

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

M/s Gretech Telecom Technology Pvt. Ltd.
Khasra No. 122, MI Central Hopetown,
Selaqui, Dehradun
Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division,
Uttarakhand Power Corporation Ltd.
Mohanpur, Premnagar, Dehradun,
Uttarakhand

Representation No. 16/2025

Award

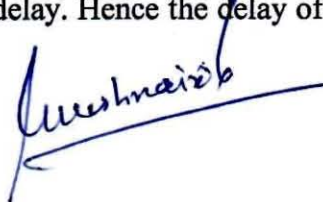
Dated: 29.08.2025

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Garhwal zone, (hereinafter referred to as Forum) dated 05.3.2025 in complaint no. 94/2024 by which Ld. Forum directed to give compensation to the petitioner for 14 days delay in reduction of load @ Rs. 50 x 14 = Rs. 700.00 to the appellant M/s Gretech Telecom Technology Pvt. Ltd., Khasra no. 122, MI Central Hopetown, Selaqui, Dehradun, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Mohanpur, Premnagar, Dehradun, Uttarakhand (hereinafter referred to as respondent).

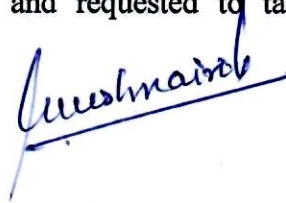
2. The instant petition dated 27.03.2025 preferred by the petitioner through advocate against Forum's judgment dated 05.03.2025 in complaint no. 94/2024 wherein the petitioner has averred as follows:

Factual background

- i. The present representation is being filed against Forum order dated 05.03.2025 passed in complaint no. 94/2024 by which the Forum despite observing that there was an admitted delay on behalf of the respondent arbitrarily and without application of mind, calculated the delay. Hence the delay of 14 days calculated



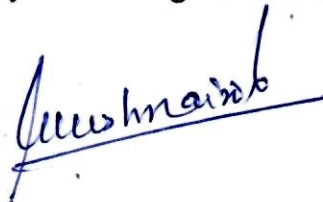
- by the Forum vide impugned order dated 05.03.2025 in assessing the compensation is not appropriate and incorrect.
- ii. The petitioner had applied on 06.07.2024 for load reduction from 400 KW to 75 – 80 KW for connection no. MP0K000008662 for his factory as the said factory was not operational for 5-6 months before filing the said application and the same was duly received by the respondent.
 - iii. The respondent vide its letter dated 10.07.2024 without application of mind stated that the load reduction as per application dated 06.07.2024 filed by the petitioner was not possible from 400 KW to 75 KW as the last bills for 3-4 months as acceded the requested load 75 KW. The respondent provided details of the maximum demand (MD) for the last 3-4 months as 288 for March 2024, 35 for April 2024, 35 for May 2024 and 55 for June 2024. Thus a mere glance at the aforesaid details evinced that the petitioner had maintained the MD for the last 3 months from the date of application dated 06.07.2024 below the requested load of 75-80 KW, thus respondents decision vide letter 10.07.2024 was whimsical, arbitrary, perverse, malafide and unjust and the Forum while calculating the delay caused by the respondent failed to consider the same and arrived at a wrong calculation delay.
 - iv. That the petitioner vide letter dated 07.08.2024 informed the respondent about its application dated 06.07.2024 and requested to update the status on the same and further requested to adjust the electricity bill of Rs. 3,71,729.00 from the security deposit of Rs. 13,05,959.00 and requested to transfer the balance amount to his account.
 - v. Respondent has taken no action on application dated 06.07.2024 despite admitting that MD for last 3 months from the date of application was below the requested MD. Accordingly the petitioner was constrained to request the respondent on 08.08.2024 for load reduction to requested load of 80 KW. The said request dated 08.08.2024 was successfully registered with registration no. 532080824008 with the respondent. Accordingly the petitioner through its ICICI Bank account has made the payment of Rs. 7,500.00 to the respondent on 08.08.2024 towards the fee/charges for load reduction.
 - vi. The petitioner vide his letter dated 22.08.2024 reminded the respondent about his load reduction application and requested to take action thereafter the



