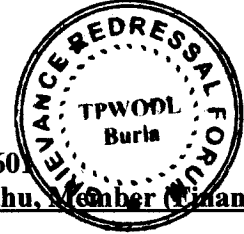


**Grievance Redressal Forum
TPWODL, BURLA**

Quarter No: SD-6/2, Sourav Vihar, Near NAC College,
Burla, Sambalpur, Pin- 768017

Email: grf.burla@tpwesternodisha.com, Ph No.0663-299960

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



Ref: GRF/Burla/Div/BNED/ (Final Order)/18/8(4)

Date: 30/06/24

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

1	Case No.	BRL/452/2024			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Sri Jadumani Naik At-Govindpur, Po-Belpahar, Dist-Jharsuguda		4172-2207-0244	9937207018
3	Respondent/s	S.D.O(Electrical),Belpahar,TPWODL			Division B.N.E.D, TPWODL, Brajrajnagar
4	Date of Application	21.06.2024			
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	• OERC Distribution (Conditions of Supply) Code,2019 √			
		• OERC Distribution (Licensee's Standard of Performance) Regulations,2004			
		• OERC Conduct of Business) Regulations,2004			
		• Odisha Grid Code (OGC) Regulation,2006			
		• OERC (Terms and Conditions for Determination of Tariff) Regulations,2004			
		• Others			
8	Date(s) of Hearing	21.06.2024			
9	Date of Order	30/06/24			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

Place of Camp: SDO Office Belpahar, TPWODL, Brajrajnagar.



Appeared

For the Complainant- Sri Jadumani Naik

For the Respondent- S.D.O(Elect.),Belpahar, TPWODL

GRF Case No- BRL/452/2024

(1) Sri Jadumani Naik
At-Govindpur,
Po-Belpahar,
Dist-Jharsuguda
Consumer No.- 4172-2207-0244

COMPLAINANT

VRS

(1) S.D.O(Electrical) Belpahar, TPWODL

OPPOSITE PARTY

GIST OF THE CASE

The Complainant filed the petition in the name of Sri Jadumani Naik bearing Consumer No. 4172-2207-0244 under BNED, TPWODL, Brajrajnagar stated as "He was not in that house since 01.11.1997 due to service outside of that area. He has submitted the application to the L/M for disconnection of power supply before leaving the house. On 21.08.2017, he has taken the power supply and meter also to that house (bill no.B20320078 dtd.21.08.2017)."

Hence, the Complainant prayed before the Forum to consider his case for revision/rectification.

SUBMISSION OF OPPOSITE PARTY

The Opposite Party has submitted the ledger copy for the period from Feb'2001 to Jul'2022 along with PVR by both ESO and SDO(Elect.),Belpahar carried out on 20.09.2022 not in presence of the consumer where mentioned that the meter bearing sl.no."WLT028329" was in the existence in the premises of the consumer of CMR as "3804"kwH having meter status ok on that date and not submitted any written statement. Remarks mentioned in the PVR stated as "He physically verify with his old L/M Sri Pulasti Mahananda and discussed with site consumers he found that the house was locked since a long period and s/c also LD from pole so bill to be revised accordingly."

Further, after long gap the opposite party has submitted the w/s. As per direction of this Forum the opposite party has also submitted the joint verification report but no ascent by EE,BNED has been seen although in earlier direction and to be treated as disobedience of order of GRF which is not at all acceptable.

OBSERVATION

Both parties have referred to the order dtd. 29.10.2022 has already been communicated vide Letter. no.GRF/Burla/Div/BNED/(Final Order)/385(4) in GRF case no. 385 of 2022 in the above order it was clearly directed to opposite party to submit the PVR, w/s and joint verification report(confirmed by EE,BNED) on or before 20.11.2022 but has failed to do so due to the lack of the responsibility of opposite party, the complainant could not able to get the justice for the long periods. Further, the joint verification report so submitted has not confirmed by EE,BNED although there was clear direction in previous order for the same. However, the documents as desired were submitted to this Forum on 25.06.2024 except incomplete joint verification report. Although, the stipulated time has been expired but to give preference to the consumer and settlement of long billing dispute, the delay is condoned and accepted the case for issue of final order.

