

**ODISHA ELECTRICITY REGULATORY COMMISSION**  
**BIDYUT NIYAMAK BHAWAN**  
**UNIT-VIII, BHUBANESWAR - 751 012**  
\*\*\*\*\*

**Present:        Shri S. P. Nanda, Chairperson**  
**Shri K.C. Badu, Member**  
**Shri B.K. Misra, Member**

**Case No.45/2010**

Shri Iswar Chandra Patel	....	Petitioner
Vrs.		
E.E., Jharsuguda, WESCO	.....	Respondent

**In the matter of:    Application under Section 142 of the Electricity Act, 2003**

For Petitioner:	Shri A.K.Sahani, authorized representative. Shri Iswar Chandra Patel.
For Respondents:	Shri David Eka, EE (Elect.), JED, WESCO Shri Sarbeswar Nanda, AM (L), Burla, WESCO.

**Date of Hearing: 02.04.2012**

**Date of Order: 02.04.2012**

**ORDER**

The case is taken up today for hearing.

2.    Heard the parties at length.
3.    After hearing the parties and perusal of the case records it appears that the Petitioner has approached various forums in a series of litigations on the same set of issues. The consumer has approached the District Consumer Dispute Redressal Forum (DCDRF), Sambalpur, State Consumer Dispute Redressal Commission (SCDRC), Grievances Redressal Forum (GRF), Burla & Ombudsman-II, Bhubaneswar in some way or other by twisting the issues appears only to avoid payment of electricity dues. Hunting of different forums on the same issues and continuance of parallel proceedings in several forums should be avoided. The Commission expressed its serious displeasure as the petitioner/consumer has approached a statutory body with suppression of facts and also approaches this forum without a clean hand.

4. The Commission vide its Order dated 21.03.2011 has directed the Ombudsman-II to make an appropriate filed visit and have on spot assessment and hear the parties at the site. Accordingly the Ombudsman-II has conducted a filed visit and submitted its report along with some suggestions for redressal of the grievances of the petitioner enclosing the long terms as well as medium term and short term action plan. The Commission feels that most of the short term recommendations have been complied by the Respondent/Licensee and medium and long term action plans are in the pipeline for execution. Most of the commercial issues have been settled and only some technical issues are required to be settled.
5. AGM, JED, Jharsuguda in August, 2011, has submitted in writing to the Commission that all the short term direction of the Commission have been complied with except change of old service connection were because of the reason that as the length of service line of 38 meters, the consumer is denying to provide the required service line. During the hearing DISCOMs representative informed that the said service line has since been provided by the DISCOMs itself & the consumer is availing regular power supply to his LI point for irrigation of his as well as his neighbour's field. The above contention was not disputed by the applicant.
6. The representative of WESCO further orally submitted that due to load balancing cleaning the outer surface and maintaining the oil level of the transformer and also complying to the short term recommendations of the Ombudsman-II including the extension of the LT line the voltage at the petitioners premises has substantially improved.
7. The Commission vide its earlier Order dated 25.05.2010 had also directed the Petitioner/Consumer to clear the revised bill on or before 31.07.2010 and pay the current bills in time. The Commission in the aforesaid Order has observed as follows:-

*“A consumer consuming electricity but not paying, therefore can not expect the licensees to ensure quality of supply without receiving the cost of supply for months together with some plea or other.”*
8. In view of the aforesaid facts, we direct the petitioner/consumer to clear the arrear electricity dues on or before 30.04.2012 and pay the bills regularly in future for such consumption of electricity. In case of default in paying the electricity dues, the licensee is at liberty to disconnect power supply following the prescribed procedures. The respondent, WESCO is directed to complete the medium term and long term

action plan as suggested by the Ombudsman-II for improvement of quality in power supply under Kuchinda Sub-division in general.

9. We find that there is no sufficient ground to initiate penal action u/S.142 of the Electricity Act, 2003 at this stage as the petitioner/consumer has been hunting different fora on the same issues and continuing parallel proceedings in several levels. The Commission expressed its serious displeasure on the petitioner/consumer who has been approaching a statutory body with suppression of facts and also not coming to the forum with a clean hand.
10. Accordingly the case is disposed of.

**Sd/-**  
**(B.K. Misra)**  
**Member**

**Sd/-**  
**(K.C. Badu)**  
**Member**

**Sd/-**  
**(S.P.Nanda)**  
**Chairperson**