

**Grievance Redressal Forum**  
**TPWODL, BARGARH**  
 First Floor, Raymond Building, Bandutikra Chowk,  
 Bargarh, Pin- 768028  
 Email: [grf.bargarh@tpwesternodisha.com](mailto: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)/ 104<sup>(4)</sup>

Date: 31.07.2024

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

1	Case No.	BGH/81/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Asst. Engineer Low Power T.V Relay Centre, Sohela Prasar Bharati, Door Darsan Kendra, Sambalpur		5150-0111-0228	9853147427
3	Respondent/s	EE (Elect), BWED, Bargarh, TPWODL		Division B.W.E.D, TPWODL, Bargarh	
4	Date of Application	10.06.2024			
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, Regulations 49, 52(iv), 57, 58, 176, 178, 179 √			
		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	16.07.2024			
9	Date of Order	31.07.2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

**Place of Hearing:** Office of President, Grievance Redressal Forum, Bargarh, TPWODL.



**Appeared**

**For the Complainant-** Asst. Engineer, Low Power T.V Relay Centre, Sohela  
Represented by Asst. Director(Elect), Prasar Bharati, Doordarsan Kendra,  
Sambalpur

**For the Respondent -** EE (Elect.), BWED, Bargarh, TPWODL.  
Represented by Dy Manager (F&C), BWED, TPWODL, Bargarh

**GRF Case No- BGH/81/2024**

Asst. Engineer  
Low Power T.V Relay Centre, Sohela  
Dist- Bargarh.  
Consumer No.- 5150-0111-0228

**COMPLAINANT**

**VRS**

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

**OPPOSITE PARTY**

**GIST OF THE CASE**

The Complaint petition filed in the name of Asst. Engineer, Low Power T.V Relay Centre, Sohela, bearing SC No. 5150-0111-0228, represented by Sri P.K Mishra, Asst Director (Electrical), Doordarsan Kendra, Sambalpur, averred that, inspite of an affidavit submitted before the EE (Elect), BWED, Bargarh, with their affidavit intimation letter vide No. DDK/SBP/(I)/2020-21/361, dt. 16.11.2020, requesting for refund of Security Deposit available against the aforementioned account due to closure of Low Power T.V Relay Centre, Sohela, with electricity supply at disconnected state, the same grievance remained unaddressed till date. The complainant submitted that despite of repeated request made to the Bargarh West Electrical Division Office, Bargarh, for refund of Security Deposit amount but to their utter dismay no action has been taken by the Opposite Party to redress the grievance till date. Finding no other alternatives, the complainant prayed before the Forum to direct the Opposite Party to release the Security Deposit amount of Rs. 49,142.46 available with the Opposite Party (as per the complainant's records) with 18% interest. In this context, the complainant submitted the copy of a notarized affidavit dt. 10.11.2020, a copy of letter addressed to the EE (Elect), BWED, Bargarh, vide letter No. DDK/SBP/1(1)/2020-21/361, dt. 16.11.2020, requesting for refund of Security Deposit amount.

The case being admitted, notice was issued to both the parties to appear before the Forum on 16.07.2024, wherein the complainant represented by Sri Pradipta Kumar Mishra, appeared before the Forum and the Opposite Party namely Sri Jayanta Kumar Panigrahi represented the case.

**SUBMISSION OF OPPOSITE PARTY**

The Opposite Party submitted a written reply vide letter No. 434, dt. 04.07.2024. The Opposite Party in reply to the case submitted the following facts before the Forum that,

1. The affidavit submitted by the complainant on dt. 16.11.2020 to release Security deposit is not traceable.



2. In order to resolve the issue, the complainant has to submit the original money receipt of Security Deposit amount, Identity proof along with Cancel Cheque or Bank Passbook front page Copy for refund of Security amount.
3. If the original money receipt of the Security amount is lost, then an Affidavit from the Executive Magistrate, News paper clippings (Odia & Hindi) newspaper with FIR copy for lost Money receipt are to be submitted.

The Opposite party submitted that after submission of the above mentioned document, the refund of Security Deposit amount will be processed.