- petitioner vide his letter dated 24.08.2024 reminded the respondent about his load reduction application and informed that the petitioner had made the requisite payment of Rs. 7,500.00 to respondent on 08.08.2024 towards fee/charges for load reduction.
- vii. The petitioner vide his letter dated 31.08.2024 reminded the respondent about load reduction request dated 08.08.2024 as despite admission of the said request, which was in continuation of application dated 06.07.2024 and payment received by respondent on 08.08.2024 no action was taken by the respondent. Accordingly the petitioner requested the respondent to take necessary action and inform that from 01.09.2024 a new billing cycle would start and if any new bill amount is generated than the same will be borne by the respondent and petitioner shall not be liable for the same. Thereafter the petitioner vide letter dated 11.09.2024 again sent a reminder to the respondent dated 11.09.2024.
- viii. Respondent vide his notice/intimation letter dated 30.09.2024 against registration no. 532080824008 provided the details to the petitioner regarding his new service connection with reduced load approved 89 KVA (KW). The respondent vide aforesaid letter requested the petitioner to make payment of Rs. 22,423.00 to the respondent on or before due date 23.10.2024. Accordingly the petitioner made payment of Rs. 22,423.00 on 24.09.2024 to the respondent.
- ix. In view of the inaction of the respondent towards the issue of load reduction highlighted by petitioner (hereinafter referred as he) with the respondent on several occasions, he was constrained to initiate a complaint before the Forum. Accordingly he initiated a complaint dated 09.10.2024 before the Forum bearing no. 54/2024 dated 10.10.2024 against UPCL before the Forum regarding his load reduction application dated 06.07.2024 as no action was taken by the respondent. Accordingly he requested the Forum to take necessary action as the matter was still pending unresolved.
- x. The Forum summoned the respondent vide letter dated 10.10.2024 for hearing on 24.10.2024 in the said complaint. Accordingly SDO Mr. Vineet Gupta responded the notice dated 10.10.2024 vide his letter dated 23.10.2024 on behalf of the respondent wherein he informed the Forum that record of the contract of the consumer was missing and after the contract record is submitted further action will be completed as per schedule.



- xi. Issue of load reduction was resolved by respondent on 05.11.2024 after a huge delay from 06.07.2024 to 05.11.2024 i.e. 122 days. Further if 30 days time period as per regulation 2022 for SOP is considered then the delay in load reduction was for 92 days.
- xii. He admitted vide his letter dated 11.11.2024 that the issue of load reduction was resolved by respondent on 05.11.2024. Further in his aforesaid letter the petitioner had highlighted the negligence of the respondent in resolving the issue due to which various inflated bills were raised from September 2024 to November 2024 amounting to Rs 5,05,000.00 due to respondents gross negligence in resolving the issue within the stipulated time as per law. Accordingly he requested the respondent to waive of the above amount.
- xiii. The respondent disconnected the connection on 31.12.2024 without any response to his earlier correspondence. He vide his letter dated 31.12.2024 mentioning earlier letter 24.10.2024 requested for waiver of the inflated bill which was raised due to respondent's gross negligence in resolving the issue within the stipulated period.
- xiv. Vide his letter dated 04.02.2025 referring his earlier letter dated 31.12.2024 he admitted that issue of load reduction was resolved by the respondent and new connection was installed on 05.11.2024. Further in his aforesaid letter he highlighted respondent's negligence in resolving the issue of load reduction due to which various inflated bills amounting Rs. 5,88,708.00 due date 23.01.2025 were issued due to respondent's negligence not resolving the issue within stipulated time. The petitioner requested the respondent to waive of the excess amount of the inflated bill without any arrear and LPS. Details of the inflated bills issued from April 2024 to December 2024 have been given in a tabulated form under this point.
- xv. The Forum passed impugned order dated 05.03.2025 in his complaint no. 34/2024 wherein the Forum despite observing that there was an admitted delay on the part of the respondent arbitrarily and without application of mind wrongly calculated the delay caused by the respondent. The Forum failed to appreciate despite having ample evidence on record to evince that the respondent had caused huge delay in resolving the issue and raised inflated bills.



hence delay of 14 days calculated by Forum in its order dated 05.03.2025 in assessing the compensation is not appropriate and incurred.

- xvi. The respondent paid no heed to the various representations of petitioner till date and kept on raising the inflated bills.

