

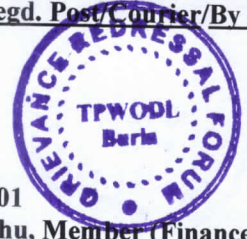
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Grievance Redressal Forum

TPWODL, BURLA

Quarter No: SD-6/2, Sourav Vihar, Near NAC College,
Burla, Sambalpur, Pin- 768017Email: 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)/ 1546 (4)

Date: 29/02/2024

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

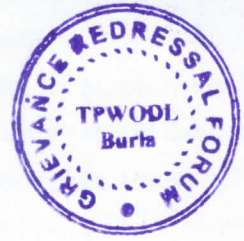
1	Case No.	501 of 2023			
2	Complainant/s	Name & Address		Consumer No	Contact No.
		Dr. Tanuj Ranjan Mishra S/o Late B.P.Mishra At/Po- Sakhipada, Dist- Sambalpur.		4161-3303-0229	9437110696
3	Respondent/s	SDO(Electrical) Bhutapada,TPWODL		Division S.E.E.D, TPWODL, Sambalpur	
4	Date of Application	24.11.2023			
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	11.12.2023	11.01.2024	08.02.2024	
9	Date of Order	29/02/2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	NIL			

Place of Camp: GRF Office,Burla,TPWODL,Sambalpur.

Appeared

For the Complainant- Dr. Tanuj Ranjan Mishra
Represented by Sri P.K.Sahu(Advocate)

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



GRF Case No- 501 of 2023

(1) Dr. Tanuj Ranjan Mishra

S/o Late B.P.Mishra

At/Po- Sakhipada,

Dist- Sambalpur.

Consumer No.- 4161-3303-0229

COMPLAINANT

VRS

(1) SDO(Elect.) Bhutapada,TPWODL,Sambalpur

OPPOSITE PARTY

GIST OF THE CASE

The Complainant has filed the petition in the name of Dr. Tanuj Ranjan Mishra bearing Consumer No **4161-3303-0229** under SEED, TPWODL, Sambalpur stated about billing dispute.

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

SUBMISSION OF OPPOSITE PARTY

The Opposite Party has submitted the copy of Ltr.no.249 Dtd. 25.10.2023 issued by SDO,Bhutapada, Ltr. No.243(3) dtd. 25.10.2023 issued by Chief Legal,TPWODL,Burla,ledger copy for the period from Apr'2018 to Nov'2023,w/s, copy of sundry adjustment cover sheet and consumer history for the period from Nov'2020 to Mar'2021.

OBSERVATION

The case is pursued with all documents available in records (FG data base and Samadhan App) and merit of the case. On examining the case in details, the Forum observed that the complainant is a LT-domestic consumer having CD 4kw with initial date of p/s 16.12.2002 as seen from the FG data base. The above complainant has raised objection on billing dispute and pray for waive the extra amount of Rs 21000/- levied on Nov-Dec'2022. The above case has been registered in GRF and accordingly communicated both parties vide its letter no 176(2) dtd. 06.12.2023 to appear before the Forum for hearing on 11.12.2023 where opposite party was present only. Further, notice has been served to both parties vide its letter no 05(2) dtd. 01.01.2024 to appear before the Forum for hearing on 11.01.2024 where opposite party was also present only. However, on 11.01.2024 the time petition has been filed on behalf of the complainant by the advocate Sri Prasant Kumar Sahu as the authorised representative. This Forum has accepted the time petition of the complainant and allowed for further hearing which was communicated over phone to both parties to appear before the Forum on 08.02.2024 but the opposite party has attended the hearing where found the complainant was absent on that date. The Forum feels that the complainant has no response to the notice for attending before the Forum being a highly educated person and this Forum has felt embarrassment. This Forum has gone through the order passed by Hon'ble DCDRC, Sambalpur where it is stated that the complainant ha snot submitted any evidences which proves the deficiency of service or unfair trade practice against the opposite party and in other hand it is a case of billing dispute which is not entertainable before the Consumer Forum and accordingly the consumer Forum dismissed the case on contest.

