



BEFORE THE ELECTRICITY OMBUDSMAN, HARYANA

Bays No. 33-36, Ground Floor, Sector-4, Panchkula-134109

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(Regd. Post)

Appeal No. : 14 of 2025
Registered on : 03.04.2025
Date of Order : 09.04.2025

In the matter of:

Appeal against the order dated 07.03.2025 passed by CGRF UHBVN Panchkula in complaint no UH CGRF 323 of 2024 – M/s Gauvan Sewa Dham, Sector-23, Opposite NIFT Building, Panchkula through its Secretary Sh. Sandeep.

M/s Gauvan Sewa Dham, Sector-23, Opposite NIFT Building, Panchkula through its Secretary Sh. Sandeep
Versus

1. The XEN/OP Division, UHBVN, Panchkula
2. The SDO (Operation), Sub Division, UHBVN, Madanpur

Appellant

Respondent

Before:

Shri Rakesh Kumar Khanna, Electricity Ombudsman

Present on behalf of Appellant:

Shri Sandeep Mittal, Secretary

Present on behalf of Respondents:

Shri Rohit Kumar, SDO 'OP' Madanpur

ORDER

A. M/s Gauvan Sewa Dham, Sector-23, Opposite NIFT Building, Panchkula through its Secretary Sh. Sandeep has filed an appeal against the order dated 07.03.2025 passed by CGRF, UHBVN, Panchkula in case No. 323 of 2024. The appellant has submitted as under:

1. That appellant is running a Gaushala under the society namely Gau Van Sewa Dham, Panchkula, duly registered Society with Deputy Registrar, Panchkula dated 05.01.2023.
2. That the appellant is a consumer under the respondents.
3. That the Government of Haryana has announced that all Gaushala in the State of Haryana will be supplied electricity at the subsidized rate of Rs. 2/- per unit.
4. That the appellant has applied for the release of the connection and the respondent has released the connection to the appellant w.e.f. 05.01.2023.
5. That the appellant has thereafter get registered the Gaushala with the Gau Sewa Aayog, Panchkula, whereas, it is not mandatory to get registered the Gaushala with the Gau Sewa Aayog under any existing provision.

6. That the respondent had issued the bill to the appellant on a commercial basis whereas the appellant is liable to pay the electricity charges as a subsidized rate of Rs. 2/- per unit.
7. That the appellant has filed the complaint against the respondent before the Consumer Grievances Redressal Forum (CGRF), UHBVNL, Panchkula, which was decided by the CGRF vide order dated 07.03.2025. The operating part of the order is as follows:-

"as per copy of letter No. 363 dated 28.02.2025 received from Chairman, Haryana Gau Seva Aayog, Panchkula in which it has specifically been mentioned that Gau Van Sewa Dham, Sector -23, Panchkula was registered with Haryana Gau Seva Aayog vide registration No. HGSA/2024/676 vide this office Memo No. 1186 dated 30.08.2024 hence concession of tariff rate cannot be allowed to the Gau Van Sewa Dham with effect from 05.01.2023 rather the same is eligible from 30.08.2024. Hence, the Forum directs SDO/Respondent that the account of the complainant be overhauled accordingly and afresh bill be raised detailing all dues applicable and current outstanding amount to be paid at his level giving benefit of concessional tariff as predate of registration duly certified by Haryana Gau Seva Aayog i.e. 30.08.2024"

8. That the order passed by the CGRF is liable to be set aside on the following grounds:-
 - a. That the Government of Haryana Power Department has issued a letter dated 23.02.2021 and announced the relief to the Gaushala, the operating part of the letter is as under:-

"2. As per the CM announcement regarding permission of subsidized Electricity Supply to Gaushalas @ Rs. 2/- per unit in the State and to provide subsidy directly to DISCOM, the Government sanction is hereby accorded subject to the following conditions:-

 - i) Subsidy be provided to Registered Gaushalas.
 - ii) Subsidy be provided on actual consumption of Electricity based on metered connection.

