

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Harvinder Singh Sehgal
S/o late Shri Charanjeet Singh
B-226, Laxmi Chowk, Opposite Income Tax Colony
Dehradun, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division (Central)
Uttarakhand Power Corporation Ltd.
Dehradun, Uttarakhand

Representation No. 16/2026

Award

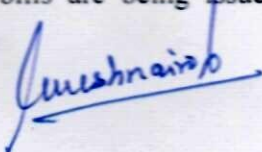
Dated: 15.07.2026

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 28.01.2026 in complaint no. 94/2025 by which Ld. Forum has ordered that out of six number IDF bills issued for the period 18.02.2025 to 29.10.2025 amount of only first 02 bills be realized from the complainant consumer in accordance with UERC regulation and the remaining four bills be cancelled and only fixed charges for these 04 bills be charged from the appellant Shri Harvinder Singh Sehgal, S/o late Shri Charanjeet Singh, B-226, Laxmi Chowk, Opposite Income Tax Colony, Dehradun, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division (Central), Uttarakhand Power Corporation Ltd., Dehradun, Uttarakhand (hereinafter referred to as respondent).

2. The petitioner Shri Harvinder Singh Sehgal (Advocate), S/o late Shri Charanjeet Singh, B-226 Laxmi Chowk, Opposite income tax colony, Dehradun has preferred the instant appeal dated 24.03.2026 being aggrieved with Forum order dated 28.01.2026 passed in his complaint no. 94/2025 before CGRF Dehradun. The petitioner has averred as follows:-

- i. He had preferred an appeal before the Forum on 18.11.2025 that his installed meter is showing IDF from March 2025 but the meter has not been replaced by the department and bills are being issued on IDF. Earlier it was not

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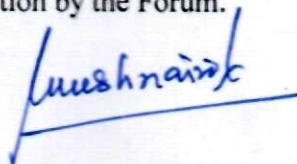


registered by the Forum saying that he is not a consumer. He has submitted that the shop where the connection is installed was given on rent to Shri Vikrant Ahlawat for a period of 10 years. Complaint could not be made due to death of Shri Charanjeet Singh. The tenant Shri Vikrant Ahlawat presented ID of legal heir of the son of the landlord Shri Harvinder Singh and the letter dated 04.12.2025 of complaint was presented before the Forum so that the complaint will register.

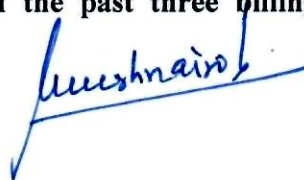
- ii. Even after registration of the complaint he is not satisfied with the action taken by the Forum. Forum's order for correction of the bill which was sent to the Executive Engineer was not complied with by the respondent for a long time and even the bill has not been corrected properly. The bill was corrected after a long time and repeated persuasion. He was harassed by the department under the threat of disconnection causing mental and social harassment.
- iii. The Forum did not view the complaint seriously.
- iv. A copy of the complaint filed before the Forum which contains the complete details is being adduced with this appeal.

Shortcomings in Forum order

- i. General conditions of supply clearly provides that if IDF meter is not replaced after two billing cycles the subsequent bills will be considered zero (0) till such time the correct meter is not installed. The Forum ignoring this provision has ordered that only first 02 IDF bills be charged and fixed charges in respect of the remaining four IDF bills be charged which is in contravention of the regulation.
- ii. During hearing before the Forum on 29.12.2025 Shri Vikrant Ahlawat submitted before the Forum that the old meter installed in the shop is not showing correct reading on his complaint another meter was installed at the shop on 06.12.2025 at initial zero (0) reading. The meter installed on 29.10.2025 was old meter having reading 16435 possibly it was removed from somewhere being defective. He has argued that in case the said meter was not effective while a new meter was installed at the premises on 06.12.2025. The Forum even after receiving letter 29.12.2025 did not order for correction of the bill. It indicates an ex-parte action by the Forum.

