

# CONSUMER GRIEVANCE REDRESSAL FORUM

ELECTRICAL CIRCLE, ROURKELA

Plot No. UU/9, Civil Township, Rourkela-769004

Phone: (0661) 2952614, E-mail: grf.rourkela@tpwesternodisha.com

## Present:

Sri Achyutananda Meher ... President  
Sri Pulakesh Dasbhaya ... Member (Finance)  
Sri Girish Ch. Mohapatra ... Co-opted Member

1	Case No.	<b>RKL/ 1220 /2023</b>			
2	Complainant	Name & Address:		Consumer No:	
		Ramesh Chandra Agarwalla		8140-0101-0950	
		Plot No. N4/11, At/PO- Civil Township, Rourkela, Dist- Sundargarh.		Contact No.: 9437037342	
3	Respondent	Name		Division	
		Executive Engineer, RSED, TPWODL, Rourkela.		RSED, TPWODL, Rourkela.	
4	Date of Application	27.09.2023			
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) -			
6	Section(s) of Electricity Act, 2003 involved	42(5)			
7	OERC Regulation(s):				Clauses
	1	OERC Distribution (Licensee's Standard of Performance) Regulations,2004			
	2	OERC Conduct of Business) Regulations,2004			
	3	Odisha Grid Code (OGC) Regulation,2006			
	4	OERC (Terms and Conditions for Determination of Tariff) Regulations,2004			
	5	Others-OERC Distribution (Conditions of Supply) code, 2019			155/157
8	Date(s) of Hearing	06.11.2023/16.03.2024			
9	Date of Order	30.03.2024			
10	Order in favour of	Complainant	√	Respondent	Others
11	Details of Compensation awarded, if any.	Nil			
12	Appeared for the Complainant:		Appeared for the Respondent:		
	Sri Din Dayal Agarwalla		1. Er. Debadatta Bhoi, SE, MRT & Others 2. Er Shivasis Nayak, EE, RSED & Others		

## **ORDER**

### **Brief Facts of the Case**

The present case has been registered in this forum vide Case No. 1220 of 2023. Brief facts pertaining to the case are that the Complainant is a LT-Domestic consumer having consumer No. 814001010950 with contract demand of 8.00 KW.

That the Complainant has raised objection regarding generation of faulty bills on the basis of erroneous meter reading due to defective meter. He requested for revision of bills and mentions about verbal complaint being made to the respondent earlier on.

### **Gist of Arguments made by the Parties**

During the hearing on dated 06-11-2023 and 16-03-2024 both the parties were present. The contentions made by the parties are as follows:

#### **1. Submission of the Complainant:**

- a. That, you have given me an electric connection with consumer 38111004599, consumer no. 814001010950 at plot no.:- N4/11, Civil Township, Rourkela-769004.
- b. That, I am being issued provisional bills from bill month 2022/01 with meter reading shown as premises locked. I feel sorry to inform you that the meter is installed on the electric pole outside my premises on the road and the concerned meter reading incharge has got nothing to do with the premises. This trend continues this date. All the bills generated by you is faulty, erroneous, imaginary and arbitrary without any factual basis after bill period 2022/01 and to till date.
- c. That, all bills after that month were issued on provisional basis, the reason for this is better known to you till bill month 2022/07. In the meantime, we paid all the bills regularly.
- d. That, for the bill month 08/2022, I was issued bill no. 814010109221901046 with bill basis actual meter, after a period of 7 months for an amount of Rs. 1298187/-, which was shocking to see. The opening reading was shown as 71675 and closing reading was shown as 274878. The meter had become defective during the aforesaid period but the meter reader incharge neither informed the department nor informed us.

- e. That, we are shocked to see the bill, so I informed the dept customer care no.. on their advice, an email in this regard was sent. No action was taken by the department to rectify the bill and replace the meter. My representative is visiting the TPWODL offices but to no avail.
- f. That, the department is issuing provisional bills only with bill basis premises locked with imaginary inflated amounts after bill month 2022/09 till date. Because of this, I have moved into state of depression and started to have breathing problems. My family members are frightened to see this state of my health.
- g. That, it seems the department wants to extort money from me by generating faulty bill and sending disconnection notice, taking advantage of its monopolistic position and resorting to unfair trade practice.

After that, the complainant has requested the forum to settle the bills for the disputed period and till date on the basis of my consumption of last six months prior to bill period 2022/01 and change the defective meter, as per meter reading.

## **2. Reply Submission of the Respondent:**

- i. The respondent produced the billing abstract from Feb'2001 to Sep'2023 on 06-11-2023 alongwith a copy of PVR dated 22-08-2023 mentioning that "A sum of Rs. 14,21,934 was pending against consumer no. 8140-0101-0950 up to Jul'2023 and interim order granted by DCDRC, Rourkela, could not be extended on dt. 21-08-2023, the power supply was disconnected on 22-08-2023".
- ii. The respondent submitted his final submission on 29-03-2024, mentioning that, Ramesh Chandra Agrawal bearing cons no 8140-0101-0950 is being billed in LT-/ Domestic tariff.
- iii. That, the mentioned consumer was billed on actual meter reading basis till Dec-21 with meter reading of 71675. From Jan'2022 to Jul'2022 the consumer was billed on provisional basis. In Aug-22 the consumer was billed 2,03,203 units amounting Rs.12,97,004.05 with FMR 274878 and IMR 71675. The consumer has disputed the above billing. From Sep-22 to till date the consumer is being billed on actual meter reading basis with FMR of 278449 till Jun-23. In the meantime, the consumer has moved to the office of Hon'ble GRF. Also MMG Rourkela has tested the meter on dated 05-08-2023 and found the meter to be OK and also copy of meter test is annexed herewith.
- iv. That, as per the instruction of Hon'ble GRF the meter was tested once again on dated 18-11-2023 by Meter Testing Laboratory at Rajgangpur,

where the meter was found to be defective which is contradictory to the report of the MMG Team. The details of meter testing and the photograph of last billed units on actual meter reading basis are annexed herewith as Annexure 2.

