

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/BED/ (Final Order)/ 124⁽⁴⁾

Date: 18.10.2024

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

1	Case No.	BGH/109/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Banabihari Satpathy At/Po-Remunda Dist- Bargarh.		5125-2201-0190	9853000724
3	Respondent/s	SDO(Elect), Bheden, TPWODL			Division B.E.D, TPWODL, Bargarh
4	Date of Application	26.9.2024			
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	26.09.2024			
9	Date of Order	18.10.2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

Place of Camp: Office of The Electrical Section Officer, Thuapali, TPWODL.



Appeared

For the Complainant- Banabihari Satpathy
Represented by Govinda Satpathy

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

GRF Case No- BGH/109/2024

(1) Sri Banabihari Satpathy
At/PO-Remunda,
Bheden
Dist- Bargarh,
Consumer No.- 5125-2201-0190

COMPLAINANT

VRS

(1) SDO (Elect.), Bheden, TPWODL

OPPOSITE PARTY

GIST OF THE CASE

The Complaint petition filed in the name of Sri Banabihari Satpathy, At/PO-Remunda, represented by Govinda Satpathy, objected about monthly energy bills raised on General Purpose tariff since the last 2.5 years instead of domestic tariff as the supply is being utilized for domestic purpose . The Complainant prayed before the Forum to direct the Opposite Party to resolve the billing dispute accordingly.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party submitted the Physical Verification Report dt. 04.10.2024, ledger abstract of the complainant and the written submission to the case. In reply to the case the Opposite Party submitted that, presently the complainant is utilising the power supply for Domestic purpose but the energy bills are being raised on General Purpose category. The complainant has requested many times for reclassification of consumer category. But due to software related issues of FG database (Licensee's Soft record), the reclassification of category couldn't be done by the Opposite Party. Therefore, the Opposite Party urged before the Forum to issue necessary order as deemed fit.

OBSERVATION

The case is perused with all documents available in record and merit of the case. The complainant is an existing consumer of electricity under the operational area of TPWODL bearing Consumer No-5125-2201-0190, having CD-01KW, under LT-General Purpose category, under ESO, Thuapali. The initial date of power supply to the complainant was effected on 14.10.2000. On scrutinizing the records in detail, it was observed that, the first monthly energy bill was generated on Mar 2001. The energy bills were raised on Domestic tariff from Mar 2001 to Jun 2014 on Actual/Provisional/Average basis from time to time. From the ledger abstract it is found that, the complainant's category was changed to General Purpose category in the billing month of July 2014 and the energy bills are being raised on General Purpose tariff till last billing i. e Aug 2024.

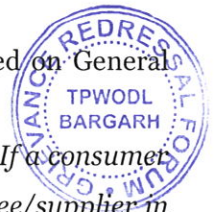
The complainant has submitted one copy of letter submitted to SDO (Elect), Bheden on dt. 08.08.2024 for reclassification of category. In the petition, the complainant mentioned that, the supply was earlier utilised for Mudhi Mill/Puffed Rice Mill, which was closed from the year 2021 onwards. Since



PRESIDENT

**Grievance Redressal Forum
TPWODL, Bargarh-768028**

then, the supply is being used for domestic purpose. But the energy bills are being raised on General Purpose tariff till date.



Regulation-43 of OERC Distribution (Conditions of Supply) Code 2019, states that "If a consumer wishes to change his consumer category, he shall submit an application form to the licensee/supplier in the format. The licensee/supplier shall process the application form in accordance with the Regulation 21 of this Code. For site inspection and issuance & payment of demand note for the estimated cost of works, both the licensee/supplier and applicant shall follow the procedure and timelines as per provisions laid down in this Code. The licensee/supplier shall also note down the meter reading at the time of inspection. If on inspection, the consumer's request for reclassification is found valid, change of category shall be effective from the date of inspection and a written acknowledgment shall be sent to the consumer. Within thirty (30) days from the date of acceptance of application from the consumer, the licensee/supplier shall effect change of consumer category. Provided that if the licensee/supplier does not find the request for reclassification valid, it shall inform the applicant in writing, giving reason(s) for the same, within 10 days from date of inspection. For the period in which the consumer's application for reclassification is pending, the consumer shall not be liable for any action on grounds of unauthorized use of electricity, to the extent the electricity is utilized in the manner applicable to the reclassified category for which the application has been made. In such case the effective date of change of classification shall be reckoned from the 1st day of the month following the month in which the application is complete in all respect was received by the licensee/supplier. Provided further, no consumer will be permitted to change the category of the service connection from any low-tension category (other than agriculture) to low-tension category for agriculture".

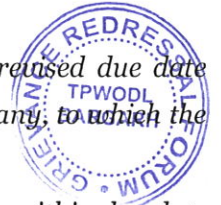
In this instant case, the usage of supply is not mentioned in the Physical Verification Report drawn on 04.10.2024, whereas the SDO (Elect), Bheden, has certified the purpose of supply being utilised for domestic purpose. Hence, considering the previous application submitted by the complainant for reclassification of category on dt. 08.08.2024, the Forum is of the considered opinion that, the complainant's tariff category is to be reclassified to Domestic tariff with effect from 04.10.2024 observing due official formalities.

ORDER

Considering the documents and statements submitted by both the parties and agreed upon at the time of hearing, the Forum hereby passes orders in consonance with regulations of the OERC Distribution (Conditions of Supply) Code 2019.

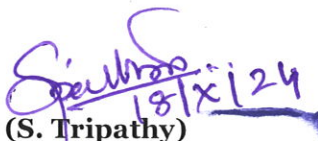
- 1) *The Opposite Party is directed to reclassify the complainant's category to Domestic tariff prospectively from 04.10.2024, on the basis of certification made by SDO(Elect), Bheden, with due observations of official formalities and in accordance with regulatory provisions of OERC Distribution (Conditions of Supply) Code,2019.*
- 2) *The Opposite Party is advised to reassess the energy bills already raised, based on certification made by SDO(Elect), Bheden, for the period of dispute as per petition filed by the complainant, observing due official formalities, after proper examination of factual reports, statements, applications made earlier by the complainant and in consonance with Regulations framed by Hon'ble OERC under OERC Distribution (Conditions of supply) Code 2019, after due adjustment of bill revision made earlier and or, the benefit arising out of OTS scheme, if any.*

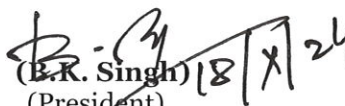
- 3) The Opposite Party is advised to serve the revised energy charges bill with revised due date within 30 days from the receipt of this Order, upon revision of previous bills, if any, to which the consumer is liable to pay.
- 4) The Complainant is directed to pay the revised billed amount so arrived, if any, within due date after receipt of the revised energy charges bill, to which the complainant is liable to pay.



The Opposite party is directed to submit the compliance report to this Forum within one month from the date of issue of this order.

Accordingly, the case is disposed of.


(S. Tripathy)
Member
Grievance Redressal Forum
TPWODL, Bargarh-768028


(B.R. Singh)
(President)
Grievance Redressal Forum
TPWODL, Bargarh-768028

Copy to: -

1. Bana Bihari Satpathy, At/Po-Remunda, Bheden, Dist-Bargarh, Mob- 9853000724
2. Sub-Divisional Officer (Elect.), Bheden, TPWODL, with the direction to serve one copy of the order to the Complainant/Consumer.
3. Executive Engineer (Elect.), BED, 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 on OERC website, www.orierc.org under the "head "Cases->"GRF".