

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Tezpal Singh Saini
S/o Late Somi Devi
R/o Village Shantarshah
Thana-Bahadarabad, Tehsi-Roorkee
Distt. Haridwar, Uttarakhand

Vs

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

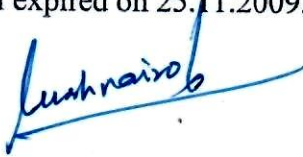
Representation No. 18/2026

Award

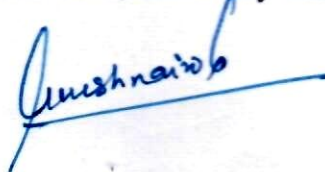
Dated: 24.06.2026

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 09.03.2026 in complaint no. 20/2026 by which Ld. Forum has partially allowed with the direction for revision of the bill for the period 01.07.2007 to 12.07.2012 on the basis of average recorded consumption 45386 units during the period 12.07.2012 to 28.02.2017 in the complaint of the appellant Shri Tezpal Singh Saini S/o Late Somi Devi, R/o Village-Shantarshah, Thana-Bahadarabad, Tehsil-Roorkee, Distt. Haridwar, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (Urban), Uttarakhand Power Corporation Ltd., Civil Lines, Roorkee, Haridwar, Uttarakhand (hereinafter referred to as respondent).

2. The instant petition dated 27.03.2026 has been preferred by the petitioner Shri Tezpal Singh Saini being aggrieved with Forum's order dated 09.03.2026 in his complaint no. 20/2026 passed by the Forum. He has averred as follows: -
 - i. Connection No. 689DPW9710910 was released on 07.07.2012 by the department in favour of his mother Smt. Somi Devi, W/o Late Roda Singh.
 - ii. His mother Smt. Somi Devi expired on 25.11.2009.



- iii. Bills against the aforesaid connection are being regularly paid. After the death of his mother, he requested the department a number of times to transfer the said connection in his name but the department has yet not transferred the connection in his name.
- iv. He received a bill dated 08.03.2017 for the period 07.07.2012 to 28.02.2017 for a sum of Rs. 52,274.00, with due date of payment as 31.03.2017. Payment of the said bill was duly made by him on 31.03.2017 vide receipt no. 6/F078539 for Rs. 57,300.00, copy of the receipt has been enclosed (the same is available on file).
- v. No bill has been received from the department for the said connection after 31.03.2017. On his request to send the bill the department informed him that the bill shall be sent at his address.
- vi. Now the department has sent a bill for the said connection for a sum of Rs. 1,99,384.00, which is wrong, false and against law, which has caused mental and physical harassment to him.
- vii. The aforesaid bill for Rs. 1,99,384.00 dated 20.04.2020 be cancelled and a correct revised bill be issued.
- viii. A complaint was made by him before District Consumer Dispute Redressal Commission (DCDRC) against the said bill for Rs. 1,99,384.00. The District Commission (DCDRC) vide its order 31.08.2021 (enclosed) directed the department to issue a new bill for the period post 28.02.2017.
- ix. The department preferred appeal before the State Consumer Dispute Redressal Commission (SCDRC) against the said order. The State Commission (SCDRC) vide its order dated 31.10.2025 (enclosed) directed to file a new complaint before the Forum.
- x. The supply was given to the said connection by the department from 07.07.2012 while the department is asking payment of the bill from 01.07.2007, which is wrong, bill for the period after 31.07.2017 be given without any interest or penalty because a wrong. Bill has been given by the department, for which the department itself is responsible and not the consumer. In support of his averment under this point he has adduced a copy of letter no. 3031 dated 16.02.2026 of SDO, Electricity Distribution subdivision, Dhanori.



