

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)/ 02⁽⁴⁾

Date: 03.01.2025

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

1	Case No.	BGH/121/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		M/s. Samaleswari Industries Pvt Ltd, Jhuradera, Deshbhatli, Bheden Dist- Bargarh.		5120-0111-1655	9937893533
3	Respondent/s	EE(Elect), BED, Bargarh TPWODL			Division B.E.D, TPWODL, Bargarh
4	Date of Application	29.10.24			
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	29.10.24			
9	Date of Order	03.01.2025			
10	Order in favour of	Complainant	✓	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			



Place of Camp: Office of Sub Divisional Officer, Bheden, TPWODL.

Appeared

For the Complainant- M/s. Samaleswari Industries Pvt Ltd
Represented by M. Dharmaraju

For the Respondent - EE (Elect), BED, Bargarh, TPWODL.
Represented by SDO, (Elect), Bheden

GRF Case No- BGH/121/2024

(1) M/s. Samaleswari Industries Pvt Ltd
At-Jhardera, Bheden
Dist- Bargarh,
Consumer No.- 5120-0111-1655

COMPLAINANT

VRS

(1) EE (Elect.), BED, Bargarh, TPWODL

OPPOSITE PARTY

GIST OF THE CASE/PETITION FILED

The Complaint petition filed in the name of M/s. Samaleswari Industries Pvt Ltd, At-Jhardera, Bheden, represented by Sri M. Dharma Raju objected about getting energy bill for 87 KVA load, though the industry is availing load less than 87 KVA as contracted. The complainant further complained that, in the month of July 24, the said plant was shut down, but abnormal energy bill was raised. The complainant objected about charging of abnormal energy bills from the month of July 24 to Sept 24 considering excessive maximum demand for the mentioned period, that has resulted in charging of abnormal monthly fixed demand charges. In this context the complainant has submitted the copy of an application addressed to ESO, Khuntlipali on dt.03.10.24 mentioning the abnormal highest MD recorded during the period of July 24, though the industry was shut down at that time and requested to investigate the matter properly. But, to no avail, the grievance of the complainant has not been redressed till date and hence, the complainant prayed before the Forum to direct the opposite party to revise the erroneous bills charged and resolve the billing dispute accordingly.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party submitted the copy of MRT inspection report dt. 05.11.24 and 11.12.24, the ledger abstract from Feb 2022 to Oct 2024, HT and LT meter test report dt. 18.12.24 and the written statement to the case. In reply to the case, the Opposite Party submitted that, the complainant is availing power supply under HT General Purpose >70 KVA category for a load of 85 KW as per the data base. The MMG team visited the site and inspected the metering system on dt. 05.11.24. Further, on dt. 18.12.24, both the LT and HT meters were tested and found 'OK'. As per the report of the MMG team, the MD recorded by the billing meter is found to be 'correct'. The Opposite Party further submitted that, the M.D recorded for the month of Oct 2024 and Nov 2024 was "44 KVA" and "44.16 KVA" respectively and hence, there is no scope for revision of the bill for the month of July 24 and Sep 24. The Opposite Party urged before the Forum to issue order as deemed fit for the case.

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-5120-0111-1655 having CD-85 KW, under HT-General Purpose >70KVA<110KVA Category, under ESO, Khuntlipali, with the initial date of power supply to the complainant effected on 11.01.2022. The Opposite party was asked to submit the following documents for further scrutiny.

- i. Latest Physical Verification Report
- ii. Last meter change protocol report
- iii. Views of the Opposite Party to this case
- iv. Month wise consumption history of HT & LT meters for last one year mentioning meter nos with M.F separately.
- v. Whether the complainant has actually drawn the M.D. as recorded already in HT meter, particularly in July 24 & Sept 24, 'or' abnormal M.D. shoot up was there in comparison to previous M.D. recorded and even during Oct 24 billing.

On scrutinizing the available records, statements and reports submitted by the parties, the Forum observed the following facts as elucidated here under,

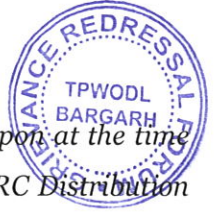
- i. That, from the ledger abstract it was revealed that, the Maximum Demand(M.D) recorded in the HT meter bearing meter Sl No. "TPWH0323", having Multiplying Factor(M.F) = (200/1), was "86.96" KVA in the billing month of July 24, "46.96" KVA in Aug 24, "143.2" KVA in Sep 24 and "44" KVA in Oct 24, which has resulted in charging monthly Fixed Demand Charges of Rs. 21750/-, Rs. 21750/-, Rs. 36000/- and Rs. 36000/- respectively.
- ii. Further, the Maximum Demand recorded in the LT meter bearing meter Sl no "TWSD1800848" was "43.6" KVA in the month of July 24, "37.76" KVA in the month of Aug 24, "45.20" KVA in the month of Sept 24, "46" KVA in the month of Oct 24 and "42.4" KVA in the month of Nov 24 .
- iii. That, the monthly Fixed Demand Charges of Rs. 11750/- was levied in Jun 2024, considering the highest MD of "46.88" KVA recorded in the HT meter in the same financial year upto Jun 2024 billing. The monthly fixed charges so levied in Jun 2024 is in consonance with the retail supply tariff prevailing in the current financial year which envisaged that the billing in respect of demand charge for consumers with Contract Demand less than 110KVA shall be the highest demand recorded in the meter during the Financial year irrespective of the connected load which shall require no verification.
- iv. The complainant's metering arrangement test report drawn on 18.12.2024 against both HT and LT check meter were found to be within permissible limit.
- v. The Dump Data of both HT billing meter (Meter no "TPWH0323") and LT check meter (Meter no "TWSD1800848" having M.F = 40/1) of the complainant were analysed by the Meter Data Analysis team, TPWODL, and found that, there were mismatch in M.D. in the month of July 24 and Sept 24.