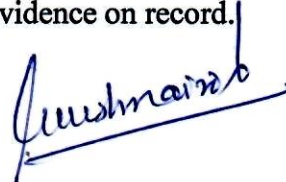
Grounds of Representation/ Appeal

- xvii. The impugned order dated 05.03.2025 is erroneous both in law and on facts and is liable to be set aside inter alia amongst others on the following grounds.

- i. The complaint was decided outrightly without appreciating and considering the documents placed on records judiciously.
- ii. Forum erred in calculating the delay caused by the respondent.
- iii. The Forum failed to appreciate despite evidences that the respondent has caused huge delay in resolving the issue of load reduction and raised inflated bills.
- iv. The issue was resolved on 05.11.2024 after a huge delay of 122 days from 06.07.2024 to 05.11.2024
- v. Serial no. 1(3) of Schedule 3 of SOP Regulation, 2022, the issue of load reduction for HT/EHT connection was to be rectified within 30 days even after excluding the said period of 30 days, the issue was resolved with a delay of 92 days.
- vi. Due to negligence of the respondent in resolving the issue various inflated bills were issued by the respondent amounting to Rs. 5,88,708.00 payable on or before 23.01.2025.
- vii. Respondent disconnected the connection on 31.12.2024 without providing any response to petitioner's earlier correspondent and any show cause notice to him.
- viii. His application dated 06.07.2024 was rejected by the respondent vide letter dated 10.07.2024 without application of mind on the ground that load reduction from 400 KW to 70 KW was not possible in his case as last bills for 03-04 months the petitioner has exceeded the requested load of 75 KW. However as per details of MB provided by respondent for last 3-4 months worked 288 for April 2024, 35 for May 2024 and 55 for June 2024.



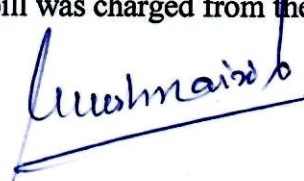
- ix. A mere glance at the aforesaid details it shows that the petitioner had maintained the MD of the last three months from the date of application dated 06.07.2024 below the requested load MD of 75 KW.
- x. The respondent did not take any action on his application dated 06.07.2024 despite admitting that the MD for the last three months from the date of application was below requested MD. Accordingly the petitioner was constrained to request on 08.08.2024 in continuation to his application dated 06.07.2024 for load reduction to the requested load (MD of 80 KW).
- xi. The requisite amount of Rs. 7500.00 was paid by him to the respondent on 08.08.2024 towards the fee for load reduction. However respondents vide letter dated 23.10.2024 stated that the record of contract was missing and after the contract record was submitted with the section office further action will be completed as per schedule. Hence the delay was on respondent's part which is evident.
- xii. The impugned amount was raised by respondent in most illegal, obscure, erroneous, arbitrary, unwarranted, perverse, irregular and unjust manner in clear violation of the second proposition of law resulting in manifest injustice and causing serious prejudice to the petitioner and hence the same deserves to be quashed and set aside.
- xiii. As UPCL Section was in clear violation of principles of natural justice, equity and good conscience in as much as no notice or opportunity of being heard was given to him before raising the demand through inflated bills.
- xiv. As per well settled proposition of law a person cannot be penalized or asked to pay undue amount by the state without the same actually having been fallen due and was not permissible in law.
- xv. Because reasoning of Forum in passing the impugned order were whimsical, opposed to the facts and material on record and as such impugned order is infected with perversity requiring the same to be set aside by this court.
- xvi. As the impugned order is infected with perversity on wrong appreciation of available evidence on record.



- xvii. Because the respondent was guilty of negligence and intentionally causing delay in resolving the issue of electricity load reduction and took advantage of its own inaction in raising electricity bills of inflated amounts therefore the petitioner is entitled to the relief under law.
- xviii. Because the impugned order is not sustainable in the eyes of law and is liable to be set aside.
- xix. The impugned judgment dated 05.03.2025 is erroneous both in law and on facts as detailed above and is liable to be set aside. The said order has caused great prejudice to the petitioner.
- xx. No similar appeal/ objections against the impugned order dated 05.03.2025 have been preferred by the petitioner before any other appellate authority.
- xxi. The impugned judgment passed on 05.03.2025 however its existence had come into the knowledge of the petitioner for the first time when the said order was served to him.
- xxii. The petitioner therefore submits that he is entitled in law to the relief prayed for in this representation.
- xxiii. The petitioner prays the leave of this Hon'ble Ombudsman to urge any other additional grounds or submissions at the time of the present representation.
- xxiv. The present representation/ grievance is bonafide and filed in the interest of justice and without delay

Prayer

- a) Allow the present appeal and set aside impugned order dated 05.03.2025.
- b) Recalculate the delay caused by respondent and assess the compensation as per schedule III of UERC SOP Regulation, 2022
- c) Direct the respondent to quash the electricity bill for the period in which the delay was caused by the respondent due to which excess electricity bill was charged from the petitioner.