- v. That, while studying the case it was found that a new meter was replaced in Nov-09 with IMR 3398. The average consumption of the meter is 446.25 units per month from Nov'2009 to Jul-22.
- vi. That, the matter was discussed in detail by the respondent with the competent Authority who gave the instruction of premise by Enforcement team. As per his instruction the premise of the consumer was checked by Enforcement team on 17-03-2024. As per the report of Enforcement team there was no power supply, but connected load was assessed for 8.07 KW. Considering the connected load the average consumption of 446.25 units per month is justified and the billed units of 2,03,203 is nothing but accumulation of reading from date of installation of the meter. The copy of meter test is annexed herewith.

### **Findings of the Forum**

Written/verbal Submissions made by both parties and arguments heard at length. This Forum, after hearing the parties and going through the relevant documents and provisions of law have concluded as follows:

1. That the complainant has been billed on actual meter readings up to Aug'2021 with a meter reading of "71675" of meter no. 333446 and from Sep'2021 to Jul'2022 provisional and average bills have been served.
2. In Aug'2022 the complainant was billed 2,03,203 units amounting Rs.12,97,004.05 with FMR 274878 and IMR 71675. The consumer has disputed the above billing. From Sep'2022 to Jan'2023, again provisional billing has been served and from Jan'2023 to Jul'2023 bills on actual meter readings have been served except the month of Apr'2023.
3. It is also noted by the Forum from the PVR submitted by the Respondent that the power supply has been disconnected from 22-08-2023.
4. It is noted by the Forum from the Meter test report dated 05-08-2023 that meter was OK and the reading was "278735" as per testing done by by Asst. Manager (Com), Lab-incharge, MRT Laboratory Rourkela.
5. Again, it is noted from the meter test report of Meter testing Laboratory, TPWODL, Rajgangpur on dated 18-11-2023 mentioning that:

- Current date shown by meter is 02-01-2007 as on actual date 18-11-2023.
- RTC fail.
- The meter is defective because on August 5<sup>th</sup> 2023, it displayed 278,735 kwh, but currently, it shows 20,691 kwh.
- Meter data could not be downloaded.
- Meter found defective.

### **Observations of the forum**

Following observations are noted by the Forum:

- The respondent could not explain that why provisional bills have been served so frequently mentioning the premises as House Lock while as mentioned by the complainant that meter was installed on the pole outside the house. Further, if photo meter reading is being done, the respondent could not submit any picture of the meter readings before the dispute period.
- Regarding the doubt of accumulation of reading from date of installation of the meter i.e. form Nov'2009, as per Section 111(iii) of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019, it is clearly mentioned that:

*"The licensee/supplier shall also conduct periodical inspection/testing of the meters at site as per the following schedule or earlier: The licensee/supplier may instead of testing the meter at site can remove the meter and replace the same by a tested meter duly tested in an accredited test laboratory.*

*(a) Single phase meters at least once every five years*

*(b) LT three phase meters at least once every three years*

*(c) HT/EHT meters including MDI at least once a year"*

- This could have been sorted out if the meter would have been checked before, therefore simply a doubt of accumulation without any documents is denied.
- Regarding the difference between the two-meter testing report, the Forum will approve the report of MRT Laboratory, Rajgangpur, as it complies with the requirements of ISO/IEC 17025:2017.

However, as per section 108(vii) of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019, which clearly mentions that,

*"In the event of any difference or dispute on the accuracy of any meter, the same shall be decided on an application by either party to the Electrical Inspector, whose decision shall be final."*

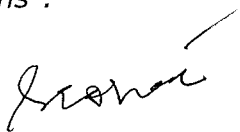
## **Directions of the forum**

In view of the above findings and observations, the Forum is of the view that,

- The supply of the complainant is to be reconnected within 10-04-2024 with installation of a new meter.
- The provisional/average bills served to the complainant from Jan'2022 to Jul'2023 are to be revised as per the average of six consecutive billing of new meter as per Section 155 and 157 of Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019. If the complainant is not staying in the premise or vacated the house, average consumption of six months i.e. from Jul'2021 to Dec'2021 is to be taken for revision of bills.
- Any adjustments done during the revision period are also to be taken in to consideration.
- DPS charged on the wrong bills are also to be withdrawn.

Matter is closed herewith and the compliance report to be submitted to the undersigned on or before dated **30-04-2024**.

*"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 Grievances Redressal Forums".*



**Co-Opted Member**



**Member (F)**



**President**

No. GRF/RKL/ 232<sup>(4)</sup>

Date: 30/03/2024

Certified Copy to:

- 1) The Superintending Engineer, Electrical Circle, TPWODL, Rourkela.
- 2) The Chief Legal, TPWODL, Burla.