#### **OBSERVATION**

On examining the records and upon hearing to the case in detail, the Forum observed that, the complainant consumer had requested earlier on 16.11.2020 before the EE (Elect), BWED, Bargarh, regarding refund of Security Deposit, as the Low Power T.V Relay Centre, Sohela was closed and the three phase electricity Supply was disconnected. The Complainant re-iterated that, as the initial electrical connection paper related to the above centre were damaged at their end, a notarized affidavit was sworn and submitted before the EE(Elect), BWED, Bargarh vide letter No. DDK/SBP/(I)/2020-21/361, dt. 16.11.2020, but to no avail, the same request/grievances still remained unaddressed even after a lapse of four years or so.

However, the Opposite Party on hearing to the case submitted that, the affidavit and the letter addressed to their Office on 16.11.2020 is not traceable and requested before the Forum to instruct the complainant to furnish the same for early redressal of the grievance raised. The case was heard at length and the Opposite Party was asked to submit the details of any official communications made to the complainant earlier asking for necessary document or requirements needed for refund of Security Deposit amount, the details of interest accrued on Security Deposit and adjusted in electricity bill year on year basis and the available Security Deposit amount till date after adjustments made if any. In this context, the Opposite Party submitted a copy of letter addressed to the consumer vide letter No. 573(2), dt. 23.07.2024, requesting for submission of the same affidavit made earlier along with copy of money receipt towards Security Deposit amount, for further departmental process. Further, the Opposite Party on intimation to the Forum submitted that, the dismantle report along with the Final meter reading of the consumer has been asked internally to the MRT, Bargarh, for further processing and refund of Security Deposit amount.

However, The Opposite Party couldn't furnish the details as asked for by the Forum after giving reasonable time to submit. Meanwhile, the complainant submitted a copy of an affidavit sworn in before the Executive Magistrate, Sambalpur executed on dt. 22.07.2024 along with a letter addressed to the EE (Elect), BWED, Bargarh vide letter No. DDK/SBP/(1)/2023-24/371, dt. 23.07.2024, with the intimation of account details against which the Security Deposit amount is to be refunded. The declaration made in the above affidavit indicated that the original money receipt of Security Deposit against the electricity connection of the consumer has been completely damaged due to eaten up by white ants and no more in existence now and the same Low Power T.V Relay Centre, Sohela, has been closed as per the instruction of Director General, Doordarsan Kendra, New Delhi. The electricity connection has been disconnected

from the Low Power T.V Relay Centre, Sohela and hence, requested for refund of Security Deposit amount.



The Forum on scrutinizing the billing records (Licensee's Soft Record) from FG Database, observed that, the complainant's first bill was generated in July 2001, the initial date of power supply being on 02.07.2001. Actual bills were charged to the complainant in most of the time upto Feb 2019. And, then provisional bills were raised from Mar 2019 to July 2019. The monthly energy billing was officially stopped from Aug 2019 onwards with an arrear outstanding of RS. 27,066.70/- accumulated upto the same month. There has been no records of the exact date of permanent disconnection reflected in billing database. The Opposite Party could not submit the date of termination of agreement but the billing database indicated that an arrear amount of Rs. 27,066.70/- has been adjusted against the available Security Deposit amount that was approved by the Opposite Party on 22.03.2024, but the refund of Security Deposit amount has not been initiated. The billing database revealed that Rs. 22,075.76/- has been available as Security Deposit with the Opposite Party. However, due to non submission of reports by the Opposite Party as asked for by the Forum, the details of Security Deposit amount, interest accrued couldn't be ascertained.

The Opposite Party could not answer if the service connection to the consumer's premises was permanently disconnected during the year 2019-2020 and agreement was terminated after initial agreement period was over, upon request of the consumer or from the licensee's side on dismantling of connection in compliance to Regulation 176,178 & 179 of OERC Distribution (Conditions of Supply) Code, 2014, then why the arrear amount of RS. 27,066.70/- was adjusted off late on 22.03.2024 against the available Security Deposit amount.

