ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN, PLOT NO-4,
CHUNUKOLI, SHAILASHREE VIHAR,
BHUBANESWAR - 751 021
****

Present : Shri A. K. Das, Chairperson
Shri S. K. Parhi, Member

Case No. 10 /2010

Shri Kambhu Prusty …… Petitioner
Vrs.
SDO, Elect, CESU …….. Respondent

In the matter of: Application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 09.04.09 passed in C.C No. 13/09(PED) by the GRF, BBSR.

O R D E R

Date of Hearing: 09.12.2016 **Date of Order:17.02.2017**

Shri Kambu Prusty, Proprietor of a rice mill at Rupadeipur is a consumer of CESU under the Sakhigopal Electrical Sub-Division under PED, PURI. He has filed the above noted case under Section 142 of the Electricity Act, 2003 for non-compliance of the order dated 09.04.2009 of the GRF, Bhubaneswar passed in C.C. Case No. 13 of 2009 (PED) wherein the GRF, Bhubaneswar has directed as follows:-

" x x, it is the obligation of the licensee to provide power supply in accordance with Regulation 75 & 76 of the OERC Distribution (Conditions of Supply) Code, 2004 depending upon the type of supply provided to the consumer with a voltage variation as determined under Regulation 2.1 Schedule-1 of OERC (Licensee's Standard of Performance) Regulations, 2004. Xxxxxxx. The Respondent is directed to prepare an estimate for upgradation of the existing 63 KVA transformer to 100 KVA, 11/.4 KV within seven days and get it sanctioned from the competent authority. The above work will be completed within 60 days of this order."

2. As the above order of the GRF, Bhubaneswar was not complied by the respondent, the petitioner had moved this Commission for redressal of his grievances under Section 142 of the Electricity Act, 2003. The Commission heard the matter on 11.05.2010 and vide its interim order had directed as follows:-.

"7. After hearing the parties, perusal of the case records and submission made in the petition, we find that there have been genuine difficulties in not implementing the orders of the GRF in time. The rivalry in the village has stood on the way to solve the low voltage problem. We direct, the respondent to try again for upgradation of the transformer 63KVA to 100KVA by mutual discussion with the local people. The Executive Engineer of the licensee should visit the spot to solve the problem by taking the help of the Balanga Police Station to maintain law and order situation during execution of installation of the 100KVA transformer at Rupadeipur. This should be completed before 30.06.2010. We further direct the GM, CESU to send

their MRT staff for spot verification and curb the power theft. The respondent is also further directed to record the loading of each phase of the transformer and also verify the Maximum Demand of load factor of each Rice huller /Oil mill or Atta mill etc and if required after verification of load, the same shall be enhanced in respect of those consumers. Considering the peculiar situation we also advise the petitioner to apply for a separate 25 KVA 3 phase transformer or 2 Nos. 10KVA HVDS transformer with 3 phase arrangement on LT side exclusively to be used by himself (under own your transformer. OYT arrangement). This exclusive transformer (s) can be installed in the 11KV pole near to the petitioner premises for permanent solution of low voltage problem to its rice haller.

8. We further direct that OIC, Balanga Police Station shall extend all his support promptly on priority basis to solve the local rivalry in Rupadeipur area so that all the bonafide consumers of electricity get proper voltage. Appropriate action should also be taken against unauthorized abstraction of electricity through hooking or bypassing of meters.

9. The licensee is directed to submit the compliance report on or before 30.06.2010 as mentioned in para-7.

10. A copy of this order be also served on OIC, Balanga Police Station for immediate follow up action as indicated in Paras-7 and 8. Collector Puri has also been informed over telephone to use his good offices to solve the problem amicably in the village.

11. Put up the matter after such compliance for hearing."

3. When no compliance report was filed by either of the parties, the Commission issued notice to both the parties on 30.04.2016 to submit the status of the case. In compliance to the notice of the Commission the Respondent SDO, Sakhigopal Electrical Sub-division submitted his report stating that as per the direction of the Commission, the SDO (Elect.), Sakhigopal had approached OIC, Balanga P.S for fixing of appropriate date for installation of transformer. But during that period the villagers and the Sarapanch of Rupadeipur Panchayat had objected to the replacement of the existing transformer since its core is copper wound one. But they requested the Respondent for installation of a new transformer.

4. However, the low voltage problem in the village has been solved since the substation of the Petitioner is presently getting power supply from 33/11 KV Kumareshwar structure which is just four kilometers away. Previously the same substation was getting power supply from Sakhigopal 33/11 KV structure which is situated at a distance of 25 kms. In addition to that as per the request of the villagers the Respondent had taken necessary steps for installation of an additional 63 KVA transformer under DESI Scheme vide work order No. 11519 dated 01.11.2016 issued in favor of the contractor M/s. Manoranjan Pradhan which is likely to be completed on 09.12.2016. After that the load distribution problem in the village will be solved. The above facts were also admitted by the counsel appearing on behalf of the petitioner during hearing of the matter on 09.12.2016.

5. Since the Petitioner has admitted that our order is under the process of implementation and likely to be complied fully in the near future, the proceeding under Section 142 of the Electricity Act, 2003 against the Respondent is hereby dropped.

6. The case is disposed of accordingly.

Sd/- Sd/-

(S.K. Parhi) **(A.K.Das)**
Member **Chairperson**