

ODISHA ELECTRICITY REGULATORY COMMISSION
PLOT NO. 4, CHUNUKOLI, SAILESHREE VIHAR,
CHANDRASEKHARPUR,
BHUBANESWAR-751021

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

Case No. 65/2015

Shri Narayan Swain	Petitioner
Vrs.		
SDO (Elec.), Dharmasla, NESCO & Another	Respondents

In the matter of: **An application under Section 142 of the Electricity Act, 2003.**

ORDER

Date of Order:19.07.2016

Shri Narayan Swain has filed the present case u/S. 142 of the Electricity Act, 2003 for non-implementation of order dated 11.11.2013 of the GRF, Jajpur Road passed in C.C.Case No. 293/2013.

2. Basing on the application of the petitioner u/S. 142 of the Electricity Act, 2003, the Commission had issued show cause notice dated 11.12.2015 to the authorities of NESCO Utility for filing of reply as to why a proceeding will not be initiated as per the provision laid down u/S. 142 of the said Act for non-compliance of the above order of the GRF, Jajpur Road passed in C.C.Case No. 293/2013. In reply to the said show cause, the S.D.O (Elect.), Dharmasala, Dist-Jajpur has submitted his reply through affidavit on 26.12.2015 stating therein that the direction of the GRF, Jajpur Road in C.C.Case No. 293 of 2013 to revise the erroneous bills of the petitioner herein for the claimed period from January, 2011 to March, 2011 as per actual meter reading during the period with initial meter reading (IR) as 2085 Units and final meter reading (FR) as 2163 Units has been carried out. The matter has been sent to higher authorities for approval. He had undertaken to serve revised bill to the Petitioner by the end of December, 2015. The Petitioner has not submitted anything till date.
3. Basing on the affidavit submitted by the S.D.O (Elect.), Dharmasala, Jajpur on 26.12.2015, we opine that as there is no need to keep abeyance of the matter with us as the respondent has already taken steps to implement the aforesaid order dated

11.11.2013 of the GRF, Jajpur Road passed in C.C. Case No. 293/2013 by end of December, 2015. In the meantime more than six months of time has elapsed and the Petitioner has not submitted anything thereby accepting the claim of the Respondent. If the said order of the GRF, Jajpur Road has not been implemented by the date of his order, a penalty @ Rs. 1000/- (one thousand) only per day shall be recovered from the S.D.O (Elect.), Dharmasala Electrical Sub-division, NESCO Utility by the higher authority till the date of compliance and be deposited in the appropriate accounts by way of penalty u/S. 142 of the Electricity Act, 2003 with intimation to the Commission within 15 days from the date of issue of this order.

4. With the above observations, the case is disposed of.

Sd/-
(A. K. Das)
Member

Sd/-
(S. P. Swain)
Member

Sd/-
(S. P. Nanda)
Chairperson