Further, the Opposite Party couldn't produce the interest on Security deposit accrued to the consumer and adjusted in Electricity Bill annually on year on year basis. The Opposite Party failed to submit the copy of the final bill raised, if any, to the complainant earlier or the recent calculations done establishing the details of consumer account, available Security Deposit, adjustments made, if any, based on which the final Security Deposit amount so derived if any would be refunded back to the consumer under intimation to the complainant. The complainant affirmed that follow ups were made in several occasions before the Bargarh West Electrical Division Office, particularly after the submission of an affidavit drawn on 10.11.2020, but could not produce any of such official correspondence made to the Opposite Party in earlier occasions. It is an admitted fact that the grievance of the consumer remained unaddressed for long period of time until now. The Forum advised the Opposite Party to perform effectively to ensure effective service and seamless process to make the system simple, transparent & consumer friendly and refrain from such deficient services.

As per general procedure observed, in absence of original money receipt issued to the consumer against Security amount deposited (or failure to produce the original money receipt for claiming refund of Security Deposit amount) the following documents are required to be submitted by the complainant before the Opposite Party for processing and refund of final Security Deposit amount.

1. Affidavit sworn before the Executive Magistrate.
2. Indemnity Bond sworn before the Executive Magistrate
3. News Paper Publication notifying loss of original Money Receipt.



4. Copy of FIR logged at the nearest Police Station reporting the loss of Money Receipt.
5. Authorization letter in favour of the Person who will give declaration on Affidavit and Indemnity Bond.
6. And, the details of account declared by the authorized person/consumer, against which account refund of Security Deposit would be processed and finally refunded back.

In the above mentioned facts and circumstances the Forum construed that, since the consumer is a Central Public Sector Enterprise and have accepted on record that the original Money receipt of Security Deposit has been no more in existence due to complete damage as eaten up by white ants (had there been loss of original Money Receipt in other possible cases, the requirements mentioned in point No-3 & Point No 4 above, would have been legitimately required as declaration from consumers end), hence no question of lodging of FIR and News Paper publication are required in this regard, mentioning loss of the original Money Receipt. However, the complainant is required to additionally submit (copy of an affidavit already submitted by the complainant before the Forum, as sworn before the Executive Magistrate executed on 22.07.2024), the Indemnity Bond (that indemnities the Opposite Party incase of any loss arised due to such transaction effected by the Opposite Party in future) along with other details as mentioned above (except point 3 & point 4 as stated above), to the Opposite Party at the earliest possible time so as to enable the Opposite Party to initiate the Security refund process and payment of full & final Security Deposit amount derived and as payable to the complainant, if any, without further delay.

Hence , in order to extend fair and effective justice to the complainant consumer with reasonable promptitude, the complainant is required to submit the required details to the Opposite Party as detailed above and the Opposite Party is proactively required to scrutinize all the details, records, reports and make necessary steps for refund of Security Deposit amount finally derived for refund of the same under intimation to the complainant directly. However, the entire process of submission of records by the complainant and the simultaneous checking, scrutiny and process for refund of Security Deposit amount would be required to be sorted out with a month of issue of this order.

### **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 Complainant is directed to submit the Original Affidavit sworn in before the Executive Magistrate, Original Indemnity Bond sworn in before the Executive Magistrate, an Authorization letter in favour of the Person who will give declaration on affidavit and indemnity bond and the Account Details be declared by the authorized person/consumer (against which refund of Security Deposit amount would be processed and finally refunded back) to the Opposite Party at the earliest possible time to initiate the Security amount refund process without further delay.*



2. The Opposite Party is directed to initiate the Security Deposit amount refund process at the earliest, upon receipt of the desired documents from the complainant's end, scrutinize the records and refund the final Security Deposit amount so derived, if any, with accumulated interest as on date, finally payable to the consumer, or, otherwise, under direct intimation to the complainant with detailed break up of calculations/final bill made.

**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. Asst. Director, (Elect), Doordarsan Kendra, Sambalpur-768001, Mob-9853147427
2. Sub-Divisional Officer (Elect.), Sohela, 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](http://www.orierc.org) under the "head "Cases->"GRF".