- vi. It was observed that, the M.D. parameter recorded in HT meter for billing in the months of July 24 & Sep 24 were very high as compared to the normal MD recorded in other period. However, the monthly consumption units recorded in the same HT billing meter are not affected per se.
- vii. The said M.D. as recorded in HT meter showed for only one block period on dt. 12.09.2024 at 12.30 PM and on dt. 26.07.2024 at 15.30 PM, as "0.72" KVA & "4.43" KVA respectively (having M.F=200/1). During the same occurrence of M.D, the voltage recorded by the HT Meter were 9V, 7V, 9V (quite low as compared to standard voltage) with current 3.4Amp, 4.08Amp & 3.15Amp in 3-phases (R,Y & B) respectively, which showed the erratic behaviour of the same meter. The M.D and other parameters of HT meter seemed normal in other period. But, at the same time, other reference meter installed on LT side bearing meter Sl No. "TWSD1800848", recorded normal MD during the period under dispute mentioned above. So, the high MD recorded in HT meter only could have occurred due to some error in metering system on HT side for a temporary period, for which same has not been recorded in LT meter.
- viii. As per the discussion with concerned SDO,MRT, BED,Bargarh & observing the Dump Data, it was found that, on the date of M.D. occurrence (i.e on 12.09.2024) on HT meter, the power was failed from 8 A.M to 12.15PM, which was recorded in the LT meter correctly but, HT meter showed power failure from 10.30 AM to 10.46 AM, which confirmed some technical error occurred on the HT meter in comparison to the LT Check meter M.D. recordings for the respective months in question. But later on, it was corrected automatically and the HT meter continued to perform normally.
- ix. So, the Forum construed that, the spike of MD recorded in HT meter during July 24 & Sep 24 billing with recorded M.D. of "86.96" KVA and "143.2" KVA respectively, is due to error in HT meter and it is not contributed from consumer's verified load of 86.17 KVA as per latest Physical Verification Report submitted. So, the abnormal MD recorded during the above period are not billable. Hence, the Forum is of the considered opinion that, the monthly Fixed Demand Charges claimed as per M.D. recorded in HT meter is not correct and unreasonably charged from July 24 to Nov 24.

Thus, the Maximum Demand recorded in LT meter (Meter Sl no. "TWSD1800848") i.e "43.6" KVA and "45.20" KVA in July 24 and Sept 24 billing respectively are to be counted towards levying the monthly Fixed Demand Charges instead of recorded Maximum Demand of "86.96" KVA and "143.20"KVA as recorded in HT Meter for billing during the aforementioned period. Therefore, the monthly Fixed Demand Charges for July 24 & Sept 24 billing in particular are to be revised on the basis of highest of Maximum Demand as recorded in HT Meter during the current Financial year, duly considering the M.D. as recorded in LT Meter in above months in particular.

Further, the monthly Fixed Demand Charges so levied in Aug-24, Oct-24 & Nov 24 are also to be revised on the basis of same evaluation to be carried out as stated supra against July 24 & Sept 24 billing. It is reiterated here that, necessary arrangements are to be made by the Opposite Party to reset the M.D. in HT Meter, if not done already.

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.

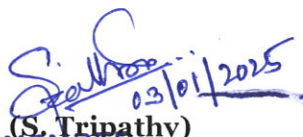
- 1) The Opposite Party is directed to consider the Maximum Demand for the month of July 2024 and Sept 2024 as "43.6" KVA and "45.2" KVA respectively recorded in the LT Meter (Meter SL No. "TWSD1800848") for billing purposes, replacing the recorded M.D. of "86.96" KVA and "143.20" KVA so recorded in HT Meter (Meter Sl No. "TPWHO323").

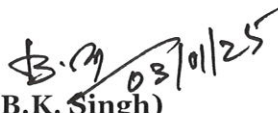
The Opposite Party is directed to revise the monthly Fixed Demand Charges from July 24 to Nov 24 on the basis of highest of Maximum Demand recorded in the current Financial year 2024-25 as per RST Order.

- 2) The Opposite Party is advised to serve the revised energy charges bill with revised due date within 30 days from the date of issue of this Order, upon revision of previous bills, if any, to which the consumer is liable to pay.
- 3) 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 (Finance)
Grievance Redressal Forum
TPWODL, Bargarh-768028


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

Copy to: -

1. M/s. Samaleswari Industries, C/o-M. Enkat Rao, At-Jhardera, Dist-Bargarh, Pin-768102, Mob-9937893533.
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 at TPWODL Website, Tpwesternodisha.com-Customer Zone-Grievance Redressal Forum-BGH-(GRF Case No . BGH 121 of 2024)