Prayer

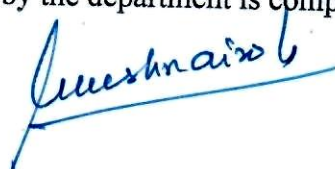
- a. Bill dated 20.04.2020 for Rs. 1,99,384.00 wrongly issued be cancelled and a revised bill be ordered to be issued.
 - b. No interest/penalty be imposed.
 - c. Connection may not be disconnected.
3. The petitioner has also submitted application dated 27.03.2026 for granting stay (**The interim stay was granted vide order dated 01.04.2026**)
4. The Forum after perusal of records and hearing arguments from both parties decided the complaint no. 20/2026 vide its order dated 09.03.2026 vide which following order was passed by the Forum: -
- “परिवादी द्वारा प्रस्तुत परिवाद अंशतः स्वीकार किया जाता है। विपक्षी विभाग को आदेशित किया जाता है कि वह दिनांक 01.07.2007 से दिनांक 12.07.2012 तक की अवधि हेतु परिवादी द्वारा दिनांक 12.07.2012 से दिनांक 28.02.2017 तक की अवधि में की गई कुल विद्युत खपत-45386 (45386-00) यूनिट के सापेक्ष दर्ज औसत विद्युत खपत के आधार पर बिल की धनराशि रू0 1,04,658.00 को संशोधित करते हुए, विद्युत बिल, परिवादी को जारी करें। विपक्षी विभाग आदेश की अनुपालन आख्या आदेश विधि से 30 दिन के भीतर मंच के समक्ष प्रस्तुत करें। पत्रावली दाखिल दफ्तर हो।”
5. The respondent, Executive Engineer has submitted his written statement dated 10.04.2026 along with a notarized affidavit. He has submitted that the petitioner has preferred a complaint before the Forum where it was registered as complaint no. 20/2026. The said complaint was decided by the Forum vide order dated 09.03.2026 vide which the complaint was partially allowed with the direction for revision of the bill amounting to Rs. 1,04,658.00, accordingly the bill was revised in compliance to Forum's order, vide letter dated 6997 dated 28.03.2026 and after revision, the present bill for Rs. 4,51,556.00 was made available to the petitioner.

The Hon'ble Ombudsman is requested that the instant petition be dismissed and the petitioner be directed to deposit the amount of the revised bill Rs. 4,51,556.00. He has further submitted that the petitioner did not make any payments against the bill for last 9 years, he has requested that his request for stay against disconnection of his connection may not be considered. Further he has requested that orders may kindly be issued for recovery of outstanding dues as arrear of land revenue.



The respondent has also submitted a copy of his written statement before the Forum along with documentary evidences as referred in the said written statement such as a copy of the agreement register, a copy of sealing certificate no. 16/2019 dated 12.07.2012 vide which the existing meter was replaced by a new meter due to the existing meter having burnt and as mentioned in the sealing certificate the consumer has deposited cost of meter, a copy of OM no. 6997 dated 28.03.2026 showing details of bill revision, a copy of ledger, consumer billing history.

7. The petitioner has submitted his undated rejoinder wherein he has submitted as follows:
- i. Connection under reference was released in favour of Somi Devi W/o Roda Singh on 07.07.2012 as per departmental records such as SDO's letter which is enclosed.
 - ii. The department is claiming that connection was released in the year 2007 without any evidence.
 - iii. If the connection was given in the year 2007 then details from the period 2007 to 2012 were not given in the ledger.
 - iv. Only a agreement was signed in the year 2007 for the connection, however connection could not be given due to a dispute created by the neighboring farmer against erection of pole, afterwards after settlement of the dispute with the neighboring farmer the connection was released on 07.07.2012 after erection of the pole. Details of consumer ledger has been submitted with the rejoinder. Date of release of connection has been shown as 07.07.2012 in this ledger.
 - v. The Hon'ble Ombudsman may kindly direct the department to give details (list) of the connections released from 2007 to 2012 which will show the date of release of connection to Somi Devi as per departmental records.
 - vi. The department has not given the details such as sr. no. in their record to show that the connection was given in the year 2007, which shall also show the connection no.
 - vii. Year of release of connection no. 689DMD9710910 has been shown as 2012 in the name of Smt. Somi Devi W/o Roda Singh as mentioned in the departmental records.
 - viii. Bill dated 28.03.2026 issued by the department is completely wrong.



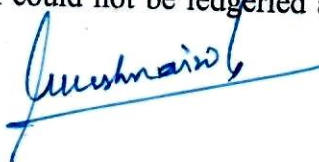
- ix. Details of consumption made under this connection from 01.07.2007 to 06.07.2012 has not been adduced by the department, neither details of consumer ledger has been adduced, which establishes that no electricity was consumed by him during the said period.
- x. In consumer billing history, which is enclosed, the date of release of connection has also been shown as 07.07.2012.
- xi. As per rules if bills against any connection are not issued regularly for 2 years then the department is not entitled to realize any dues for the said period.