- d) Issue necessary direction to the respondent to restore electricity supply of petitioner's unit and not to take any other cohesive action till final decision of the present petition.
 - e) Direct the respondent to compensate the petitioner for the damages caused to him and the litigation cost for Rs. 55,000.00.
 - f) Pass such other or further orders as the Hon'ble Court may deem fit and proper any facts and circumstances of the case. Annexures from A1 to A14 have been enclosed with the petition in support of his averments which are referred under the appropriate paragraphs of the appeal.
3. After perusal of records and hearing arguments from both parties the Forum observed that the complainant applied for reduction of load on 08.08.2024 and necessary charges were deposited on 22.09.2024 and the reduction of load effected from 05.11.2024, which suggests that the load was reduced after 44 days against the prescribed period of 30 days and therefore there was a delay of 14 days in reduction of load. The Forum referred UERC SOP regulations, 2022, wherein as per point no. 1 (3) of Schedule III, a compensation @ Rs. 50.00 per day for delay in reduction of load beyond prescribed period is admissible to the applicant and therefore sanction of compensation in the case shall be logical and in the interest of justice and having observed as above, the Forum directed the opposite party to give a compensation of $14 \times \text{Rs. } 50 = \text{Rs. } 700.00$ to the applicant.
4. The respondent has submitted a written statement vide letter no. 9873 dated 23.06.2025 along with a notarized affidavit wherein point wise reply has been submitted as follows.
- i. The consumer M/s Gretech Telecom Technology Pvt. Ltd. Khasra no. 122 MI Central Hopetown,,Selaqui had applied for reduction of load on 08.08.2024 from 400 KVA to 89 KVA. After site verification by SDO on 21.08.2024, the reduction of load to 89 KVA was sanctioned on 02.09.2024.
 - ii. After site inspection by JE on 10.09.2024 an estimate was framed, which was sanctioned on 21.09.2024. The cost of estimate Rs. 22,423.00 was deposited



by the petitioner on 24.09.2024 and where after the package was sanctioned on 26.09.2024.

- iii. The petitioner was requested vide his office letter no. 3281 dated 08.10.2024 to visit the division office along with Rs. 100.00 stamp paper and other necessary documents for signing agreement for the reduced load, where after completion of all the departmental formalities the action of reduction of load was completed on 05.11.2024.
- iv. A complaint was lodged by the petitioner before the Forum (complaint no. 94/2024) in which the Forum directed to give a compensation of Rs. 700.00 for 14 days delay in reduction of load.
- v. In compliance to Forum's order compensation Rs. 700.00 was given by way of adjustment in the bill vide office OM no. 8187 dated 17.03.2025.

The respondent has substantiated his submissions on the basis of necessary documentary evidences enclosed with written statement as enclosure no. 1 to 6 as referred in the written statement.

5. The petitioner has submitted a rejoinder dated 29.07.2025 through his advocate where he has replied to the WS of the respondent as follows. A notarized affidavit has also been submitted by the petitioner with the rejoinder:-

Preliminary submissions that:-

- i. He rely on the contents of his appeal which may be considered as a part and parcel of this rejoinder. Further he deny and dispute each and every statement, contention and/or submission contain in the said reply filed on behalf of the appellant which is contrary to and/or inconsistent with what is stated herein below and unless specifically admitted the same shall be deemed to have been denied in seriatim.
- ii. The Forum erred in calculating the delays of delay and failed to appreciate despite evidence on record to evince that the respondent had caused huge delay in revolving the issue of reduction of load and raised inflated bills.
- iii. The Forum omitted to consider the fact that the respondent vide letter dated 10.07.2024 without application of mind rejected the application dated 06.07.2024 on the grounds that load reduction from 400Kw to 75 KW was not possible in his case as the last bills for 03-04 months of the appellant had

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exceeded the requested the load 75 KW. However as per details provided by the respondent himself the maximum demand (MD) for last 03-04 months were 288 for March 2024, 35 for April 2024, 35 for May 2024 and 55 for June 2024. A mere glance at the aforesaid details evinced that the appellant had maintained the MD for the last 03 months from the date of application dated 06.07.2024 below 75KW.

