

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. 32/2013

Sri BijayKumar Mohapatra & others Petitioners

Vrs.

The Executive Engineer (Elect.), KED, CESU & another Respondents

In the matter of: An application under Sections 142 & 146 of the Electricity Act,2003 for non-compliance of order dated 03.10.2012 of the Ombudsman-I passed in C. R. Case No.OM(I)-51 of 2012.

For the petitioner: Shri Bijay Kumar Mohapatra.

For the respondent: Shri J. K. Mishra, E.E (Elect.), KED, CESU
Shri Prakash Chandra Sahoo, SDO (Elect.), Begunia, CESU.

Date of Hearing: 13.09.2013

Date of Order: 07.12.2013

ORDER

The brief fact of the case is that acute low voltage problem was being faced by the consumers in the village namely Badaberena (Nuasahi) under the supply area of CESU. After repeated request to CESU authorities no action was being taken by them. Thereafter, the villagers of Badaberena (Nuasahi), Khurda had filed a Consumer Complaint before the GRF, Khurda for redressal of their grievances. The GRF disposed of the case with the following directions on 18.07.2012.

“The opposite party shall expedite the proposed action plan to resolve the low voltage problem of the consumers at the earliest possible time”.

2. Even after the above direction of GRF CESU did not take any step to eradicate the low voltage problem in the area of the Petitioner. Thereafter, the Petitioner moved Ombudsman-I in CR Case No. 51/2012 for redressal of their grievances and also for implementation of the direction of the GRF. The Ombudsman-I disposed of the petition with the following directions.

“Mean while the respondent along with the SDO (Elect.), CESU, Begunia and JE (Elect.) Kalapathar should take drastic steps against the consumers who are resorting

to hooking practice by conducting raids. The offenders should be booked under provisions of the Electricity Act and FIRs should be logged against them. I am sure that such enforcement activity will improve low voltage to a great extent.

On the other hand the Chief Operating Officer, CESU should take necessary steps for issue of Release Order and supply of the required items at the earliest. The Chief Operating Officer, CESU may direct the concerned officers in charge of store to supply the available materials for converting to three phase 4 wire from single phase 2 wire conductor. The order should be implemented within 90 days.”

3. The representative of the petitioners now has submitted that after submission of letter of acceptance of the above order of the Ombudsman-I, the respondents have not complied the Order of the Ombudsman-I passed in C.R. Case No. 51/2012 in fully. The respondents only have installed some poles but nothing else only because of intentionally harass the consumers.
4. The Executive Engineer (Elect.), CESU appearing on behalf of the respondents prayed 15 days time for implement the order of the Ombudsman-I above. He also stated that, they have already submitted an estimate of Rupees 94, 445/- for shifting of LT Line from the forest area to the road side of the village to avoid theft and frequent fault in the line and the said estimate was approved by the higher authorities of CESU. Due to non-availability of insulated cable in the store for the work has been inordinately delayed. However, the said work has now been under taken in BGJY programme and the work has already been started for converting the 3-phase 4 wire from single phase 2 wire conductor, which will take another 15 days time to complete the work in all respect.
5. After hearing the parties and perusal of the case records, we feel that there is no such intentional delay by the respondents for implementation of the order of the Ombudsman-I passed in C.R. Case No. 51/2012 since it requires sometimes to complete official formalities such as approval of estimate by the higher authorities of CESU. As submitted by the respondent they have already started the work under BGJY Scheme, which would be completed within 15 days. Basing on the above submissions of the respondents, the grievance of the Petitioner no more survives. Therefore, the Commission directs the respondents to implement the order of the Ombudsman-I passed in C.R. Case No. 51/2012 in letter and spirit within 15 days from the issue of this order with intimation to this office.
6. Accordingly, with the above directions, the case is disposed of.

Sd/-
(S. P. Swain)
Member

Sd/-
(B. K. Misra)
Member

Sd/-
(S. P. Nanda)
Chairperson