

Grievance Redressal Forum
TPWODL, BARGARH
 First Floor, Raymond Building, Bandutikra Chowk,
 Bargarh, Pin- 768028
 Email: grf.bargarh@tpwesternodisha.com, Ph No.06646-230135
Bench: Sri B.K Singh (President) and Sri S. Tripathy, Member (Finance)



Ref: GRF/Bargarh/Div/BWED/ (Final Order)/

Date: 12.11.2024

Present: Sri B. K Singh (President),
 Sri S. Tripathy, Member (Finance).

1	Case No.	BGH/106/2024			
2	Complainant/s	Name & Address Akash Kumar Agrawal At-Sohela, Bargarh Dist-Bargarh		Consumer No 5153-0103-0550	Contact No. 9644410226
3	Respondent/s	S.D.O (Elect), Sohela , TPWODL			Division B.W.E.D, TPWODL, Bargarh
4	Date of Application	23.09.24			
5	In the matter of-	1. Agreement/Termination	X	2. Billing Disputes	✓
		3. Classification/Reclassification of Consumers	X	4. Contract Demand / Connected Load	X
		5. Disconnection / Reconnection of Supply	X	6. Installation of Equipment & apparatus of Consumer	X
		7. Interruptions	X	8. Metering	X
		9. New Connection	X	10. Quality of Supply & GSOP	X
		11. Security Deposit / Interest	X	12. Shifting of Service Connection & equipments	X
		13. Transfer of Consumer Ownership	X	14. Voltage Fluctuations	X
		15. Others (Specify) -X			
6	Section(s) of Electricity Act, 2003 involved				
7	OERC Regulation(s) with Clauses	1. OERC Distribution (Conditions of Supply) Code, 2019 ✓ 2. OERC Distribution (Licensee's Standard of Performance) Regulations, 2004 3. OERC Conduct of Business Regulations, 2004 4. Odisha Grid Code (OGC) Regulation, 2006 5. OERC (Terms and Conditions for Determination of Tariff) Regulations, 2004 6. Others			
8	Date(s) of Hearing	04.10.24			
9	Date of Order	12.11.2024			
10	Order in favour of	Complainant		Respondent	Others ✓
11	Details of Compensation awarded, if any.	NIL			

B.K
PRESIDENT

Grievance Redressal Forum
TPWODL, Bargarh-768028

Hearing At: Office of The President, Grievance Redressal Forum, Bargarh, TPWODL

Appeared

For the Complainant- Akash Kumar Agrawal



For the Respondent - SDO (Elect), Sohela, TPWODL.

GRF Case No- BGH/106/2024

(1) Akash Kumar Agrawal

At/Po-Sohela,

Dist- Bargarh,

Consumer No.- 5153-0103-0550

COMPLAINANT

VRS

(1) S.D.O (Elect),Sohela, TPWODL

OPPOSITE PARTY

GIST OF THE CASE / PETITION FILED

The Complaint petition filed by Akash Kumar Agrawal, At/Po-Sohela, objected about non resolvment of his grievances raised earlier before the Opposite Party pertaining to waiver of erroneous bills and settlement of past arrears. The complainant averred that, in spite of disconnection process initiated against his connection about five years ago and all outstanding dues were duly settled along with removal of wiring and meter were completed by the department, the matter has not been settled till date with the accumulated arrears pending. Hence, the complainant prayed before the Forum to waive off erroneous bills already raised and resolve the case amicably. In this context, the complainant submitted a declaration from the Sarpanch, Sohela G.P, certifying non usage of power supply since Mar 2017.

The case being admitted, notice was issued to both the parties for hearing to the case on 04.10.2024, wherein the complainant and the Opposite Party namely Sri Nikhil Kumar Patel, SDO (Elect), Sohela appeared before the Forum.

The complainant submitted a copy of application dt. 10.06.2024 addressed to SDO,(Elect), Sohela, requesting for settlement of his arrear dues that remained unaddressed till date even after payment was made.

SUBMISSION OF OPPOSITE PARTY

In reply to the case, the Opposite Party submitted the Physical Verification Report dt. 09.10.2024, written submission to the case and a report from Sarpanch, Sohela mentioning that the complainant left Sohela on March 2017 and there is there is no residential or commercial activity by him . In reply to the case the Opposite Party mentioned that, the initial date of power supply to the complainant is effected on 13.09.2012. From the month of Apr 2013 to May 2013, energy bills were raised on actual basis. Thereafter from Jun 2013 tom Mar 2023, the energy bills were raised on Average basis. The power supply was disconnected on Mar 2019. On dt. 27.11.2020, an amount of RS. 63,845/- was received from the complainant towards energy bill. After that, no payment was made by the complainant. During site verification it was found that the line was disconnected and the meter was removed. As per local investigation and statement of the complainant, no commercial or residential activities had done in the said premises since Mar 2017.The Opposite Party urged before the Forum to issue order as deemed fit.

