ORISSA ELECTRICITY REGULATORY COMMISSION BIDYUT NIYAMAK BHAWAN UNIT-VIII, BHUBANESWAR - 751 012

Present: Shri K.C. Badu, Member

Shri B. K. Mishra, Member

Case No. 07 /2010

Shri Sarangadhar Ojha Petitioner

Vrs.

CEO, CESU & others Respondents

In the matter of: Application under S.142 of the Electricity Act, 2003

For Petitioner: Sri Sarangadhar Ojha

Respondent: Sri Dhaneswar Mohanty, Advocate for SDO(Elect), CESU.

Date of Hearing: 11.05.2010 Date of Order: 20.05.2010

ORDER

The case is taken up for on question of admission and hearing. The counter filed by the respondent and Vakalatnama filed by Advocate for CESU are taken into record.

The brief fact of the case is that the petitioner is a bonafide consumer of electricity under the SDO (Elect), Temple Electrical Sub-Division, DED, Bhubaneswar. He is regularly paying his electric bills. Due to low voltage problem he is suffering a lot as his children are not able to read and write during evening hours. As the annual examination is knocking at the door and for also the ensuing summer season the family members of the petitioner would face many troubles due to low voltage problem. The low voltage problem persists all the times of the day for which electrical appliances are not functioning properly, for the above reasons the petition had approached the CESU authorities several times but they did not take any step to solve the above problems of the petitioner.

3. Being aggrieved by the inaction of the CESU authorities the petitioner had filed a consumer complaint before the GRF, Bhubaneswar stating therein the above problems. The said GRF, Bhubaneswar registered the said complaint petition as CC Case No. 111/2009(BED) and disposed of the same on 27.10.09 by the following observation:-

> With above observations the CC Case No. 111/09(BED) is thus disposed of".

As the above order of the GRF, Bhubaneswar was not complied with within the stipulated time i.e., by 26.12.2009, he has filed this petition before the Commission under S.142 of the Electricity Act, 2003 seeking the direction of the Commission to the respondents for compliance of the aforesaid order of the GRF, Bhubaneswar and also for penalization of the respondents for non-compliance of the said order within time. He also stated that now the licensee has complied the order of the GRF, Bhubaneswar and it should maintain the voltage standard."

4. Sri Dhaneswar Mohanty, Advocate for CESU stated that the licensee has complied the order of the GRF, Bhubaneswar passed in CC Case No. 111/2009. Though the said order is not implemented within 60 days, but they have no malafide intention. So he prayed the Commission to dismiss the petition u/s 142 of the Electricity Act, 2003. On query raised by the Commission regarding such delay, the SDO (Elect) stated that in order to check/test the low voltage problem of the petitioner, the vigilance squad and JM, (Elect)., Dhauli had

visited the spot at the evening peak hours and found that the voltage is less them 180 volts at the petitioner's premises. In order to over come the low voltage problem, an estimate for installation of additional 63KVA S/s was forwarded which was sanctioned by the E.E.(Elect), BED, Bhubaneswar vide sanctioned estimate No.81 dtd. 2009-10 amounting to Rs.3,82,406/-. The same was communicated to the S.E, (Elect). EC-No-I, Bhubaneswar for recommendation & onward submission to CESU, Head Quarters for release of materials. After the materials were released they have taken immediate steps and installed the 63KVA S/s, completed other related work. After installation of the new 63KVA S/s at Pradhan Sahi Road side near the house of petitioner, the low voltage problem has been solved by now.

- 5. After hearing both the parties, perusal of the case records and submission made, we find that the order of the GRF, Bhubaneswar has been complied by the CESU authorities after the petitioner approached the Commission. It is a fact that the process for compliance has been expedited only after case was filed seeking action under S.142 of the Electricity Act, 2003. The Licensee is showing callous attitude to redress the grievances of the consumers on their own, even after order is issued by its own Grievances Redress Forums. This is uncalled for and highly undesirable. We hereby warn the licensee to avoid such attitude, and to take expeditious action for redressal of grievances of the bonafide consumers in future, otherwise the Commission would be constrained to impose penalty on CEO and other official for violations of Rules, Regulations and Orders.
- 6. With the above observations, the case is disposed of.

Sd/-(B. K. Misra) Member Sd/-(K. C. Badu) Member