



GRIEVANCE REDRESSAL FORUM, BOLANGIR

(Infront of Children's Park),

BOLANGIR-767001, Tel./Fax:-(06652) 235741

E-mail: grfwesco.bgr@rediffmail.com/ Grf.bolangir@tpwesternodisha.com

Bench: Er. Kumuda Bandhu Sahu (President),

Sri Prasanta Kumar Sahoo (Member (Finance)), Sri Krupasindhu Padhee, (Co-Opted Member)

Memo No.GRF/BGR/Order/ 764/5

Dated, the 22/10/2025

Corum: Er. Kumuda Bandhu Sahu
Sri Prasanta Kumar Sahoo
Sri Krupasindhu Padhee

- President
- Member (Finance)
- Co-Opted Member

1	Case No.	Complaint Case No. BGR/414/2025																											
2	Complainant/s	Name & Address Sri Sitaram Agrawal, C/o-Late Ramesh Kumar Agrawal, Partner, Bajarang Rice Mill, At-Railway Station Road, Po/Dist-Bolangir		Consumer No 911000000022 BLNG/1-0022	Contact No. 9437223300 9040135235																								
3	Respondent/s	Name EE, BED, TPWODL, Bolangir		Division Bolangir Electrical Division, TPWODL, Bolangir																									
4	Date of Application	31.07.2025																											
5	In the matter of-	<table border="1"><tr><td>1. Agreement/Termination</td><td>2. Billing Disputes</td><td>√</td></tr><tr><td>3. Classification/Reclassification of Consumers</td><td>4. Contract Demand / Connected Load</td><td></td></tr><tr><td>5. Disconnection / Reconnection of Supply</td><td>6. Installation of Equipment & apparatus of Consumer</td><td></td></tr><tr><td>7. Interruptions</td><td>8. Metering</td><td></td></tr><tr><td>9. New Connection</td><td>10. Quality of Supply & GSOP</td><td></td></tr><tr><td>11. Security Deposit / Interest</td><td>12. Shifting of Service Connection & equipments</td><td></td></tr><tr><td>13. Transfer of Consumer Ownership</td><td>14. Voltage Fluctuations</td><td></td></tr><tr><td colspan="3">15. Others (Specify) –</td></tr></table>				1. Agreement/Termination	2. Billing Disputes	√	3. Classification/Reclassification of Consumers	4. Contract Demand / Connected Load		5. Disconnection / Reconnection of Supply	6. Installation of Equipment & apparatus of Consumer		7. Interruptions	8. Metering		9. New Connection	10. Quality of Supply & GSOP		11. Security Deposit / Interest	12. Shifting of Service Connection & equipments		13. Transfer of Consumer Ownership	14. Voltage Fluctuations		15. Others (Specify) –		
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6	Section(s) of Electricity Act, 2003 involved																												
7	OERC Regulation(s) with Clauses	<table border="1"><tr><td>1. OERC Distribution (Conditions of Supply) Code,2019; Clause(s)</td></tr><tr><td>2. OERC Distribution (Licensee's Standard of Performance) Regulations,2004; Clause</td></tr><tr><td>3. OERC Conduct of Business) Regulations,2004; Clause</td></tr><tr><td>4. Odisha Grid Code (OGC) Regulation,2006; Clause</td></tr><tr><td>5. OERC (Terms and Conditions for Determination of Tariff) Regulations,2004; Clause</td></tr><tr><td>6. Others</td></tr></table>				1. OERC Distribution (Conditions of Supply) Code,2019; Clause(s)	2. OERC Distribution (Licensee's Standard of Performance) Regulations,2004; Clause	3. OERC Conduct of Business) Regulations,2004; Clause	4. Odisha Grid Code (OGC) Regulation,2006; Clause	5. OERC (Terms and Conditions for Determination of Tariff) Regulations,2004; Clause	6. Others																		
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6. Others																													
8	Date(s) of Hearing	14.08.2025	11.09.2025	23.09.2025																									
9	Date of Order	23.10.2025																											
10	Order in favour of	Complainant	√	Respondent	Others																								
11	Details of Compensation awarded, if any.	Nil																											

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Place of Hearing: GRF, Bolangir

Appeared:

For the Complainant - Sri Sitaram Agrawal
For the Respondent - Sri Srikanta Satpathy, AM (F&C), BED, Bolangir
(Authorised Representative)

