

Grievance Redressal Forum

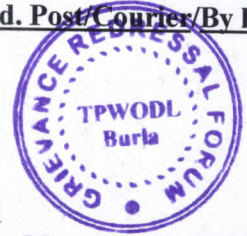
TPWODL, BURLA

Quarter No: SD-6/2, Sourav Vihar, Near NAC College,

Burla, Sambalpur, Pin- 768017

Email: grf.burla@tpwesternodisha.com, Ph No.0663-2999601

Bench: A.K.Satapathy, President B.Mahapatra (Co-opted Member) and A.P.Sahu, Member (Finance)



Ref: GRF/Burla/Div/BNED/ (Final Order)/ 1922 (4)

Date: 31/08/24

Present:

Sri A.K. Satapathy, President
Sri B.Mahapatra (Co-opted Member)
Sri A.P.Sahu Member(Finance)

1	Case No.	BRL/361/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Purna Chandra Karali (Consumer) Represented by Bisakha Karali (Daughter in law) Rengali (Kumarbandh) Dist-Jharsuguda-768211		4172-2507-0223	6370839172
3	Respondent/s	S.D.O (E),Belpahar		Division B.N.E.D, TPWODL, Brajrajnagar	
4	Date of Application	29.04.2024			
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	29.04.2024			
9	Date of Order	31.08.24			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

Place of Camp: ESO Office, Bandbahal, TPWODL

Appeared

For the Complainant- Purna Chandra Karali

Represented by Bisakha Karali

For the Respondent - SDO(Electrical), Belpahar, TPWODL.

GRF Case No- BRL/361/2024

Purna Chandra Karali

Represented by Bisakha Karali

Rengali (Kumarbandh)

Dist-Jharsuguda

Con No-4172-2507-0223

VRS

SDO(Electrical), Belpahar, TPWODL.



COMPLAINANT

OPPOSITE PARTY

GIST OF THE CASE

Bisakha Karali on behalf of consumer Late Purna Chandra Karali has appeared on Dt. 29.04.2024 at the camp held at ESO Office, Bandbahal and submitted a written complaint wherein she has stated that the service connection stands in the name of her father-in-law Late Purna Chandra Karali and keeping arrear he has died. There are 04 sons of her father-in-law. The arrear was increased due to non-payment and the p/s was disconnected by TPWODL authorities and requested to reconnect the p/s after of Rs 15,000/-.

SUBMISSION OF OPPOSITE PARTY

The opposite party has submitted billing abstract for the period from July-2002 to July-2023 PVR dtd. 02.08.2024 along with written version on dtd. 02.08.2024 communicated to this Forum through e-mail dtd. 03.08.2024 in this case.

OBSERVATION

Refer to the interim order dtd. 30.04.2024 communicated vide letter no. GRF/Burla/Division/BNED/ Interim order/1709(4) to both parties and with the direction to restore the p/s by opposite party after receiving of Rs 15000/- from the complainant and not to disconnect the p/s during pendency of the case as well as directed to complainant to pay Rs 15000/- to avail the p/s. The opposite party has asked to submit the PVR, written version and report on meter with sl. no."8173143" but has failed to do so. After lapses of months together submitted the PVR and w/s but in reply about meter with sl. no."8173143"- the opposite party has stated that the meter has been removed from the site by department and the p/s was disconnected and continued till date and could not able to reporting about the status of the meter and available reading thereon.

