

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

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

Case No. 04/2019

Shri Umesh Chandra Chinara	Petitioner
Vrs.		
E.E (Elect.), DED, Dhenkanal & another	Respondents

In the matter of: An application under Ss. 142& 146 of the Electricity Act, 2003 for non-implementation of order dated 26.12.2017 of the Ombudsman-I passed in C.R. Case No.167 of 2017.

For Petitioner:	No body is present.
For Respondents:	No body is present.

ORDER

Date of hearing: 20.08.2019

Date of order:26.08.2019

Sri Umesh Chandra Chinara has filed the above case under S.142 & 146 of the Electricity Act, 2003 for non-implementation of order dated 26.12.2017 of the Ombudsman-I passed in C.R.Case No.167 of 2017 by CESU.

2. Brief fact of the case is that the petitioner had availed power supply from his own 25 KVA transformer at HT supply through LT metering. Respondent has regularly charged the transformer loss with 182.5 units per month against the above 25KVA transformer without installation of HT meter. The petitioner made a request to the respondent for exemption of transformer loss and as the respondent did not considered the same, the petitioner approached the GRF, Dhenkanal. As the GRF dismissed the case, the petitioner moved to the Ombudsman-I in C.R. Case No.167 of 2017 wherein the learned ombudsman –I while disposing of the case directed the respondent not to include the transformer loss in LT tariff of the petitioner until the final order is passed by the Hon’ble High Court of Orissa in W.P.(C) No.23237 of 2017 in similar case.
3. In their written reply, the respondents submitted that the order of the ombudsman-I was intimated to M/s. ENZEN Global Solutions Pvt.Ltd. the Distribution Franchise for implementation but inadvertently the order has not been implemented in true spirit due to some problems in the billing cell of Distribution Franchise. Apart from that though the transformer loss has been included in the bill of the petitioner, he has not paid it and the amount outstanding against the consumer towards transformer loss is to be adjusted in the bill of the petitioner w.e.f January, 2018 till the next billing cycle i.e. March, 2019. According to the letter of the Respondent No.1 (CESU), the Respondent No. 2 (M/s. Enzen) has waived an amount of Rs.16,844.75/- to the account of the consumer for transformer loss in the month of March, 2019 as per the order of the Ombudsman-1

and served the said bill in the month of April, 2019. Hence the order of the Ombudsman-I has been complied.

4. The Case was taken up hearing. During hearing neither the petitioner nor the respondents was present on repeated calls. After perusal of the case records we observe that the petitioner is not interested to pursue his case further in OERC. Basing on the submissions made by the respondents in their reply that the order dated 26.12.2017 of the Ombudsman-I passed in C.R.Case No.167 of 2017 has already been implemented by them; there is no need to proceed further in this matter.
5. Accordingly, the case is disposed of.

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson