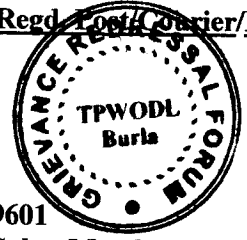


Grievance Redressal Forum

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.Satpathy, President B.Mahapatra (Co-opted Member) and A.P.Sahu, Member (Finance)

Ref: GRF/Burla/Div/SEED/ (Final Order)/ 1841 (4)

Date: 31/07/24

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

1	Case No.	BRL/434/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		President Maa Pradhanaji Pani Panchayat C/O-Subodh Ch Dhar At-Giripali Po- Baham Dist- Sambalpur-768112.		4160-0106-0246	8944808811
3	Respondent/s	SDO(Electrical),Dhanupali, TPWODL		Division S.E.E.D, TPWODL, Sambalpur	
4	Date of Application	07.06.2024			
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	07.06.2024			
9	Date of Order	31/07/24			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

Place of Camp: ESO Office, Padiabahal, TPWODL, Sambalpur.



Appeared

For the Complainant- President Maa Pradhanai Pani Panchayat
Represented by Subodh Ch Dhar

For the Respondent - SDO(Elect.), Dhanupali, TPWODL, Sambalpur.

GRF Case No- BRL/434/2024

President Maa Pradhanai Pani Panchayat
C/O-Subodh Ch Dhar
At-Giripali
Po- Baham,
Dist- Sambalpur
Consumer No.- 4160-0106-0246

COMPLAINANT

VRS

SDO(Elect.), Dhanupali, TPWODL, Sambalpur

OPPOSITE PARTY

GIST OF THE CASE

Subodh Ch Dhar on behalf of President Maa Pradhanai Pani Panchayat has appeared on Dt. 07.06.2024 at the camp held at ESO Office, Padiabahal and submitted a written complaint wherein he has stated about billing dispute- where stated that to revise the bill so served during inoperative period & prayed for operative of the point to be used for cultivation purpose. In this regards the complainant has submitted the copy of the letter address to ESO, Padiabahal, copy of letter address to Lift Irrigation Authority, Sambalpur, copy of certificate of Asst. Engineer LI Sub Division, Sambalpur, Copy of one bill for billing month May-2021, copy of letter addressed to E.E, SEED, TPWODL, Sambalpur, Copy of letter address to Collector Cum DM, Sambalpur etc in this case.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party has submitted billing abstract from May-2014 to Oct-2022, a PVR carried on 01.07.2024 as well as W/S on 03.07.2024 in this case.

OBSERVATION

The case is pursued with all documents available in records submitted by the complainant and merit of the case. On examining the case in details, the Forum observed that the complainant is a IPA consumer having CD 9.5KW with date of initial power supply 02.05.2014 as seen from FG/Samadhan App. The complainant has raised objection on billing served since the date of power supply to till date- as the project was defunct sometime after commissioning in 2014 but billing had continued even in that defunct period at present there is no power supply & prayed to revise the bill with undertake to pay the outstanding amount after revision with request to restore the power supply for further cultivation. During hearing on 07.06.2024, Sri Bikram Keshari Padhan JM (F&C) of SEED, Sambalpur & Sri Akash Mistri OAG-II of Dhanupali Sun Division haattended the camp & submitted the bill abstract of the consumer taken from Samadhan App also the opposite party has submitted a copy of Email of Collector, Sambalpur of Dt. 16.02.2024 enclosing a petition from the complainant. In all times the complainant has approached for consider the case & revision of the bill as well as restoration of power supply wherein stated that during the year 2014 in the philine storm the poles, wires, motor etc got damaged but bills have been continued & no action has yet been taken for its rectification & restoration of power supply. This Forum has gone through the certificate of AE LI Sub Division Sambalpur & it was reported that the above project was energised on 31.03.2014 & got defunct due to flood since Aug 2014 to till date.

From Samadhan App/FG records it is seen that the date of power supply was 02.05.2014 with meter No WES40457 since May 2014 to Nov 2021 the opposite party has billed the consumer on PL/Actual basis with 1026 units/month with meter status/billing as premises Locked. During Dec 2021 the opposite party has raised the bill on Actual reading basis putting the reading as 74243 KWh & accordingly the bill was prepared where it is also seen that the PL bills were withdrawn amounting of Rs. 138207.00 & the arrear outstanding remain of Rs.226158.03. During course of hearing the complainant insisted that the point was never in running condition though it was charged on 02.05.2014 due to the point has been damaged completely during flood due to phylene storm in 2014 & the power supply was never restored after that with the declaration that at present there is no power supply in the same point. Hence, the Forum find that data is contradictory & reading of 74273 units during Dec 2021 cannot be fully relied upon. Further, this Forum finds that there is a certificate of AE, LI Sub Division, Sambalpur where there was declaration about got defunct of point during flood in Aug 2021.

