

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)/ 06⁽⁴⁾

Date: 04. 01. 2025

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

1	Case No.	BGH/135/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Sri Janaki Bhoi At-Kudharenpali, Lakhmara Dist-Bargarh		5152-1601-0867	8144382988
3	Respondent/s	SDO(Electrical), Padampur, TPWODL			Division B.W.E.D, TPWODL, Bargarh
4	Date of Application	21.12.24			
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	21.12.2024			
9	Date of Order	04. 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, Padampur, TPWODL.

Appeared

For the Complainant- Sri Janaki Bhoi
Represented by Sri Krushna Pasayat

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

GRF Case No- BGH/135/2024

Sri Janaki Bhoi
At-Kudharenpali, Lakhmara
Dist- Bargarh
Consumer No.- 5152-1601-0867

VRS

(1) SDO(Elect.) Padampur, TPWODL

COMPLAINANT

OPPOSITE PARTY

GIST OF THE CASE/PETITION FILED

The Complaint petition filed in the name of Sri Janaki Bhoi, At-Kudharenpali, Lakhmara, represented by Sri Krushna Pasayat objected about abnormal energy bill of Rs. 45,994/- charged in the month of Nov 24. Hence, the complainant prayed before the Forum to direct the Opposite Party to settle the billing dispute for an efficacious remedy.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party submitted the ledger abstract of the complainant from Aug 13 to Nov 24, Physical Verification Report dt. 31.12.24 and written submission in this case. In reply to the case, the Opposite Party submitted that, the initial date of power supply to the complainant's premises was effected on 05.07.2013. Thereafter, provisional/average energy bills were raised from Sept 2014 to Oct 2024. One new meter bearing SI No. "LW310967" was installed in the complainant's premises on dt. 18.08.19 as per FG database (Licensee's soft record). But the same meter no. reflected in billing data in the month of Aug 2024. Thereafter, bill revision was carried out for the period from Aug 19 to Oct 24 with final meter reading of "10684" as on dt. 09.11.2024. Hence, an amount of Rs. 45,876.27/- was debited to the complainant's account. The Opposite party submitted that there is no scope for bill revision. As per the Physical Report submitted by the Opposite Party, the meter SI No. "LW310967" is in running condition and the meter reading recorded as on 31.12.24 was "11251" KWH.

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-5152-1601-0867 having CD-0.04 KW, under LT-Kutir Jyoti category, under ESO Padampur-II. The initial date of power supply to the complainant was effected on dt. 05.07.2013. After observing the records and billing database, the Forum revealed the following facts:

1. The initial power supply was effected to the complainant through meter SL no. "5281011". The energy bills were raised on actual basis from Aug 13 to Aug 14.



PRESIDENT

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



2. Thereafter, the energy bills were raised on Provisional/average basis from Oct 14 to Oct 24 @ 56 units/month, 50 units/month, 03 units/ month from time to time.
3. As per FG database (Licensee's Soft Record) one new meter bearing Sl No. "LW310967" was installed in the complainant's premises on dt. 18.08.2019 replacing the old defective meter bearing Sl No. "5281011". But the new meter Sl No. "LW310967" was reflected in the billing database off late in the month of Aug 24.
4. As found from the FG Database, a bill revision was carried out for the period from Aug 19 to Oct 24 for delay meter updating and an amount of Rs. 45,876/- was debited to the complainant's account considering the advanced meter reading of KWH "10684" recorded in Meter Sl No. "LW310967". The monthly average consumption of the new meter is about 169 units/month from Aug 19 to Oct 24 by taking FMR "10684" as on dt. 09.11.2024.
5. It was revealed that, the above additional bill was charged under domestic tariff but the consumer tariff category has not been reclassified even till last billing generated. As per retail supply Tariff structure defined, any consumer would be billed under "Kutir Jyoti" category, if he/she has drawn power less than or equal to "30" units/ month . In this case, the consumption so recorded in new meter installed is beyond the threshold limit, which ought to have been reclassified to domestic category in billing database upon detection to this effect. Hence, charging of additional bills under domestic tariff without reclassification and non updation of the same in billing database at first instance, is unreasonable and unfair practices followed.
6. It was pointed out that, the Opposite Party's declaration regarding installation of a new meter Sl no. "LW310967" physically on 18.08.2019 is not supported with relevant proof of records and hence, the exact installation date could not be ascertained in the absence of such reports, records. Therefore, calculation of actual monthly average consumption recorded in the new meter could not be derived.
7. Referring to Regulation 157 of OERC Distribution (Conditions of Supply) Code, 2019, the disputed bills can be revised upto maximum period of two years in any of the Forum prior to the month in which disputed period of bills ends. In this instant case, as actual bill was charged in Nov 2024 on the basis of new meter consumption recorded, the Opposite Party is restricted to revise the bills upto two years prior to Nov 2024 . Hence, Rs. 45,876/- additionally charged into the complainant's account in Nov 2024, considering the period from Aug 2019 to Oct 2024 is in contrary to the Regulations framed.

From the aforementioned facts, reports and statements available on record, the Forum is of the considered opinion that, the complainant's tariff category from "Kutir Jyoti" to be reclassified to "Domestic Tariff" in billing database with immediate effect and revise the energy bills charged limited to two years prior period i.e from Dec 2022 to Nov 2024 (Considering Regulatory Provisions like Regulation-140, Regulation-157 of OERC Distribution (Conditions of Supply) Code, 2019) on the basis of succeeding six months actual monthly average consumption to be derived from Dec 2024 onwards.



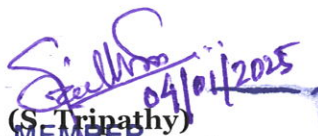
ORDER


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 revise the energy bills raised to the complainant from Dec 2022 to Nov 2024 as per Regulation-157 of OERC Distribution (Conditions of Supply) Code, 2019, on the basis of succeeding six months actual monthly average consumption to be derived from Dec 2024 onwards, duly adjusting the bill revision made earlier and/or, the benefit arising out of the OTS Scheme, if any.
2. The Opposite Party is directed to serve the revised energy charges bill with revised due date within 30 days of issue of this Order, duly considering the applicable tariff during the period, taking in to account the adjustments, if any, and adjusting the payments made by the complainant.
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 Five months 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. Janaki Bhoi, At-Rudharenpan, Po-Lakhmara, Paikmal, Dist-Bargarh.
2. Sub-Divisional Officer (Elect.), Padampur, 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 135 of 2024)