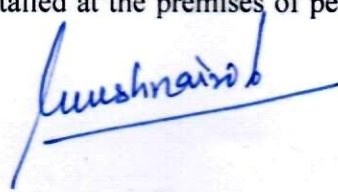


- iii. He has requested that the bills issued on the basis of readings of the defective meter be corrected and the action against the officers at fault be taken. A compensation for mental or social harassment be granted.
 - iv. Since the shop was given to Shri Vikrant Ahlawant on rent for a period of 10 years so himself for responsible for payment of all the electricity bills. He has requested that he shall contest the case on his behalf.
 - v. The delay in filing this petition is due to delay in receipt of Forum order and for no action taken by the department on Forum order. He has requested that appeal be admitted in the interest of justice.
3. The Forum after perusal of records and hearing arguments decided the complaint no. 94 of 2025 vide order dated 28.01.2026 vide which the Forum order that out of six number IDF bills issued from 18.02.2025 to 29.10.2025 (till replacement of meter) only amount of first 02 IDF bills be revised from the consumer in accordance with UERC Regulation and the remaining four IDF bills be cancelled and only fixed charges for these four number bills be charged from the consumer.
4. The respondent, Executive Engineer has submitted his written statement letter dated no. 1824 dated 15.04.2026 along with a notarized affidavit. Point wise replies have been submitted as follows:-
- i. The instant appeal has been preferred for correction of the bills.
 - ii. The respondent has reiterated the contents of the appeal.
 - iii. A complaint no. 94/2025 was preferred before the Forum for correction of the bills. On petitioner's complaint AE(M) was asked vide SDO's letter no. 4264 dated 23.12.2025 to give clarification as to why the time more than prescribed under regulations was taken for replacement of defective meter.
 - iv. The SDO vide letter no. 4278 dated 29.12.2025 apprised the Forum that AE(M) has not given any reply in reference to SDO's letter dated 23.12.2025 referred at point no. 04 above.
 - v. The defective meter was replaced by test lab on 06.12.2025.
 - vi. The IDF bills issued from 18.02.2025 to 29.10.2025 (till replacement of meter) were revised in compliance to Forum order dated 28.01.2026 as per UERC Regulation 5.1.7 (1) **"The consumer shall be billed on the basis of the average consumption of the past three billing cycles immediately**



preceding the data of the meter being found or being reported defective/stuck/stopped/burnt/stolen. These charges shall be leviable for a maximum period of 02 billing cycle during which time the licensee is expected to have replaced the defective meters."

- vii. Forum's order has duly been complied with the revision of the IDF bills.
5. The appellant has submitted his rejoinder along with an affidavit. The contents of which are nothing but merely reiteration or repetition of what he has already averred in his appeal.
6. 13.05.2026 was fixed for hearing. Both parties were present and argued their respective case respondent was directed to submit sealing certificate and consumer history of previous consumer of the meter installed at petitioner's premises. 20.05.2026 was fixed for the next date of arguments. As the office remained closed on 20.05.2026, as per Government order no. 729 dated 19.05.2026 the hearing date 20.05.2026 was postponed and 28.05.2026 was fixed as the next date. Again as 28.05.2026 was declared holiday by Government vide order no. 753 dated 26.05.2026 the hearing date was shifted for 16.06.2026 while respondent was present on 16.06.2026 the petitioner applied for adjournment which was allowed and 01.07.2026 was fixed the date for arguments. Both parties were present and argued their respective case on the scheduled date of hearing dated 01.07.2026, arguments concluded, judgment was reserved.
7. The petitioner has raised the question about veracity of the meter installed by the respondent in place of defective meter. In hearing dated 13.05.2026, the respondent was directed to submit sealing certificate and consumer history of the previous consumer of the meter. The respondent has accordingly submitted these documents vide letter no. 2291 dated 14.05.2026. He has informed that the meter installed at petitioner's premises on 29.10.2025 in replacement of IDF meter. The said meter no. 8904918 was removed from connection no. CD77173089665 of Shri Akhilesh Kumar Gupta, 16 Mohini Road, Dehradun which was removed from his premises on 23.09.2025 due to rooftop solar plant. Sealing certificate and billing history has also been submitted by the respondent. The said meter was removed from the premises of Akhilesh Kumar Gupta vide sealing certificate no. 16239/325 dated 23.09.2025 at reading 16435 and it was installed at the premises of petitioner on 29.10.2025 at the



same reading 16435 as is evident from entry in the billing history. So, petitioner's apprehension about correctness and reading of the said meter stands set right. He has further informed that the said meter is presently installed at connection no. CD67326115763 from 01.02.2026 billing history of which has also been submitted. These documents are available on file.