A notarized affidavit has also been submitted with the rejoinder.

8. Hearing in the case was held on the scheduled date 16.06.2026. Both parties were present. The petitioner argued his case personally and respondents were represented by concerned Executive Engineer. After submission of oral arguments by both parties the arguments were concluded order was reserved.

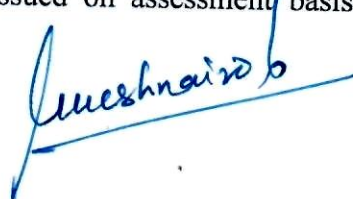
9. After perusal of records available on file including orders of District Consumer Dispute Redressal Commission dated 31.08.2021 and that of State Consumer Dispute Redressal Commission dated 31.10.2025 respectively in consumer's complaint before District Commission and appeal of UPCL before State Consumer Dispute Redressal Commission, as borne out the case is as follows:-

- i. As per averments of the petitioner a PTW connection no. 689DPW9710910 was released by the department on 07.07.2012 in the name of his mother Smt. Somi Devi W/o late Rodha Singh. His mother was expired on 25.11.2009 as per death certificate available on file, while the respondent claims that the connection was released in the year 2007 justifying their claim. Respondents have submitted a photo copy of agreement register on the basis of entries in the agreement register the respondents have averred that as per agreement no. 1165 as entered in the agreement register Smt. Somi Devi had applied for a 7.5 HP PTW connection in the year 2007 for which she deposited Rs. 6543.00 towards service connection charges and Rs. 2400.00 towards security total Rs. 8843.00 as per estimate no. 126 vide receipt no. 17/074991 dated 31.03.2007 consequently connection was released on 01.07.2007 with no. 689DPW9710910 and the consumer has been using electricity regularly since then. However the connection could not be ledgered and was also could not



be updated in billing module. Such being the situation department's claim that connection was released on 01.07.2007 appears to be correct and justified. While petitioner's claim that his connection was released on 07.07.2012 does not sustain for the reason that while as per departmental records i.e. the agreement register necessary charges were deposited by the consumer Smt. Somi Devi on 31.03.2007 and subsequently she died on 25.11.2009 as per death certificate then how it could be possible that connection to a person who have already died in the year 2009 would have been released on 07.07.2012 as claimed by the petitioner. Further the petitioner has also averred in his petition that after the death of her mother in the year 2009 he had requested the department for transfer of connection in his name but the department did not transfer connection in his name. This averment also suggested that connection was released in Smt. Somi Devi's life time. If that would have not been released in her lifetime then the petitioner's averment that he had requested the department repeatedly for transferring the connection in his name, itself proves that the connection was existing before the death of his mother on 25.11.2009. This also suggest that connection was released on 01.07.2007 as is established from departmental records especially the agreement register, the photo copy of which has duly been submitted by the respondents. So, it is established that connection under reference was released in favor of Smt. Somi Devi on 01.07.2007.

- ii. After release of connection the billing was not done upto the year 2012 due to the connection having not been ledgerized and could not be updated in billing module. Further the installed meter was replaced by a new meter vide sealing certificate no. 16/19 dated 12.07.2012 on the installed meter having burnt and the consumer had deposited cost of meter vide receipt no. 44/81213. This also suggests that the connection was already existing before 12.07.2012 and was not released on this date as claimed by the petitioner but it is the date of replacement of burnt meter.
- iii. When it came to department's notice that billing of the connection under reference was not being done for the reason explained above. A bill amounting to Rs. 1,04,658.00 was issued on assessment basis on 15.03.2017 for the



period 01.07.2007 to 06.07.2012 the period which was left to be billed. The consumer did not pay this amount.

