

**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL
COMMISSION, FEROZEPUR.**

C.C. No.101 of 2026

Date of Institution: 25.05.2026

Date of Decision 02.06.2026

Mahinder Singh aged 65 years son of Shingara Singh resident of Village Khamba,
Tehsil Guruharsahai, District Ferozepur, Aadhar No.2047 7861 2803, Mobile
No.70090-63769.

..... Complainant

Versus

1. Punjab State Power Corporation Limited, Mamdot Sub Division, Mamdot,
District Ferozepur through its Assistant Executive Officer.
2. Punjab State Power Corporation Limited, through its Chairman, PSPCL,
The Mall, Patiala-147001.

..... Opposite parties

Complaint under Section 35 of
the Consumer Protection Act.

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PRESENT :

For the complainant : Sh. H.C.Kamboj Advocate

QUORUM

Ms. Kiranjit Kaur Arora, President.

Ms. Suman Khanna Member,

ORDER**KIRANJIT KAUR ARORA, PRESIDENT:-**

Complainant has approached this Commission seeking directions to the opposite parties to install the electric tubewell connection of 5 HP in the land, to pay Rs.1,00,000/- as compensation for mental agony, pain and harassment and Rs.22,000/- as litigation expenses.

2. Brief facts of the complaint are that the complainant is agriculturist and he applied for tubewell connection on 22.2.2013 for 5 HP with the opposite parties and deposited the necessary amount. It has been pleaded that the complainant received a letter dated 29.03.2016 bearing memo No.3516 from the opposite parties whereby the request for issuing of said tubewell connection was accepted by opposite parties. Further it has been pleaded that the opposite parties sent demand notice dated 29.3.2016 to the complainant to this effect. The complainant complied all requirement and submitted the same to the opposite parties and sent his readiness to install the said connection. Estimate for expenses was prepared by the opposite parties which amounts of Rs.81,548/-. The complainant went to the office of opposite party No.1 to deposit the above said expenses, but the officials of opposite parties refused to receive the same on the ground some false theft of electricity committed by complainant and gave note over demand notice i.e. theft case/amount pending. It has also been pleaded that false F.I.R. was registered against the complainant bearing No.1005 dated

11.12.2015 at PS APT Bathinda under Section 135 of Electricity Act, 2013 by the opposite parties. The complainant applied anticipatory bail in above said FIR, which was accepted by the court. It has been pleaded that the complainant many a times visited the office of opposite parties for installing said tubewell electric connection, but of no use. Pleading deficiency in service and unfair trade practice on the part of the opposite parties, hence this complaint.

3. Heard.

4. Complainant himself has pleaded in the complaint that F.I.R. was registered against the complainant bearing No.1005 dated 11.12.2015 at PS APT Bathinda under Section 135 of Electricity Act, 2003 by the opposite parties. The complainant applied anticipatory bail in above said FIR, which was accepted by the learned court. So before admitting the case, this Commission is to see as to whether the present complaint is maintainable or not before this Commission. As per the law laid down by the Hon'ble Supreme Court of India in case U.P.Power Corporation Ltd. & Ors Versus Anis Ahmed decided on 1.7.2013 as reported in 2013(3) RCR Civil 946. Further considering all the legal aspects in para 29 of the judgement which is reproduced in appreciation of the case as under:-

29. Section 126 of the Electricity Act, 2003, empowers the assessing officer to make assessment in case of "unauthorized use of electricity". It provides that if on an inspection of any

place or premises or after inspection of the equipments, gadgets, machines, devices found connected or used, or after inspection of records maintained by any person, the assessing officer comes to the conclusion that such person is indulging in "unauthorized use of electricity" he shall assess the electricity charges payable by such person or by any other person benefitted by such use, the section read as under:-

"126. Assessment - (1) If on an inspection of any place or premises or after inspection of the equipments, gadgets, machines, devices found connected or used, or after inspection of records maintained by any person, the assessing officer comes to the conclusion that such person is indulging in authorized use of electricity, he shall provisionally assess to the best of his judgement the electricity charges payable by such person or by any other person benefited by such use.

(2) The order of provisional assessment shall be served upon the person in occupation or possession or in charge of the

(3) place or premises in such manner as may be prescribed.

(4) The person, on whom an order has been served under sub section (2) shall be entitled to file objections, if any, against the provisional assessment before the assessing officer, who shall, after affording a reasonable opportunity or bearing to such person, pass a final order of assessment within thirty days from the date of service or such order of provisional assessment, of the electricity charges payable by such person.

(5) Any person served with the order of provisional assessment, may, accept such assessment and deposit the assessed amount with the licensee within seven days of service of such provisional assessment order upon him.

(6) If the assessing officer reaches to the conclusion that unauthorized use of electricity has taken place, the assessment shall be made for the entire period during which such unauthorized use of electricity has taken place and if, however, the period during which such unauthorized use of electricity has taken place cannot be ascertained, such period shall be limited to a period of twelve months immediately preceding the date of inspection.

(7) The assessment under this section shall be made at a rate equal to (twice) the tariff applicable for the relevant category of services specified in sub section (5).

Explanation - For the purposes of this section:-

(a) "assessing officer" means an officer of a State Government or Board or licensee, as the case may be, designated as such by the State Government;

(b) "unauthorized use of electricity" means the usage of electricity -

(i) by any artificial means; or

(ii) by a means not unauthorized by the concerned person or authority or licensee or

(iii) through a tempered meter; or

(iv) for the purpose other than for which the usage of electricity was authorized: or

(v) for the premises or areas other than those for which the supply of electricity was authorized."

Similarly, in para 32 of the judgement of the Hon'ble Supreme Court has also referred section 135 of the Electricity Act and broadly explained

that Consumer Commission has no jurisdiction to entertain the cases relating to theft of electricity.

5. This Commission has given thoughtful consideration to the judgment cited above. But to all regards to the judgement decided by the Hon'ble Supreme Court, this Commission has no hesitation to hold that this Commission has no power or jurisdiction to entertain the cases when particularly there is theft or unauthorized use of electricity energy. Keeping in view the law cited above, the present complaint is hereby dismissed in limine with liberty to the complainant to approach the appropriate court to seek his grievance redressed. No order as to costs. A copy of this order be communicated to the parties concerned free of costs. File be consigned to the record room.

Announced
02.06.2026

(Suman Khanna)
Member

(Kiranjit Kaur Arora)
President

(Raj Kumar)
Jr.Scale Stenographer