

**ODISHA ELECTRICITY REGULATORY COMMISSION  
BUDYUT NIYAMAK BHAWAN  
PLOT NO.-4, CHUNOKOLI, SHAILASHREE VIHAR  
BHUBANESWAR - 751021**

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

**Case No. 28/2021**

M/s. ORE CAST (INDIA) Pvt. Ltd.,	.....	Petitioner
Vrs		
The E.E (Elect.), TPCODL, AED, TPCODL, Athagarh, Cuttack	.....	Respondent

**In the matter of:   Application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 28.01.2021 of the Ombudsman-I passed in C.R. Case No. 96 of 2020.**

**For Petitioner:**       Shri Tushar Behera, the authorized representative.

**For Respondents:**   Shri Pradipta Mohan Sahu, Executive Engineer (Elect.),  
AED, TPCODL, Athagarh.

**ORDER**

**Date of Hearing: 20.07.2021**

**Date of Order: 09.08.2021**

M/s. ORE CAST (India) Pvt. Ltd, Kapursingh, Athagarh, Cuttack has filed the present petition under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 28.01.2021 of the Ombudsman-I passed in C.R. Case No.96 of 2020.

2. The authorized representative of the petitioner has submitted that the Petitioner is a consumer of the respondent having contract Demand of 10 KW (GP) under LT tariff for which it has installed 25 KVA, 11/0.4 KV substation after depositing 6% supervision charges with the respondent. The said transformer is being maintained by the petitioner since the days of initial power supply. The petitioner has made an application to the respondent on 12.06.2020 for revision of bills on several grounds and issue of a revised bill with rebate for payment. As the respondent has not taken any action on the application of the petitioner, a complaint bearing C.C. Case No.375 of 2020 was filed before the GRF, Cuttack. The learned GRF, Cuttack while disposing of the consumer

complaint has directed the respondent *to issue a revised E.C bill by taking in to consideration the application of the petitioner and amount credited as per accounting procedures. No further transformer loss or meter rent shall be charged henceforth. MMFC/ Demand Charges for January and February, 2016 shall waived and to consider the request of the petitioner with respect to change of tariff category after receiving the application along with all other requisites as per the provision at Clause 140 of the OERC Distribution (Conditions of Supply) Code, 2019.*

As the above order of the GRF-Cuttack was not complied by the respondent, the petitioner had filed C.R. Case No. 96 of 2020 before the learned Ombudsman-I and the said forum while disposing of the above consumer representation vide its order dated 28.01.2021 had directed the Respondent to comply the above order of the GRF, Cuttack passed in C.C. Case No. 375 of 2020 within a month. However, the Respondent has not complied the above orders of the GRF, Cuttack and also the order of the Ombudsman-I. Therefore, the present case has been filed by the Petitioner for compliance of orders passed by the GRF, Cuttack in C.C. Case No. 375/2020 and also the order dated 28.01.2021 of the Ombudsman-I passed in C.R. Case No. 96 of 2020.

3. The Executive Engineer (Elect.), AED, Athagarh has submitted that in compliance to the direction of the GRF, Cuttack subsequently confirmed by Ombudsman-I the respondent has complied all the directions except the direction of the learned GRF, Cuttack regarding recasting of the bill on provisional basis during 'House Lock' period and change of tariff category as the petitioner has not submitted any application along with requisites/documents to initiate the process of change of tariff category as per the provision of OERC Distribution (Conditions of Supply) Code, 2019. The respondent has revised the E.C. bill as directed by the GRF, Cuttack and an amount of Rs.12960.00 for the period March, 2016 to March, 2019 has been withdrawn. Regarding withdrawal of transformer loss an amount of Rs.25,166.74 is to be credited through adjustment. The meter rent levied from Nov, 2010 to June, 2021@ Rs.150.00 which is extra by 68 months is to be withdrawn. Therefore he prays the Commission to allow 15 days more time for compliance of the said order of the GRF, Cuttack and to drop the present proceeding initiated under Section 142 of the Electricity Act, 2003.

4. Heard the parties at length. During the hearing the Petitioner has not agreed to the compliance report of the Respondent on the orders passed by the GRF, Cuttack in C.C. Case No. 375 of 2020 and also the order dated 28.01.2021 of the Ombudsman-I passed in C.R. Case No. 96 of 2020. It has also raised objection about the bill revision procedure and consequential credit of Rs.68667/- in the bill for the month of September, 2020. It is found that the compliance of the order has not been made to the satisfaction of the petitioner.
5. The respondent is directed to complete the compliance of the order for which he has sought 15 days time as dealt in para-3 above. If the compliance will still not be to the satisfaction of the petitioner, he may approach the GRF. The said GRF shall verify whether their order has been implemented by the respondent in letter and spirit. The GRF, Cuttack shall hear the parties on implementation of their order and give their findings. If GRF holds that their order has not been properly implemented, it shall spell out what exactly needs further to be implemented. The Respondent shall act accordingly.
6. With this observation, the case is disposed of. The Registry is directed to send a copy of this order to GRF, Cuttack along with the copy of the petition.

Sd/-  
**(G. Mohapatra)**  
**Member**

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

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