

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Nandkishore Lodhi,
R/o Lane No. 05, Suman Vihar
Bapurgram, Rishikesh,
Dehradun, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division
Uttarakhand Power Corporation Ltd.
Rishikesh, Distt. Dehradun
Uttarakhand

Representation No. 49/2025

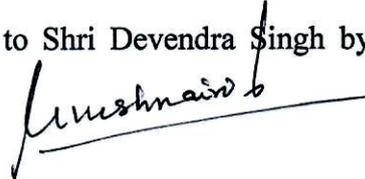
Award

Dated: 11.02.2026

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 15.09.2025 in complaint no. 32/2025 by which Ld. Forum directed the opposite party to reenergize already released connection of the appellant and release the connection on first floor in favor of Shri Devendra Singh, S/o Shri Om Singh and as such disposed off the complaint of the complainant Shri Nand kishore Lodhi, R/o Lane no. 05, Suman Vihar, Bapurgram, Rishikesh, Dehradun, Distt. Dehradun, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd. Rishikesh, Distt. Dehradun, Uttarakhand (hereinafter referred to as respondent).

2. The instant appeal/representation is regarding giving another connection illegally where a connection already exists without his NOC. The petitioner has averred as follows:

- i. Forum order dated 15.09.2025 was received by him on 20.09.2025. A connection no. RK62105134357 for commercial use already exists in the premises in his name since 02.02.2024. Another connection was given by the department without site inspection to Shri Devendra Singh by installing a



new meter in the vicinity of his existing meter and by disconnecting the connection from the outgoing side of the meter.

- ii. His wife Smt. Geeta Lodhi vide her application dated 19.03.2025 to Public Information Officer, Rishikesh and EE, EDD, Shail Vihar, Rishikesh under RTI passed to supply a copy of the application of Shri Devendra agasint which connection was given to him. After receiving a copy of the desired application, it came to notice that document for partition, the same is under an appeal before Hon'ble High Court Nainital. In the partnership deed one Shri Mansa Ram gave a written argument in the Hon'ble Court, who has given a no objection affidavit in the Court.
- iii. From the information received by him under RTI, he came to know that an incomplete application was given by him on 06.03.2025 for taking a connection. Estimate was given by the department on 10.03.2025, necessary fee was deposited by Shri Devendra Singh on 11.03.2025 and connection was given on 15.03.2025 in his absence by disconnecting the outgoing terminal and connected to the outgoing terminal of Shri Devendra Singh's meter.
- iv. The said connection was given to Shri Devendra singh within a short period of 10 days with connivance to the department with the intention to show his occupation on the premises.
- v. Bill for the month of 03/2025 was received for Rs. 935.00, whereafter bills without meter were being received.
- vi. The instant appeal is being preferred, it is submitted that a connection in his premises was illegally given without his permission. An application under RTI was submitted before Public Information Officer. It was repeatedly requested to SDO that the disputed connection be disconnected as any electrical accident may happen for which department shall be responsible.
- vii. Copies of the letters submitted by him from time to time are enclosed with the petition. In view of such documents the illegal connection be got disconnected.
- viii. Action for disconnection of the illegal connection be got taken.
- ix. Request for disconnection of the connection of Shri Devendra Singh was made before the department on 19.03.2025 on the following points:
 - a. Copy of gift deed.



- b. Copy of receipts for payment of bills against the connection.
- c. A photocopy of the connection taken by him in the past in the said premises.
- d. Photocopy of the letters written to SHO, IDPL Rishikesh, SSP, Dehradun, SDM Rishikesh in which the authorities were informed that his wife is a teacher and the premises remained closed. Due to the illegally given connection any accident may happen any time for which department shall be responsible.
- x. Having taken no action by the department a first appeal was preferred before Departmental Appellate Officer, EE, EDD, Shail Vihar, Rishikesh without perusing the file the Appellate Officer has written in his order that he satisfied with the reply of Public Information Officer.
- xi. However, he is not satisfied with the reply of PIO therefore a complaint was lodged before the Forum. The department submitted their report before the Forum informing that the complainant (Shri Nand Kishore) has illegally occupied the property on the first floor. It is a false allegation on him. The fact is this that his wife had already submitted a complaint before the department that Shri Devendra Singh S/o Late Om Singh has forcefully occupied the entire premises by breaking the lock. Police was also submitted with the complaint made to the department.
- xii. Shri Devendra Singh has no where mentioned the first floor in his application for taking connection. He has adduced a copy of partition deed.
- xiii. Relying upon the report of the department and without taking cognizance of his complaint he Forum decided his complaint vide order dated 15.09.2025 wherein the department was directed to energize that reenergize his connection no. RK62105134357 and install the connection in favour of Shri Devendra Singh at the first floor.
- xiv. He is not satisfied with Forum's order dated 15.09.2025.
- xv. Any other documents shall be submitted during arguments and hearing.

In the premises above as he is dissatisfied with Forum's order dated 15.09.2025 a satisfactory order be passed after perusal of records and connection of Shri Devendra Singh be ordered to be disconnected.

