

GRIEVANCE REDRESSAL FORUM, BOLANGIR

(Infront of Children's Park),

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

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Bench: Er. Kumuda Bandhu Sahu (President),

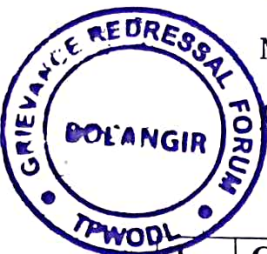
Sri Prasanta Kumar Sahoo (Member (Finance)), Sri Krupasindhu Padhee, (Co-Opted Member)

Memo No.GRF/BGR/Order/ 296⁵⁹

Dated, the 29/02/2024

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/170/2024		
2	Complainant/s	Name & Address	Consumer No	Contact No.
		Sri Hemananda Naik, For Sri Chanchal Naik, At-Nuapada, Po-Kudasingha, Dist-Bolangir	911211300019	9777676861
3	Respondent/s	Name S.D.O (Elect.), No. II, TPWODL, Bolangir	Division Bolangir Electrical Division, TPWODL, Bolangir	
4	Date of Application	13.02.2024		
5	In the matter of-	1. Agreement/Termination	2. Billing Disputes	<input checked="" type="checkbox"/>
		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) -				
6	Section(s) of Electricity Act, 2003 involved			
7	OERC Regulation(s) with Clauses	1. OERC Distribution (Conditions of Supply) Code,2019; Clause(s) 155, 157		
		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		
8	Date(s) of Hearing	13.02.2024		
9	Date of Order	29.02.2024		
10	Order in favour of	Complainant <input checked="" type="checkbox"/>	Respondent <input type="checkbox"/>	Others <input type="checkbox"/>
11	Details of Compensation awarded, if any.	Nil		

CO-OPTED MEMBER

MEMBER (Fin.)

PRESIDENT

Place of Hearing: Camp Court at Kudasingha

Appeared:

For the Complainant -Sri Hemananda Naik
For the Respondent -Sri Sunil Kumar Swain, S.D.O (Elect.), No. II, Bolangir

Complaint Case No. BGR/170/2024

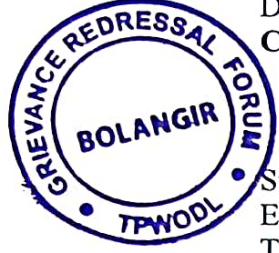
Sri Hemananda Naik,
For Sri Chanchal Naik,
At-Nuapada, Po-Kudasingha,
Dist-Bolangir
Con. No. 911211300019

- COMPLAINANT

-Versus-

Sub-Divisional Officer,
Electrical Sub-Division, No. II,
TPWODL, Bolangir

- OPPOSITE PARTY



ORDER
(Dt.29.02.2024)

HISTORY OF THE CASE

The Complainant is a LT-Dom. consumer availing a CD of 1.5 KW. He has disputed about the average bills raised from Oct-2011 to Dec-2020 due to meter defective. He has submitted his grievances for revision of bill. The complainant needs suitable bill revision for the said period.

The case was heard in detail.

PROCEEDING OF HEARING DATED: 13.02.2024

SUBMISSION OF COMPLAINANT DURING HEARING

The complainant is a consumer under Chudapali section of SDO-II, Balangir. The consumer represented that he was served with average bills due to meter defective from Oct-2011 to Dec-2020. For such average bills, the arrear has accumulated to ₹. 43,580.20p upto Jan-2024. The complainant raised dispute against the said period and requested before the Forum for suitable revision of the bill.

SUBMISSION OF OPPOSITE PARTY DURING HEARING

The OP appeared before the Forum without relevant documents. On defence, he intimated that the consumer is a LT-Domestic consumer availing power supply prior to Apr-1999. The billing dispute raised by the complainant for the average billing from Oct-2011 to Dec-2020 was due to meter defective for that period. A new meter with sl. no. LW096599 was installed on 04th Oct. 2020, thereafter actual billing was done. As the above-stated average billing period bill has not been revised, it needs bill revision. The OP stated that the consumer was penalized for unauthorized use of electricity on 06th Dec. 2022 by by-passing the meter and penalty amount has been raised for the period from Jan-2021 to Dec-2022.

Considering the above, the OP requested before the Forum for revision of previous disputed bills and pass order as deemed fit.

CO-OPTED MEMBER

MEMBER (Fin.)

PRESIDENT

FINDINGS AND ANALYSIS OF THE FORUM

The consumer is a LT-Dom. consumer with a CD of 1.5 KW. The consumer has availed power supply prior to Apr-1999 and the arrear outstanding upto Jan-2024 is ₹. 43,580.20p. As complained by the complainant and submission of OP, it is observed by the Forum that,

1. Due to meter defective of the existing meter with meter no. WESCO43484, the consumer was served with average bills from Oct-2011 to Dec-2020 resulting accumulation of arrear outstanding.
2. A new meter was installed by OP with meter no. LW096599 on 04th Oct. 2020 and thereafter actual billing was done. In the instant case, it is surprised that the OP has allowed the consumer to continue with defective meter for more than nine years. Due to delay in installation of new meter, average billing has done which could have been avoided if the OP has installed the meter without delay for which it is advised to the OP to be taken care in future.

Also, it is observed that the consumer was detected with unauthorised use of electricity by means of by-passing of meter on 04th Dec. 2022 for which penalty was raised for the period Jan-2021 to Dec-2022.

For revision of defective billing period, succeeding six months average consumption is not available due to theft of energy period for which the Forum is of the opinion to revise the bill based on the actual consumption of present meter with meter no. TW02059544 dated 23.01.2023.

3. The complainant has not paid the monthly bill regularly for which the arrear has accumulated to ₹. 43,580.20 upto Jan-2024.
4. The OP has submitted that as the disputed billing period has not yet revised, it needs bill revision as per consumption of new meter.
5. On scrutiny of the documents, it is observed by the Forum that the bills raised during meter defective period needs bill revision under CI-155 & 157 of OERC Dist. (Conditions of Supply) Code 2019 to redress the consumer grievances.

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.

1. The energy bills raised to the consumer from Jan-2019 to Dec-2020 are to be revised as per succeeding six months average consumption of present meter by considering IMR : 0 (23.01.2023) & FMR : 839 (Jul-2023) under CI-155 & 157 of OERC Dist. Code 2019.
2. DPS is to be levied as per OERC Regulation.
3. All sundries and adjustments are to be considered during the above revision period.

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.PADHÉE

CO-OPTED MEMBER


P.K.SAHOO

MEMBER (Fin.)


K.B.SAHU

PRESIDENT

Copy to: -

1. Sri Hemananda Naik, At-Nuapada, Po-Kudasingha, Dist-Bolangir.
2. Sub-Divisional Officer, Electrical Sub-Division, No. II, 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.

"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:Bhoingar, Bhubaneswar-751022 within 30 days from the date of order of the Grievance Redressal Forums."