This Forum has gone through the petition of the complainant where found that the complainant has not stayed in that premises since 01.11.1997 and submit the letter on 25.07.2017 to DC the p/s and revise the bill addressed to EE,BNED,Brajrajnagar and further another letter on 31.03.2021 wherein EE,BNED forwarded the same to SDO & Jr.Acct. of Belpahar to look into the matter. The letter of DPO,Jharsuguda has been seen and found that the complainant was appointed as peon w.e.f 02.11.1997. the complainant was in service in Laikera Block and thereafter transferred to Jharsuguda Block. The PVR as well as w/s and joint verification of opposite party are taken into consideration and came to know that the house was locked and damaged condition and there was no p/s to the house with the declaration that the complainant was living at Laikera due to service there in the quarter allotted having consumer no. 4131-2803-0036. Finally in Aug'2017, after reconstruction of house and w.r.f to approach of the complainant the p/s was reconnected but clearly not defined anything. But, the opposite has suggest to revise the bill from Nov'2002 to Jun'2017 with consideration of FC only.

The complainant has been served PL/actual bills from Jan'2001 to Oct'2002 with adjustment of PL bills and thereafter from Nov'2002 to Jun'2017 average bills were served @ different units like 288/364/400/728/144 etc. monthly/bi-monthly time to time. The meter sl. no.WLTo28329 was effected in billing since Jul-Aug'2017 where found payment of Rs 5050/-. The DC of p/s since Nov'2002 to Jun'2017 is of doubtful might be the complainant has not in that premises for maximum periods due to service in Laikera/Jharsuguda but for minimum time due to landed property at village and to monitor the same. Without p/s the complainant how manages that premises is a matter of question and PL/Avg. bills does not mean to disconnection of p/s might be the fault as meter replacement not took place and for that the complainant is taking the plea for nom-use of p/s, LD of p/s etc. and prayed for waive out the billing for the periods. It is true that the complainant has used the p/s with minimum units. As the above complainant has applied on 08.09.2022 and due to fault of opposite party the decision has not been taken to settle the issues hence the total periods to be considered for solution of the dispute.

Hence, it is the opinion of the Forum that the opposite party is liable to revise the bill for the period from Nov'2002 to Jun'2017 taking IMR as "36" in Sep-Oct'2017 and FMR as "336" in Jan-Feb'2018 in reference to consumption recorded in meter sl. no."WLTo28329" was effected in billing since Jun-Jul'2017 and continued till date with its daily/monthly actual average consumption thereof.

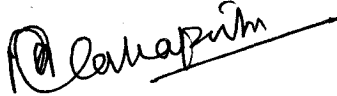
ORDER

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

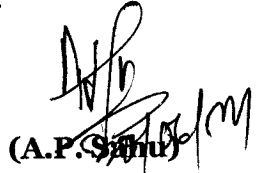
- 1. The Opposite Party is directed to revise the bill for the period from Nov'2002 to Jun'2017 taking IMR as "36" in Sep-Oct'2017 and FMR as "336" in Jan-Feb'2018 in reference to consumption recorded in meter sl. no."WLTo28329" with its daily/monthly actual average consumption thereof.*
- 2. The Opposite 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 covered 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)
Co-opted Member
Grievance Redressal Forum
TPWODL, Burla - 768017



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



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

- Copy to: - (1) Sri Jadumani Naik, At-Govindpur, Po-Belpahar, Dist-Jharsuguda.**
(2) Sub-Divisional Officer (Elect.), Belpahar, TPWODL, Brajrajnagar.
(3) Executive Engineer (Elect.), BNED, TPWODL, Brajrajnagar.
(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:Bhojnagar, 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".