During the course of verification and scrutiny of ledger it is seen that, the meter sl. no."WLT161491", "LW321823", "LW568142" & "LW553120" were installed on 12.03.2019,24.11.2019,27.09.2020 & 27.04.2021 with IMR as "zero" & MF "1" for all respectively. The opposite party has revised the bill for meter defective periods from Nov'2020 to Mar'2021 and debited an amount of Rs 20,990.30/-. On scrutiny of ledger, it came to the notice of the Forum that, actual bill has been served in Feb'2019 for kwh reading of "57545" and withdrawn the PL billing amount with ok status of billing in Aug'2020(15.09.2020)served bill for "1539" kwh and withdrawn the PL bills so far issued earlier. As observed PL bills were served from Sep'2020 to Mar'2021(27.09.2020 to 27.04.2021) and actual bill has been served on 26.09.2020 . For better confirmation the opposite party has been asked to submit the evidence on meter installation and accordingly the copy of the meter installation register was submitted where it is seen that the meter sl. no."LW553120" was installed on 28.04.2021 but in w/s the meter sl. no."LW568142" was described as installed on 27.04.2021 which is not at all correct & acceptable. It is confirmed that the meter sl. no."LW553120" was installed on 28.04.2021 & the meter sl. no."LW568142" was installed on 27.09.2020 in the premises of the consumer as per billing data base. The Forum believes that the amount so debited on account of defect period assessment might not be correct and done without going through the details report on meter installation and consumption involved thereon where it is seen that, the consumption upto 27.04.2021 was "1443"kwh with IMR as "zero" in reference to consumption recorded in meter sl. no."LW568142" was installed on 27.09.2020 as well as required rectification also from 16.09.2020 to 26.09.2020.So, to resolve the grievance of the complainant bill revisions are required.

Hence, the Forum is in the opinion that the Opposite party is supposed to revise the bill as per below mentioned instructions: -

1. For the period from 27.09.2020 to 27.04.2021 by spread over the reading of "1443"kwh with IMR as "zero" in between the periods as per its daily/monthly actual average consumption thereof in reference to meter sl. no."LW568142".
2. For the period from 16.09.2020 to 26.09.2020 basing on the actual average consumption as derived in sl. no.1.
3. For the period from 28.04.2021 to 24.05.2021 basing on the consumption recorded in meter sl. no." LW553120" taking the IMR as "zero" kwh on 28.04.2021 and FMR as "22903" kwh on 29.08.2023 with its daily/monthly actual average consumption thereof
4. Withdraw an amount of Rs 20,990.30/- as debited due to defect period assessment as not applicable has already been described in the observation part.
5. Not to disconnect the p/s unless otherwise served the revised bill to the complainant.

ORDER

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

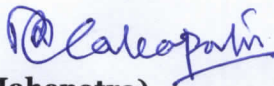
1. *The Opposite Party is directed to revise the bill of the consumer for the period as per below mentioned instructions: -*
 - i. *For the period from 27.09.2020 to 27.04.2021 by spread over the reading of "1443"kwh with IMR as "zero" in between the periods as per its daily/monthly actual average consumption thereof in reference to meter sl. no."LW568142".*

- ii. For the period from 16.09.2020 to 26.09.2020 basing on the actual average consumption as derived in sl. no.1.
- iii. For the period from 28.04.2021 to 24.05.2021 basing on the consumption recorded in meter sl. no." LW553120" taking the IMR as "zero" kwh on 28.04.2021 and FMR as "22903" kwh on 29.08.2023 with its daily/monthly actual average consumption thereof
- iv. Withdraw an amount of Rs 20,990.30/- as debited due to defect period assessment as not applicable has already been described in the observation part.
- v. Not to disconnect the p/s unless otherwise served the revised bill to the complainant.

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.

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.**



(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

- Copy to:** - (1) Sri Tanuj Ranjan Mishra(Dr), S/o Late B.P. Mishra, At/Po- Sakhipada, Dist- Sambalpur.
- (2) Sub-Divisional Officer (Elect.) Bhutapada, 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".