In this regard, during course of hearing this Forum has directed to opposite party (E.E, SEED, TPWODL, Sambalpur) through their representative to submit the detail enquiry report about confirmation of the material facts & the statements so given by the complainant as well as to clarify about the reading of 74273 has been put to billing in month of Dec 2021 & on the authenticity for the damage of the said point during 2021. **It is a matter of regret that although this forum has communicated through E-mail as well as through the representative were present during hearing but E.E, SEED, Sambalpur could not turn to submit any Written version & enquiry report on the same.** However, the ESO Padiabahal has submitted a PVR of Dt. 01.07.2024 where it is stated that “ as per verification of old staff & consumer, also visited the filed, all the conductor about 9 span 11KV conductor got totally destroyed in 2014 in phylene cyclone & since then supply was not charged currently only DP with DTR is present & no meter is present in the field & also 9 span 11KV conductor got stolen after cyclone in 2014.” SDO, Bhutapada has submitted the declaration that “supply was destroy in 2014 phylene cyclone & since then supply was not charged. Currently DP with DTR is present at site & no meter is present at site.”

The statement of ESO, Padiabahal & SDO, Dhanupali has been taken into records. The power supply to the above site might be disconnected since the date of power supply/in 2014 & till date there is no power supply in that site. However, both the field officers could not able to justify the reading of 74273 units put to billing in Dec 2021 hence, the authenticity is of very doubtful. Despite intimation to E.E, SEED, Sambalpur nothing has been received by this Forum in this regard. So this Forum believes that the opposite party should carry a detail enquiry about disconnection of power supply/stolen of material from site- as no FIR copy was produced to this Forum by any of the officer/staff as well as clarify on the billing unit of 74273 units in Dec 2021. The enquiry, should be conducted by a committee headed by SEEC, Sambalpur consisting of E.E, SEED, Sambalpur, SDO, Dhanupali, ESO, Padiabahal, AOC/AOT Padiabahal & senior lineman who will submit there report & as per outcome of the enquiry report the bill revision will be taken care by opposite party & action to be initiated for restoration of power supply to the above point to continue the cultivation by the cultivators depends on this point but on payment of the outstanding dues so arrived after revision as during hearing the complainant has agreed for payment of the dues to resolve the grievance of the complainant.


ORDER

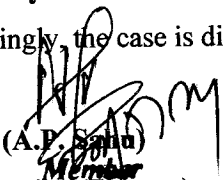



Considering the documents and statements submitted by both the parties at the time of hearing, the Forum hereby passes orders that:

1. The Opposite Party is directed to conduct a detail enquiry about disconnection of power supply material from site- as no FIR copy was produced to this Forum by any of the officer/staff as well as clarify on the billing unit of 74273 units in Dec 2021. The enquiry should be conducted by a committee headed by SEEC, Sambalpur consisting of E.E,SEED, Sambalpur, SDO, Dhanupali, ESO, Padiabahal, AOC/AOT Padiabahal & senior lineman who will submit there report & as per outcome of the enquiry report the bill revision will be taken care by opposite party & action to be initiated for restoration of power supply to the above point to continue the cultivation by the cultivators depends on this point but on payment of the outstanding dues so arrived after revision as during hearing the complainant has agreed for payment of the dues.
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 not submitted any information for the same.
3. The Opposite party is directed not to consider the bill revision for the period already where the complainant has availed the OTS scheme and rebate thereon if any as applicable as 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, served 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
Grievance Redressal Forum
TPWODL, Burla - 768017


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


(A.K. Satpathy)
President
Grievance Redressal Forum
TPWODL, Burla - 768017

1. President Maa Pradhanai Pani Panchayat C/O-Subodh Ch Dhar , At-Giripali, Po- Baham, Dist- Sambalpur
2. Sub-Divisional Officer (Elect.), Dhanupali, TPWODL, Sambalpur with the direction to serve one copy of the order to the Complainant/Consumer.
3. Executive Engineer (Elect.), SEED, TPWODL, Sambalpur.
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:Bhoingar, 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".