Complaint Case No. BGR/414/2025

Sri Sitaram Agrawal,
C/o-Late Ramesh Kumar Agrawal,
Partner, Bazarang Rice Mill,
At-Railway Station Road,
Po/Dist-Bolangir
Con. No. 911000000022 (BLNG/1-0022)

COMPLAINANT

-Versus-

Executive Engineer,
Bolangir Electrical Division,
TPWODL, Bolangir

OPPOSITE PARTY

ORDER
(Dt.23.10.2025)

The consumer through his authorized partner has appealed before the Forum on his application dated 25th Jul. 2025 which was registered on 31st Jul. 2025 as Case no. 414/2025. The complainant has raised his grievances on the following issues,

1. Treating of permanent disconnection date w.e.f. 18th May 2011
2. Withdrawal of subsequent charges levied thereafter.

Accordingly, hearing date was fixed on 14th Aug. 2025 and notice was served to both the parties to remain present with supportive documents on the said date.

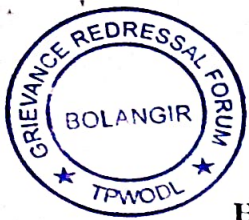
On the date of hearing, the OP submitted the written version before the Forum with a copy to the complainant and submitted a time petition application vide ref. no. TPWODL/REV/GRF/2223 dated 12th Aug. 2025 for adjournment of case to some other date. The Forum considered this and adjourned the date of hearing and intimated to the complainant accordingly.

On 14th Aug. 2025, the complainant submitted a time petition application vide ref. no. : nil dated 14th Aug. 2025 that they will not be available from 22nd Aug. 2025 to 30th Aug. 2025 and for adjournment of hearing after 30th Aug. 2025. The Forum considered this and adjourned the date of hearing to 11th Sep. 2025. Accordingly, notice was served to both the parties to remain present with supportive documents on the said date.

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HISTORY OF THE CASE

The Complaint petition filed by Shri Sitaram Agrawal, Authorised partner of M/s. Bajrang Rice Mill. As per record available, the said rice mill has availed power supply since Apr-1994 for a CD of 90.50 KW. The Consumer availed power supply at 11 KV with LT metering and the transformer capacity is 150 KVA. On 18.06.2002, the maximum demand exceeded to the tune of 117.2 KVA & 123 KVA in Feb-2004. Thereafter, the consumer was billed under large ind. Tariff. Against that reclassification, the consumer had approached before Hon'ble High Court in Case no. W.P. (C) no. 4880 of 2004. Hon'ble High Court has passed the order on 15th May 2004 and quashed the notice issued by licensee. The abstract of the order is,

"We therefore, quash the impugned notice dated 01.04.2004 and direct that the power supply to the petitioner will forthwith be restored and the petitioner will file his explanation within ten days of such restoration of power supply and the Superintending Engineer (Commercial) will consider the said application if any and thereafter take such steps as are authorized under Cl-81 of the Code 1998."

As per direction of Hon'ble High Court, the complainant submitted his objection vide letter dated 28th May 2004 against show-cause notice before the licensee. The Superintending Engineer (Commercial) considered his application and rejected the same and communicated reasons of rejection vide letter dated 21st Jun. 2004 and directed him to execute fresh agreement and pay enhanced security deposit as per earlier notice.

Against the communication, the complainant again knocked the door of Hon'ble High Court for justice. The Hon'ble High Court in their interim order dated 22.07.2004 stayed the impugned order passed by Superintending Engineer (Commercial), WESCO. The case was lying pending till Jan.-2007 before Hon'ble High Court. Thereafter, the complainant withdrew the case from High Court and approached before GRF-Balangir for justice which was registered as Case no. 30 of 2007. After hearing, GRF was passed the order on 06th Apr. 2007. The abstract of order was,

"In Clause-82 of OERC Code 1998 it is provided that if the consumer has changed or the consumption of power has exceeded the limit of that category, the engineer may reclassify him under appropriate category. In the instant case even if it is agreed that the consumer has not changed his installation as per his statement, the consumption of power has exceeded the limit of the M.I. category as measured in the meter. In view of this notice for reclassification issued by opposite party is justified."

xx xx xx xx xx xx xx xx xx xx xx xx xx xx xx xx

"We therefore orders that the penalty claimed for overdrawal shall be recalculated for a maximum period of 12 months. If the complainant provides evidence to the contrary within 15 days of this order to the opposite party, the period of penalty shall be varied accordingly."

