



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/ 750⁽⁵⁾

Dated, the 30/07/2024

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/414/2024		
2	Complainant/s	Name & Address	Consumer No	Contact No.
		Sri Prabin Narayan Panda, For Smt. Manorama Panda, At/Po-Tarbha, Kumbharpada, Dist-Sonepur	915103040508	9437917832
3	Respondent/s	Name S.D.O (Elect.), TPWODL, Sonepur	Division Sonepur Electrical Division, TPWODL, Sonepur	
4	Date of Application	20.06.2024		
5	In the matter of-	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) – Penalty Assessment		
6	Section(s) of Electricity Act, 2003 involved	Penalty Assessment		
7	OERC Regulation(s) with Clauses	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		
8	Date(s) of Hearing	11.07.2024		
9	Date of Order	30.07.2024		
10	Order in favour of	Complainant	Respondent	Others
11	Details of Compensation awarded, if any.	Nil		

[Signature]
CO-OPTED MEMBER

[Signature]
MEMBER (Fin.)

[Signature]
PRESIDENT

Place of Hearing: GRF, Bolangir

Appeared:

For the Complainant -Sri Prabin Narayan Panda
For the Respondent -Sri Chimnay Kumar Ratha, OAG-II (Representative)

Complaint Case No. BGR/414/2024

Sri Prabin Narayan Panda, - **COMPLAINANT**
For Smt. Manorama Panda,
At/Po-Tarbha, Kumbharpada,
Dist-Sonepur
Con. No. 915103040508

-Versus-

Sub-Divisional Officer, - **OPPOSITE PARTY**
Electrical Sub-Division,
TPWODL, Sonepur



ORDER
(Dt.30.07.2024)

HISTORY OF THE CASE

The Complainant is a LT-Dom. consumer availing a CD of 4.5 KW. He has disputed about the penalty raised against inspection report dated 05th Sep. 2018 & 27th Oct. 2022 for a same observation. 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 : 11.07.2024

SUBMISSION OF COMPLAINANT DURING HEARING

The complainant is a consumer under Tarbha section of Sonepur Sub-division. The consumer represented that due to tamper of meter (meter no. 1024638) an inspection report was prepared but the licensee was not replaced the said meter subsequently. Again, on 27th Oct. 2022, another inspection report was prepared for the same cause i.e. tampering of meter and assessment amount was served. The complainant raised dispute against the inspection report dated 27th Oct. 2022 and requested before the Forum for withdrawal of inspection report pending against him.

PREVIOUS COMPLAINS IF ANY :

Letter dated 01.11.2022 served by the consumer to SDO-Sonepur.

SUBMISSION OF OPPOSITE PARTY DURING HEARING

The authorized representative of OP appeared before the Forum and submitted billing ledger pertaining to the period of Oct-2015 to May-2024. On defence, he has admitted the facts stated by the complainant that for the same cause i.e. tampering of meter (meter no.1024638), penalty was raised two times. Also, he has submitted that for meter tampering which was detected

CO-OPTED MEMBER

MEMBER (Fin.)
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PRESIDENT

on 05th Sep. 2018, an assessed amount of ₹ 79,403/- was served to the consumer but till date he has not made the payment. But due to non-payment, the said tampered meter was not replaced. Again, on 27th Oct. 2022, the consumer premises was verified and the said tampered meter was found for which again a provisional assessed amount of ₹ 82,856/- was served to the consumer.

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

FINDINGS AND ANALYSIS OF THE FORUM

The consumer is a LT-Dom. consumer with a CD of 4.5 KW. The consumer has availed power supply since 23rd Sep. 2015. As complained by the complainant and submission of OP, it is observed by the Forum that,

The consumer premises was inspected on 05th Sep. 2018 and found that the meter (meter sl. no. 1024638) was found tampered. Against that inspection report, an assessed amount of ₹ 79,403/- was served to the consumer vide letter no. 97 dated 11th Feb. 2019.

The OP was not replaced the tampered meter within the scheduled time prescribed under Reg- 108 (iii) (b) and allowed to continue power supply which is a "**GROSS NEGLIGENCE**" on the part of the OP. Again, on dated 27th Oct. 2022, the OP has prepared another inspection report and stated that the same meter (meter sl. no. 1024638) was found tampered. In this regard, the admissibility of inspection report dated 27th Oct. 2022 is in question because without replacing the tampered meter, how the licensee can be penalised second time against the same meter for a same offence. The Forum is of the opinion that the inspection report dated 27th Oct. 2022 does not hold good as the licensee has not replaced the meter within due time as per OERC Regulation.

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.

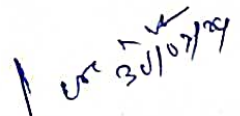
The petition of the complainant is not maintainable as assessment on unauthorized use of energy is not coming under the jurisdiction of this Forum. The complainant is herewith advised to appeal before the appropriate authority as laid down under Electricity Act.

The complaint petition of the Complainant is hereby rejected.

Case is disposed off accordingly.


K.S.PADHEE
CO-OPTED MEMBER


P.K.SAHOO
MEMBER (Fin.)


K.B.SAHU
PRESIDENT

Copy to: -

1. Sri Prabin Narayan Panda, At/Po-Tarbha, Kumbharpada, Dist-Sonepur.
2. Sub-Divisional Officer, Electrical Sub-Division, TPWODL, Sonepur.
3. DFM/ AFM/ JFM, Sonepur Electrical Division, TPWODL, Sonepur.
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:Bhoinagar, Bhubaneswar-751022 within 30 days from the date of order of the Grievance Redressal Forums."