- iv. The Forum omitted to consider the fact that the respondent had taken no action on his application dated 06.07.2024 despite admitting that the MD for last 03 months from the date of application dated 06.07.2025 was below the requested MD. Accordingly he was constrained to request on 08.08.2024 in continuation of his application dated 06.07.2025 for reduction of load to 80KW.
- v. The Forum omitted to consider the fact that requisite payment of Rs. 7500.00 was deposited on 08.08.2024 towards fee for load reduction. Thereafter Rs. 22,423.00 were deposited on 22.09.2024. However, the petitioner had specifically mentioned that **"the respondent vide his letter dated 23.10.2024 stated that the record of contract was missing and after the contract record was submitted with the Section office, further action will be completed as per schedule"**. The issue of load reduction was resolved by the respondent on 05.11.2024 after a delay of 122 days from 06.07.2024 to 05.11.2024. Further he has submitted that after filling the application dated 06.07.2024 for load reduction the respondent had never responded on time and no information or correspondence for the same was provided by the respondent to him. He has further stated that respondent deliberately delayed the process so the respondents are responsible for the delay.
- vi. The Forum omitted to consider the fact that as per point no. 1 (3) of Schedule 3 of SOP Regulation 2022, the issue of load reduction for HT/EHT connection was to be rectified within 30 days. Even after excluding the said period of 30 days the said issue of load reduction was delayed for 92 days by the respondent.
- vii. The respondent was negligent in resolving the issue within time due to which various inflated electricity bills were issued which amounted to Rs. 5,88,708.00 payable on or before 23.01.2025 due to gross negligence by the respondent in resolving the issue within the stipulated time. Despite



negligence in resolving the issue his supply was disconnected by the respondent on 31.12.2024 without providing any response to his earlier correspondences and any show cause notice to him.

- viii. The compensation Rs. 700.00 determined by Forum is ill founded. The Forum had arrived such calculation by ignoring the substantial delay of 122 days. The Forum also failed to consider that appellant had also suffered by inflated bills amounting to Rs. 5,88,708.00 payable on or before 23.01.2025 due to respondent's gross negligence in resolving the issue within the stipulated time as per regulation. The time of resolving the issue has been reproduced in a tabulated form under this point.

Parawise reply that:-

- a) Contents of para 1 are matter of records and facts and are wrong and denied.
 - b) Contents of para 2 are matter of records and facts and are wrong and denied.
 - c) Contents of para 3 are matter of records and facts, are wrong and denied. He has reiterated that there was a delay of 122 days reckoned from 06.07.2024 the date of application to 05.11.2024 the date of reduction of load.
 - d) Contents of para 4 and 5 are matter of records and facts and are wrong and denied. Compensation amount Rs. 700 determined by the Forum has been arrived by ignoring substantial delay of 122 days.
 - e) He has submitted that he is entitled in law to relief prayed for in his appeal.
 - f) The present appeal is bonafide and filed in the interest of justice.
- Contents of prayers clause of the reply are wrong and denied hence it is liable to be rejected and the prayers in her appeal filed by the appellant is reaffirmed and are not reiterated for the sake of brevity.

6. Date of hearing was fixed for 12.08.2025 which was adjourned for 22.08.2025 on petitioner's request. Both parties appeared for arguments on the prescribed date 22.08.2025 while the petitioner was represented by his advocate Shri Navdeep Singh, the respondent was represented by Shri Anuj Agarwal, AE(R). Petitioner's advocate submitted statement showing date wise events regarding the case. The respondent's representative submitted a copy of consumer billing history, MRI generated billing maximum report and a sealing certificate no. 008/20 dated 05.11.2024 vide which the existing CT of ration 30/5 were replaced by new CTs of ration 20/5 Amp by which



reduce load of 89 KVA was made effective. The respondent's representative also submitted a flow chart showing date wise details of various activities, approvals and sanctions which took place in the course of reduction of load. The arguments were concluded and 29.08.2025 was fixed for pronouncement of award/order.