Aggrieved by the above order of GRF-Balangir, the complainant filed a petition on 18th Apr. 2007 before Ombudsman-II which was registered as Case no. OMB (WZ)-2 of 2007-08. After hearing, Ombudsman-II passed the order on 11th Jun. 2007. The abstract of order was,

"a) The consumer is reclassified under large industries category w.e.f. February-2004 with contract demand of 123 KVA."

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- b) The consumer is again classified under medium industries category w.e.f. September-2006 having connected load of 100.57 KVA (90.5 Kw) till the maximum demand exceeds 110 KVA or the application of the consumer for change in connected load or reclassification is approved.
- c) The excess amount paid by the consumer alongwith interest as applicable is refunded / adjusted in the subsequent bills of the consumer.
- d) The penal bill amounting to ₹ 28,424/- is not payable and hence is withdrawn."

Against the Order of learned Ombudsman-II, the then WESCO Ltd. Challenged the same before Hon'ble High Court which was registered as Case no. W.P. (C) no. 6773 of 2008. After hearing Hon'ble High Court passed the order on dated 17th Dec. 2019. The abstract of the order was,

"In view of the observations made by the learned Ombudsman in the above paragraph, no case is made out by the petitioner to interfere with the impugned order. Hence, the impugned order date 11.06.2007 (Annexure-9) is confirmed being just and proper.

The writ petition stands dismissed being devoid of merit connected to Misc. Case / I.A., if any, also stands dismissed."

Also, the petitioner filed a case against the OP before the Hon'ble High Court which was registered as case no. W.P. (C) no. 3429 of 2008. After hearing Hon'ble High Court passed the order on dated 17th Dec. 2019. The abstract of the order was,

"In view of dismissal of the writ petition i.e. W.P. (C) no. 6773 of 2008 today, we are not inclined to entertain the writ petition.

However, the petitioner is at liberty to approach the competent authority within fifteen days from today by filing an application along with a certified copy of this order for reconsideration of its grievance. If the petitioner files an application within the stipulated time, the authority concerned shall reconsider its grievance and will pass appropriate order in accordance with law, within four weeks from the date of filing such application.

The writ petition stands disposed of with the aforesaid observation and direction connected to Misc. Case / I.A., if any, also stands disposed of."

In the meantime, when the case was pending before Hon'ble High Court, the complainant vide letter no. nil, dated 18th May 2011 approached the Executive Engineer, Balangir Electrical Division for disconnection of power supply to his rice mill premises. Against arrear outstanding, Executive Engineer, Balangir served disconnection notice vide ref. no. 2658 dated 23rd Jun. 2011. Against that disconnection notice, the consumer communicated vide his letter dated 29th Jun. 2011 and requested for disconnection of power supply. However, the case is pending before Hon'ble High Court, the consumer appealed before GRF-Balangir which was registered as Case no. 738/2013. After hearing, GRF-Balangir pronounced the Order on 24th Dec. 2013. The abstract of the order was,

"The complaint petition is perused and heard alongwith available records. The Forum observed that the power supply is in service at the consumer premises and EC bills are generated as per the tariff under medium industry category and served to the consumer. The consumer is not paying current EC dues. The transformer loss alongwith meter rent and PF penalty with other fixed charges are levied in the bills as per the tariff and guiding regulation as the licensee is feeding power supply and not effecting disconnection due to pending of proceeding of the case before Hon'ble High Court of Orissa.

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Hence, in order to avoid multiplicity of proceedings and conflict of decisions with the Hon'ble High Court, the case is treated as non-maintainable before this Forum.

The petitioner is required to file his new grievances of permanent power supply disconnection before the Hon'ble High Court who is sitting over the matter."

Aggrieved by the above order of GRF-Bolangir, the complainant filed a petition before Ombudsman-II which was registered as Case no. OMB (W)-01 of 2014. After hearing, Ombudsman-II passed the order on 14th Oct. 2014. The abstract of order was,

"Regarding permanent disconnection of power supply to the premises of the petitioner industry, the petitioner may approach the Hon'ble High Court of Orissa for a final decision on the matter."

Against the Order of Ombudsman-II, the complainant challenged the same before Hon'ble High Court which was registered as Case no. W.P. (C) no. 14919 of 2015. After hearing Hon'ble High Court passed the order on dated 17th Dec. 2019. The abstract of the order was,

"In view of dismissal of the writ petition i.e. W.P. (C) no. 6773 of 2008 today, we are not inclined to entertain the writ petition.

