

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

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**Present: Shri G. Mohapatra, Officiating Chairperson  
Shri S. K. Ray Mohapatra, Member**

**Case No. 09/2022**

Sri Rajendra Kumar Sahu ..... Petitioner

Vrs.

The S.D.O (Elect.), TPNODL, Dist.-Keonjhar ..... Respondent

**In the matter of: Application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 02.11.2021 of the Ombudsman-II passed in C.R.Case No.42 of 2021.**

**For Petitioner: Shri A.K.Sahani, the Authorized representative.**

**For Respondent: Shri Sukanta Kumar Jena, G.M (Legal), TPNODL**

**ORDER**

**Date of Hearing: 21.06.2022**

**Date of Order:21.06.2022**

Shri Rajendra Kumar Sahu, Baniapat, Keonjhar has filed the present petition under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 02.11.2021 of the Ombudsman-II passed in C.R. Case No. 42 of 2021.

2. The authorized representative of the petitioner submits that the Ombudsman-II while disposing of the C.R. Case No.42 of 2021 has observed that :

“ X x x x x . Hence the petitioner is directed to apply the respondent for a new domestic connection of 2KW. The respondent is directed to provide such 2KW domestic connection to the petitioner as per rules and regulations in force after converting from the aforesaid enhanced 2KW commercial load to retain the existing commercial load of 0.5KW.

X x x x . Hence, the respondent is directed to revise the Provisional bill from September, 2019 to December 2019 immediately on the above basis.

Regarding refund of meter rent collected from June, 2019 to November, 2019, the respondent is directed to refund the meter rent to the petitioner through adjustment in the subsequent bills of the petitioner.”

As the above order of the Ombudsman-II was not complied by the respondent, therefore, the present case has been filed by the Petitioner for compliance of order passed by the Ombudsman-II in C.R. Case No.42 of 2021.

3. The respondent submits that in compliance to the order of the Ombudsman-II passed in C.R. Case No.42 of 2021, the respondent has implemented the said order in the month of February, 2022 by reducing the contract demand from 2.5 kw to 0.5 kw and accordingly revised the provisional bill from September, 2019 to November, 2019 along with withdrawal of the meter rent for the said period. Therefore, he prays the Commission to drop the present proceeding under section 142 of the Electricity Act, 2003 as the order of the Ombudsman-II has already been complied.
4. Heard the parties at length. During the hearing the authorized representative of the Petitioner has not agreed to the compliance report submitted by the Respondents against the order passed by the Ombudsman-II in C.R. Case No.42 of 2021. The compliance of the order has not been made to the satisfaction of the petitioner though the Respondent has stated that he has complied the order of Ombudsman-II in C.R. Case No.42 of 2021.
5. Considering the above submission, the matter is remanded to Ombudsman-II, Bhubaneswar. The said Ombudsman-II shall verify whether their order has been implemented by the respondent in letter and spirit. The Petitioner is directed to approach Ombudsman-II within 15 days of receipt of this order in this regard. The Ombudsman-II shall hear the parties on implementation of their order and give their findings. If Ombudsman-II holds that their order has not been properly implemented, it shall spell out what exactly needs further to be implemented. The Respondents shall act accordingly.
6. With this observation, the case is disposed of. The Registry is directed to send a copy of this order to Ombudsman-II along with the copy of the petition.

Sd/-  
**(S. K. Ray Mohapatra)**  
**Member**

Sd/-  
**(G. Mohapatra)**  
**Officiating Chairperson**