

**ODISHA ELECTRICITY REGULATORY COMMISSION**  
**BIDYUT NIYAMAK BHAWAN**  
**PLOT NO.-4, CHUNAKOLI, SHAILASHREE VIHAR**  
**BHUBANESWAR - 751 021**  
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**Present:      Shri U. N. Behera, Chairperson**  
**Shri A. K. Das, Member**  
**Shri S. K. Parhi, Member**

**Case No. 50/2018**

Kamal Lochan Sahoo	.....	Petitioner
Vrs.		
SDO (Elect.), Balasore	.....	Respondent

**In the matter of:**      **An application under S.142 of the Electricity Act, 2003 for mis-utilisation of Sections 126,135 and 138 of the Electricity Act, 2003 by the Respondent-S.D.O (Elect.), Electrical Sub-Division-I, Balasore without taking any action under the above noted sections has directly added an amount of Rs.71,704.39/- as an additional amount in the energy bill for the month of Sept., 2016 of the petitioner which is illegal and violation of the provisions of S.126 of the above Act.**

**For Petitioner:**      Nobody is present.

**For Respondent:**      Shri Soumya Ranjan Nayak, SDO-I (Elect.), Balasore.

**ORDER**

**Date of hearing: 15.01.2019**

**Date of order:02.02.2019**

The present petition has been filed by Sri Kamal Lochan Sahoo, Bairam Nagar, Nathpani Chhak, Balasore under S.142 of the Electricity Act, 2003 for mis-utilisation of Sections 126,135 and 138 of the Electricity Act,2003 by the respondent-S.D.O(Elect.), Electrical Sub-Division-I, Balasore. The Respondent without taking any action under under S.126 of the Act, has added an additional amount of Rs.71,704.39/- in the energy bill for the month of Sept.,2016 of the petitioner which is illegal and violation of the provisions of S.126 of the Electricity Act,2003.

2. The case is taken up today for hearing on question of admission as well as on merit. During hearing the representative of the respondent submitted that spot verification of the premises of the petitioner was conducted on 12.05.2016. All associate seals of the meter were found tampered and there had been un-authorised interference within the meter circuit. The loop connection had been made within the meter circuit inside the meter PCB to avoid the actual calibration of the meter. The spot verification report

was prepared at the consumer premises in presence of one Shri Raj Kishore Das who is the representative of the petitioner and the said spot verification report has been handed over to the representative of the petitioner on the spot. On the basis of the spot verification report the provisional assessment order dated 12.05.2016 was made. The penal amount of Rs.1,08,140/- was made under Section 126 (2) of the Electricity Act, 2003 and the same penal bill was served on the representative of the petitioner. The consumer was requested to attend the office of the respondent to file his reply in order to proceed towards final assessment order. The final assessment order was made on 07.06.2016 for an amount of Rs.59, 313/- and the said amount has been debited in the bill of the consumer during June, 2016. The petitioner deposited an amount of Rs.10,000/- on 05.08.2016. The consumer/petitioner without approaching the concerned Appellate Authority under Section 127 of the Electricity Act, 2003 against the final order of the assessment of the Assessing Officer has filed the above case taking the plea of mis-utilization of Sections 126, 135 & 138 of the said Act which is not permissible under the provisions of the Electricity Act, 2003.

3. The petitioner is absent during hearing on repeated calls. We feel that the petitioner is not interested to pursue this matter before the Commission. Therefore, the case is dismissed for default for none appearance of the petitioner.

Sd/-  
**(S. K. Parhi)**  
**Member**

Sd/-  
**(A. K. Das)**  
**Member**

Sd/-  
**(U. N. Behera)**  
**Chairperson**