

THE ELECTRICITY OMBUDSMAN, UTTARAKHAND

Shri Bahadur Singh
R/o Sainik Colony, Chandpur
Post office- R.C.C. Hempur
Gopipura, Kashipur,
Distt. Udham Singh Nagar, Uttarakhand

Vs

The Executive Engineer,
Electricity Distribution Division
Uttarakhand Power Corporation Ltd.
Ramnagar, Distt. Haldwani, Uttarakhand

Representation No. 30/2026

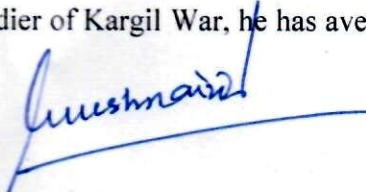
Award

Dated: 29.07.2026

Present appeal/ representation has been preferred by the appellant against the order of Consumer Grievance Redressal Forum, Kumaon Zone, (hereinafter referred to as Forum) dated 06.05.2026 in complaint no. 57/2026 by which Ld. Forum has dismissed the complaint of the complainant, Shri Bahadur Singh, R/o Sainik Colony, Post office- R.C.C. Hempur, Gopipura, Kashipur, Distt. Udham Singh Nagar, Uttarakhand (petitioner) against UPCL through Executive Engineer, Electricity Distribution Division, Uttarakhand Power Corporation Ltd., Ramnagar, Distt. Haldwani, Uttarakhand (hereinafter referred to as respondent).

2. The instant appeal dated 14.05.2026 has been preferred by the petitioner Shri Bahadur Singh, S/o late Ram Singh, Near Pratap Pur, R/o Sainik Colony, Post office- R.C.C. Hempur, Gopipura, Kashipur, Distt. Udham Singh Nagar being aggrieved with Forum order dated 06.05.2026 in his complaint no. 57/2026 before the said forum.

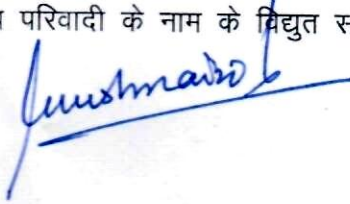
The petitioner has averred that he is a retired soldier of Army having awarded Sena Medal Bar and he is a wounded soldier of Kargil War, he has averred that he has sold



out his residential house Madanpur Bora, Post office-Choi Ramnagar, District Nainital legally on 30.09.2026, in which a 05 KW connection with solar system is installed. He had submitted an application before UPCL Ramnagar office for transferring the said connection to the new owner but the connection has yet not been transferred by UPCL for want of guidelines. Information was sought for under RTI and a first appeal was also preferred but they have also not given any specific order for want of specific guidelines. The CGRF also mentioned in its order that there is no specific guideline for transferring a connection with solar system. The department is not transferring the connection which is a deficiency in service. He has also mentioned that perhaps his case may be a new one but when the government is giving subsidy for solar system in future a large number of such cases may come up. He has prayed that keeping in view, the people's interest UPCL office may be directed to transfer the connection along with solar system to the new owner of the house. He has also requested that justice may be given in the matter. He has adduced the following documents with the petition such as copy of CGRF order, application under RTI and the reply received, copy of first appeal and order, sale deed and some other concerned documents.

3. The Forum after perusal of records and hearing arguments has dismissed the complaint vide complaint no. 57/2026 of the complainant vide its order dated 06.05.2026 relevant portion of forum's order are reproduced hereunder:-

"मंच द्वारा वाद पर सुनवाई हेतु दिनांक 06.05.2026 की तिथि नियत की गयी। सुनवाई हेतु पक्षकार प्रत्यक्ष रूप से मंच में उपस्थित हुये। परिवादी द्वारा कहा गया कि उसने अपना भवन बेच दिया है अतः संयोजन विक्रेता के नाम पर स्थानांतरित होना चाहिए। विपक्षी सहायक अभियन्ता (राजस्व) ने बताया कि वितरण खण्ड एवं परिवादी के बीच 25 वर्ष के लिए पावर Power Purchase Agreement हुआ है। परिवादी ने सोलर रूफटॉप लगाने पर सरकारी सब्सिडी भी प्राप्त की है। वर्तमान में सोलर प्लांट स्थानांतरण के संबंध में कोई नियमावली/विनियम भी नहीं है। अतः यह संयोजन किसी अन्य के नाम पर स्थानांतरित नहीं किया जा सकता है। मंच द्वारा उभय पक्षों को सुना गया एवं पत्रावली का अवलोकन किया गया। परिवादी ने जिस परिसर पर सोलर रूफटॉप स्थापित किया है उसे विक्रय कर दिया गया है। परिवादी एक Prosumer है तथा उसमें लाईसेंसी के साथ Power Purchase Agreement किया हुआ है। ऐसी स्थिति में यह मंच परिवादी के नाम के विद्युत सोलर संयोजन को किसी



