

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)/

82⁽¹³⁾

Date: 18.05.2024

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

1	Case No.	BGH/34/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Santosh Padhan At-Resam, Bheden, Dist-Bargarh		5151-0211-0021	9178786340
3	Respondent/s	SDO(Electrical), Barpali, TPWODL			Division B.W.E.D, TPWODL, Bargarh
4	Date of Application	16.02.24			
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, Regulation 21, 42, 43, 140, 157 √			
		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	16.02.2024			
9	Date of Order	18.05.2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			



Place of Camp: Office of Electrical Section Officer, Barpali-II, TPWODL.

Appeared

For the Complainant- Santosh Padhan
Represented by Narapati Padhan

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

GRF Case No- BGH/34/2024

(1) Santosh Padhan
At-Resam, Bheden
Dist- Bargarh.
Consumer No.- 5151-0211-0021

COMPLAINANT

VRS

(1) SDO(Elect.) Barpali, TPWODL

OPPOSITE PARTY

GIST OF THE CASE

The Complaint petition filed in the name of Santosh Padhan, At-Resam, Bheden, represented by Narapati Padhan, objected about wrong charging of energy bills under General Purpose Category tariff, instead of Domestic tariff from the date of supply till date. The complainant prayed before the Forum to direct the opposite party to resolve the billing dispute by way of revising the previous bills accordingly.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party submitted the ledger abstract from Feb 2001 to Mar 2024, Physical verification report dt. 16.02.2024 & the written submission. In reply to this case, the opposite party submitted that, the initial date of power supply to the complainant was on 01.01.1990. Provisional energy bills were raised till Aug 2005 from the date of supply. In the bi-monthly billing of Sep-Oct 05 actual bill was raised. The defective meter bearing Sl No. 1828256A was replaced with a new meter bearing Sl No. LW252572 on dt. 22.10.2021. As per the PVR of the ESO, Barpali-II, the complainant is using power supply for Domestic purpose. The Opposite Party urged before the Forum to issue necessary order for change of category of the complainant from General Purpose to Domestic.

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-5151-0211-0021 having CD-0.5 KW, under LT-General Purpose category, under ESO Barpali-II. The initial date of power supply to the complainant was on dt. 01.01.1990. On examining the case in detail, the Forum observed from the ledger abstract/FG database (Licensee's Soft Records) available that, the complainant is being billed under General Purpose Category tariff till last billing. Provisional bills were raised from Jun 2004 to Aug 2005 & then, actual bills were charged from Oct 2005 to Aug 2009. Thereafter, from Oct 2009 to Mar 2010 bills were raised on provisional basis. Again actual bills were raised from Apr 2010 to Sept 2015 & then Provisional/Average bills were charged from Nov 2015 to Aug 2023. However, July 2014 bill was raised abnormally with "22606" units on actual basis in a single month, unreasonably considering initial meter reading as KWH "006860" recorded in Mar 2014 and current meter reading as KWH "029466" as on July 2014. The ledger abstract also revealed that,

actual bills were charged thereafter till Sept 2015 and the meter reading recorded in Meter No. "1828256A" was advanced upto the reading of KWH "030425" recorded in Sept 2015. The ledger abstract revealed that, the old meter bearing Sl No. "1828256A" was installed & updated in billing during Jun 2004. The Forum construed that sudden rise of units from "6860" KWH to "29466" KWH, recording abnormally high consumption in July 2014 with resultant amount of Rs. 1,60,026.60/-, charged for the month, is unrealistic and the same consumption should have been spreaded over from the date of installation of the old meter, thereby giving slab benefit to the complainant month on month basis for a rationale, logical remedy to address the abnormal billing raised . However, it was observed that no such bill revision is effected for the above period in billing as per FG database revealed. The Opposite Party also could not furnish any details in this aspect. A new meter Sl No. "LW252572" was installed on 22.10.2021 but was updated in billing off late on 18.10.2023, replacing the old meter No. "1828256A". Thereafter, actual bills have been charged from Sept 2023 onwards, recording the current reading of KWH "014813" in Sept 2023. The Physical Verification Report dt. 16.02.2024 indicated that the existing meter bearing Sl No. "LW252572" has been in running condition with advanced meter reading recorded as KWH "015801".

The FG Billing database (Licensee's Soft Records) indicated that there has been no tariff change details whatsoever updated in billing as on date and the consumer is being billed under General Purpose tariff. The Opposite Party could not furnish any proof of application made earlier by the complainant to the Opposite Party regarding change of consumer category. The complainant couldn't submit any copy of application made earlier to this effect, to the Forum to substantiate his claim in this case. In the instant case, it is surprised that the Opposite Party allowed the consumer to continue with Provisional/ Average bills for more than Six years. Average billing could have been avoided if timely installation of new meter had been effected.

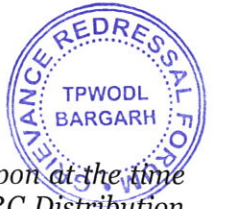
The complainant's petition disputing charging of energy bills under General Purpose Tariff instead of Domestic tariff, is not supported by any proof of documents, applications made earlier establishing the usage of power as Domestic Purpose.

The billing records indicated that there has been no such tariff change effected in billing till date and hence, no action was taken by the Opposite Party even after the date of inspection, that was carried out on 16.02.2024. The Opposite Party could not furnish the action taken report on this aspect.

It was revealed from the ledger abstract that, Penal assessment has been done against the complainant due to theft of power/ unauthorized usage of power registered in system on 01.04.2021 & debited with a penal amount of RS. 28681/- with total connected load of 0.5KW and connected category in General purpose <110KVA. Considering the records, statements available on record, the Forum construed that the average energy bills charged to the complainant on existing tariff from Jun 2004 to July 2014 are to be revised by spreading over the accumulated units recorded in July 2014 from the date of installation of Meter Sl No. "1828256A". However, the Opposite Party may consider for revision of average billing periods after July 2014, duly observing the departmental bill revision processes. Since the complainant is charged with Penal assessment being levied on the background of commercial usage, the complaint petition is not accepted on the back drop of false averment made regarding usage of power being under Domestic Tariff instead of General Purpose (LT) Tariff from the date of power supply.

The order pronounced on this date is delayed due to late submission of reports, statements by the Opposite Party.

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 Jun 2004 to July 2014 on the basis of recasting/ spreading over of total accumulated units on monthly basis as recorded in July 2014 billing i.e KWH "29466", in meter Sl No. "1828256A", from the date of installation of the same meter, 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 reclassify the consumer category prospectively, duly observing Regulation 43, Regulation 140 of OERC Distribution (Conditions of Supply) Code, 2019, & update the reclassified tariff category into billing database without further delay.
3. The Opposite Party is directed to serve the revised energy charges bill with revised due date within 30 days from the receipt 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.
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 (Finance)
Grievance Redressal Forum
TPWODL, Bargarh-768028


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

Copy to: -

1. Santosh Padhan, At-Resam, Bheden, Dist-Bargarh, Mob: 9178786340.
2. Sub-Divisional Officer (Elect.), Barpali, 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 on OERC website, www.orierc.org under the "head "Cases->"GRF".