The case is pursued with all documents available in records submitted by the complainant as well as opposite party and merit of the case. On examining the case in details, the Forum observed that the complainant is a LT-DOM consumer of CD 2KW with initial date of p/s on dtd. 08.03.1999 as seen from FG/Samadhan App. The complainant has raised objection as mentioned in gist of this case. As seen from the ledger submitted by opposite party the complainant was served the 1st bill in Jun-Jul'2002 for an units of "5957" on PL basis with reference to meter with sl. no."A321197". The actual bill was served in Aug-Sep'2002 with kwh reading of "230" and billing unit of "228" with IMR as "2" where found only Rs 970.36/- was adjusted towards PL bills(941.99/- for EC +28.37/- for ED). The complainant has already served the actual bill with reference to consumption recorded in the mentioned meter upto billing month Sep'2011 with kwh reading of "11995" keeping pending some adjustment of PL/Avg. bills and thereafter since Oct'2011 - PL/Avg bills were served upto billing month Jul'2013. Further, from Jul'2013 to Nov'2021 Actual/PL bills were served where found the kwh reading of "16250" with billing unit "12" in Nov'2021 but the complainant was served the PL/Avg. bills from Dec'2021 to Mar'2023 with actual bill in Jun-Jul'2023 with kwh reading of "16250" and billing unit "zero" during that period. As declared by the opposite party in its written version- the p/s to the premises was disconnected on 14.07.2023 due to non-payment of arrear amount and finally bill has been stopped on 11.09.2023 as per FG data base. Although, the opposite party has declared the meter with sl. no"8173143" has defective which was reflected in billing in Jul-Aug'2013 and continued upto Jul'2023 with actual meter reading. The opposite party has submitted the w/s basing on the billing data base as raised on N & D code basis but deliberately not mentioned anything about billing of Jun-Jul'2023 how developed on actual basis. Although, the meter reading in Nov'2021 and Jul'2023 could not be noticeable due to unavailable of meter but may be accepted as correct meter

reading in absence of any reply properly by opposite party and considering the continuance of actual meter reading. Hence, the Forum believes that the consumption and the billing for the period from Jul'2013 to Nov'2021 was correct but from Dec'2021 to Jul'2023 might be incorrect but the PL bills so done earlier to Aug-Sep'2002 might not be adjusted in full and the meter with sl. no." A321197" to be assumed as installed from the date of its initial p/s as nothing provided to this Forum in this regard. The opposite party has already adjusted the SD amount of Rs 100/- on 15.03.2024 but taken the FC upto Jul'2023 hence may be treated as PLD since Aug'2023 and not restore the p/s on the same service connection as not paid the amount of Rs 15,000/- decide during hearing in presence of both parties to be treated as disobedience of order by the complainant. After revision and clearance of the dues, further NSC may be released observing departmental formalities on application by the complainant. During hearing, the complainant has stated that there are 04 sons of Late Purna Chandra Karali father-in-law of the complainant. So, required bill revision to settle the billing dispute.

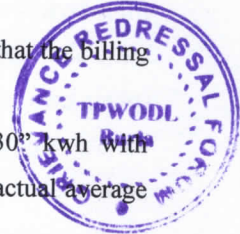
Hence it is the opinion of the Forum that the both parties are liable to act in the following manner so that the billing dispute and grievance of the complainant can be resolved: -

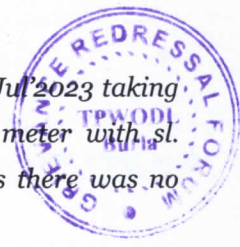
- a. For the period from Date of p/s to Sep'2002 taking IMR as "2" kwh and FMR as "230" kwh with reference to consumption recorded in meter with sl. no."A321197" with the daily/monthly actual average consumption thereof.
- b. For the period from Oct'2011 to Jul'2013 taking IMR as "180" kwh in Sep-Oct'2013 and FMR as "2081" kwh in Jul-Aug'2014 with reference to consumption recorded in meter with sl. no."8173143" with the daily/monthly actual average consumption thereof.
- c. For the period from Dec'2021 to Jul'2023 taking IMR and FMR as "16250" kwh with reference to consumption recorded in meter with sl. no."8173143"- withdraw the billings so done during these periods (EC+ED) as there was no consumption during the above periods as per data base.
- d. The new service connection may be released on application by the complainant observing all departmental formalities as SD has already been adjusted in the bill on 15.03.2024 as per FG data base but FC taken upto Jul'2023 and also treat the above complainant as PLD consumer since Aug'2023.
- e. In no case the reconnection of p/s to be considered but only NSC to be considered with reference to sl. no.(d) only after clearance of the dues in full/any instalment facilities as decided by opposite party on approach by the complainant with reference to Reg.17(i),17(iii) and 17(iv) of OERC Distribution (Conditions of Supply) Code,2019 on production of documentary evidence as desired by the opposite party as per law and also transferred the outstanding to other sons of Late Purna Chandra Karali in their service connection no. with reference to regulation 175 of OERC Distribution (Conditions of Supply) Code,2019 if others are having separate connections or otherwise recovered the outstanding from them.
- f. The complainant is supposed to contact the opposite party and make payment of arrear after revision with reference to decision by them to avail the opportunities of NSC and the earlier service connection to be in shape of PLD since Aug'2023 and not consider for reconnection.