अन्य व्यक्ति के नाम पर स्थानांतरित करने का आदेश पारित नहीं कर सकता। अतः वाद खारिज किए जाने योग्य है।"

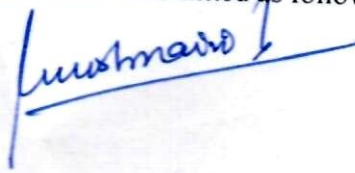
आदेश

"वाद खारिज किया जाता है। उभय पक्ष अपना वाद व्यय स्वयं वहन करेंगे।"

4. The answering respondent, Executive Engineer, EDD Ramnagar (Nainital) has submitted his written statement vide letter no. 4576 dated 11.06.2026 along with a notarized affidavit. He has submitted that the consumer Shri Bahadur Singh, S/o Shri Ram Singh, R/o Village Madanpur Bora, Post office -Choi, having a electricity connection no. RR-1/N0220/040775 of 01 KW has submitted an application dated 23.03.2023 for a 05 KW capacity rooftop solar plant under PM Surya Ghar Free Electricity Scheme and entered an agreement with division office. Net metering on the said plant was commenced w.e.f. 23.03.2023. The consumer has also received subsidy from government of India against the said solar plant. The consumer has informed that he has sold out the premises along with rooftop solar plant to some other person and he has averred that under sub regulation 4.3.1 of UERC Supply Code Regulation 2020, name of the consumer can be change due to change of ownership of the property but due to non-availability of specific guideline in this matter i.e. regarding change of ownership of rooftop solar plant, the consumer's application has not been granted.

He has further mentioned that it is brought to Hon'ble Ombudsman's kind notice that UPCL headquarter vide letter no. 133 dated 12.03.2026 under point no. 5 of the said letter has informed that there is no regulation or rules at present for transferring the solar plant in power corporation's record. He has adduced copy of UERC sub regulation 4.3.1 and UPCL's aforesaid letter's dated 12.03.2026. A copy of reply no. 1610 dated 23.03.2026 given to Lok Suchna Adhikari Headquarter UPCL Urja Bhawan Dehradun to by S.E. (Commercial-2) has also been adduced with written statement.

5. The petitioner has submitted a rejoinder dated 23.06.2026 along with a notarized affidavit wherein point wise replies have been submitted as follows:-



- i. As per all letters and orders of electricity department, it has been informed that there are not guidelines available for transferring a connection with solar plant to another person.
 - ii. He has got the solar connection installed for which the department is physically and mentally harassing a wounded soldier of army for the last 06 months.
 - iii. It is requested that the connection along with solar plant be ordered to be transferred in the name of the purchaser in accordance with old guidelines.
 - iv. Order may kindly be passed in accordance with point no. 4, 3 and 1 of the old guidelines for disconnection of his electricity connection so that he may himself use his solar plant.
 - v. He has already sold his complete property six months back and the purchaser is now the occupant of the property due to which he is not able to use his electricity connection. He has requested for early settlement or redressal of his problem.
6. Hearing in the case was fixed for 08.07.2026 while Assistant Engineer (R) was present on behalf of the respondents, the petitioner has already requested through email that he was unable to be present personally for arguments and had requested to pass orders on the basis of documents submitted. Respondent's represented that the connection could not be transferred in the name of the purchaser as a rooftop grid connected solar plant is also installed at consumer's premises under PM Surya Ghar Free Electricity Scheme under the agreement and as there is no regulation for transferring such a connection along with the solar plant to any other person, the matter was referred to UPCL headquarter (commercial wing) and no reply has yet been received so the case is pending. The respondents were asked to submit clarification on the issue from UPCL Headquarter or REC as the case may be by 15.07.2026. Arguments was concluded, order was reserved.
7. After perusal of records and hearing arguments, it has come to notice that a 05 KW rooftop solar plant was installed at the premises of the petitioner Shri Bahadur Singh on 23.03.2023 under an agreement executed between UPCL and the consumer. The petitioner has sold out his premises where electricity connection no. RR-1/N0220/040775 for 01 KW load and a 05 KW roof top solar power plant are installed to some other person on 30.12.2026 and he had requested the respondents to

transfer the existing electricity connection at his premises along with installed roof top solar plant in the name of the purchaser but as reported by the respondents the connection could not be transferred as there is no regulation for transferring the solar plant to any other person.

The Forum vide its order dated 06.05.2026 had dismissed the complaint for the reasons as mentioned in its order (as reproduced under para 3 of this order).