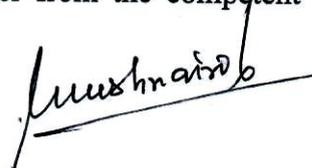


3. The Forum referring section 43 (10 and 42 (1) of Electricity Act, 2003 as also the Hon'ble Supreme Court's mention in case Chandu Khamaru vs Smt. Nain Malik as well as another case of Chameli Singh vs State of UP. The Forum was of the opinion that re energization of existing connection no. RK62105134357 under commercial category of and connection no. RK13052303536 released at the first floor in the name of occupier Shri Devendra Singh under domestic category shall be justified and logical in view of section 43 (1) of Electricity Act, 2003 as well as provisions under UERC Supply Code Regulations, 2020 and the Forum decided the complaint vide its order dated 15.09.2025 which reads as follows: -

“मंच द्वारा विपक्षी को आदेशित किया जाता है कि परिवादी के पूर्व में अवमुक्त संयोजन संख्या RK62105134357 वाणज्यिक श्रेणी में था को तत्काल पुनः ऊजीकृत करें एवं प्रथम तल में कब्जेधारी के तौर पर श्री देवेन्द्र सिंह पुत्र श्री ओम सिंह, 20-बीघा, ऋषिकेश को धरेलू विद्युत संयोजन सं० RK13052303536 के नाम से अवमुक्त धरेलू विधा के संयोजन को विद्युत अधिनियम 2003 की धारा 43(1) एवं माननीय UERC द्वारा निर्गत UERC (The Electricity Supply Code, Release of new Connections and Reelated Matters) Regulations, 2020 के प्रावधानों का अनुपालन करतु हुए उक्त संयोजन को स्थापित करें। उभय पक्ष एक दूसरे से किसी प्रकार का वाद व्यय/प्रतिकर प्राप्त नहीं करेंगे। इस निर्णय से संतुष्ट नही होने पर परिवादी आदेश प्राप्त के 30 दिन के भीतर विद्युत औम्बड्समैन, 80, वसन्त विहार, देहरादून में अपील कर सकता है। पत्रावली दाखिल दफ्तर हो।”

4. The respondent has submitted a written statement vide letter no. 9824 dated 04.12.2025 along with s notarized affidavit. Point wise replies has been submitted as follows:

- i. Connection no. RK62105134357 was released in favour of Shri Nand Kishore Lodhi S/o Shri Jaswant Singh Lodhi, 20, Bigha Tiraha, P.O. Virbhadra Rishikesh under commercial category on 02.02.2024 on depositing 3 times security. Connection to an occupier of the same premises Shri Devendra Singh S/o Shri Om Singh at the same address for domestic category (connection no. RK13052303536) was released on 15.03.2025 in accordance with sub regulation 3.3.2 (4 a i) e) of UERC Regulations, 2020.
- ii. A property dispute on the same premises between both the above consumers is underway. In case either an order from the competent court of law for



disconnection or they apply for disconnection then further necessary action shall be taken accordingly. Connection of petitioner was released on 02.02.2024 after depositing 3 times security and that of Shri Devendra Singh was released on 15.03.2025 also after depositing 3 times security, which was converted into commercial category on 25.11.2025 on the request of Shri Devendra Singh.

- iii. Shri Devendra Singh had applied for a new connection with a duly signed application. The outgoing cable of the petitioner from his meter was not disconnected. The supply to the connection of Shri Devendra Singh was connected to the outgoing of the new meter possibly the cable from outgoing of the meter of Shri Nand Kishore would had been disconnected by the opposite party due to property dispute. The connection of petitioner has duly been reenergized by properly connecting the outgoing cable in compliance to Forum order.
- iv. The averment that the occupation was arranged to be given is not admitted. The connection was released to Shri Devendra Singh who is an occupier after depositing 3 times security as provided for in sub regulation 3.3.2(4) (a) (i) (e)) of UERC regulations 2020. SOP provides to release a connection within a period of one week in the area of Nagar Nigam.
- v. Bill against the connection of Shri Nand Kishore Lodhi for the month of March 2025 and thereafter were issued on meter readings. The consumer is not using any electricity that's why bill for 0 consumption was issued.
- vi. Both the connections were released under different categories, owners of these connections are different. One connection was released under domestic category and another for commercial category. Keeping separate wirings for both the connections is the responsibility of the consumers themselves.
- vii. Connection of Shri Devendra Singh is not illegal, it was given to him in accordance with UERC relevant regulations after depositing 3 times security and himself being occupier of the premises.
- viii. In respect of points no. viii) ix) and x) of the petition, it is submitted that a property dispute between the two consumers is going on. If they submit an order for disconnection from the competent court or they request for disconnection then necessary action for disconnection shall be taken by the



department otherwise provision for disconnection exists in the regulations for nonpayment of dues.

- ix. In reply to point no. xi) to xiv) of the petition it is submitted that a property dispute between both the consumers is going on. From the status of meter reading of the connection of the petitioner, it appears that perhaps he has not occupied the premises. (history enclosed). The licensee is duty bound to supply electricity to any applicant who so ever applies for a connection within a month as provided for under section 43 (1) of Electricity Act, 2003. Whether he is an owner or an occupier of the premises. The Act provides similar right for having a electricity connection whether an owner or an occupier of the premises.

