

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

M/s Khulbe Garden & Agro Industries
C-3, Industrial Estate
Mohaana Via Ramnagar,
Haldwani, Distt. Nainital,
Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Ramnagar, Distt. Nainital,
Uttarakhand

Representation No. 06/2025

Award

Dated: 09.09.2025

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Kumaon zone, (hereinafter referred to as Forum) dated 10.01.2025 in complaint no. 245/2024 by which Ld. Forum disposed off the complaint of the appellant, as the complaint has already been resolved by the opposite party however the Forum directed the opposite party to insure payment of the bill for December 2024 after deducting LPS 1929, M/s Khulbe Garden & Agro Industries, C-03, Industrial Estate, Mohaan, Via Ramnagar, Haldwani, Distt. Nainital, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Ramnagar, Distt. Nainital, Uttarakhand (hereinafter referred to as respondent).

2. The instant petition dated 01.02.2025 has been preferred by the petitioner being aggrieved with Forum's order. He has averred that bills after 27.01.2022 have not been received by him neither any MRI report was given. The Forum passed the order ignoring the mistakes committed by the meter reader. No action has yet been taken on his complaint dated 19.05.2023 made before the department. Being aggrieved with Forum order the present appeal has been preferred wherein he has averred as follows:-



- i. A consumer can pay as per his paying capacity and if the bills are given regularly as per billing cycle per month, he can easily pay the bill and can avail the benefit of 1.5% rebate for prompt payment.
- ii. A consolidated bill for a period of 2 years amounting to about Rs. 10,000.00 cannot be given to the consumer, whose monthly bill amount is about Rs. 100-200, so he is not able to pay such a heavy amount of the consolidated bill. Issuing a consolidated bill for a long period of one year, two years or three years along with LPS is not justified.
- iii. In the past also he has to pay the consolidated bills in spite of complaints to the department. These bills have been given on wrong readings given by the contractor, which is a wrong practice and necessary action should have been taken by the department against the contractor.
- iv. A written complaint was made to the department on 19.05.2023 having received a consolidated bill for the month of January 2022. Copy of the said complaint is enclosed. Whatever decision has been taken in the complaint was not judicious and was improper, it amounts to be a punishment to the consumer.
- v. It is requested that order be issued to the department for making available monthly bills from January 2022 along with MRI report, which will reveal that how the work of meter reading was wrongly been conducted by the contractor.

In view of his above averments the petitioner has prayed that department be directed to give month wise bills along with MRI reports to him. He is ready to pay the monthly bills if prepared on the basis of the MRI report. If the consolidated bill for a long period is given then he had to pay interest for no default on his part. He has requested that a judicious decision be passed.

3. In his subsequent letter dated 13.03.2025 the petitioner has inter alia referred Indian Evidence Act, 1972 (section 76) under which it is mandatory to give monthly bills along with MRI report, which has been overlooked by the Forum while deciding his complaint under reference. He has further requested that copies of the monthly bills and MRI report be given to him for which he is ready to pay necessary charges if required.
4. After perusal of records, the Forum observed that as per oral submissions of SDO it appears that there was some conflict between the complainant and staff of T.D.S

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company regarding meter readings. SDO admitted that two bills were issued on NA and after June 2025 bill was issued in the month of December 2024. The SDO further informed that the meter reader has been instructed to behave with the consumers properly. The Forum observed that as per consumer history after June 2024 bill was issued in the month of December 2024 and that to under Forum's instructions. Non-issue of bills for five months has created a problem. On the other hand the complainant has requested for police action against the meter reader and the contractor and also requested to cancel the contract. The Forum mentioned that such action is not within Forum's jurisdiction. The Forum was of the opinion that the opposite party should bills timely to the consumer and in the event of any dispute the matter should be brought to the notice to the Sub Divisional and Divisional officer. The Forum was also of the opinion that the LPS is Rs. 1929 imposed in the bill of December 2024 is liable to be deleted in the interest of justice as December 2024 bill was issued after the bill of June 2024. Having observed as above the Forum directed to issue December 2024 bill after deletion of LPS Rs. 1929 and recovery of the corrected bill be insured. The forum also ordered that the complaint regarding the bill has already been redressed by the department.

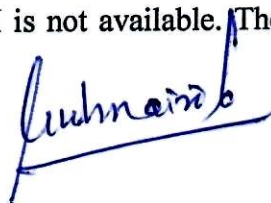
5. The respondent has submitted a written statement along with an affidavit vide his letter no. 3923 dated 15.07.2025 along with an affidavit vide his letter no. 3924 dated 15.07.2025 wherein point wise reply has been submitted as follows.
- i. Connection no. RR6G123073576 of the petitioner is for 1 KW load. Bills of the connections upto 4 KW load were issued through TDS or actual meter readings taken at site without MRI and therefore MRI of this connection is not available and could not be made available.
 - ii. No reply is required.
 - iii. Copies of the bills issued through M/S TDS from February 2022 to December 2024 has been adduced with the WS.
 - iv. The work of billing under the Sub division is being carried out by M/s TDS, the company has duly been directed from time to time both verbally and in writing to issue the bills on actual meter readings.
 - v. As per standing orders of the corporation intimation of bill is duly given through SMS on consumer's registered mobile number and hard copy of the bill is also sent to the consumer.



