

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 Anil Kumar Patra (President), Sri Chitta Ranjan Dash (Member Finance), Sri Girish Chandra Mohapatra (Co-opted Member)

Corum: Sri Anil Kumar Patra ... President
 Sri Chitta Ranjan Dash ... Member (Finance)
 Sri Girish Chandra Mohapatra ... Co-opted Member

1	Case No.	RKL/ 555 /2025				
2	Complainant	Name & Address:		Consumer No:		
		Jay Balaji Jyoti Steels Ltd. At- Unitech House (Infront of Income Tax Office) PO-Uditnagar, Rourkela, Dist-Sundargarh.		8140-0000-0163		
				Contact No.:		
				9337004084		
3	Respondent	Name		Division		
		Executive Engineer, RSED, TPWODL, Rourkela.		RSED, TPWODL, Rourkela.		
4	Date of Application	06.11.2025				
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	120-125		
8	Date(s) of Hearing	17.11.2025, 29.11.2025, 04.12.2025				
9	Date of Order	31.12.2025				
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:				
	Sri Gouranga Padhiary	Er. Alok Ranjan Pattanaik				

Seonapat
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✓
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On 31-12-2025
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ORDER

Brief Facts of the Case

The present case has been registered in this forum vide Case No.555 of 2025. Brief facts pertaining to the case are that the Complainant is Large Industries consumer having Consumer Number 8140-0000-0163 with connected load 1200 KVA.

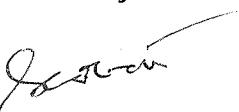
That the Complainant has raised objection for excess charges claimed towards Demand Charges for the period June 2025 to October 2025 by T.P. Western Odisha Distribution Limited in contrary to Electricity Act, 2003 and the OERC Distribution (Conditions of Supply) Code, 2019.

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 in application:

1. The complainant due to the operation of its CPP was, inter alia, facing several financial distresses, since December 2023 and the petitioner's requirement of electricity from organization of the respondent had reduced drastically which will be evident from the electricity bills raised for the month of September 2024 and October 2024. As the petitioner has the generating capacity of 10,000 KVA from its own CPP, its power requirement from the respondent needs to be reduced from 12,000 KVA to 3,050 KVA.
2. In the premises, the complainant applied online on dt.02.05.2025 for reduction of contract demand from 12,000 KVA to 3050 KVA by E-mail. Since no response was received from the respondent. The petitioner once again applied for reduction in contract demand from 12000 KVA to 3050 KVA in physical form on dt.17.05.2025 to the respondent.
3. Since 60days had passed and no action was taken by the respondent on the application of the petitioner for reduction of CD, the petitioner by a letter dated 17.07.2025 to the respondent once again requested to consider the application dated 02.05.2025 submitted in physical form on 17.05.2025.
4. However, the respondent by the letter dated 02.09.2025 sought to reject the application of the petitioner although the said application was already approved by operation of law and the respondent having become a *functus officio* could not have rejected such application.


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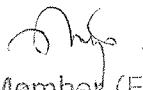
5. The complainant claims excess amount towards demand charges from Jun'2025 to Oct'2025 be set aside and further respondent be restrained from raising any further bill claiming demand charges based on old contract demand.

Reply Submission of the Respondent:

The factual sequence of events for appropriate adjudication of this matter is as follows:

- I. The complainant is a high voltage consumer of 33 kV of the respondent vide consumer number 814000000163.
- II. That, an agreement Dt.15.01.2014 was executed by and between the complainant and the respondent for the supply of electricity for a contract demand of 2500 kVA. On Dt.10.05.2016, the agreement was later amended, enhancing the contract demand from 2500 kVA to 10000 kVA.
- III. That the aforesaid agreement was again amended on Dt.11.10.2018, enhancing the contract demand from 10000 kVA to 13000 kVA. The contract demand was further enhanced from 13000 kVA to 15000 kVA vide an agreement Dt.30.12.2019 and then finally, it was enhanced from 15000 kVA to 18000 kVA vide an agreement Dt.28.07.2021.
- IV. That in the meanwhile, the complainant built a Captive Power Plant within their premises, contentedly capable of generating 10 MW. Further consumer applied load reduction from 18000 KVA to 12000 KVA and same was done in line with regulation in the month of Mar'2024 and necessary benefits passed in Apr'2024.
- V. As the matter stood thus, the complainant applied for reduction of contract demand, through their email Dt.02.05.2025 to the Executive Engineer, RSED. Since the email could not be treated as a complete and valid application, the same was intimated to the complainant.
- VI. Following this the complainant submitted a physical application before the Office of the Executive Engineer, RSED, TPWODL, Rourkela on 17.05.2025, without submitting the requisite fees. Further, the Complainant completed the fee payment on Dt.27.05.2025.
- VII. That, after the documents submitted by the complainant were verified, the proposal for the reduction of the contract demand was rejected by the Connection Management Group (CMG) on Dt.09.07.2025 and the status on the official website of the respondent was reflected as "Application Rejected".
- VIII. The complainant, later on Dt.17.07.2025, sent a letter to the Executive Engineer,