However, the petitioner is at liberty to approach the competent authority within fifteen days from today by filing an application along with a certified copy of this order for reconsideration of its grievance. If the petitioner files an application within the stipulated time, the authority concerned shall reconsider its grievance and will pass appropriate order in accordance with law, within four weeks from the date of filing such application.

The writ petition stands disposed of with the aforesaid observation and direction connected to Misc. Case / I.A., if any, also stands disposed of."

As per letter dated 28th Jun. 2021 of the complainant, whereas he has referred that he had given representation dated 31st Dec. 2019 in line with order of Hon'ble High Court to TPWODL that he has not received any communication in this regard.

The relief sought by the complainant is,

1. To treat the permanent disconnection date w.e.f. 18th May 2011
2. To withdraw the subsequent charged imposed against him.

PROCEEDING OF HEARING DATED : 14.08.2025

Appeared:

For the Complainant	–Sri Sitaram Agrawal
For the Respondent	–Sri Srikanta Satpathy, AM (F&C), BED, Bolangir (Authorised Representative)

SUBMISSION OF COMPLAINANT DURING HEARING

The complainant submitted that his industry should be allowed considering the permanent date of disconnection w.e.f. 18th May 2011 and withdrawal of charges levied after this date.

SUBMISSION OF OPP. PARTY DURING HEARING

The OP represented that based on the consumer complaint and in line with order of Hon'ble High Court in case no. W.P. (C) no. 3429 / 2008 & 14919/2015, a bill revision proposal was sent

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to Bolangir Circle office vide ref. no. 1662, dated 13.03.2000 with an withdrawal amount of ₹ 36,76,222/-. The same proposal has been duly approved by the competent authority vide ref. no. TPWODL/Com-Legal/302, dated 03.03.2021. The said revision has not yet been finalised and is still pending.

VIEW OF FORUM

Considering the submission of both the parties, the Forum finds that the OP has submitted the written version on the date of hearing where they have to submit by 12th Aug. 2025 with a copy to complainant. Also, during the hearing process, the OP has requested to adjourn the date of hearing to some other date as they have to submit some more required documents.

In the meanwhile, the complainant has submitted the request letter to adjourn the date of hearing to Sep-2025 as they will be not be available till 31st Aug. 2025.

Considering the submission of both the parties, the date was adjourned to 11th Sep. 2025. Accordingly, notice was served to both the parties to remain present with relevant documents on the said hearing date.

PROCEEDING OF HEARING DATED : 11.09.2025

Appeared:

For the Complainant –Sri Sitaram Agrawal
For the Respondent –Sri Srikanta Satpathy, AM (F&C), BED, Bolangir
(Authorised Representative)

SUBMISSION OF COMPLAINANT DURING HEARING

The complainant reiterated his grievances as stated in his application. Also, he has submitted with rejoinder that he has no objection if the permanent disconnection date is taken as 01st Jan. 2013 and to exempt from payment of other charges like DPS from 01.01.2013 so that it will be feasible on their part to clear the pending dues.

SUBMISSION OF OPP. PARTY DURING HEARING

The OP represented that they have initiated bill revision taking into consideration of followings,

1. Reconsideration of billing tariff under Med. Ind. Tariff w.e.f. Sep-2006 to Nov.-2007
2. Refund of meter rent beyond five years
3. Withdrawal of bill after disconnection period i.e. Jan-2013 to Feb-2020
4. Withdrawal of DPS from Jan-2013 to Feb-2020
5. Demand charges applicable for Jan. & Feb-2013

Accordingly, an amount of ₹ 36,76,222/- is proposed to be withdrawn out of total outstanding arrear of ₹ 72,36,194/- leaving residual balance amount of ₹ 35,59,972/- for payment.

OBSERVATION OF FORUM

The Forum analysed the representation of the complainant as well as the bill revision proposal of OP alongwith the billing ledger pertaining to the period from Jun-2007 to Feb.-2021. The case was heard in details. The complainant represented with his dispute described above where the OP submitted his written version and revision proposal.

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The Forum has recorded the grievances of the complainant and the submission of OP. The Forum gave an opportunity to both the parties to submit any additional documents (if any) to be submitted before the Forum by 19th Sep. 2025. Accordingly, the hearing date was adjourned to 23rd Sep. 2025. Accordingly, notice was served to both the parties to remain present on the said hearing date.