- iv. Online billing module was introduced in the year 2012 and billing on regular basis started from that date. Bill from 07.07.2012 to 28.02.2017 was issued on 08.03.2017 for a metered consumption of 45386 units in the meter no. 317375 for a sum of Rs. 57,274.00 copy of the bill is available on file. The consumer duly deposited Rs. 57,300.00 against this bill vide receipt no. 06/F078539 dated 31.03.2017 which is also reflected in consumer's ledger. Thereafter no payment was made by the consumer for about 09-10 years.
10. As per documents available on file the consumer had approached to District Consumer Dispute Redressal Commission as per complaint no. 62/2020 which was decided by the District Commission vide its order dated 31.08.2021 on the same issue. The District Commission allowed the complaint vide its order dated 31.08.2021 with the direction that a corrected bill be issued within a month from the date of the order and also granted cost to the complainant. The UPCL preferred an appeal (SC/5/A/146/2021) on 11.11.2021 before the State Consumer Dispute Redressal Commission against District Commission's order dated 31.08.2021. The State Commission deliberated in detail and has allowed UPCL's appeal vide order dated 31.10.2025 and further directed that the complainant is at liberty to submit his dispute if any before CGRF u/s 42(5) of the Act.

It would be appropriate and in the interest of justice to reproduce the relevant portion of State Commission's order here "*Thus, we are of the considered view that there was no deficiency on the part of the appellant and the District Commission has failed to appreciate the relevant provisions of law and has not perused the facts and law properly and appropriately. Accordingly, we hold that the appeal is liable to be allowed.*

Appeal is allowed. Impugned judgment and order dated 31.08.2021 passed by the District Commission, Haridwar is hereby set aside. Consumer complaint shall stand as dismissed. No order as to costs of appeal. Respondent- complainant is at liberty to submit his dispute, if any, before the Consumer Grievance Redressal Forum u/s 42(5). The respondent-complainant may also file fresh complaint/ application for adjudication before the Consumer Grievance Redressal Forum within a period of

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three months from today. In case of filing the complaint before Consumer Grievance Redressal Forum, the same shall not be treated to be time barred.

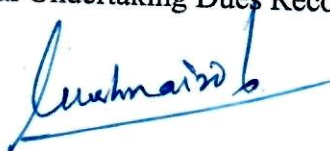
Statutory amount, if any deposited by the appellant be returned to the appellant.

A copy of this order be provided to all the parties free of cost as mandated by the consumer Protection Act, 1986/2019. The order be uploaded forthwith on the website of the Commission for the perusal of the parties. The copy of this order be sent to the concerned District Commission for record and necessary information."

11. it would be appropriate here to reproduce Section 42(8) of Electricity Act, 2003 which reads as follows:- *The provisions of sub-sections (5) (6) and (7) shall be without prejudice to right which the consumer may have apart from the rights conferred upon him by those sub-sections.*
12. The consumer (petitioner here) was right within the provisions of Act, u/s 42(8) to approach the District Consumer Dispute Redressal Commission for redressal of his grievance, instead of approaching to CGRF u/s 42(5) of the Act and thus he would have not been entitled to prefer a complaint before CGRF as he had already chosen Section 42(8) for redressal of his grievance but in the instant case liberty was granted to him by the State Commission to file a fresh complaint u/s 42(5) to CGRF for redressal of his grievance and thus the Forum has rightly entertained his complaint no. 20/2026 and decided the complaint vide its order dated 09.03.2026 wherein the complaint was partly allowed with the direction of revision of the disputed bill against which the instant petition has been preferred before the undersigned and the same is being decided vide this order.
13. In view of the facts of the case and records available on file the appeal is liable to be dismissed. Forum order is liable to be modified as per this order.

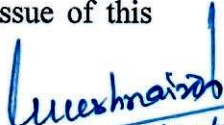
Order

The Petition is dismissed. Forum order is modified as per this order. The respondents are at liberty to realize their corrected latest outstanding dues by adopting such means as are available to them under relevant UERC regulations and Electricity Act, 2003 including recovery of their outstanding dues as arrears of land revenue as per Section 3 and Section 5 of Government Electrical Undertaking Dues Recovery Act, 1958 duly



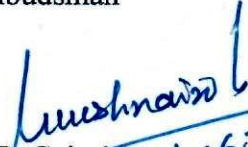
adopted in the state of Uttarakhand. It is also ordered that the interim stay granted on 01.04.2026 and subsequently extended, vide which UPCL was restrained from disconnection of petitioner's supply, stands vacated w.e.f. the date of issue of this order.

Dated: 24.06.2026


(D. P. Gairola) 24.06.2026
Ombudsman

Order signed dated and pronounced today.

Dated: 24.06.2026


(D. P. Gairola) 24.06.2026
Ombudsman