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RSED, TPWODL, Rourkela, alleging that no action has been taken on their application for reduction of contract demand Dt.17.05.2025 and requesting the respondent to consider their application for reduction of contract demand.

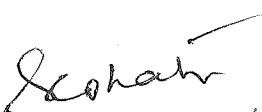
IX. The complainant vide their letter Dt.22.08.2025, contending that their contract demand was deemed to have been reduced, in view of the regulations 123 & 124 of the OERC Distribution (conditions of supply) Code, 2019. The complainant further claimed for revision of bills for the month of June & July 2025 as per the contentedly new contract demand of 3050 kVA.

X. That, vide a letter Dt.02.09.2025, the complainant was informed by the respondent that their application for reduction of contract demand was rejected as their last reduction of contract demand was carried out on Dt.02.03.2024, i.e., within the last 36-months, and therefore, as per Regulation 120 of the Supply Code, 2019, the further deduction could not be allowed.

XI. Being aggrieved by this response of the respondent, the complainant approached the Hon'ble High Court of Orissa, vide WPC No. 28674 of 2025, praying for directions to admit the writ petition and set aside the letter Dt.02.09.2025 issued by the respondents in the instant case, in rejecting the complainant's application for reduction of the contract demand. Further, the Complainant in his instant case, prayed for declaration of the deemed reduction of the contract demand in view of the Regulation 123 and 124 of the OERC Supply Code, 2019 and direct the respondents in this instant case to revise the electricity bills from June,2025 onwards, accordingly and direct the respondents in this instant case to ensure that all the bills in the future are raised as per contentedly new contract demand of 3050 kVA.

PARA-WISE SUBMISSIONS ON DT.28.11.2025.

1. That, the contentions made in Para 1 to Para 15 are beyond the purview of the subject matter of this instant case and therefore require no response or reply from the respondents.
2. That, Para 16 to Para 21 is the sequence of events, as alleged by the complainant and require no reply from the respondents as the same contentions have been put forth from Para 22 to Para 29 and the same have been responded to, as below.
3. That, in reply to Para 22 of the complaint petition of the complainant, the respondent humbly submits that the complainant had sent an email to the Executive Engineer, RSED, TPWODL, Rourkela on Dt.02.05.2025 for reduction of the contract demand. The complainant then submitted the physical application for


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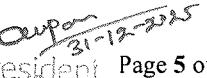
reductions of contract demand in the inappropriate form on Dt. 17.05.2025, along with some relevant documents. However, it is pertinent to mention herein that the application form was still not accompanied by the payment of the requisite fees for this application. It is pertinent to mention herein that as per Regulation 121 of the OERC Distribution (Conditions of Supply) Code, 2019, the application for reduction of contract demand, shall be accompanied by certain pre-requisites. As per Regulation 121 (a) of the OERC Supply Code, 2019, the application shall be accompanied by the processing fees for the same. However, in the instant case, the payment of the processing fees was made on Dt. 27.05.2025, by the respondent and in view of the aforesaid regulation, the date of application cannot be considered as Dt. 02.05.2025 & neither can be considered to be Dt. 17.05.2025. It is humbly submitted further that the respondent, in no apparent manner, had become functus officio. It is pertinent to mention herein that the application of the complainant had been rejected on Dt. 09.07.2025 already and the status of the same was clearly visible on the consumer portal on the respondent's official website. The complainant and any other applicant have access to such portal and can check their application status by submitting their application reference number or their registered phone number and check the status of their application, which in this case, clearly reflected as "Rejected". As Regulation 123 of the OERC Supply Code, 2019, the decision on the application for reduction of contract demand shall be taken within fifteen days in case of domestic and sixty days in case of other categories of consumer of receipt of complete application. No application shall be rejected without recording reasons. The order on the application shall be communicated to the consumer by registered post/courier service/registered E-mail/personal service with proper acknowledgement of the consumer. In this instant case, the decision on the application for reduction of contract demand has already been taken on Dt. 09.07.2025, which is palpably within the stipulated time limit. Further, the decision on the aforesaid application was clearly visible on the consumer portal on the respondent's website.

