

CONSUMER GRIEVANCE REDRESSAL FORUM

ELECTRICAL CIRCLE, BARGARH

First Floor, Raymond Building, Bandutikra Chowk, Bargarh-768028

Phone: (06646) 230135, E-mail: grf.bargarh@tpwesternodisha.com



Present:

Sri B.K.Singh	...	President
Sri Pulakesh Dasbhaya	...	Member (Finance)
Sri D.R Sahu	...	Co-Opted Member

1	Case No.	BGH/116/2025			
2	Complainant	Name & Address:		Consumer No:	
		Subash Chandra Satpathy		5150-0105-0352	
		At-Buromunda, PO-Patkulunda		Contact No.:	
		Via-Barpali, Dist-Bargarh		9437256075	
3	Respondent	Name		Division	
Executive Engineer (Elect.), BWED, Bargarh TPWODL.		BWED, TPWODL, Bargarh.			
4	Date of Application		13.08.2025		
5	In the matter of-	1. Agreement / Termination		2. Billing Disputes	
		3. Classification / Reclassification of Consumers		4. Contract Demand / Connected Load	
		5. Disconnection / Reconnection of Supply		6. Installation of Equipment & apparatus of Consumer	
		7. Interruptions		8. Metering	
		9. New Connection		10. Quality of Supply & GSOP	
		11. Security Deposit / Interest		12. Shifting of Service Connection & equipments	
		13. Transfer of Consumer Ownership		14. Voltage Fluctuations	
		15. Others (Specify) -			
6	Section(s) of Electricity Act, 2003 involved		42(5)		
7	OERC Regulation(s):				Clauses
1	OERC Distribution (Licensee's Standard of Performance) Regulations, 2004				
2	OERC Conduct of Business) Regulations, 2004				
3	Odisha Grid Code (OGC) Regulation, 2006				
4	OERC (Terms and Conditions for Determination of Tariff) Regulations, 2004				
5	Others-OERC Distribution (Conditions of Supply) code, 2019				155 & 157
8	Date(s) of Hearing		21.08.2025 & 26.08.2025		
9	Date of Order		10.09.2025		
10	Order in favour of	Complainant	✓	Respondent	Others
11	Details of Compensation awarded, if any.		Nil		
12	Appeared for the Complainant:		Appeared for the Respondent:		
	Subash Chandra Satpathy		Superintending Engineer (Elect.), BWED, Bargarh, TPWODL		

ORDER



Brief Facts of the Case

The present case has been registered in this forum vide Case No. 116 of 2025. Brief facts pertaining to the case are that the Complainant is a LT- Industrial (S) Supply <22KVA consumer having consumer No. 5150-0105-0352 with contract demand of 15.00 HP under the area of Bargarh West Electrical Division.

That the Complainant has raised objection regarding non implementation of GRF case No. 89 of 2011 and charging of wrong fixed charges to him despite his unit is not operational now.

Gist of Arguments made by the Parties

The Respondent was present in the hearing on dated 21-08-2025 whereas the Complainant was absent. Further, in the hearing on dated 26-08-2025 The complainant was present whereas the respondent was absent but submitted the written submission to the case. The contentions made by the parties are as follows:

1. Submission of the Complainant:

1. The complainant submits that, he had filed a complaint in GRF vide case no. 89 of 2011 and order has been passed on 24-11-2011 which was not implemented by the respondent.
2. He also submits that, he had also approached Ombudsman II and OERC but respondent has approached the Hon'ble High Court and the case is pending vide writ petitions bearing WP(C) No.6370/2012 and vide writ petitions bearing WP(C) No.10839/2014 which is filed by him.
3. He further submits that; he is being charged with different monthly fixed charges of Rs.230.00, Rs.715.00 and Rs.615.00 despite his unit is not operational now.
4. He also requested the Forum for revision of his energy bills.

2. Reply Submission of the Respondent:

- i. The respondent submitted a written submission to the case dated 26-08-2025 vide letter no.760 dated 20-08-2025 of Superintending Engineer (Elect.), TPWODL, BWED, Bargarh.

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- ii. That, as per billing data power supply was under disconnection from Mar'2012 to Feb'2015 and reconnected in Mar'2015 and provisional bills had been generated from Mar'2015 to Jun'2023.
 - iii. That, in the month of Jul'2023, a new meter bearing Sl. No. 10033735 was installed on 19-07-2023.
 - iv. That, the provisional bill period as mentioned above has been revised and credit sundry amount of Rs.286073.40 and the Debit sundry amount of Rs.16740.00 towards unclaimed FC for disconnected period as mentioned above has been given in the month of Dec'2024.

