

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

**Present: Shri S. P. Nanda, Chairperson
 Shri S. P. Swain, Member
 Shri A. K. Das, Member**

Case No. 51/2014

Ramakanta Pal	Petitioner
Vrs.		
SDO (Elect.), Bhogarai, NESCO	Respondent

In the matter of: **An application under S.142 of the Electricity Act, 2003 for non-implementation of the order dated 26.03.2013 of the Ombudsman-II passed in C.R. Case No. Omb(II) N-04 of 2013.**

For Petitioner: Shri A. K. Sahani, Authorised representative

For Respondent: Shri Bhuban Kumar Sahoo, SDO (Elect.), Bhogarai, NESCO Utility

ORDER

Date of hearing: 06.10.2015

Date of order: 14.10.2015

The present application has been filed by Shri Ramakanta Pal u/S. 142 of the Electricity Act, 2003 for implementation of the order dated 26.03.2013 passed by the Ombudsman-II in C.R. Case No. Omb(II) N-04/2013.

2. The representative of the petitioner submitted that the petitioner is a consumer under irrigation pumping and agricultural tariff under Electrical Sub-division, Bhogarai in the supply area of NESCO Utility. The petitioner had filed a complaint case before the GRF, Balasore in C. C. Case No. 196/2012 for redressal of his grievances. The said GRF, Balasore had disposed of the said C. C. Case No. 196/2012 with the following directions:-

“ In the above facts and circumstances, we are inclined to direct the Opposite Party to install a correct meter at the premises of the complainant and revised the disputed bills from April, 2005 to till date as per the average consumption of the new meter in terms of Regulation 97 of the OERC Distribution (Conditions of Supply) Code, 2004.”

3. Being aggrieved by the above order of the GRF as his grievances were not properly addressed, the petitioner moved to the Ombudsman-II against the said order of the

GRF in C.R. Case No. N-04/2013. The Ombudsman-II had disposed of the above case vide order dated 26.03.2013 with the following directions:-

- “a. The respondent is to install a correct meter in the premises of the petitioner.*
- b. The respondent to re-cast the bills from January, 2005 to till date by putting monthly average consumption of the new meter for a period of one year from the date of installation of the new meter.*
- c. The petitioner is to pay Rs. 8000/- within fifteen days from the date of issue of this order or else the respondent is free to take action as per the law.*
- d. The petitioner is to clear-up the balance arrear dues in three equal monthly instalments after revision of bills. x x x x x x x x x”*

As the above order of the Ombudsman-II has not been implemented by the respondent, the petitioner filed the present case seeking direction of the Commission to the respondent for implementation of the above order.

- 4. The SDO (Elect.), Bhogarai, NESCO Utility submitted that staff of NESCO Utility including himself had gone for installation of energy meter on 08.04.2013 as per order of the Ombudsman-II but the petitioner objected the said installation of the new meter apprehending theft of the meter as his LI point is situated far from his house. Thereafter, again the Executive Engineer (Elect.), JED, Jaleswar, the MRT personnel, Junior Engineer (Elect.), Bhogarai went for installation of energy meter on 23.09.2014 but the meter could not be installed due to un-authorisedly removal of the LT line. The petitioner is not co-operating with the respondent herein for implementation of the said order of the Ombudsman-II passed in C.R. Case No. N-04/2013. The respondent during hearing submitted that they are now agreed to install the meter in the premises of the petitioner.
- 5. Since both the petitioner and the respondent have agreed to comply with the said order dated 26.03.2013 of the Ombudsman-II passed in C.R. Case No. Omb (II) N-04/2013 in letter and spirit, the dispute does not survive. SDO (Elect.), Bhogarai shall submit report of compliance within three weeks.
- 6. Therefore, there is no need to proceed further in this matter.
- 7. Accordingly, the case is disposed of.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S. P. Nanda)
Chairperson