

**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/BED/ (Final Order)/ 47(4)

Date: 28.02.2024

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

1	Case No.	BGH/20/2024			
2	Complainant/s	Name & Address	Consumer No	Contact No.	
		Gajanan Sharma At-Khuntlipali, Bheden Dist- Bargarh.	5125-2301-0026	8249897067	
3	Respondent/s	SDO(Elect), Bheden, TPWODL		Division B.E.D, TPWODL, Bargarh	
4	Date of Application	30.01.2024			
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 √			
		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	30.01.2024			
9	Date of Order	28.02.2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

**B.K**  
**PRESIDENT**  
**Grievance Redressal Forum**  
**TPWODL, Bargarh-768028**

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



**Appeared**  
**For the Complainant-** Gajanan Sharma

**For the Respondent -** SDO(Elect), Bheden, TPWODL.

**GRF Case No- BGH/20/2024**

**COMPLAINANT**

(1) Sri Gajanan Sharma  
At- Khuntlipali,  
Bheden  
Dist- Bargarh,  
Consumer No.- 5125-2301-0026

**VRS**  
(1) SDO (Elect.), Bheden, TPWODL

**OPPOSITE PARTY**

**GIST OF THE CASE**

The Complaint petition filed by Sri Gajanan Sharma, At-Khuntlipali, Bheden objected about monthly energy bills raised on General Purpose tariff since last three years instead of domestic tariff as the supply is being utilized for domestic purpose . The Complainant prayed before the Forum to direct the Opposite Party to resolve the billing dispute accordingly.

**SUBMISSION OF OPPOSITE PARTY**

The Opposite Party submitted the ledger copies from Feb 2001 to Jan 2024 and Physical verification Report dt. 08.02.2024. In reply to the case, the Opposite party submitted that, power supply is used for domestic purpose whereas the consumer is being billed on Commercial tariff since July 2021. Hence, the Opposite party urged before the Forum to issue order to revise the bills 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-5125-2301-0026, having CD-3.00KW, under LT-General Purpose category, under ESO, Khuntlipali. On scrutinizing the records in detail, it was observed that the complainant was charged energy bills on General Purpose Tariff till Oct 2011. Tariff was changed to Domestic in subsequent billing from Nov 2011 onwards and bills were raised in domestic tariff upto Jun 2021. It was observed that the billing tariff was again changed to General Purpose tariff from July 2021 billing & monthly energy bills are being raised as per General Purpose tariff till last billing.

The ledger abstract revealed that actual bills are being generated considering the advanced consumption recorded in the existing meter bearing Sl No. "WES34105" available in the premise since July 2014.

The contentions and averments made by the complainant is not supported by any copy of application, documents, records justifying the reason for change of consumer billing category from Domestic category to General purpose Category. The Opposite Party couldn't produce any proof of application made earlier by the complainant to the opposite party with regard to change of consumer



category. The opposite party also couldn't submit the reasons for change of consumer category from Domestic to General Purpose Tariff with effect from July 2021 onwards.

Regulation-43 of OERC Distribution (Conditions of Supply) Code 2019, states that "If a consumer wishes to change his consumer category, he shall submit an application form to the licensee/supplier in the format. The licensee/supplier shall process the application form in accordance with the Regulation 21 of this Code. For site inspection and issuance & payment of demand note for the estimated cost of works, both the licensee/supplier and applicant shall follow the procedure and timelines as per provisions laid down in this Code. The licensee/supplier shall also note down the meter reading at the time of inspection. If on inspection, the consumer's request for reclassification is found valid, change of category shall be effective from the date of inspection and a written acknowledgment shall be sent to the consumer. Within thirty (30) days from the date of acceptance of application from the consumer, the licensee/supplier shall effect change of consumer category. Provided that if the licensee/supplier does not find the request for reclassification valid, it shall inform the applicant in writing, giving reason(s) for the same, within 10 days from date of inspection. For the period in which the consumer's application for reclassification is pending, the consumer shall not be liable for any action on grounds of unauthorized use of electricity, to the extent the electricity is utilized in the manner applicable to the reclassified category for which the application has been made. In such case the effective date of change of classification shall be reckoned from the 1st day of the month following the month in which the application is complete in all respect was received by the licensee/supplier. Provided further, no consumer will be permitted to change the category of the service connection from any low-tension category (other than agriculture) to low-tension category for agriculture".

Further, Regulation-140 of OERC Distribution (Conditions of Supply) Code 2019, states that "If it is found that a consumer has been classified in a particular category erroneously or the purpose of supply as mentioned in the agreement has changed or the consumption of power has exceeded the limit of that category or any order of reduction or enhancement of contract demand has been obtained, the engineer may reclassify him under appropriate category after issuing notice to him to execute a fresh agreement on the basis of the altered classification or modified contract demand. For this purpose, the consumer shall be duly given a 15 days notice period to file objections, if any on the notice. The licensee/supplier after due consideration of the consumer's reply, if any, may alter the classification within 30 days thereafter through passing of necessary order and issuing letter, notice to that effect. Provided that if the consumer does not take steps within the time indicated in the notice to execute the fresh agreement, the engineer may, after issuing a clear fifteen days show cause notice and after considering his explanation, if any, may disconnect the supply of power observing due formalities as per law".

The Opposite Party couldn't produce any documents to the Forum, regarding previous action taken to reclassify the consumer category. Hence, the declaration made in the Physical Verification Report dt. 08.02.2024, certifying the usage of supply as Domestic instead of General Purpose is not based on record & without any basis and did not comply the regulatory provisions as stipulated by the Hon'ble OERC.



However, the physical verification report drawn on dt. 08.02.2024, certified the purpose of supply being domestic, is to be considered as Domestic purpose usage prospectively & the complainant's tariff may be reclassified observing due official formalities.



### **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 reclassify the complainant's category to Domestic tariff with prospective effect, on the basis of certification made in physical verification report dt. 08.02.2024, with due observations of official formalities and in accordance with regulatory provisions of OERC Distribution (Conditions of Supply) Code, 2019.
- 2) The Opposite Party is advised to reassess the energy bills already raised for the period of dispute as per the petition filed by the complainant, observing due official formalities and in consonance with Regulations framed by Hon'ble OERC under OERC Distribution (Conditions of supply) Code 2019, after due adjustment of bill revision made earlier and or, the benefit arising out of OTS scheme, if any.
- 3) The Opposite Party is advised to serve the revised energy charges bill with revised due date within 30 days from the receipt of this Order, upon revision of previous bills, if any, to which the consumer 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.**

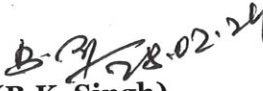
Accordingly, the case is disposed of.

  
(S. Tripathy) 29/2/24

Member (Finance)

**MEMBER**

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

  
(B.K. Singh)  
(President)

**PRESIDENT**

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

Copy to: -

1. Gajanan Sharma, At-Khuntlipali, Bheden, Dist-Bargarh, Mob: 8249897067.
2. Sub-Divisional Officer (Elect.), Bheden, TPWODL, Bheden 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](http://www.orierc.org) under the "head "Cases->"GRF".