PROCEEDING OF HEARING DATED : 23.09.2025

Appeared:

For the Complainant –Sri Sitaram Agrawal
For the Respondent –Sri Srikanta Satpathy, AM (F&C), BED, Bolangir
(Authorised Representative)

SUBMISSION OF COMPLAINANT DURING HEARING

The complainant stated that they have nothing more to submit in regard to this case and represented to consider his rejoinder submitted on 11th Sep. 2025.

SUBMISSION OF OPP. PARTY DURING HEARING

The OP submitted that they have nothing more to submit in regard to this case and requested before the Forum to pass order as deemed fit.

Hearing concluded.

FINDINGS AND ANALYSIS OF THE FORUM

The consumer is an industrial consumer running with a rice mill. Initially, the consumer was availed power supply since Apr-1994 with a CD of 90.50 KW under medium industry tariff category. The consumer has availed power supply with HT supply (11 KV) and LT metering with transformer capacity of 150 KVA. Due to exceeding of maximum demand (KVA) during Jun-2002 to 117.2 KVA and 123 KVA in Feb-2004, the consumer was reclassified with appropriate billing category i.e. large industry category in line with OERC Regulation (Conditions of Supply) Code 1998. Against that the consumer knocked the door of Hon'ble High Court in Case no. W.P. (C) no. 4880 of 2004. Hon'ble High Court has passed the order on 15th May 2004 and quashed the notice issued by the licensee for reclassification of tariff category. As per direction of Hon'ble High Court, the complainant submitted his objection vide letter dated 28th May 2004 against show-cause notice. The Superintending Engineer (Commercial) considered his application and rejected the same having communicating reasons of rejection vide letter dated 21st Jun. 2004 and directed him to execute fresh agreement and pay enhanced security deposit as per earlier notice.

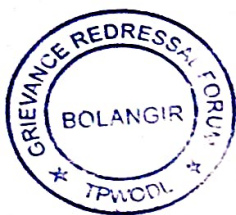
Against the communication, the complainant again knocked the door of Hon'ble High Court for justice. The Hon'ble High Court in their interim order dated 22.07.2004 stayed the impugned order passed by Superintending Engineer (Commercial), WESCO rejecting his appeal. The case was pending till Jan.-2007 before Hon'ble High Court. However, the complainant withdraws the case from High Court and approached before GRF-Balangir for justice. After hearing, GRF passed the order on 07th Apr. 2007. The abstract of order was,

"In Clause-82 of OERC Code 1998 it is provided that if the consumer has changed or the consumption of power has exceeded the limit of that category, the engineer may reclassify him under appropriate category. In the instant case even if it is agreed that the consumer has not changed his installation as per his statement, the consumption of power has exceeded the limit of

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PRESIDENT



the M.I. category as measured in the meter. In view of this notice for reclassification issued by opposite party is justified.

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We therefore orders that the penalty claim for overdrawal shall be recalculated for a maximum period of 12 months. If the complainant provides evidence to the contrary within 15 days of this order to the opposite party, the period of penalty shall be varied accordingly."

Aggrieved by the above order of GRF-Balangir, the complainant filed a petition on 18th Apr. 2007 before Ombudsman-II which was registered as Case no. OMB (WZ)-2 of 2007-08. After hearing, Ombudsman-II passed the order on 11th Jun. 2007. The abstract of order was,

"a) The consumer is reclassified under large industries category w.e.f. February-2004 with contract demand of 123 KVA.

b) The consumer is again classified under medium industries category w.e.f. September-2006 having connected load of 100.57 KVA (90.5 Kw) till the maximum demand exceeds 110 KVA or the application of the consumer for change in connected load or reclassification is approved.

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Against the Order of Ombudsman-II, the then WESCO Ltd. Challenged the same before Hon'ble High Court which was registered as Case no. W.P. (C) no. 6773 of 2008. After hearing Hon'ble High Court passed the order on dated 17th Dec. 2019. The abstract of the order was,

"In view of the observations made by the learned Ombudsman in the above paragraph, no case is made out by the petitioner to interfere with the impugned order. Hence, the impugned order date 11.06.2007 (Annexure-9) is confirmed being just and proper.

The writ petition stands dismissed being devoid of merit connected to Misc. Case / I.A., if any, also stands dismissed."