3. The necessary provisions in the billing software may also be made for depicting the subsidy amount of the said consumers in each billing cycle."
 - b. That the Gaushala run by the appellant society is registered Gaushala and it is not mandatory for Gaushala to get registered with the Gau Sewa Aayog for getting the subsidy as allowed by the State Government on account of electricity charges.
 - c. That the CGRF at the time of the passing of the order has not taken into consideration the above facts. The complaint has been decided on the basis of the letter received from the Chairman, Haryana Gau Sewa Aayog, Panchkula that the Gaushala run by the appellant is registered with Gau Sewa Aayog w.e.f. 30.08.2024. The Respondent has put his case on the

basis of Clause 3 of the Sales Circular U-05/2021. The operating part of the said sale circular is as under:-

"Only Gaushalas registered with Haryana Gau Seva Aayog being registration authority shall be eligible for the subsidized tariff. The registration shall be verified from the Haryana Gau Seva Aayog through email (hgsapkl@gmail.com)"

- d. That the subsidy is to be paid by the State of Haryana on the basis of the order passed by the State of Haryana and in that order, it is nowhere mentioned that it is mandatory to get registered Gaushala with the Gau Sewa Aayog. Registered Gaushala means the Gaushala run by a registered society and there is no provision of the Gau Sewa Aayog or any provision of the State Government to get registered the Gaushala with the Gau Sewa Aayog. It is not mandatory for any Gaushala to get registered with the Gau Sewa Aayog, therefore, these conditions of respondents on the basis of the above said sale circular is beyond any merit and is in violation of the instructions of the Government of Haryana.
9. That the appellant is entitled for the subsidy w.e.f. 05.01.2023 (the date when it registered).
10. That the order passed by the CGRF is illegal, arbitrary and without any merit, hence, is liable to be set aside.

It is therefore, prayed that the order passed by the CGRF dated 07.03.2025 be set aside and the complaint of the appellant filed before the CGRF be allowed and the benefit of the subsidy may kindly be allowed to the appellant w.e.f. 05.01.2023.

It is further prayed that during the pendency to appeal, the interim order may kindly be passed and restrain the respondent to make any recovery from the appellant.

It is further prayed that the cost of the litigation may kindly be allowed to the appellant in the interest of the natural justice.

- B.** The appeal was registered on 03.04.2025 as an appeal No. 14 of 2025 and accordingly, notice of motion to the Appellant and the Respondents was issued for hearing the matter on 04.04.2025.
- C.** The respondent SDO vide email dated 04.04.2025 has submitted reply, which is reproduced as under:-

In the subject cited matter, an appeal against the Corporate CGRF, UHBVN, Panchkula order dated 07.03.2025 has been registered by consumer based on grounds that it is not mandatory for a Gaushala to get registered with the Gau Sewa Aayog for getting the subsidized electricity tariff as allowed by the state government.

Following facts are humbly submitted in the reply please:

1. The Gaushala i.e. Gau Van Sewa Dham is having an electricity connection at the address "Near Ghaggar river, Opposite NIFT building, Sector 23, Panchkula" and is being levied subsidised electricity tariff @ Rs 2 from 30.08.2024. The gaushala was registered with Haryana Gau Seva Aayog on 30.08.2024.
2. This gaushala is being run by a trust "Gau Van Seva Dham Panchkula" with registered office at "House no. 1584 Sector 21 Panchkula Haryana". This trust was registered with Registrar, Panchkula on 05.01.2023 through a trust deed vide registration number 3202/2022-2023.
3. On 23.02.2021, a memo was issued by Additional Chief Secretary to Govt. Haryana, Power Department (copy attached at annexure A) regarding subsidized electricity supply to the Gaushala in the state wherein following conditions were stated:
 - A) Subsidy to be registered Gaushala
 - B) Subsidy be provided on actual consumption of electricity based on metered connection
4. Subsequently, a sales circular no. U-05/2021 was issued by nigram which further clarified the above condition (A) through clause 3 as " Only gaushalas registered with Haryana Gau Seva Aayog being registration authority shall be eligible for the subsidized tariff." (copy attached at annexure B).
5. In Corporate CGRF, UHBVN, Panchkula, the consumer stated "Since the clause 3 of sales circular no. U-05/2021 was not mentioned in the memo which was issued by Additional Chief Secretary to Govt. Haryana, Power Department, the gaushala is eligible for subsidy from 05.01.2023". This matter was also clarified from the commercial wing of nigram on dated 28.01.2025 (copy attached as annexure C) clearly stating that this gaushala becomes eligible for subsidized tariff for the consumption of electricity after 30.08.2024 only i.e. date of registration of gaushala with Haryana Gau Seva Aayog.