4. That, it is further pertinent to mention herein that as per Regulation 124 of the OERC Supply Code, 2019, if the decision is not taken by the respondent within the stipulated time limit, then the complainant is supposed to draw the attention of the respondent by virtue of a written notice.

However, the decision was already taken on the application of the complainant on Dt. 09.07.2025 and as per established practice, the status of the said application was displayed on the official website of the respondent. Further, the representatives of the complainant were in constant contact with the respondent and complainant has been duly informed about the rejection of his application for reduction of contract demand. It is pertinent to mention that the letter of the complainant Dt. 17.07.2025 was


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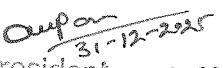

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infructuous since the decision on the application of the complainant had already been arrived upon and the same was displayed on the official website of the respondent. Therefore, the contention that the respondent had become *functus officio* does not stand the test of law.

5. That, in reply to para 23 of the complaint of the complainant, the respondent humbly contends that as per Regulation 123 of the OERC Supply Code, 2019, the decision on a consumer's application shall be taken within 15-days for domestic & 60-days for other categories of consumer and no decision shall be taken without recording reasons. Further, the order shall be communicated to the applicant registered post/courier service/registered E-mail/personal service with proper acknowledgement of the consumer. It is pertinent to mention herein that the decision on the complainant's application was already taken on Dt.09.07.2025, which was then clearly visible on the official website of the respondent. Further any applicant can check their application status on this aforesaid portal by either entering their application reference number or even the registered phone number.
6. That, it is further pertinent to mention herein that, as admitted by the complainant, in their letter Dt.05.08.2025, the complainant had a telephonic conversation with the representative of the licensee. It is pertinent to mention herein that the complainant's representatives have been in constant connection with the representatives of the respondent during the time that the complainant made the application as well as when such application was rejected and subsequently as well. It is further pertinent to mention that the complainant has been duly informed about the rejection of his application over multiple telephonic conversations and discussions by the respondent and any consumer has the accessibility of checking their application status on the consumer portal available on the respondent's official website. Therefore, the claim that the order, on their application for reduction of contract demand, was not communicated to the complainant is absurd, vague and factually incorrect.
7. That, in reply to para 24 of the complaint petition of the complainant, the respondents humbly submit that the letter Dt.02.09.2025 is only a formal reply to the letter of the complainant Dt.22.08.2025, although, earlier the rejection of his application for reduction of contract demand had already been informed to the complainant at multiple times over telephonic conversations as well as in physical meetings, even the representatives of the complainant were also advised through telephonic discussion and meetings to check the respondent's official website to know the status of their application, as now every application is only


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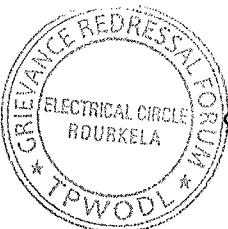

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being considered through "Online mode" in order to smoothen the redressal of consumer's issue/grievances/application and for maintaining transparency in the process. The letter sent by the respondent on Dt.02.09.2025 is not the actual rejection of the application but is only a formal reply to the letter of the complainant Dt.22.08.2025. Therefore, it is humbly submitted that the contention put forth in Para-24 of the complainant's complaint petition is infructuous.