ORDER

Considering the documents and statements submitted by both the parties at the time of hearing, the Forum hereby passes orders that:


1. *The Both Parties are act as per the following guidelines: -*
 - i. *The opposite party is directed to revise the bill for the period from Date of p/s to Sep'2002 taking IMR as "2" kwh and FMR as "230" kwh with reference to consumption recorded in meter with sl. no."A321197" with the daily/monthly actual average consumption thereof.*
 - ii. *The opposite party is directed to revise the bill for the period from Oct'2011 to Jul'2013 taking IMR as "180" kwh in Sep-Oct'2013 and FMR as "2081" kwh in Jul-Aug'2014 with reference to consumption recorded in meter with sl. no."8173143" with the daily/monthly actual average consumption thereof.*







- iii. The opposite party is directed to revise the bill for the period from Dec'2021 to Jul'2023 taking IMR and FMR as "16250" kwh with reference to consumption recorded in meter with sl. no."8173143"- withdraw the billings so done during these periods (EC+ED) as there was no consumption during the above periods as per data base.
 - iv. The opposite party is directed to the new service connection may be released on application by the complainant observing all departmental formalities as SD has already been adjusted in the bill on 15.03.2024 as per FG data base but FC taken upto Jul'2023 and also treat the above complainant as PLD consumer since Aug'2023.
 - v. The opposite party is directed not to reconnect the of p/s but only NSC to be considered with reference to sl. no.(d) only after clearance of the dues in full/any instalment facilities as decided by opposite party on approach by the complainant with reference to Reg.17(i),17(iii) and 17(iv) of OERC Distribution (Conditions of Supply) Code,2019 on production of documentary evidence as desired by the opposite party as per law and also transferred the outstanding to other sons of Late Purna Chandra Karali in their service connection no. with reference to regulation 175 of OERC Distribution (Conditions of Supply) Code,2019 if others are having separate connections or otherwise recovered the outstanding from them.
 - vi. The complainant is directed to contact the opposite party and make payment of arrear after revision with reference to decision by them to avail the opportunities of NSC and the earlier service connection to be in shape of PLD since Aug'2023 and not consider for reconnection.
2. The Opposite party is directed not to consider the bill revision for the period already revised earlier and adjust the revision as per law/for the period of penalty/in both cases if any as applicable as it has not submitted any information for the same.
 3. The Opposite party is directed not to consider the bill revision for the period where the complainant has availed the benefits of OTS scheme and rebate thereon if any as applicable as it has not submitted any information for the same.
 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 adjustment for the payments made by the complainant and ensure payment thereof.
 5. The Opposite Party is directed to collect the revised bill amount and on non-payment, serve the Disconnection Notice to the Complainant as per Indian Electricity Act,2003 under Section 56(i) and disconnect the power supply accordingly.
 6. 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 to avoid disconnection.
 7. **Opposite party is directed to submit the compliance report to this Forum within one month from the date of issue of this order as the case may be.**

Accordingly, the case is disposed of.

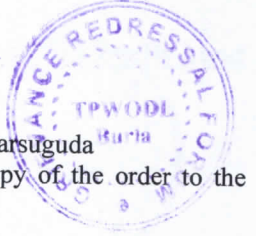

B. Mahapatra)
(Co-Opted Member)
Co-opted Member
Grievance Redressal Forum
TPWODL, Burla - 768017


(A.P. Sahu)
Member (Finance)
Member
Grievance Redressal Forum
TPWODL, Burla - 768017


A.K. Satapathy
(President)
President
Grievance Redressal Forum
Burla - 768017


Copy to: -

1. Bisakha Karali, Daughter in Law of Purna Chandra Karali ,Rengali (Kumarbandh), Dist-Jharsuguda
2. Sub-Divisional Officer (Elect.) Belpahar, TPWODL, with the direction to serve one copy of the order to the Complainant/Consumer
3. Executive Engineer (Elect.), BNED, TPWODL, Brajarajnagar
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”.)


President
Grievance Redressal Forum
TPWODL, Burla - 768017