

**THE ELECTRICITY OMBUDSMAN, UTTARAKHAND**

Shri Vikas Chauhan,  
S/o late Shri Ompal Singh  
Village- Atmalpur Bongla,  
Near Shivganga Mandir,  
Distt. Haridwar, Uttarakhand

Vs

The Executive Engineer,  
Electricity Distribution Division,  
Uttarakhand Power Corporation Ltd.  
Jwalapur, Haridwar, Uttarakhand

Representation No. 47/2025

**Award**

Dated: 16.03.2026

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 23.09.2025 in complaint no. 201/2025 by which Ld. Forum has dismissed the complaint being out of jurisdiction of the appellant Shri Vikas Chauhan, S/o late Shri Ompal Singh, Village-Atmalpur Bongla, Near Shivganga Mandir, Distt. Haridwar, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Jwalapur, Haridwar, Uttarakhand (hereinafter referred to as respondent).

2. The present petition/ representation has been preferred by the aforesaid petitioner for shifting of the pole and transformer installed on private and public land unauthorizedly and for withdrawal of respondents demand for depositing estimated cost for shifting of the pole and the transformer.

The petitioner has averred that the Forum's order under reference is not agreeable to him for the reasons that the pole which is required to be shifted has been unauthorizedly erected in his agricultural field (Khasra no. 164) by the department without his consent. Further a transformer has duly been installed in the middle of chak road without permission by revenue department or gram sabha. Therefore, he



had requested the department for shifting the pole and transformer which also causes a threat to safety etc. further the pole and transformers were installed in contradiction to UERC Safety Code and these are causing a danger to public safety. The Forum has also taken appropriate action on his complaint simply for the reason that the matter is against its jurisdiction. A complaint was also lodged by him on CM Helpline (complaint no. CMHL-072025-2-801783). The department instead of taking correct action have asked him to deposit the estimated cost which is against law. Forum did not consider the complaint seriously and dismissed the complaint on the grounds that it is out of their jurisdiction. In the premises aforesaid the petitioner has prayed that:-

- i. Order for depositing estimated cost be withdrawn.
- ii. The installed pole in khasra no 164 be shifted at the border line of khasra no 164 and 168.
- iii. Order for shifting the existing transformer at the site of khasra no. 188.

3. The Forum referring sub regulation 3.1 (5) of Gadget notification dated 27.07.2019 which reads as “ फोरम विद्युत लाईनों/ खम्बों/ उपकरणों को हटाने से सम्बन्धित किसी शिकायत पर विचार नहीं करेगा। Accordingly the Form held that the subject matter of the complaint is beyond their jurisdiction and have therefore accordingly dismissed the complaint no. 201/2025 vide its order dated 23.09.2025.

4. The respondent Executive Engineer has submitted his written statement vide letter no. 10135 dated 30.12.2025 along with a notarized affidavit wherein pointwise replies has been submitted as follows:-

- i. A complaint no. 201/2025 was preferred by Shri Vikas Chauhan (petitioner).
- ii. Report in the matter was submitted before the Forum vide his letter no. 5934 dated 25.08.2025.
- iii. The complaint no. 201/2025 of Shri Vikas Chauhan was dismissed by the Forum vide its order dated 23.09.2025 being out of jurisdiction.
- iv. Regarding present appeal no. 47/2025 before the Hon'ble Ombudsman, it is submitted that “उत्तराखण्ड गजट, 27 जुलाई 2019 ई0 (श्रावण 05, 1941 शक सम्वत) के अध्याय 3 (फोरम का अधिकार – क्षेत्र व कार्यवाही) के बिन्दु संख्या 3.1 (फोरम का अधिकार क्षेत्र) के उपबिन्दु संख्या 5 में “फोरम विद्युत लाइनों/ खम्बों/ उपकरणों को हटाने से सम्बन्धित किसी शिकायत पर विचार नहीं करेगा”



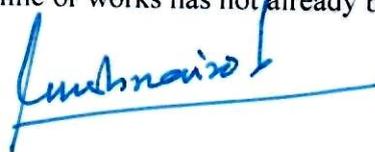
5. The petitioner has submitted a notarized affidavit dated 30.01.2026 as his rejoinder wherein he has averred that he disagree with respondent's reply and has requested that the petition be decided on the basis of the facts of the case as mentioned in his appeal.
6. Hearing in the case was held on scheduled that 25.02.2026. Petitioner did not appear for arguments as he has already requested to decide the case on the basis of documents available on file and has also confirmed his averment vide his letter dated 17.02.2026. However, AE(R) appeared on behalf of the respondents and orally argued his case.
7. Documents available on file have been perused. Arguments from the respondent were heard. Relevant UERC Regulation 2019 as referred by the Forum in its order have also been gone through. The Forum has dismissed the complaint being out of its jurisdiction in terms of UERC Guidelines for appointment of members and procedure to be followed for redressal of grievances of the consumers regulation, 2019 under sub regulation 3.1 (5) which is reproduced below:-

***The Forum shall not entertain any grievances pertaining to shifting of electric lines/ poles/ equipments.***

8. The forum order is therefore liable to be amended as in view of aforesaid UERC Regulation the subject matter of the case is beyond jurisdiction and therefore the Forum should have not dismissed the complaint but should have disposed of the complaint without passing any order on merits being out of jurisdiction of CGRF and Ombudsman mechanism.
9. Further it will not be out of place to mention here that provisions for resolving such issues has been made in the works of licensee rules 2006 framed by Government of India, the relevant abstract of the same is reproduced below:-

Licensee to carry out of works- (1) A Licensee may –

- (a) Carry or works, lay down or place any electric supply line or other works in, through, or against, any building, or on, over or under any land whereon, wherever or whereunder any electric supply line or works has not already been lawfully laid



down or placed by such licensee, with the prior consent of the owner or occupier of any building or land:

- (b) Fix any support of overhead line or any stay or structure required for the purpose of securing in positing any support of an overhead line on any building or land or having been so fixed, may alter such support;

PROVIDED THAT in case where the owner or occupier of the building or any raises objections in respect of works to be carried out under this rule, the licensee shall obtain permission in writing from the District Magistrate or the Commission of Policy or any other officer authorized by the State Government in this behalf, for carrying out the works:

PROVIDED FURTHER THAT if at any time, the owner or occupier of any building or land on which any works have been carried out or may support of an overhead line, stay or structure has been fixed shows sufficient cause, the District Magistrate or the Commissioner of Police, or the officer authorized may be order in writing direct for any such a work, support, stay or structure to be removed or altered.

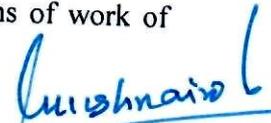
### Order

In view of the aforesaid UERC Regulation as also under works of licensee rules 2006 of Government of India subject matter of the petition being out of jurisdiction of CGRF and Ombudsman mechanism, the petition is disposed of without passing any orders on merits and Forum order stands amended as per this order. However, the case may be referred to District Magistrate of the district concerned for deciding the matter who is duly authorized to decide such cases in terms of the provisions of work of licensee rule 2006 as reproduced above.

Dated: 16.03.2026

Order signed dated and pronounced today.

Dated: 16.03.2026

  
(D. P. Gairola) 16.03.2026  
Ombudsman

  
(D. P. Gairola) 16.03.2026  
Ombudsman