7. Before I proceed further to decide the petition it is appropriate and necessary to look into the relevant UERC Regulations applicable in the case of enhancement / reduction of load as provided in UERC supply Code Regulation, 2020 and as also the provisions in UERC (SOP) Regulation, 2022 which provisions are reproduced hereunder:-

A. Provisions in UERC Supply Code Regulation, 2020

"4.1 Procedure for Enhancement/ Reduction in contracted load."

4.1.1 General

1 xxxxxxxxxxxx

- 2 *Consumer holding a permanent connection can enhance their contracted load anytime, however, reduction of contracted load shall be permitted only once in a financial year.*
- 3 *The consumer seeking enhancement/ reduction in load at same voltage level shall apply to the distribution Licensee in the form given at Annexure-VII which shall be made available free of cost at Licensee's sub-division/ division or any other office along with the proof of payment of the latest bill. The form can also be downloaded from the Licensee's website or even photocopies.*
- 5 *The consumer may apply online for enhancement/ reduction of load on the website of the Licensee. In case of online application, the officer of the Licensee shall check the online application form and if any deficiency is observed, the Licensee shall intimate the same to the applicant within 2 working days of filing of the application via email & SMS. Thereafter, the consumer shall remove the deficiency within next 3 working days, failing which the application shall stand lapsed. On receipt of duly filled online application form, the Licensee shall issue an online acknowledgement immediately.*



6 The procedure and conditions for grant of new connection as specified in Sub-regulation 3.3.1 to Sub-regulation 3.3.3 for LT connections and Sub-regulation 3.4.1 to Sub-regulation 3.4.3 for HT/EHT connections shall be followed for enhancement/reduction of contracted load and the penalty payable by the distribution Licensee for delay in effecting enhancement/reduction of contracted load shall be payable @ Rs. 100 for each day of default for LT consumer and @ Rs. 500 for each day of default for HT/EHT consumer subject to maximum of Rs. 1,00,000.00

7 Without prejudice to the penalty levied on the Licensee, if the Licensee fails to enhance/ reduce the contracted load of a consumer within the period specified above, he shall be liable to pay a compensation @ Rs. 50 per day of default to the consumer subject to maximum of Rs. 50,000.0

8 Subject to the procedures and completion of formalities as per Sub-regulation 3.3.1 to Sub-regulation 3.3.3 for LT connections and Sub-regulation 3.4.1 to Sub-regulation 3.4.3 for HT/EHT connections of these regulations, the distribution Licensee shall complete the works as per timelines specified in these regulations. However, if enhancement/ reduction of load does not require any alteration of line/substation works the contracted load shall be enhanced/ reduced within 30 days for HT/ EHT connection and within 15 days for LT connection from the date of submission of application.

9 xxxx

9 (b) For HT/ EHT consumers (load above 75 KW)

(i) In case of non-independent feeder, where augmentation or replacement of existing overhead or undergrounds line/ equipment etc. is required at the same voltage level, then the consumer shall pay the work charges for the terminal equipment as per Table 3.10 of Clause (7) of Sub-regulation 3.4.3, if required. Whereas, the Licensee shall augment/ replace the overhead or underground line at its own cost.

10 A consumer seeking reduction in load, in case requires replacement of existing equipment/ then the consumer shall pay the word charges for the



equipment as per Table 3.6 of Clause (11) of Sub-regulation 3.3.3 and Table 3.10 of Clause (7) of Sub regulation 3.4.3 as the case may be and the difference between security deposit required for the reduced load and that already deposited shall be adjusted in the bills within the next three billing cycles or within 6 months whichever is earlier.

11 The work charges for dismantling old terminal equipment and installing new equipment in case of enhancement of contracted load as specified in Clause (9) (b) above or reduction of contracted load for HT/EHT consumers shall be payable based on the estimated cost of new equipment and labour charges. Such labour charges shall be limited to 10% of the cost of new equipment.

Provided that the overall work charges chargeable from the consumer shall not exceed the charges specified in Table 3.10 of Clause (7) of Sub-regulation 3.4.3 as the case may be, and such charges shall be reduced by the depreciated cost of the equipment removed, if their cost has been borne by the consumer and they are re-usable by Licensee.

Provided further that the adjustment for these charges shall be done in the demand note issued as per Clause (20) of Sub-regulation 3.4.3.