8. That, in reply to Para 25 of the complaint petition of the complainant, the respondent humbly contends that this instant case does not fall under the purview of Regulation 125 of the OERC Supply Code, 2019. It is pertinent to mention herein that Regulation 125 of the OERC Supply Code, 2019 pertains to cases wherein the reduction of contract demand has been permitted or deemed to have been permitted. In the instant case, it is humbly contended that the reduction of contract demand in the instant case, has neither been permitted and neither been deemed to have been permitted as the provisions under Regulation 123 and Regulation 124 have been duly complied with, as the decision on the application of the complainant had already been taken on Dt.09.07.2025, which is within the stipulated time frame and further, the same had also been communicated to the complainant duly over telephonic conversation, time and again.
9. That the contentions and claims made by the complainant in para 26 of the complaint petition of the complainant are unequivocally refuted by the respondent. The respondent has dealt with this application of the complainant by remaining within the confines of the OERC Supply Code, 2019 and have not contravened the provisions of the Electricity Act, 2003, regulations made by the Hon'ble OERC and any other legal frameworks.
10. That, the claims and contentions made by the complainant in Para 27, 28 & 29 of the complaint petition of the complainant are outrightly false and are unequivocally and vehemently denied.



Re-joinder submission of the Complainant on dt.03.12.2025:

The para-wise submission of Licensee submitted to the Complainant on dt.29.11.2025. Therefore, the Complainant filed one re-joinder which is nothing specific and the same points are reproduced.

Written Notes of submission on behalf of Licensee on dt.12.12.2025:

The written argument of the Licensee also discloses the identical points of objection which have been filed in their written statement.


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Written Notes of submission on behalf of Complaint on dt.15.12.2025:

The written argument of the Complainant also covers the same points of the complaint petition.

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:

1. During the course of hearing, both the parties have filed their pleading in shape of written statement/objection, rejoinder and written arguments. On perusal of the averments, it is found that the complainant has applied for reduction of contract demand from 12000 KVA to 3050 KVA.
2. Further Regulation 122 of OERC Supply Code speaks "no permission shall be granted to reduce the contract demand if on a consideration of the investment made by the licensee for effecting power supply to the consumer, the reduction is likely to result in the investment becoming non-remunerative according to the norms fixed by the licensee with the approval of the Commission, unless the consumer is agreeable to bear the financial burden of making the investment viable due to such reduction."
3. In view of Regulation 120 of OERC Supply Code 2019 "Contract demand above 20 KW shall not be allowed to be reduced more than once within a period of thirty-six months from the date of initial supply or from the date of last reduction. Contract demand of 20 KW and below shall not be allowed to be reduced more than once within a period of twelve months from the date of last reduction. However, the designated authority of the licensee/supplier may for sufficient reasons to be recorded, allow such reduction more than once within the aforesaid period of thirty-six months or twelve months as applicable."
4. The decision of the licensee was taken on dt.09.07.2025 and the same status of the application for reduction was displayed on the official website of the Licensee which the Complainant has easy excess to know the status. Earlier Regulation 70 of the OERC Distribution Code, 2004 was restricted to communicate the decision on a consumer's application within 90 days by registered post only. Thereafter Regulation 123 of OERC Distribution Code, 2019 modified to sixty days

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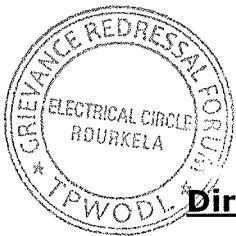
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and the process of communication became broad, such as, regd. post/courier service/e-mail/personal service with proper acknowledgement. In view of technological development, such communication has been used for proper communication. In this case, there is communication through website as well as personal service between the parties.

5. The Hon'ble High Court has been pleased to pass an order in WP(C) 28674/2025 on dt.16.10.2025 in para 7, "the concerned authority shall do the needful and decide the issue as expeditiously as possible, preferably by the end of December 2025." Accordingly, order passed within the time, i.e., December 2025. The Forum places on record our deep gratitude for the timely co-operation rendered by both parties.



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 120, 121, 122, 123, 124 and 125 of the Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019.

- In view of the above circumstances, the case is dismissed.

The matter is close herewith.

Sonapati
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Date: 31/12/2025

Certified Copy to:

- 1) The Superintending Engineer, Electrical Circle, TPWODL, Rourkela.
- 2) The Executive Engineer, RSED, TPWODL, Rourkela.
- 3) Manager (Com.), RSED, TPWODL, Rourkela.
- 4) The Chief Legal, TPWODL, Burla.

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: Bhoi nagar, Bhubaneswar-751022 within 30 days from the date of order of the Grievances Redressal Forums.