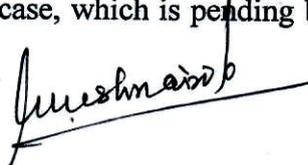
The Forum has mentioned in its order the following contents of Hon'ble Supreme Court's order in Chameli Singh Vs. State of UP that : -

"To shelter includes adequate living space, safe and decent structure, clean and decent sufficient light, pure air and water, electricity sanitation and other civic amenities."

It is therefore clear that the Hon'ble Supreme Court has given a direction that reaching electricity is included to the right to shelter and is a fundamental right, therefore disconnection of the connection of Shri Devendra Singh shall not be logical neither justified.

5. The petitioner has submitted a rejoinder dated 30.12.2025 along with a duly notarized affidavit.

The petitioner is the owner and occupant of the property under reference, which was given to him on 10.03.2023 through a gift deed. His father in law expired on 05.11.2024 at the age of 90 years. After his death, he came to know that his father in law had issued a will. The said property was also given to him through that deed also. Dispute of the ownership of the said property has been raised by his brother in laws and they have lodged their right of ownership on the property. A case before the Civil Judge, Senior Division Rishikesh has been preferred by them, with case no. 61/2024 Nand Kishore Vs Mansa Ram and others. who are his brother in laws. They have also submitted a stay application in the said case, which is pending before the said Court.

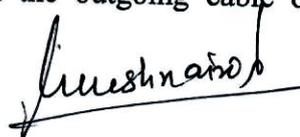


The said property was purchased by his father in law Late Shri Om Singh on 01.01.2021, house was got constructed on the said land using the money of his father in law as well as earned by him. His father in law took a temporary connection for construction of house on 12.10.2021, which was got disconnected in February 2024 and thereafter a commercial connection no. RK62105134357 was taken by him, which is still continuing. The gift deed was issued in the year 2023 and connection was taken by him in the said premises in January 2024. The said connection was got disconnected in the month of March 2025 and another connection in the said premises was given by the department to his brother in law Shri Devendra Singh.

Being aggrieved he preferred a complaint no. 32/2025 before the Forum. All facts were mentioned in the complaint. Forum passed order dated 15.09.2025 in the said complaint vide which order was issued for re energization of his connection which was given in the year 2024 and on the other hand connection of Shri Devendra Singh was ordered to continue, which connection was illegally given. The Forum has no jurisdiction to pass such order. The present appeal has been preferred before the Hon'ble Ombudsman being aggrieved with Forum's aforesaid order.

Other averments in the rejoinder deals with provisions under UERC regulations, 2020 as are applicable in case of release of new connections. He has admitted that separate wiring existed for both the consumers. It is false submission that connection to Shri Devendra Singh was given himself being an owner of the premises. As misleading facts have been adduced before Hon'ble Ombudsman, the report submitted by the respondent be disallowed and his appeal be allowed.

6. Hearing was held on the scheduled date 28.01.2026. Both parties appeared and orally argued their respective case. Arguments concluded, order reserved.
7. After perusal of records and hearing arguments from both parties, it has been noticed that a connection under commercial category no. RK62105134357 had already been released in the past on 02.02.2024 in the name of the petitioner who claims himself to be the sole owner of the entire premises. Another connection at the upper floor has been given by the department to Shri Devendra Singh and there is a property dispute between the two parties. The petitioner has averred that the connection to Shri Devendra Singh has been given from the outgoing cable of his connection and

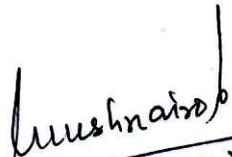


therefore his connection stands disconnected. The department has submitted that connection to Shri Devendra Singh was given on 15.03.2025 on depositing three times security, which was converted into commercial category on 25.11.2025. Connection to the petitioner Shri Nand Kishore was also given after depositing three times security. As per respondent connection to Shri Devendra Singh was given in accordance with sub regulation 3.3.2 (4) (a) (i) (e) of UERC Supply Code Regulations, 2020 and therefore this is not an illegal connection. The Forum in its order referring rulings of Hon'ble Supreme Court as well as section 43 of Electricity Act, 2003 and relevant UERC regulations have directed the respondent to re-energize the connection no RK62105134357 released in favour of the complainant, Shri Nand Kishore Lodhi in the past and also energize the connection of Shri Devendra Singh on the first floor of the building. The Forum order being consistent with the relevant statutory provisions as well as UERC regulations is liable to be upheld and need not be interfered with. The petitioner's request that connection of Shri Devendra Singh be disconnected is not liable to be accepted and the petition is liable to be dismissed.

Order

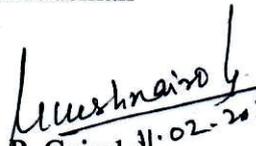
Petition is dismissed. Forum order upheld.

Dated: 11.02.2026


(D. P. Gairola) 11.02.2026
Ombudsman

Order signed dated and pronounced today.

Dated: 11.02.2026


(D. P. Gairola) 11.02.2026
Ombudsman