12 While considering the request for load reduction, the Licensee shall first verify the said consumer's actual consumption profile. In case the actual consumption pattern indicates that the load actually utilized in the past four months is higher than that being demanded, reduction so sought shall not be permitted and the Applicant shall be informed accordingly."

B. Provisions in UERC (SOP) Regulation, 2022

"6 (9) In case the Grievance Redressal Forum does not decide the amount of compensation within the specified time or the aggrieved consumer is not satisfied with its decision, he will be free to approach the Ombudsman (Electricity), who shall deal and decide the case under UERC (Appointment & Functioning of Ombudsman) Regulation, 2004 as amended from time to time or any other Regulations specified by the Commission for this purpose.



(10) *The payment of such compensation shall be without prejudice to any penalty which may be initiated for the failure of the licensee in meeting the standards specified in these Regulations."*

"Schedule III 1 (3) Enhancement/Reduction of Load: Within 30 days for HT/EHT connection : Rs. 50 for each day of default subject to a maximum of Rs. 50,000.00"

"Schedule I 3) Enhancement /Reduction of load: Where no alteration of lines/Substations works are required: - Within 30 days for HT/EHT connection."

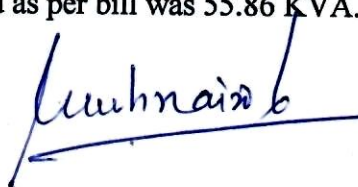
8. After perusal of documents and records available on file and hearing arguments from both parties it is borne out that the case in brief is as follows:-

- i. The petitioner applied for reduction of load from its existing 400 KW contracted load to 75-80 KW vide application dated 06.07.2024, which was turned down by the respondent vide letter dated 10.07.2024, on the grounds that maximum demand in last 4 billing cycles was 288 KVA in March 2024, 35 KVA in April 2024, 35 KVA in May 2024 and 55 KVA in June 2024. Respondent's action is justified being consistent with sub regulation 4.1.1 (12) of UERC Supply Code regulations, 2020 as the maximum demand in the month of March 2024 had exceeded the demanded reduced load, being 288 KVA.
- ii. The appellant vide his letter dated 07.08.2024 reminding his application dated 06.07.2024 requested the respondent to update the status on the basis of his application dated 06.07.2024 and adjust the bill Rs. 3,71,729.00 (Bill from 30.06.2024 to 31.07.2024) from security deposit of Rs. 13,05,059.00 and to transfer the balance to his accounts
Petitioner's request is turned down and not acceptable. In view of clarification under sub para 8 (i) above.
- iii. The petitioner in continuation to his earlier application dated 06.07.2024 applied for load reduction to 80 KW vide his application dated 08.08.2024 which was registered as application no. 532080824008 against which the registration fee Rs. 7500 was deposited on 08.08.2024. The respondents admitted application dated 08.08.2024 for load reduction to 89 KVA from existing 400 KVA. Site inspection of petitioner's premises was carried out by SDO on 21.08.2024. Reduction of load 89 KVA was approved by the

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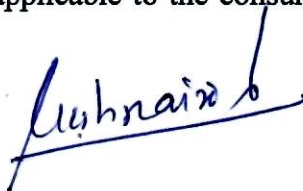
Executive Engineer on 02.09.2024 which was also advised to the system on the same date.

