

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

Present : Shri S.P. Nanda, Chairperson
Shri B.K. Misra, Member
Shri S.P. Swain, Member

CASE No. 82 of 2011

Sri Katrik Chandra DalaiPetitioner

Vrs.
The SDO (Elect.), Electrical Sub Division,
Panikoili, NESCO, JajpurRespondent

In the matter of : An application under Ss.142 of the Electricity Act, 2003 for non-implementation of order dated 21.01.2010 of Ombudsman-II passed in C.R. Case No. N-24 of 2009 and also order dated 11.05.2011 passed in C.R. Case No. N-22 of 2011 of the said Ombudsman.

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

For the Respondent: Shri Deepak Kumar Sahoo, Dy. Manager (Elect.), Panikoili Sub-Division, Jajpur Road, NESCO.
Shri Laxman Jamunda, Jr. Accountant, Panikoili Sub-Division, Jajpur Road, NESCO.

ORDER

Date of Hearing: 19.06.2012

Date of Order: 23.06.2012

1. Petitioner has filed the present application for implementation of the Order dated 11.05.2011 passed by the Ombudsman-II in C.R. Case No. 22/2011, wherein the Ombudsman-II had disposed of the matter with directions to the respondent to revise the bill and serve the copy of the said revised bill to the petitioner before 15.06.2011 with a copy to the Office of the Ombudsman-II. The Ombudsman-II had also further directed to revise the contract demand of the petitioner as per the

assessment made on 12.08.2010. As the said Order of the Ombudsman-II has not been complied by the respondent, the petitioner has filed this case before the Commission under s.142 of the Electricity Act,2003 for penal action against the erring officials of the licensee.

2. Pursuant to the notice given by the OERC, the respondent-SDO(Elect.), Panikoili Sub-Division, Jajpur Road, NESCO has filed reply wherein it has been stated that as per the direction of the Ombudsman-II, the energy bill for the period from 27th November to 9th December, 2009 has been revised under GP Tariff after installation of new meter in the month of December, 2009, fresh assessment on the connected load has been made on 12.08.2010. Energy bill has been revised accordingly January, 2010 to May, 2011. With these averments it has been prayed for dismissal of the present case under S.142 of the Electricity Act,2003 and for direction of the Commission to the respondent for payment of the arrear amount.
3. Disputing the said objection Shri Sahani, the authorized representative of the petitioner has filed a rejoinder disputing the said revised bill of the respondent.
4. Heard both the parties. Since the dispute is of factual nature and calculation of the bills, the respondent is directed to submit the revised bill of different month and the penal bill before the Ombudsman-II and the petitioner is at liberty to file objection, if any, before the Ombudsman-II to the same. The Ombudsman-II is directed to settle the dispute amicably and dispose the matter after hearing, the parties within one month. The present direction of the Commission supersedes all other direction(s), if any, given by the Commission earlier.
5. The exercise to be completed within a period of 15 days and a copy of such exercise is to be submitted to the Commission.
6. Accordingly the case is disposed of.

Sd/-
(S.P.Swain)
Member

Sd/-
(B.K.Misra)
Member

Sd/-
(S.P.Nanda)
Chairperson