

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.-4, CHUNAKOLI, SHAILASHREE VIHAR
BHUBANESWAR - 751 021

**Present: Shri U. N. Behera, Chairperson
 Shri A. K. Das, Member
 Shri S. K. Parhi, Member**

Case No. 73/2017

Smt. Anjushree Sahoo	Petitioner
Vrs.		
Asst. Manager, Dharmasala Sub-division, Jajpur	Respondent

In the matter of: **An application under Section 142 of the Electricity Act, 2003 for non-implementation of Order dated 26.11.2016 passed in C.R. Case No. Omb (II) N -75 of 2016 of the Ombudsman-II.**

For Petitioner: **Shri Falguni Rajguru Mohapatra the authorised representative.**

For Respondent: Shri Srimat Kumar Das, SDO (Elect.), Dharmasala Sub-division, Jajpur, NESCO Utility.

ORDER

Date of hearing: 12.06.2018

Date of order: 17.07.2018

The Petitioner Ms. Anjushree Sahoo has filed the above case under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 26.11.2016 of the Ombudsman-II passed in C.R. Case No. Omb (II)N-75 of 2016.

2. The representative of the petitioner has submitted that the petitioner is a domestic consumer of NESCO Utility under Dharmasala Electrical Sub-division having contract demand of 3.5 KW. In the meantime certain developments have taken place. The respondent herein had illegally charged electric bills under GPS tariff since 2002 instead of domestic tariff as fixed by the Commission. The petitioner has been seeking information regarding re-classification of her connection category from Domestic to GPS category tariff since 2002 till date but to no avail. During pendency of the application for clarification, the Utility had made physical verification of her premises and found that the consumer-petitioner was availing power supply unauthorizedly to her groundnut processing unit bypassing the energy meter. A provisional assessment order was made under Section 126 of the Electricity Act, 2003 and it was served on the petitioner for filing of reply. The power supply was disconnected on the date of provisional assessment made by the Respondent.

3. The Respondent has filed his reply stating therein that as per order of the Ombudsman-II in C.R. Case No.75 of 2016 the bills of the petitioner have been revised and an amount of Rs.5,19,792/- was deducted from the bills of the petitioner and the statement of the said revision of bills was furnished to her husband vide letter No. 49 dated 12.01.2017. The said revision was reflected in the bill for the month of January, 2016 stating an amount of Rs. Rs.1,87,044/- as outstanding after revision was made as per the order of the Ombudsman-II. The petitioner has refused to accept the same and has not paid any amount till date which indicates disobedience to the order of the Ombudsman. He also submitted that the application of the petitioner for change of tariff category from general purpose to domestic category is pending with them as during the said period the consumer was under Duburi Electrical division. They would submit the report regarding consumption of electricity of the consumer-petitioner within 15 days. Therefore he prayed for some time to decide on the change of category of the consumer after receipt of the said report from Duburi Section.
4. Heard both parties. After going through the case records we opine that the order of the Ombudsman-II has been implemented by the Respondent by revision of the bills of the petitioner and the application for change of Category of the consumer-petitioner from GPs to Domestic category is pending with the respondent. The Respondent is directed to collect the required report from Duburi Electrical section within one month and comply the remaining part of the order of the Ombudsman-II within one month thereafter and serve the revised bill accordingly.
4. With the above observation, the case is disposed of.

Sd/-
(S.K.Parhi)
Member

Sd/-
(A. K. Das)
Member

Sd/-
(U. N. Behera)
Chairperson