Again, the petitioner was filed a case against OP before the Hon'ble High Court which was registered as case no. W.P. (C) no. 3429 of 2008. After hearing Hon'ble High Court passed the order on dated 17th Dec. 2019. The abstract of the order was,

"In view of dismissal of the writ petition i.e. W.P. (C) no. 6773 of 2008 today, we are not inclined to entertain the writ petition.

However, the petitioner is at liberty to approach the competent authority within fifteen days from today by filing an application along with a certified copy of this order for reconsideration of its grievance. If the petitioner files an application within the stipulated time, the authority concerned shall reconsider its grievance and will pass appropriate order in accordance with law, within four weeks from the date of filing such application.

The writ petition stands disposed of with the aforesaid observation and direction connected to Misc. Case / I.A., if any, also stands disposed of."

In the meantime, when the case was pending before Hon'ble High Court, the complainant vide letter no. nil, dated 18th May 2011 approached the Executive Engineer, Balangir Electrical Division for disconnection of power supply to his rice mill premises. Against arrear outstanding, Executive Engineer, Balangir was served disconnection notice vide ref. no. 2658 dated 23rd Jun. 2011. Against that disconnection notice, the consumer communicated vide his letter dated 29th Jun. 2011 and requested for disconnection of power supply. However, the case is pending before Hon'ble High Court, the consumer appealed before GRF-Balangir which was registered as Case no. 738/2013. After hearing, GRF-Balangir pronounced the Order on 24th Dec. 2013. The abstract of the order was,

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PRESIDENT



"The complaint petition is perused and heard alongwith available records. The Forum observed that the power supply is in service at the consumer premises and EC bills are generated as per the tariff under medium industry category and served to the consumer. The consumer is not paying current EC dues. The transformer loss alongwith meter rent and PF penalty with other fixed charges are levied in the bills as per the tariff and guiding regulation as the licensee is feeding power supply and not effecting disconnection due to pending of proceeding of the case before Hon'ble High Court of Orissa.

Hence, in order to avoid multiplicity of proceedings and conflict of decisions with the Hon'ble High Court, the case is treated as non-maintainable before this Forum.

The petitioner is required to file his new grievances of permanent power supply disconnection before the Hon'ble High Court who is sitting over the matter."

Aggrieved by the above order of GRF-Balangir, the complainant filed a petition before Ombudsman-II which was registered as Case no. OMB (W)-01 of 2014. After hearing, Ombudsman-II was passed the order on 14th Oct. 2014. The abstract of order was,

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Against the Order of Ombudsman-II, the complainant challenged the same before Hon'ble High Court which was registered as Case no. W.P. (C) no. 14919 of 2015. After hearing Hon'ble High Court passed the order on dated 17th Dec. 2019. The abstract of the order was,

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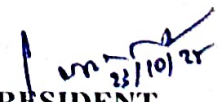
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The writ petition stands disposed of with the aforesaid observation and direction connected to Misc. Case / I.A., if any, also stands disposed of."

The complainant has submitted representation before the Executive Engineer, Balangir Electrical Division vide his letter dated 31st Dec. 2019 referring the order of Hon'ble High Court with some new issues (letter copy taken as record). In the meantime, the OP has initiated bill revision and forwarded to Superintending Engineer, Balangir Electrical Circle vide letter no. 1662, dated 13th Mar. 2020 with a withdrawal amount of ₹ 36,76,222/- out of total arrear outstanding of ₹ 72,36,194/-. The Corporate office, Burla has approved the proposal and also advised to withdraw the bill of Mar-2020 & Apr-2020 and communicated to Executive Engineer, Balangir division vide letter no. TPWODL/Com-Legal/302 dated 03.03.2021 of General Manager (Commercial), Burla (proposed bill revision & approval letter has been taken into record). In line with approval, a fresh bill revision proposal has been made with revised arrear outstanding of ₹ 35,10,157/- and communicated to the consumer vide letter no. 3347, dated 18th Jul. 2021 (amended revision copy was taken into record). Thereafter, no initiative has been taken by both the parties and the matter is pending.