- vi. Reply is as per point no. iii above.
- vii. In compliance to Forum's order dated 10.01.2025 passed a complaint no. 245/2024 LPS Rs. 1929.00 has duly been deleted from the bill for the month of December 2024.
- viii. No reply is required against this point.
- ix. The consumer was approached by the JE after Forum's order dated 10.01.2025 with the request to deposit the outstanding amount against the bill but the consumer did not deposit the balance amount of the bill and therefore his connection was disconnected.

The respondent has adduced his replies with copies of bills from the month of January 2022 to December 2024.

- 6. The petitioner has submitted a rejoinder dated 06.08.2025. No new facts about the case has been submitted in the rejoinder which is merely a reiteration of what he has already submitted in his petition except he has alleged that the connection was disconnected without any prior notice ignoring the regulations which has caused financial loss to him. He has further requested that action against the contractor for committing irregularities may also be taken.
- 7. Hearing in the case was fixed for 22.08.2025 while the petitioner did not turn up on the scheduled date of hearing and intimated through email dated 22.08.2025 that he would not able to attend the hearing and the case be decided on the basis of documentary evidences available on file. However, Shri D.S. Nikhurpa, SDO appeared on behalf of the respondents. He verbally informed that the connection was temporarily disconnected on 11.03.2025 for non-payment of dues. He also submitted consumer billing history from the month of 02/2011 to 12/2024 and also a copy of consumer ledger from 01.04.2011 to 19.03.2025 as per this billing history 1 KW connection under non-domestic category was released on 03.09.2005 and as per consumer ledger a sum of Rs. 17704.32 is outstanding against the consumer upto 19.03.2025. Respondent's representative verbally informed that the connection was temporarily disconnected on 11.03.2025 for nonpayment of dues and the same is still lying disconnected. As regards submission of MRI report, he confirmed that bills for 1 KW contracted load connections are issued on actual meter readings by the contractor M/s TDS without MRI so, the MRI is not available. The same statement



has been given by the respondent Executive Engineer under point no. 1 of his WS no. 3923 dated 15.07.2025.

8. Documents and records available on file have been perused. Arguments from the respondents were heard. It has come to notice that a 1 KW connection under non-domestic category was released in favor of the petitioner on 03.09.2005. The respondent has submitted copies of the bills from 02/2022 to 12/2024 with the WS which were duly sent to the petitioner vide letter no. 1910 dated 18.07.2025, copies of billing history and ledger as submitted by respondent's representative during hearing on 22.08.2025 were also sent to the petitioner through email on the same date i.e. 22.08.2025. The connection was temporarily disconnected on 11.03.2025 for non-payment of outstanding dues which is still lying disconnected as the outstanding dues have not been cleared as is evident from the consumer billing history as well as the consumer ledger both of which shows outstanding dues Rs. 17704.32 ending 03/2025. The consumer ledger also suggests that the petitioner has been irregular in making payment of the bills. As a result of which the outstanding dues ending 03/2025 have been amounted to Rs.17,704.32. Since copies of the desired bills as well as consumer billing history and ledger have duly been sent to the petitioner as aforesaid his complaint that he has not been provided these documents does not sustain. Further as per the practice and system the billing data/ bill details were regularly sent to the consumers on his registered mobile number and therefore bills stands issued and sent to him regularly. Billing upto the month of 12/2024 was done on metered units as the connection was disconnected on 11.03.2025. Since all the desired documents as asked for by him have duly been sent to him and bills were being regularly issued as per consumer billing history and intimation of bills were also being sent to him on his registered mobile number his complaint/ grievance stands duly redressed and no further documents as asked for by him is required to be made available to him
9. Such being the case, the petition is liable to be dismissed. The petitioner is liable to pay the outstanding dues Rs. 17,704.32 as aforesaid and if he desires to get his disconnected supply restored then he may request to the respondent for the same as the supply line is disconnected for more than 5 and a half months since 11.03.2025. In such a situation if arises the respondent may issue bills till date and after payment of the entire dues including the old outstanding dues Rs. 17,704.32 along with re-

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connection/ disconnection fee the respondent may restore the supply. Forum order stands modified as per this order.

Order

The petition is dismissed. Forum order stands modified as per this order. The supply may be restored if requested for by the petitioner after making full payment along with reconnection/ disconnection fee as aforesaid under para 9 of this award.

Dated: 09.09.2025

(Signature)
(D. P. Gairola) 09.09.2025
Ombudsman

Order signed dated and pronounced today.

Dated: 09.09.2025

(Signature)
(D. P. Gairola) 09.09.2025
Ombudsman