OBSERVATION / FINDINGS OF THE FORUM



The case is perused with all documents available on record and merit of the case. The complainant is an existing consumer of electricity under the operational area of TPWODL bearing Consumer No-5153-0103-0550, having CD-01 KW, under LT-Domestic category, under ESO-I, Sohela. The date of initial power supply to the complainant was on 13.09.2012. The Forum observed from the FG Database (Licensee's Soft record) that, Security Deposit amount was adjusted by the Opposite Party on dt. 15.03.2024, amounting to RS. 2238/- against the consumer's account and the power supply was officially disconnected on 25.06.2023 due to non-payment of arrear dues and presently the complainant's billing status is stopped. In the matter of disconnection of power supply, the complainant was asked to submit the proof of letters addressed to the Opposite Party in earlier occasions to disconnect the supply to his premises. The complainant failed to submit the same. Neither of the parties submitted the copy of disconnection fees details paid by the complainant in furtherance to his complaint made to support his averments. Hence, the complainant's claim on oral submission before the Forum regarding disconnection of power supply during the year 2016-17 is not supported with necessary applications or records officially received by the Opposite Party to substantiate the case. The Forum observed from the ledger abstract that, the complainant had deposited Rs. 63845/- on dt. 27.11.2020 towards electricity dues, that was adjusted during Nov 2020 billing against the closing outstanding of RS. 233052.17/-. It was revealed from records that, first energy bill was raised in Sept 2012 on provisional basis. Thereafter, provisional and average bills were continuously raised till May 2023, except from Apr 2013 to May 2013, wherein actual bills were charged as per meter readings recorded. The power supply to the premises has been officially disconnected since dt. 25.06.2023.

The Opposite Party on Physical enquiry to premises verified and certified that no physical line and meter are existing in the premises and the consumer is not doing any kind of commercial or other activities in his premises since Mar 2017. The Opposite Party was asked to submit the date of permanent disconnection effected in the premises with proof of records like, disconnection Register copy, store SIV copy and necessary documents based on which the Opposite Party has certified/declared the non usage of power since Mar 2017. However, the Opposite Party failed to submit the same as sought for, but submitted that, the certification was made on the strength of declaration made by the Sarpanch, Sohela, G.P.

The complainant on oral submission to the case admitted that RS. 63845/- was deposited on 27.11.2020 towards full and final settlement amount that was to be effected in billing after adjustment and revision of past wrong bill generated.

The conclusion drawn by the Opposite Party upon physical verification on 09.10.2024 that, the power supply to the premises has been disconnected since Mar 2017, is not supported with relevant evidence & the Forum astounded to note that the disconnection status was updated in billing by the Opposite Party off late on 25.06.2023, thereby charging continuous average bills month on month basis, which could have been avoided if timely updation of physical status were made into billing database.

The complainant's claim that, the power supply to his premises was disconnected about five years back is not correlated with the reply statement made by the Opposite Party, that there has been no usage of power supply since Mar 2017 (i.e about Seven Years back). Hence, there is no clarity as to the exact date of disconnection after which no power was utilized by the complainant.

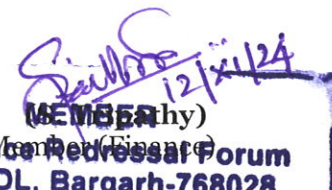
The crux of the case lies on the actual date of permanent disconnection effected in the premises and to which both the parties failed to submit their proper records to substantiate the case. It is a matter of fact that, the complainant has deposited Rs. 63,845/- on dt. 24.11.2020 towards arrear dues and proclaimed that, the amount was paid for full and final settlement of arrear dues upon revision of earlier provisional and average bills charged, but the same revision of earlier bills were not carried out by the Opposite Party otherwise to settle the billing dispute accordingly. Hence, it was observed that, the level of diligence & dexterity expected in execution of duties has not been met by the Opposite Party. The complainant on the other hand could have delved into the matter particularly after the payment was made. Since the complaint handling procedure is not exercised at the field level upon receipt of consumer complaint, the EE, BWED, Bargarh is advised to enquire into the case judiciously and resolve the case at their level on satisfaction of the records, field reports as per rules & regulations in force.

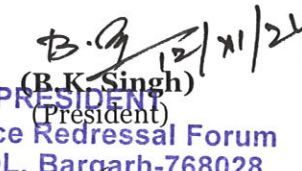
Since, the monthly billing status is stopped now, and power supply is in disconnected state with no meter installed at site, there is no further scope for revision of previous average/provisional bills charged till July 23.

Hence, in the absence of proper records, the Forum is at constraint to pass necessary orders.

The instant case is hereby dropped.

However, the complainant is at liberty to approach the Forum afresh with the petition and necessary relevant documents for due adjudication and order thereof.


MEMBER (Finance)
Grievance Redressal Forum
TPWODL, Bargarh-768028


(B.K. Singh)
PRESIDENT
Grievance Redressal Forum
TPWODL, Bargarh-768028

- Copy to:
1. Akash Kumar Agrawal, Sohela, Dist-Bargarh, Mob-9644410226
 2. Sub-Divisional Officer (Elect.), Sohela, TPWODL, with the direction to serve one copy of the order to the Complainant/Consumer.
 3. Executive Engineer (Elect.), BWED, TPWODL, Bargarh.
 4. The Chief Legal-cum-Nodal Officer, TPWODL, Burla for information.

"If the complainant is aggrieved either by this order or due to non-implementation of the order of the Grievance Redressal Forum in time, he/she is at liberty to make representation to the Ombudsman-II, Qrs. No.3R-2(S), GRIDCO Colony, P.O:Bhoinagar, Bhubaneswar-751022 (Tel No. 0674-2543825 and Fax No. 0674-2546264) within 30 days from the date of this order of the Grievance Redressal Forums."

This Order can be accessed at TPWODL Website, Tpwesternodisha.com-Customer Zone-Grievance Redressal Forum-BGH-(GRF Case No. BGH 106 of 2024)