

**THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Shri Natthu Lal  
S/o Shri Ram Swarup  
Indra Colony, Gali no. 06,  
Rudrapur, Distt. Udham Singh Nagar,  
Uttarakhand

Vs

The Executive Engineer,  
Electricity Distribution Division, (First)  
Uttarakhand Power Corporation Ltd.  
Rudrapur, Distt. Udham Singh Nagar,  
Uttarakhand

Representation No. 50/2024

**Award**

Dated: 12.03.2025

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Udham Singh Nagar Zone, (hereinafter referred to as Forum) dated 05.11.2024 in complaint no. 179/2024-25 by which Ld. Forum has allowed/disposed off the complaint of appellant Shri Natthu Lal S/o Shri Ram Swarup, Indira Colony, Gali No. 06, Rudrapur, Distt. Udham Singh Nagar (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (First), Uttarakhand Power Corporation Ltd., Rudrapur, Distt. Udham Singh Nagar, Uttarakhand (hereinafter referred to as respondent).

2. In his instant petition/representation dated 03.12.2024 the petitioner has averred that his connection was disconnected in the month of December 2019 by departmental staff and took away with them the meter and cable installed at outside his house. A notice dated 13.09.2024 was pasted at his house wherein a sum of Rs. 62,001.00 has been demanded as outstanding dues. The connection was temporary disconnected by the department. In spite of repeated intimation to department regarding fast running of meter no action was taken by the department. A PD report was prepared by the department twice first on 13.09.2023 and second on 16.10.2024. A complaint was filed by him before the Forum on 11.09.2024, wherein the Forum was requested to

*(Signature)*

deeply investigate into the bills and a justified action be ordered. He has alleged a number of shortcomings in Forum order. In spite of that the Forum passed order without considering his view and arguments made before the Forum.

Prayer:

The bill is outstanding from the date of disconnection when meter and cable was also removed by the department. He has requested for one time settlement of the outstanding dues.

3. A number of hearing dates were given for arguments for 27.09.2024, 15.10.2024 and 24.10.2024. Arguments from the complainant and the AE (Revenue) were heard. It was reported by the opposite party that connection was released 20.08.2015. No payment of bills was made. The connection was disconnected temporary for nonpayment of dues. On examination it was found that the bills have correctly been issued. The PD was finalized. A sum of Rs. 85,120.00 was outstanding against the complainant. In compliance to Forum's directions the bills were manually revised for the period 20.08.2015 (date of connection) to 30.04.2020 (date of temporary disconnection) by uniformly distributing the total recorded consumption of 13603 units on appropriate tariffs. The final bill was prepared for Rs. 83,102.00. The department also submitted calculation details for the revised bill, consumer billing history and consumer ledger. The Forum was of the view that the department has duly redressed the complaint. Having observed as above the Forum allowed the complaint vide order dated 05.11.2024. However, noted that the complaint is disposed off as consumer's complaint has duly been resolved by the opposite party.

4. The respondent, Executive Engineer has submitted his written statement on 16.12.2024 along with a notarized affidavit, Point wise reply has been given as below:

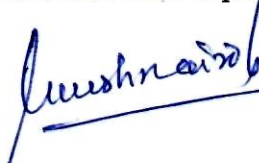
Connection no. 883A9121083325 was released at the premises of Shri Natthu Lal on 20.08.2015. As the petitioner did not pay any amount against the bills, the connection was temporarily disconnected. On examination bills were found correct. Subsequently the connection was permanently disconnected as per report of SDO. PD was finalized and outstanding dues were accumulated to Rs. 85,120.00. The petitioner made a complaint to the Forum on 11.09.2024. Under the directions of Forum the bill for the period 20.08.2015 to 30.04.2020 for total consumption of 13630 units was revised by

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equally distributing the consumption on appropriate tariff. The outstanding dues as per revised bill came out to Rs. 83,102.00. The Forum held the revised bill for Rs. 83,102.00 as correct and passed order on 05.11.2024 accordingly. In view of the facts narrated above the petitioner Natthu Lal is liable to pay outstanding dues Rs. 83,102.00.

The respondent has adduced a copy of ledger and consumer billing history, a copy of PD Om no. 3913 dated 16.10.2024 has also been adduced by the respondent, according to which out of the total outstanding dues a sum of Rs. 56,746.00 is only realizable and balance of the amount is waived off.

5. The petitioner has submitted a rejoinder dated 10.02.2025 along with a notarized affidavit. No new facts about the case has been adduced. Submissions in the rejoinder are merely repetition or reiteration of what he has already averred in the petition.
6. Hearing in the case was held on the scheduled date 28.02.2025. Both parties appeared and argued their respected case.
7. Arguments concluded and judgment was reserved. Records available on file have been perused and arguments from both parties were heard. It has come to notice that a 1 KW domestic connection was released at the premises of the petitioner on 20.08.2015. The connection was temporary disconnected on 30.04.2020 for nonpayment of accumulated dues of Rs. 83,102.00 as no payment was made by him against the bills since release of connection till its temporary disconnection. Subsequently the connection was permanently disconnected and PD was finalized vide OM no. 3193 dated 16.10.2024, according to which out of total accumulated outstanding dues of Rs. 82,856.00 as per OM a sum of Rs. 56,746.00 only were held realizable and a sum of Rs. 8,106.90 generated after the date of temporary disconnection were waived off. Such being the case, the petitioner is liable to pay the realizable outstanding dues Rs. 56,746.00. During hearing respondent's representative Shri Ansul Madan, SDO categorically stated that section 3 notice has already been issued for the aforesaid realizable dues, however RC has yet not been issued. Since the petitioner is liable to pay Rs. 56,746.00 for which section 3 notice has already been issued, the respondents are at liberty to issue RC under section 5 of Dues Recovery Act, 1958 to get the outstanding realizable dues liquidated through RC as



arrear of land revenue, if the amount is not paid by the petitioner in compliance of notice under section 3 of Dues Recovery Act within 7 days from this order.

**Order**

The petition is partly allowed. Forum order stands modified as per para 7 of this order.

Dated: 12.03.2025

*(Signature)*  
(D. P. Gairola) 12.03.2025  
Ombudsman

Order signed dated and pronounced today.

Dated: 12.03.2025

*(Signature)*  
(D. P. Gairola) 12.05.2025  
Ombudsman