

**ORISSA ELECTRICITY REGULATORY COMMISSION  
BIDYUT NIYAMAK BHAWAN  
UNIT-VIII, BHUBANESWAR - 751 012  
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Present : Shri B.K. Das, Chairperson  
Shri K.C. Badu, Member  
Shri B.K. Misra, Member

**Case No.10/2011**

M/s. Rana Sponge Ltd ..... Petitioner  
Vrs.  
E.E.(Elect.), TED, Chainpal ..... Respondent

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

For the Petitioner: Shri A. K. Sahani, authorized representative.

For the Respondent: Shri B. K. Nayak, Advocate

**ORDER**

**Date of Hearing: 22.06.2011**

**Date of Order: 27.06.2011**

Shri A. K. Sahani, the authorized representative appearing on behalf of the petitioner submitted that as per direction dated 28.05.2011 of the Commission, on 17.06.2011 the matter was taken up by the GRF, Dhenkanal, in presence of both the petitioner and the respondent. The GRF Dhenkanal on 18.06.2011 has passed its order. The petitioner during hearing filed the copy of the order dated 18.6.2011 of the GRF, Dhekanal which is taken to record. Shri Sahani submitted that the dispute with respect to extension of ToD benefit and revision of energy bill has been mutually agreed upon and settled between the consumer and the respondent. But the issue of over drawl penalty could not be settled between the parties. The GRF in their order dated 18.06.2011, have held that, since the manner of preparation and calculation of the revised bill of the relevant period could not be sorted out amicably, this can be taken up by the Commission. Mr. Sahani submitted that, in view of the above observation of the GRF, this issue with respect to manner of calculation of over drawl penalty may be adjudicated upon by the Commission.

2. The Commission finds that the GRF in its order dated 09.7.10 have dealt with the issue pertaining to the claim of over drawl penalty by the respondent against the petitioner vide issue no. 4. The Commission in its order dated 28.5.2011 had clearly directed the GRF, Dhenkanal to scrutinise the bills and the revised statement prepared by the respondent and shall examine the same in accordance with law and to decide as to whether , its order dated 09.7.10 passed in CC Case No. 66/2010 has been fully complied or not. Without doing the same, the GRF has disposed of the matter again referring to the Commission which is not the object of our directions. The Commission does not decide or goes into billing disputes or how the over drawl penalty was calculated by the licensee. The Commission, therefore, remands the case back to the GRF, Dhenkanal who shall take a final decision on the issue of over drawl penalty and dispose of the same within one month.
3. With the above observation, the case is disposed of.

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

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

Sd/-  
**(B. K. Das)**  
**Chairperson**