented. 2 case, appeals have been filed before the Hon'ble Punjab & Haryana High Court/Ombudsman, 1 cases remain under process while 1 case complaint rejected by CGRF.
5	Fatehabad	2 HERC cases reported. Both orders have been implemented.
6	Faridabad	9 cases reported. Several matters are pending before Hon'ble HERC and the Hon'ble Punjab & Haryana High Court. Necessary action, legal opinion and correspondence with DTCP/LR Office are under process.
7	Hisar	2 cases reported. One HERC matter has been implemented, while the other is pending before the Electricity Ombudsman in appeal.
8	Bhiwani	17 cases reported. Majority of the matters are pending before the Hon'ble Punjab & Haryana High Court/HERC or under appeal. Some cases have already been implemented, while hearings are continuing in the remaining matters.
9	Palwal	Nil cases reported.
10	Rewari	Nil cases reported.
11	Sirsa	Nil cases reported.

Note: The Agenda/Status of compliance of decisions/orders issued by the Hon'ble HERC, Panchkula and CGRF, DHBVN Gurugram is reviewed on a monthly basis at the level of the Chief Engineers, Directors and Whole-Time Directors (WTDs). The matter has been placed before the competent authority under the following agenda items:

Agenda Item No.	Subject
375.35	Status of Compliance of decisions/orders issued by Hon'ble HERC, Panchkula & CGRF, DHBVNL, Gurugram for the month ending March, 2026.
377.21	Status of Compliance of decisions/orders issued by Hon'ble HERC, Panchkula & CGRF, DHBVNL, Gurugram for the month ending April, 2026.
378.50	Status of Compliance of decisions/orders issued by Hon'ble HERC, Panchkula & CGRF, DHBVNL, Gurugram for the month ending May, 2026.

Commission's Order:

1. The case was heard on 20/08/2026, The detailed report in compliance to the previous order was submitted. The counsel for the respondents apprised that the cases are being monitored by WTDs on regular basis.
2. The Commission noted with concern that 31 cases are still pending despite calling concerned Directors of the DISCOMs. The appeals filed in the various courts are not having any injunctions, thus the orders are not being complied
3. The Commission considered the petition, replies and documents placed on record. The dispute centres on the delayed compliance of the CGRF order dated 24.04.2025. The CGRF directed the respondent to refund the transmission losses charged in January 2025 for the period from April 2024 to August 2024, holding that such charges violated the HERC Supply Code 2020. The CGRF also directed that future line losses be charged in accordance with provision 4.8.2 of the Electricity Supply Code-2020 based on the difference between the yard meter and consumer end meter readings. The licensee is legally obligated to comply with CGRF orders within 21 days of receipt, however, the respondent failed to comply within this timeframe, making no adjustments in the electricity bills issued in May, June, and July 2025. Conversely, the respondents asserted that it complied by processing a total refund of Rs. 2,49,862/- under protest vide SC/AR No. 283/215 dated 07.09.2025. This refund was eventually adjusted as Rs. 43,329/- in the electricity bill dated

03.10.2025 and Rs. 1,10,729/- in the subsequent bill dated 15.10.2025 for the first petitioner, and Rs. 95,804/- in the bill dated 03.10.2025 for the second petitioner. The pleadings reveal a clear, factual delay of 141 days from the mandatory deadline of 15.05.2025 to the first bill adjustment on 03.10.2025, which renders the respondent's claim of timely compliance unsustainable.

4. The respondent argued that delay was purely procedural, arising from the time needed for department approvals. Approval for compliance was eventually granted on 04.09.2025, and the refund was processed on 07.09.2025, with formal intimation sent to the Commission on 27.10.2025. The administrative delay cannot excuse non-compliance under the law. Pursuant to Regulation 2.32 of the HERC (Forum and Ombudsman) Regulations, 2020, compliance is mandatory within 21 days, and any extension up to three months can only be granted by the CGRF itself upon a formal application from the licensee. No such extension was sought or granted by the respondent. Internal departmental consultations or the intent to file a writ petition do not stay the operation of a CGRF order. Consequently, the respondent was bound to implement the refund by 15.05.2025, and the failure to do so constitutes a clear regulatory violation.
5. The petitioners initiated these proceedings under Section 142 read with Section 146 and Section 149 of the Electricity Act, 2003, seeking penalties and criminal prosecution for non-compliance with the CGRF's order. Section 142 empowers the Commission to impose a penalty for each contravention, with a continuing penalty during which the failure continues. Section 146 imposes a penalty of imprisonment, a fine, or both, while Section 149 establishes liability for corporate officers. The lack of administrative diligence was further highlighted during the hearing which led the Commission to impose a personal cost. This negligent and casual approach across the SDO, XEN, CBO, and LR offices resulted in unnecessary consumer harassment, delayed compliance, and avoidable litigation of public resources.

6. The major issue concerns the broader systemic remedial actions and the enforcement of the Standard Operating Procedure (SOP). The Director (Operations) of DHBVN was directed to submit a comprehensive SOP to outline guidelines for defending cases, ensuring timely compliance, specifying time allocations for officers, prescribing penal measures, and establishing a recovery procedure for litigation expenses and court fees from delinquent officials. This SOP was published on 07.01.2026, a detailed report on the implementation progress up to 30.06.2026 was sought. The implementation status was submitted on 03.08.2026. The circle-wise data for the first quarter of 2026 (April to June) reveals varying compliance. While monthly reviews at the level of Chief Engineers, Directors, and WTDs are underway, the persistent pendency in circles shows that framing the SOP is insufficient without rigorous enforcement.
7. Based on these findings and reasons, the Commission allows the petition with the following directions:
 - 7.1 The prayer to direct the institution of criminal complaints under Section 146 of the Electricity Act, 2003, is declined, as the refund of Rs. 2,49,862/- was eventually adjusted in October 2025 and systemic corrections have been initiated through the SOP, making criminal prosecution disproportionate.
 - 7.2 The prayer to direct compliance with the CGRF order dated 24.04.2025 is disposed of as infructuous, as the billing adjustments of Rs. 43,329/-, Rs. 1,10,729/-, and Rs. 95,804/- have already been credited.
 - 7.3 The prayer for court fees and litigation expenses is allowed, and the respondent is directed to make payment of ₹50,000/- Court Fee deposited by the petitioner along with ₹15,000/- towards litigation expenses to the petitioner within 30 days from the date of this order for the willful and prolonged delay of 141 days in complying with the CGRF order, and as per the recovery procedures in the newly framed SOP, this penalty shall be recovered.
 - 7.4 To ensure effective implementation of the SOP adopted by DHBVN and UHBVNL, both DISCOMs are directed to submit a detailed circle-wise

quarterly compliance and progress report to this Commission within 15 days of the close of each quarter.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 02/09/2026.

Date: 02/09/2026
Place: Panchkula

-Sd/-
(Shiv Kumar)
Member

-Sd/-
(Mukesh Garg)
Chairman

Haryana Electricity Regulatory Commission