

**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)/ 26^(A)

Date: 31.01.2024

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

1	Case No.	BGH/15/2023			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Dhan Singh At-Hatpada, PO/Dist-Bargarh		5121-2218-0135	9668444600
3	Respondent/s	SDO(Electrical), Bargarh-I , TPWODL			Division B.E.D, TPWODL, Bargarh
4	Date of Application	21.12.23 (Received on 20.01.24 from Opposite party)			
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	21.12.23			
9	Date of Order	31.01.2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			



Place of Camp: Office of The Sub-Divisional Officer, Bargarh-I, TPWODL, Bargarh.

Appeared

For the Complainant- Dhan Singh
Represented by Dinesh Ku. Sahu

For the Respondent - SDO(Elect), Bargarh-I, TPWODL.
Represented by Priyabrata Joshi, Asst. Finance Manager, BED, Bargarh.

GRF Case No- BGH/15/2023

(1) Dhan Singh
Hatpada
PO/ Dist- Bargarh,
Consumer No.- 5121-2218-0135

COMPLAINANT

VRS

(1) SDO(Elect), Bargarh-I, TPWODL

OPPOSITE PARTY

GIST OF THE CASE

The Complaint petition filed in the name of Sri Dhan Singh, represented by Sri Dinesh Ku. Sahu, At-Hatpada, Bargarh, objected about continuous provisional bills raised from the year 2015 onwards & prayed before the Forum to direct the Opposite Party to resolve the billing dispute expeditiously.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party submitted the latest Physical Verification Report (PVR) dt.19.01.2024, ledger copies from April-2001 to November-2023 and a written statement on this case. In reply to this case, the Opposite Party submitted that actual bills were charged to the complainant from the date of power supply till May-2007 & then provisional bills raised from June-2007 to January-2008. A new meter bearing serial No"8182866" was installed during January-2015 against the previous meter No"3978250". However, provisional bills from November-2015 to June-2023 were charged that need to be revised. A new meter having serial No"TWPS51009103" was installed on 19.08.2023 & as per physical verification report dt. 19.01.24, the same meter has been in running condition with advanced meter reading recorded as kwh"000108". Hence, the Opposite Party urged before the Forum to issue necessary orders as deemed fit.

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-5121-2218-0135 having CD-1KW, under LT-General purpose category, under ESO-IV, Bargarh. On examining the records, it was observed that actual bills were raised upto May-2007 considering the consumption recorded in the meter serial No"3978250" that was available since the date of initial power supply i.e. on 25.04.2000. Thereafter, provisional bills were charged from June-2007 to January-2008 & then, actual bills were raised from February-2008 to December-2014. It was observed that a new meter having serial No"8182866" was installed & updated in billing during January-2015 & actual bills continued upto July-2015 billing. Provisional bills charged in Aug/September-2015 were adjusted in October-2015 billing. But, again, provisional bills were continuously raised from November-


PRESIDENT
Grievance Redressal Forum
TPWODL, Bargarh-768001



2015 till June-2023. A new meter having serial No "TWSP51009103" was installed in the premises on 19.08.2023 & updated in billing during July-2023, replacing the old meter No "8182866" having final meter reading of kwh "000959", as old meter was found burnt, as reflected in FG database. The physical verification report dtd.19.01.2024, as submitted by the Opposite Party indicated that the existing meter bearing serial No "TWSP51009103" has been in running condition with meter status found "Ok" & advanced meter reading recorded as kwh "000108". Due to inaction on the part of the Opposite party, provisional bills of such long period were allowed to continue from November-2015 to June-2023. Regulation 151(viii) of OERC Distribution (Condition of Supply) Code, 2019 stipulates that Provisional Billing thus billed shall be adjusted against the bill raised on the basis of actual meter reading during subsequent billing cycle. Such provisional billing shall not continue for more than two meter reading cycle at a stretch. If the meter remains inaccessible even for the next cycle, the consumer will be served with a 24-hour notice under section 163 (3) of the Act, to open his premises for reading of the meter at a fixed time and date. If the meter is not accessible at the time fixed in the notice, the supply may be disconnected after serving a 24-hour notice under section 163 (3) of the Act.

It was observed that such provisional bills were not adjusted in the subsequent bill raised on actual basis during July-2023. As the dispute period ends in July-2023 with the installation of a new meter & subsequent actual bills charged, the Forum observed that the disputed energy bills are to be revised upto a maximum period of two years prior to the month in which disputed period of bill ends, as per Regulation 157 of OERC Distribution (Condition of Supply) Code, 2019.

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.

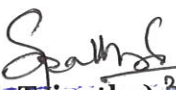
- 1. The Opposite Party is directed to reassess & revise the energy bills raised to the consumer for the period from **July-2021 to June-2023**, based on succeeding six months actual monthly average consumption recorded in the existing meter bearing meter sl. no." TWSP51009103", from the date of installation of the same.*
- 2. The Opposite party is directed not to consider the bill revision for the period of penalty that falls in above period, if any, as the same information has not been submitted by either of the parties.*
- 3. The Opposite party is directed not to consider the bill revision for the period already where the complainant has availed the OTS scheme and rebate thereon, if any, as applicable, as not submitted any information for the same by either of the parties.*
- 4. 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 and ensure payment thereof.*




5. 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 as per regulation- 144 of OERC Distribution(Conditions of Supply)Code,2019.

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) 31/1/2024
Member (Finance)
MEMBER
Grievance Redressal Forum
TPWODL, Bargarh-768028


(B.K. Singh) 31-01-24
PRESIDENT
Grievance Redressal Forum
TPWODL, Bargarh-768028

Copy to: -

1. Dhan Singh, At-Hatpada, PO/Dist-Bargarh, Mob-9668444600.
2. Sub-Divisional Officer (Elect.), Bargarh-I, TPWODL, Bargarh 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 on OERC website, www.orierc.org under the “head “Cases->”GRF”.