Therefore, it humbly submitted that the plea of consumer is not valid and the gaushala is eligible for subsidized electricity tariff only from 30.08.2024 based on following grounds:

1. The gaushala was not registered upto 30.08.2024. Rather, only the trust running this gaushala was registered with registrar on 05.01.2023 which

alone does not entitle the gaushala established by the trust to be eligible for subsidized electricity tariff.

2. Haryana Gau Seva Aayog was established under Section 3 of The Haryana Gau Seva Aayog Act, 2010 enacted by the legislature of the State of Haryana with its function clearly specified in the act as "to supervise and assist in the working and functioning of the institutions for the purpose of providing financial assistance, training in the field of scientific rearing of various breeds of cows." So, the registration of gaushala with Haryana Gau Seva Aayog is mandatory for grant of subsidized electricity tariff.

This is for your kind consideration and taking further necessary action please.

- D.** Hearing was held on 04.04.2025, as scheduled. Both the parties were present. During the hearing, the respondent SDO has filed his reply through email which was handed over to appellant. Appellant has also submitted his additional written submission alongwith a copy of the registration of M/s Gauvan Sewa Dham, Sector-23, Panchkula which were handed over to the respondent SDO. Appellant (Shri Ramakant Bhardwaj) stressed that SDO operation should give his comments on letter dated 28.02.2025 issued by Chairman Haryana Gow Seva Aayog, Panchkula wherein it is clearly mentioned that Gau Van Sewa Dham, Sector-23, Panchkula working as Gaushala was registered with Deputy/Joint Registration office, Panchkula, Government of Haryana as on 05.01.2023 and subsidy being given by Nigam is from 30.08.2024. Accordingly, respondent SDO was directed to give his comments within 2 days. Both parties are directed to appear before undersigned on 09.04.2025.

During hearing appellant has also submitted additional submission which is reproduced as under: -

1. That the Appellant submitted before CGRF that the registration with HGSA was irrelevant but the CGRF insisted upon the Respondent to submit the letter from HGSA about it and gave number of opportunities to submit the same. The last such opportunity was given in hearing on 24/2/25.
2. That subsequently the Respondent submitted the letter no 363 dated 28/2/25 from HGSA in which it was clearly mentioned that as per records available in HGSA, the Appellant had registered as Gaushala with Deputy/Joint Registration Officer, Panchkula, Govt. of Haryana as on

05/01/2023 but the CGRF failed to apply their judicious mind on this and chose to totally ignore it.

3. That the CGRF also failed in giving us an opportunity to rebut on the letter of HGSA dated 28.2.25 which was submitted by the SDO, UHBVN. The final order was passed based on this letter without hearing from our side. This was denial of natural justice to us.
4. That the Respondent has coerced fully made the Appellant to pay Rs 538.48 towards electricity bill calculated on wrong basis after the CGRF order.

PRAYER

It is prayed:

1. That the order of CGRF dated 07.03.2025 is set aside with costs to the respondents.
2. That the excess charged from us be refunded.
3. Any other relief as deemed by you.

E. The respondent SDO vide email dated 08.04.2025 has submitted comments on letter dated 28.02.2025 issued by Chairman, Haryana Gau Seva Aayog, Panchkula, which is reproduced as under:-

“In compliance to orders dated 04.04.2025 in appeal no. 14 of 2025 before Hon'ble Electricity Ombudsman, Haryana, following comments are hereby submitted by SDO OP S/Divn Madanpur vide his office memo no. 3123 dated 07.04.2025 is as under :-

1. The letter was issued by Chairman, Haryana Gau Seva Aayog, Panchkula in response to letters from undersigned for confirming the date of registration of Gaushala.
2. It is agreed that the trust running the Gaushala was registered with Deputy/Joint Registration Officer, Panchkula on 05.01.2023 whereas the Gaushala was registered with Haryana Gau Sewa Aayog on 30.08.2024 and the subsidy has been granted from the date of registration of gaushala with Haryana Gau Sewa Aayog i.e. from 30.08.2024.