Since the respondents could not submit any clarification on the issue of transfer of a connection in the name of other person along with rooftop solar plant, the respondents were directed during hearing to submit necessary clarification from UPCL headquarter or REC on the issue. The respondent Executive Engineer accordingly has submitted two letters, letter no. 5075 dated 13.07.2026 along with enclosures and letter no. 5143 dated 15.07.2026 along with enclosures. In these letters he has submitted as follows:-

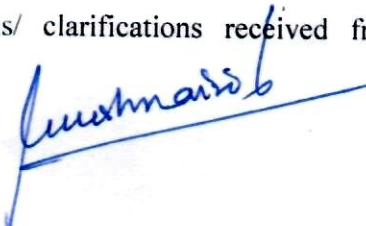
Letter no. 5075 dated 13.07.2026

He has submitted that as per power purchase agreement executed with the consumer for PM Surya Ghar Scheme, there is no provision for transferring the solar plant to a new purchaser (copy of agreement enclosed). As there are no specific guidelines available UPCL Headquarter was requested through letter no. 5003 dated 08.07.2026 (copy enclosed for giving necessary directions in the matter. In reply to his above aforesaid letter, the Executive Engineer (Solar) attach to Director Operation UPCL Dehradun informed vide his letter no. 3879 dated 08.07.2026 (copy enclosed) has informed that REC limited Dehradun was requested to give necessary directions on the issue.

The respondent has mentioned in the above letter that the Hon'ble Ombudsman shall be apprised on receipt of necessary directions from the authorities.

Letter no. 5143 dated 15.07.2026

The respondent vide above letter dated 13.07.2026 has submitted a copy of Executive Engineer (Solar) attach to Director Operation UPCL Dehradun letter no. 3936 dated 13.07.2026 vide which the directions/ clarifications received from REC Ltd.



Dehradun has been received which have been enclosed with his above letter. The directions received from REC Ltd. Dehradun are reproduced hereunder:-

Sir,

With reference to the consumer's letter dated 08.07.2026, it is informed that, at present, there are no specific guidelines under the PM Surya Ghar Muft Bijli Yojna (PMSG:MBY) covering cases where a residential property, on which a rooftop solar system has been installed and subsidy has already been claimed, is subsequently sold.

However, if the consumer wishes to opt out of the scheme, the subsidy amount maybe refunded to the CAN account as per the details given below.

Name of Account Holder" Rural Electrification Corporation Ltd.

Bank: State Bank of India, Main Branch, New Delhi

Account Number: 43012043963

IFSC Code: SBIN0000691

Upon receipt of the subsidy refund in the above account, the concerned application will be archived on the National Portal after changing its status/ flat from "Released" to "Not released"

8. As per the claim petition, the petitioner/appellant sold his house in which 5 KW solar Power Plant was fastened. After the sale of the house, as per law the purchaser has steps into the shoes of the seller and the seller has sold the house with all the rights and liabilities. But it appears that the appellant has taken the benefit of subsidy in installing the solar power plant in the scheme of PM Surya Ghar Muft Solar system and for this reason UPCL is not transferring the solar connection in the name of purchaser. Purchaser is also citizen of India therefore there should not be hindrance in transferring the electricity connection in the name of purchaser but as per the letter of Executive Engineer there is no provision for such transfer, therefore they cannot transfer the connection in the name of purchaser. Since it is a policy matter therefore it is difficult for Ombudsman to pass any order in this matter.

9. In view of the facts of the case and in the absence of specific UERC Regulations on the issue of transfer of a connection where a solar power plant under PM Surya Ghar

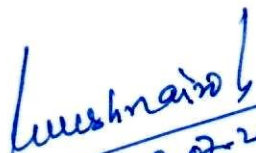
Scheme is installed under the power purchase agreement in which there is no provision for transferring the solar plant to any other person to whom the consumer, the petitioner here might have sold his premises, no order on merits in the instant petition can be passed by Ombudsman and therefore there is no option but to dispose of the petition without passing any order on merits.

However, the respondent is advised to take necessary action in the matter in accordance with the directions/ clarifications given by REC Ltd. Dehradun which is reproduced above. Of course after seeking specific order from the UPCL's top management.

Order

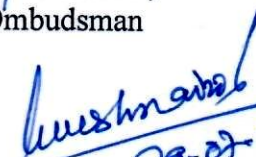
The Petition is accordingly disposed off. Forum order is upheld.

Dated: 29.07.2026


(D. P. Gairola)
Ombudsman
29-07-2026

Order signed dated and pronounced today.

Dated: 29.07.2026


(D. P. Gairola)
Ombudsman
29-07-2026