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. 04/2018

Ashok Kumar Sahoo …… Petitioner

Vrs.

E.E (Elect.), CED, Jobra & another …..... Respondents

In the matter of: **An application under S.142 of the Electricity Act, 2003 against the Provisional assessment Order of the E.E (Electrical), CESU, CED, Jobra, Cuttack and the Divisional Head, RUPL, Bhubaneswar passed under S.126 of the above Act.**

For Petitioner: Nobody is present on behalf of petitioner.

For Respondents: Shri Kiran Bihari Swain, Advisor on behalf of M/s. RUPL (Respondent No-2), Rudrapur, Nobody is present on behalf of Respondent No-1.

ORDER

Date of hearing: 15.05.2018 **Date of order:19.06.2018**

The petitioner in this case Shri Ashok Kumar Sahoo has approached this Commission against the action of CESU which has imposed penalty on him u/s. 126 of the Act violating all norms and regulations. As submitted by the petitioner CESU made provisional assessment of Rs.72,448/- on 22.08.2013 basing on the inspection of his premises on 03.07.2013 under Section 126 of the Act. However final assessment of Rs.72,000/- was made in month of March, 2016 i.e. after a gap of nearly three years which is in contravention to the provisions of Electricity Act, 2003. However, to avoid disconnection, the petitioner has paid Rs. 5000/- as agreed in the meeting with CESU in the Month of December, 2016 to restore power supply.

2. The petitioner had approached GRF, Cuttack vide Case No. 631/2017 and Ombudsman-II vide Case No. Om (II) 76/2016 but both the Fora stated that the above

matter is appealable under Section 127 of the Electricity Act, 2003 before the Appellate Authority and dismissed the case.

3. Heard the parties. After the orders of GRF and Ombudsman nothing is left for DISCOM to implement. Therefore, provision of Section 142 is not attracted.

4. With the above observation the case is disposed of.

Sd/-	Sd/-	Sd/-
(S.K.Parhi)	**(A. K. Das)**	**(U. N. Behera)**
Member	**Member**	**Chairperson**