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It is observed that though the consumer has submitted letter of disconnection dated 16th May 2011 to the OP but he had not deposited the required DC fees for which the DC activity was not carried-out. On the other hand, the consumer has continuously availed power supply till Dec-2012, thereafter power supply has been disconnected by OP. In this regard, CI-16 (1) & CI-1 of standard agreement of OERC Dist. Code 2004 is extracted below,

Termination of Agreement

16. (1) If power supply to any consumer remains disconnected for a period of two months for non-payment of charges or dues or non-compliance of any direction issued under this Code, and no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be deemed to have been terminated on expiry of the said period of two months, without notice, provided the initial period of agreement is over.

1. Duration of Agreement :

This agreement shall commence from the date of its execution and shall continue to be in force until the expiry of FIVE years from the date of supply, and thereafter shall so continue until the same is determined by either party giving to the other, two calendar month's notice, in writing, of its intention to terminate the Agreement.

Provided that after the initial period of agreement if power supply remains disconnected for a period of two months for non-payment of tariff or non-compliance of the directions issued under the OERC Distribution (Conditions of Supply) Code, 2004 and no effective steps are taken by the consumer for removing the cause of disconnection and for restoration of power supply, the agreement of the licensee with the consumer for power supply shall be deemed to have been terminated on expiry of the 2 months period from the date of disconnection without further notice.

Considering the above, the consumer has availed power supply till Dec-2012, thereafter power supply to the petitioner unit has been disconnected, Hence, as per, CI-16 (1) & CI-1 of standard agreement of OERC Dist. Code 2004, fixed charges is to be levied for the month of Jan. & Feb-2013, thereafter the said agreement is deemed to have been terminated. As per submission of OP, they have made the bill revision proposal which has been approved by the higher authority and communicated vide letter no. TPWODL/Com-Legal/302 dated 03.03.2021 of General Manager (Commercial) but the same has not been implemented due to disagree by the consumer later on.

From the above argument of both the parties, the Forum realized that there is abnormal delay in bill revision which should have been redressed at the earliest as the matter is being over-delayed. Also, it is observed that there is some lack of communication between the licensee and the consumer which should not be. On the other hand, it results lack of confidence of the consumer upon the licensee. The Forum advised the OP to maintain harmonious relation with the consumer and extend every support.

In view of above facts and circumstances and after going through the documents submitted by both the parties, the Forum pronounces the following order as per regulations of the OERC Distribution (Conditions of Supply) Code 2019.

CO-OPTED MEMBER

MEMBER (Fin.)

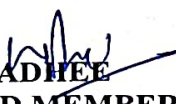
PRESIDENT



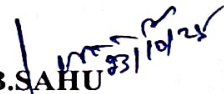
1. The monthly energy bill of the consumer is to be raised till Dec-2012 with the appropriate tariff category as agreed by the licensee in their proposed bill revision proposal.
2. Apart from above, the complainant is liable to pay the fixed demand charges for the month of Jan. & Feb-2013 in obedience to CI-16 (1) & CI-1 of standard agreement of OERC Dist. Code 2004.
3. The applicable meter rent is to be charged in obedience to OERC Dist. Code 2004.
4. The existing power supply agreement is deemed to have been terminated w.e.f. 01st Mar. 2013.
5. DPS is to be levied on the revised arrear outstanding till Dec-2012.

Case is disposed off accordingly.

Compliance report must be submitted to the Forum by the opposite party within one month after receipt of GRF order otherwise it will be treated as non-compliance.


K.S. PADHEE
CO-OPTED MEMBER


P.K. SAHOO
MEMBER (Fin.)


K.B. SAHU
PRESIDENT

Copy to: -

1. Sri Sitaram Agrawal, C/o-Late Ramesh Kumar Agrawal, Patner, Bajarang Rice Mill, At-Railway Station Road, Po/Dist-Bolangir-767001.
2. Executive Engineer, Bolangir Electrical Division, TPWODL, Bolangir.
3. DFM/ AFM/ JFM, Bolangir Electrical Division, TPWODL, Bolangir.
4. Superintending Engineer, Electrical Circle, TPWODL, Bolangir.
5. Chief Legal, Head Quarter Office, TPWODL, Burla.

The order is also available at TPWODL Web site : tpwesternodisha.com → customer zone → Grievance Redressal Forum → BOLANGIR → (GRF CASE NO.)

"If the Complainant is aggrieved with this order or non-implementation of the order of the Grievance Redressal Forum in time, he/she can make the representation to the Ombudsman-II, Qrs. No.3R-2(S), GRIDCO Colony, P.O:Bhoinagar, Bhubaneswar-751022 within 30 days from the date of order of the Grievance Redressal Forums."