F. The appellant (Shri Sandeep) Secretary, GVSD, Panchkula has submitted his reply on comments submitted by SDO (operation), Madanpur which is reproduced as under:-

It is respectfully submitted that the Respondent XEN is trying to mislead the Ombudsman. The facts of matter are as follows:

1. The HGSA gives subsidy to Gaushalas for upkeep / feed of cows and other things including infrastructure. Therefore, to avail such subsidy, it is mandatory to get the Gaushala registered with the HGSA.
2. However, the subsidy of electricity has been directly announced by Govt of Haryana and is being given directly by the Govt as per circular issued by the Additional Sec Power Deptt. Haryana Govt. It is clearly mentioned that the Gaushala has be registered with the Govt. The Registrar is the competent authority to registered such entities. For electricity subsidy it is not necessary to get registered with HGSA.
3. Further, the ketter issued by the Chairman HGSA itself clearly mentions that as per their record Gau Van Sewa Dham Panchkula was working satisfactorily as Gaushala as on 5.1.23.
4. Hence, it is reiterated that eligibility for electricity subsidy is valid from 5.1.23 as per Govt of Haryana circular. HGSA or UHBVN cannot over ride / modify the Govt circular.

G. Hearing was held on 09.04.2025, as scheduled. Both the parties were present. During the hearing, the comments of both the parties were discussed and taken on record. Further, SDO operation, Madanpur had agreed on the point no. 1 submitted by appellant regarding *the HGSA gives subsidy to Gaushalas for upkeep / feed of cows and other things including infrastructure. Therefore, to avail such subsidy, it is mandatory to get the Gaushala registered with the HGSA.* This was also reproduced in the reply submitted by XEN, Operation, Panchkula dated 04.04.2025 at point no. 2.

Decision

After hearing both the parties and going through the record made available on file, it is decided that M/s Gauvan Sewa Dham, Sector-23, Opposite NIFT Building, Panchkula is registered with Deputy/Joint Registration Officer Panchkula, Government of Haryana as on 05.01.2023 and hence, entitled for subsidy of Rs. 2.00/- per unit as per CM announcement regarding subsidized electricity supply to Gaushalas in the State communicated vide letter dated 23.02.2021 issued by the office of Addl. Chief Secretary to Government of Haryana, Power Department. Further, Respondent SDO is directed to allow subsidy in the bill of M/s Gauvan Sewa Dham @Rs. 2/- per unit w.e.f. 05.01.2023 and excess amount charged in the bill of M/s Gauvan Sewa Dham, Sector-23, Panchkula by not allowing subsidy of Rs. 2/- per unit w.e.f. 05.01.2023 be refunded/adjusted. As far as registration with the Haryana Gau

Seva Aayog is concerned, this registration is mandatory for availing subsidy in up keep/feed of cows and other things including infrastructure in Gaushalas. Therefore, the order passed by corporate CGRF, Panchkula dated 07.03.2025 is set aside.

The instant appeal is disposed of accordingly.

Both the parties to bear their own costs. File may be consigned to record.

Given under my hand on 9th April, 2025.

Dated:09.04.205

Sd/-
(Rakesh Kumar Khanna)
Electricity Ombudsman, Haryana

CC-

Memo. No.122-128/HERC/EO/Appeal No. 14/2025

Dated:11.04.2025

To

1. M/s Gauvan Sewa Dham, Sector-23, Opposite NIFT Building, Panchkula through its Secretary Sh. Sandeep (Email send2ramk@gamil.com) .
2. The Managing Director, Uttar Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula (Email md@uhbvn.org.in).
3. Legal Remembrancer, Haryana Power Utilities, Shakti Bhawan, Sector- 6, Panchkula (Email lr@hvpn.org.in).
4. The Chief Engineer (Operation), Uttar Haryana Bijli Vitran Nigam Limited, Vidyut Sadan, IP No.: 3&4, Sector-14, Panchkula (Email ceoppanchkula@uhbvn.org.in).
5. The Superintending Engineer (Operations), UHBVN, Panchkula, SCO 96(1st Floor), Sector-5, Panchkula-134119 (Email seoppanchkula@uhbvn.org.in)
6. The XEN (Operations), Panchkula, Flat No 517-518 GF, Power Colony, Industrial Area Phase-II, Panchkula-134113 Haryana (Email xenoppanchkula@uhbvn.org.in)
7. The SDO (Operations) Madanpur, Opp. Kendriya Vihar-2 Society, Sector 25, Panchkula Haryana-134109 (Email sdoopmadanpur@uhbvn.org.in)