

CONSUMER GRIEVANCE REDRESSAL FORUM

ELECTRICAL CIRCLE, ROURKELA

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

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

Bench:

Sri Achyutananda Meher (President), Sri Chitta Ranjan Dash (Member Finance), Sri Girish Chandra Mohapatra (Co-opted Member)

Corum:

Sri Achyutananda Meher ... President
Sri Chitta Ranjan Dash ... Member (Finance)
Sri Girish Chandra Mohapatra ... Co-opted Member

1	Case No.	RKL/ 40 /2025			
2	Complainant	Name & Address:		Consumer No:	
		M/s R. S. Enterprises		8130-0104-0678	
		At- Ankurpalli, PO- Karmabahal,		Contact No.:	
		Dist- Sundargarh.		7894418116	
3	Respondent	Name		Division	
		Executive Engineer, RED, TPWODL, Rajgangpur.		RED, TPWODL, Rajgangpur.	
4	Date of Application	24.01.2025			
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	30.01.2025			
9	Date of Order	31.03.2025			
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:			
	Absent	Sri Uma Shankar Yadav, Manager (Fin.)			

ORDER

Brief Facts of the Case

The present case has been registered in this forum vide Case No. 40 of 2025. Brief facts pertaining to the case are that the Complainant is an MI consumer having consumer No. 8130-0104-0678 with connected load of 21 Kw.

That the Complainant has raised objection regarding penalty imposed. He requested a waiver of penalty and mentions about verbal complaint being made to the respondent earlier on.

Gist of Arguments made by the Parties

Both parties were present in the hearing. The contentions made by the parties are as follows:

Submission of the Complainant:

- The complainant submitted that wrong penalty imposed upon him which must be withdrawn.
- He further submitted that he had made verbal complaint to the respondent about the erroneous bill.
- He also requested the Forum to revise the bills.

Reply Submission of the Respondent:

- The respondent produced the consumer ledger from Apr'2011 to Mar'2024, provisional assessment on dt.03.09.2024, final assessment on dt.21.09.2024 and written version on dt.29.01.2025.
- The respondent informed us that there was an assessment under Section 126 of the Electricity Act, 2003 and no other dispute.
- However, the respondent requested the Forum to take appropriate decisions as necessary.

Findings of the Forum

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

- This is an assessment under Section 126 read with Section 135 of the Electricity Act, 2003 for unauthorized use of electricity read with Regulation 167 of the Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019.

Section 127 of the electricity Act speaks as :

“(1) Any person aggrieved by the final order made under section 126 may, within thirty days of the said order, prefer an appeal in such form, verified in such manner and be accompanied by such fee as may be specified by the State Commission, to an appellate authority as may be prescribed.

(2) No appeal against an order of assessment under sub-section (1) shall be entertained unless an amount equal to 3[half of the assessed amount] is deposited in cash or by way of bank draft with the licensee and documentary evidence of such deposit has been enclosed along with the appeal.

(3) The appellate authority referred to in sub-section (1) shall dispose of the appeal after hearing the parties and pass appropriate order and send copy of the order to the assessing officer and the appellant.

(4) The order of the appellate authority referred to in sub-section (1) passed under sub-section (3) shall be final.

(5) No appeal shall lie to the appellate authority referred to in sub-section (1) against the final order made with the consent of the parties.

(6) When a person defaults in making payment of assessed amount, he, in addition to the assessed amount shall be liable to pay, on the expiry of thirty days from the date of order of assessment, an amount of interest at the rate of sixteen per cent, per annum compounded every six months.”

Section 167 of the Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019 speaks as :

“Any person aggrieved by a final order made under Section 126 of the Electricity Act may, within thirty days of the said order, prefer an appeal u/s 127 of the Electricity Act, 2003 in such form, verified in such manner as specified by the Commission under Regulation. The appeal should be accompanied by documentary evidence that half the assessed amount has been deposited with the licensee/supplier.”

- As the case had been received through the post, the case has been registered.

- The petitioner has disputed the accuracy of the bill. On scrutiny of the reply submitted by the Opposite Party it was ascertained that he has been served a penal bill under Section-126 of the Electricity Act, 2003.
- As the forum lacks jurisdiction to adjudicate cases coming under the purview of Clause-167 of OERC (Condition of supply) Code-2019, the petitioner is advised to approach the appellate authority i.e. Deputy Electrical Inspector, Plot No. YY/2, Civil Township, Rourkela.

Directions of the forum

In view of the above facts and circumstances and after going through the documents submitted by both the parties, the Forum pronounces the following order as per regulations of the Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019.

- The case is dropped.

The case is disposed of accordingly.


Co-Opted Member


Member (Finance)


President

No. GRF/RKL/ 274⁽⁴⁾

Date: 31/03/2025

Certified Copy to:

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