8. The issue involved in the case is only that the IDF billing continued for six billing cycles in a single stretch from 18.02.2025 to 29.10.2025 (the date of replacement of meter). This is in-violation of relevant UERC Supply Code Regulation 2020 which are reproduced below:-

Meter not recording

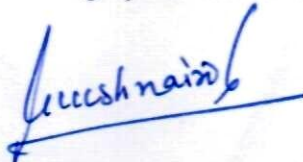
If the meter is not displaying/not recording/stuck as reported by the consumer, the Licensee shall check the meter within 30 days of receipt of complaint and if found not displaying/ not recording/ stuck or identified as defective (IDF), the meter shall be replaced by the licensee within 15 days thereafter."

Billing during the period defective/ stuck/stopped/burnt meter remained at site or stolen meter

The consumer shall be billed on the basis of the average consumption of the past three billing cycles immediately preceding the date of the meter being found or being reported defective/stuck/stopped/burnt/stolen. These charges shall be leviable for a maximum period of 2 billing cycle during which time the licensee is expected to have replaced the defective meter

The appropriate UERC Tariffs orders further added that *"therefore the licensee shall not be entitled to raise any bill without correct meter"*

9. A perusal of the above regulations shows that the defective meter shall be checked within 30 days of receipt of complaint from the consumer and thereafter replace within next 15 days and IDF billing shall not be done beyond two billing cycles where after the licensee is not entitled to raise any bill without installing a correct meter.
10. In the instant case the respondents have violated the above regulations as the meter was not replaced within the stipulated time even after making a complaint by the petitioner and further they continued to raise IDF bills for six billing cycles in a single stretch. The IDF bills beyond two billing cycles i.e. for further four billing cycles



cannot be recovered from the petitioner. The Forum has ordered to realize the amount of first 02 IDF bills from the consumer and also fixed charges against subsequent four number IDF bills from the consumer. The Forum has erred in its order to the extent that they have ordered for charging fixed charges from the consumer or subsequent four number IDF bills. By virtue of above regulations these fixed charges cannot be charged from the consumer. The Forum order therefore needs to be amended upto that extent.

11. In view of facts of the case and relevant UERC Regulations as well as tariff provisions the respondents can charge only first 02 IDF bills from the consumer and they are not entitled to charge anything from the consumer beyond two billing cycles. Not even fixed charges for the remaining four billing cycles of IDF billing can be charged from the consumer. The petition is therefore liable to be allowed with the direction that IDF bills be revised accordingly i.e. charge the consumer only first 02 IDF bills and nothing beyond these two IDF bills be charged from the consumer. The Forum order is also liable to be amended accordingly.
12. it is also appropriate to mention here that energy has been consumed for all the six IDF billing cycles while energy consumed or billed under first 02 IDF bills is chargeable to the consumer but somebody has to be charged for the other four IDF billing cycles as the UPCL cannot be put to bear financial loss on this account and the cost for such energy has to be borne by UPCL concerned officers/ officials who are responsible for issuing IDF bills beyond two billing cycles in violation of aforesaid regulations. It is therefore desirable that amount of the four IDF bills beyond first 02 IDF bills shall be recovered from the erring officers/ officials who are responsible for violation of regulations. The UPCL management is therefore directed to identify such erring officers/ officials who are responsible for such violation and arrange to charge the cost of four number IDF bills from them in proportions to their salary.
13. Copy of order dated 21.11.2024 of Electricity Ombudsman New Delhi passed in appeal no. 26/2024 submitted by the petitioner, it is clarified that the said judgment is distinguishable on facts and do not apply to this instant case. This order has however is taken on file.



Order

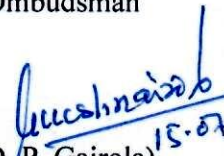
The Petition is allowed. Forum order stands amended as per this order. Respondents are directed to charge the consumer only for first 02 IDF bills and anything charged more than that in compliance of Forum order dated 28.01.2026 as is evident from consumer ledger, be refunded to the consumer by way of adjustment in the future bills. Recovery of the amount of four numbers IDF bills issued beyond first 02 IDF bills be made from the salary of erring officers/officials as mentioned in para no. 12 above.

Dated: 15.07.2026

Order signed dated and pronounced today.

Dated: 15.07.2026


(D. P. Gairola) 15.07.2026
Ombudsman


(D. P. Gairola) 15.07.2026
Ombudsman