Findings and observations of the Forum

Written/verbal Submissions were made by both parties and arguments were heard at length. This Forum, after hearing the parties and going through the relevant documents, FG and Samadhan database (Licensee's soft records) and provisions of law have concluded as follows:

1. That, the Complainant is a LT- Industrial (S) Supply <22KVA consumer having consumer No. 5150-0105-0352 with contract demand of 15.00 HP under the area of Bargarh West Electrical Division.
2. That, he had filed a complaint in GRF, Burla vide case no. 89 of 2011 and order has been passed on 24-11-2011 which was not implemented by the respondent.
3. That, he had also approached the Ombudsman II and OERC but respondent has approached the Hon'ble High Court and the case is pending vide writ petitions bearing WP(C) No.6370/2012 and vide writ petitions bearing WP(C) No.10839/2014 which is filed by him.
4. The Forum is of the view that as the matter related to case no. 89 of 2011 is pending in Hon'ble high Court, it is not maintainable as per 7(a) of OERC (GRF and OMBUDSMAN) Regulations 2004.
5. However, regarding claiming of wrong Fixed charges, it is to mention here that, as per regulation 2.2 (47) of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019, "**Minimum Monthly Fixed Charges (MMFC)** refers to such charges payable by the consumers to cover fixed charges incurred by the licensee/supplier for affording supply such as fixed expenses and operation and maintenance expenses or any such charge as made in the tariff order of the Commission". Further as per regulation 142 of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019, "Every consumer shall be liable to pay minimum monthly charges for the

full period of the agreement, **even if no electricity is consumed for any reason whatsoever** or supply has been disconnected due to default of the consumer or agreement has been fore-closed for any reason whatsoever".



6. Further, as per Tariff Order 2024-25, regarding claim of MMFC it has been mentioned in para no. 274 "Some Consumers with connected load less than 110 kVA might have been provided with simple energy meters which record energy consumption and not the maximum demand. But the OERC Distribution (Conditions of Supply) Code, 2019, provides that "Contract Demand for connected loads of 110 kVA and above shall be as stipulated in the agreement and may be different from the connected load. Contract Demand for a connected load below 110 kVA shall be the same as connected load. However, in case of installation with static meter/meter with provision of recording demand, the recorded demand rounded to nearest 0.5 KW shall be considered as the Contract Demand requiring no verification irrespective of the agreement. Therefore, the above stipulation holds good for the purpose of calculation of Monthly Minimum Fixed Charge (MMFC) for the connected load below 110 kVA or 100 KW. The licensees are directed to follow the above provision of Regulation strictly".
7. In this case, the respondent has charged MMFC in 2024-25 as per tariff order as the meter has recorded consumption in Apr'2024 and continued the same for the FY 2024-25. In 2025-26, as the meter has not recorded any consumption in 2025-26 (till Aug'2025) as the unit is not operational and the meter has not recorded any consumption, the respondent has charged MMFC as per regulation 142 of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019.
8. It is also noted by the Forum that, in the month of May'2024 and May'2025 DPS on Additional Security Deposit has been charged @ Rs.2074.46 and Rs.196.19. As the bills from Apr'2015 to Jul'2023 has been revised by the respondent, DPS on ASD should also be revised based on Revised bill.

Directions of the forum

In view of the above findings and observations and 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 Regulation 157 of the OERC Distribution (Conditions of Supply) Code 2019.


PRESIDENT
Grievance Redressal Forum
TPWODL, Bargarh-763028

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1. The DPS charged on ASD are to be revised from starting of the provisional billing period to till date as per Section 157 of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019.
 2. Any adjustments done during the revision period are also to be taken in to consideration.
 3. DPS charged on the wrong bills are also to be withdrawn.

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.

 (D.P. Sahu) Co-opted Member Grievance Redressal Forum TPWODL, Bargarh-768028	 (P. Dasbhaya) Member (Finance) Grievance Redressal Forum TPWODL, Bargarh-768028	 (B.K. Singh) President Grievance Redressal Forum TPWODL, Bargarh-768028
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No. GRF/BGH/ 140⁽³⁾

Date: 10.09.2025

Certified Copy to:

- 1) The Zonal Head, Bargarh Zone, TPWODL, Bargarh.
- 2) The Chief Legal, TPWODL, Burla.

"If the complainant is aggrieved with this order or non-implementation of the order of the Grievance Redressal Forum in time, he/she can make the 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 order of the Grievances Redressal Forums".

This order can be accessed at TPWODL website www.tpwesternodisha.com- Customer Zone- Grievance Redressal Forum- BGH- GRF case No. BGH 116 of 2025.