

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Ankit Verma
S/o Shri OmPal Singh
Vill. Shikarpur, Thana-Kotwali, Manglaur
Distt. Haridwar, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Rural),
Uttarakhand Power Corporation Ltd.
Civil Lines, Roorkee,
Distt. Haridwar, Uttarakhand

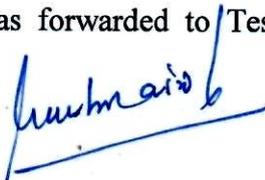
Representation No. 46/2025

Award

Dated: 25.02.2026

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Haridwar Zone, (hereinafter referred to as Forum) dated 25.07.2025 in complaint no. 154/2025 by which Ld. Forum has dismissed the complaint of the appellant Shri Ankit Verma, S/o Shri OmPal Singh, Village Shikarpur, Thana-Kotwarli Manglaur, Distt. Haridwar, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (Rural), Uttarakhand Power Corporation Ltd., Civil Lines Roorkee, Distt. Haridwar, Uttarakhand (hereinafter referred to as respondent).

2. In the instant representation/appeal dated 08.08.2025 preferred by the petitioner Shri Ankit Verma, he has submitted that he is a poor person and a labourer and he is a consumer of UPCL under the respondent since 2015. Bills are regularly paid since then as received. Supply to his house was disturbed. A complaint online on 1912 was made by him on 15.08.2022 (registration no. 21508220130) for setting right the electricity supply. The complaint was attended to by the departmental staff on 16.08.2022 and supply was made regular. Another complaint regarding defect in the meter was made on 16.08.2022 (registration no. 21608220431). According to him the meter was burnt. The said report was forwarded to Test lab. A new meter was



installed at his house on 22.11.2022 (sealing certificate no. 213/02 meter no. U912421).

A checking was carried out at his house by a team of the department on 07.11.2022. A case of theft of electricity was lodged against him, also assessment for Rs. 1,01,340.00 was raised and RC was also issued for recovery of the said assessment amount, which has caused a mental harassment to him and his family. A complaint was lodged by him against the case before the Forum which was decided by the Forum on 25.07.2025 with the order that the complaint is dismissed being out of jurisdiction. The instant appeal is therefore being preferred before Hon'ble Ombudsman with the prayer that the case framed under section 135 of electricity Act, 2003 for theft of electricity and the RC issued against the assessment may kindly be set aside and recovery may also be ordered to be withdrawn.

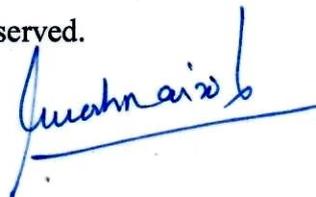
3. The Forum order mentioning that the subject matter of the complaint being a case of theft of electricity and assessment for the same under section 135 and 126 of Electricity Act, 2003 is liable to be dismissed being out of Forum's jurisdiction in terms of UERC regulations, 2019 for working of the Forum under sub regulation 3.1 (4) of the said regulation and the Forum therefore dismissed the complaint being out of jurisdiction vide order dated 25.07.2025.
4. A written statement has been submitted by the respondent vide letter no. 7340 dated 07.11.2025 along with a notarized affidavit. At the outset the respondent has submitted that complaint no. 154/2025 was preferred by the petitioner before the Forum. Documentary evidences were submitted by the department before the Forum and after perusal of documents the Forum dismissed the complaint vide its order dated 25.07.2025 being out of their jurisdiction as it was a case of theft of electricity under section 135 and 126 of Electricity Act, 2003. Point wise replies has been submitted as follows:
 - i. As per records connection no. RD2L111154985 is existing in the name of Shri Ankit Verma for 2 KW domestic use since 12.11.2015.
 - ii. A complaint regarding defect in the service line was made by him on 15.08.2022 (complaint no. 21508220130) which was duly attended on 16.08.2022 and defect was removed.



- iii. A complaint regarding burning of meter was made by him on 16.08.2022 (complaint no. 21608220431). The meter was got checked by concerned SDO.
- iv. Meter was found burnt so JE (Meter), Test Lab Roorkee was directed to change the meter.
- v. The meter was replaced by JE (Meter) vide sealing certificate no. 213/02 dated 22.11.2022 (meter no. U912421)
- vi. On 07.11.2022 during an inspection theft of electricity was detected at the premises of Shri Ankit Verma by direct tapping from the LT box installed at pole. The electricity was being used as a theft.
- vii. A checking report no. 1945 dated 07.11.2022 was filled in. A proposed assessment amounting to Rs. 1,01,344.00 was raised u/s 126 of Electricity Act, 2003 as well as UERC Supply Code regulation 2020 vide letter no. 4579 dated 11.11.2022.
- viii. No. objection or any application within the prescribed time of 7 days against the aforesaid assessment was received.
- ix. No application or objection against the aforesaid assessment was received neither the said assessment amount was deposited within the prescribed period of 15 days.
- x. For not making payment of the aforesaid assessment RC was issued on 09.02.2024.
- xi. A sum of Rs. 29,214.00 is outstanding against the consumer as per ledger in addition to the assessment amount of Rs. 1,01,344.00.

The petition is liable to be dismissed being under section 135 and 126 of Electricity Act, 2003. The respondent has substantiated his averments with documentary evidences adduced with the written statement as annexures as mentioned against the relevant points of written statement in support of his averments.

5. As no rejoinder was submitted by the petitioner neither any reply was given in spite of 3 reminders the hearing was fixed for 04.02.2026.
6. On the scheduled date of hearing the petitioner did not come for arguments however the respondent Executive Engineer appeared for arguments himself and orally argued his case. Arguments concluded. Order reserved.



7. After perusal of records and documents available on file and hearing arguments from the respondent, the petitioner's case has been found as a confirmed case of theft of electricity as per checking report dated 07.11.2022, which is a cognizable offence under section 135 of Electricity Act, 2003 and not a complaint as defined under sub regulation 2 (f) (ii) of UERC (Appointment and Functioning of Ombudsman) Regulations, 2004. As such the case of theft of electricity is out of Ombudsman's jurisdiction. Such being the case the Ombudsman is not empowered to hear a case of theft of electricity and pass order on merits in such cases therefore, no order in the instant case can be passed on merits, the petition is therefore disposed off without passing any order on merits. Forum order is liable to be upheld.

Order

The petition is disposed off without passing any order on merits being a case of theft of electricity under section 135 of Electricity Act, 2003. Forum order is upheld.

Dated: 25.02.2026

Mushair
25.02.2026
(D. P. Gairola)
Ombudsman

Order signed dated and pronounced today.

Dated: 25.02.2026

Mushair
25.02.2026
(D. P. Gairola)
Ombudsman