- iv. Estimate was submitted by the JE to SDO on 10.09.2024 which was sanctioned by Executive Engineer on 21.09.2024. The initial work charges Rs. 22,423.00 were deposited by the petitioner on 24.09.2024 vide receipt no. 14978240924WS990022. Package was thereafter approved by the Executive Engineer on 26.09.2024. Work was completed on 05.10.2024. The executive estimate was duly sanctioned by Executive Engineer on 08.10.2024 where after agreement for the reduce load was executed on 23.10.2024.
- v. The service release date has been reported as 05.11.2024 by the respondent as the existing CTs of ratio 30/5 were replaced by CTs of ratio 20/5 Amp vide sealing certificate no. 008/20 dated 05.11.2024 and therefore the respondents treated the load reduced as on 05.11.2024.
- vi. However, a perusal of the bill from 30.09.2024 to 31.10.2024 shows that demand charges have been levied Rs. 27,367.50 against the recorded maximum demand of 34.62 KVA. It shows that the demand charges in the said bill have been levied on 75% of 89KVA contracted load ($89 \times 0.75 \times \text{Rs. } 410$) which is in accordance with appropriate rate schedule which provides that billable demand in a billing cycle shall be actual recorded demand or 75% of the contracted load whichever is higher. Such being the case the respondents have admitted that the load was reduced to 89 KVA. On 05.10.2024 which they have reported as the date of completion of work. However, they have submitted as the date of release of reduce load on 05.11.2024 on the basis of the sealing certificate. As the respondents have never denied any mistake committed in issuing the bill from 30.09.2024 to 31.10.2024 neither before Forum nor before Ombudsman and neither they have denied this bill to be wrong in their WS or in hearing also. Such being the case the date of reduction of load from 400 KVA to 89 shall be 01.10.2024 as per bill or 05.10.2024 as reported date of completion of works. So it will be justified that the date of load reduction is taken as 05.10.2024 instead of 05.11.2024. Further the subsequent bill from 31.10.2024 to 30.11.2024 has also been issued taking contracted load as 89 KVA and in which months the maximum recorded demand as per bill was 55.86 KVA.



- vii. The petitioner's request is that there has been a delay of 122 days in reduction of load and if 30 days period is allowed for reduction of load then net delay is 92 days for which compensation is admissible to them while the Forum has worked out delay of 44 days and after allowing 30 days period as admissible net delay is for 14 days for which the Forum has granted compensation. The petitioner has also submitted that inflated bills amounting to Rs. 5,88,708.00 have been issued due to gross negligence of the respondent in resolving the issue within the stipulated time and he has therefore requested the waive of the excess amount of such bills and bills be revised from April 2024 to December 2024 without LPS.
9. In view of the details of the case as mentioned above it is concluded that their earlier application for reduction of load dated 06.07.2024 has rightly been turned down by the respondent. Action for load reduction from 400 KVA to 89 KVA was taken by the respondents on application dated 08.08.2024 and after taking required actions and observing necessary formalities it shall be justified to treat the load reduced to 89 KVA w.e.f. 05.10.2024 instead of 05.11.2024 as explained in the forgoing paragraphs. Further as explained above the load was reduced on 05.10.2024 on petitioner's application dated 08.08.2024, based on bill from 30.09.2024 to 31.10.2024 therefore there has been a delay of 1 month 28 days in finally reducing the load. Therefore there have been 28 days delay in effecting reduction of load against application dated 08.08.2024. Sub regulation 4.1.1 (6) and (7) as reproduced above under para 7 above, provides for payment of penalty and compensation. It is clarified that the respondent is liable to pay compensation for delay of 28 days beyond prescribed period of 30 days in effecting reduction of load to the consumer/ petitioner and the Licensee is liable to pay penalty for 28 days in effecting connection to the UERC in accordance with UERC Supply Code Regulation, 2020 sub regulation 4.1.1 (6) and (7) provisions read with relevant provisions in SOP, the penalty has to be paid to UERC as provided for in UERC Supply Code regulation, 2020 under sub regulation 3.4.3 (24) and (25).

As regards petitioner's allegation for issuing inflated bills amounting to Rs. 5,88,708.00, a perusal of bills available on file suggests that the bills have been issued in accordance with appropriate tariff applicable to the consumer and as such no bill revision is admissible.



10. The petition is liable to be allowed partly and Forum order is liable to be modified as per this order.

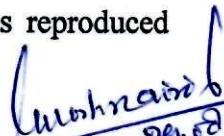
Order

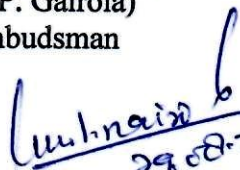
The petition is partly allowed. Respondent is directed to pay compensation of Rs. 1,400.00 (Rs. One Thousand Four Hundred Only) to the petitioner and deposit penalty Rs. 14,000.00 (Rs. Fourteen Thousand Only) with UERC as admissible under Sub regulation 4.1.1 (6 and 7) of UERC Supply Code Regulation 2020 as reproduced above under para 7. Forum order stands modified as per this order.

Dated: 29.08.2025

Order signed dated and pronounced today.

Dated: 29.08.2025


(D. P. Gairola)
Ombudsman


(D. P. Gairola)
Ombudsman