

**ODISHA ELECTRICITY REGULATORY COMMISSION  
PLOT NO. 4, CHUNUKOLI, SAILESHREE VIHAR,  
CHANDRASEKHARPUR,  
BHUBANESWAR-751021**

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

**Case No. 84/2023**

Shri Ghanashyam Moharana ..... Petitioner  
Vrs.  
The Executive Engineer (Elect), Khordha Electrical Division,  
TPCODL, Khordha ..... Respondent

**In the matter of:   Application under Section 142 of the Electricity Act,2003 for non-seeking compliance of the order dated 13.03.2023 of the Ombudsman-I passed in C.R. Case No.05 of 2023.**

**For Petitioner:**       None

For Respondents:     Shri Bibaswan Das, Consultant Legal, TPCODL, Shri Satya Narayan samal, Asst. Manager (Fin.), TPCODL.

**ORDER**

**Date of Hearing: 26.09.2023**

**Date of Order: 26.09.2023**

The Petitioner- Shri Ghanashyam Moharana, S/O: Late Jagannath Moharana, Gopinathpur, Nayagarh has filed the present petition under Section 142 of the Electricity Act, 2003 alleging non-implementation of order dated 13.03.2023 of the Ombudsman-I passed in C.R. Case No.05 of 2023 arising out of order dated 22.12.2022 of the GRF, Khordha at Bhubaneswar Circle-II passed in C.C. Case No.325 of 2022.

2. The Learned GRF, Khordha at Bhubaneswar while disposing of C.C. Case No.325 of 2022 directed as follows:

*“ 1. The Respondent is directed to re-classify of the consumer from MI (HT Tariff) to MI (LT Tariff) by following the procedure laid down in the OERC Distribution (Conditions of Supply) Code, 2019.”*

As the above Order of the GRF, Bhubaneswar Circle-II was not complied with by the Respondent-TPCODL, the Petitioner herein moved the Ombudsman-I by filing C.R. Case No.05 of 2023. The learned Ombudsman-I while disposing of the said Consumer Representation has been pleased to direct as follows:

*“ xxx .From the said RST Order for FY 2022-23 vide Annexure-B (i) and findings of the GRF that the Petitioner is a LT consumer. I a of the opinion that it is a fit case wherein the Petitioner-Consumer being a LT consumer with 40KW load should be billed by the OP at kWh basis and not at kVAh basis since April, 2021 onwards. Accordingly, the OP is hereby directed to revise the electricity bill of the Petitioner-consumer from April, 2021 by calculating the energy charges at kWh*

*basis in place of kVAh basis. Side by side, the petitioner is directed to make payment of the revised bill amount in two equal monthly installments hence. Besides, the Petitioner is directed to install a capacitor bank at his own cost in his industry premises to maintain the power factor in future.*

*This order is in addition to the order dated 22.12.2022 passed by the GRF, Khordha in C.C. Case No.325 of 2022.*

*With the above directions to the parties, the representation of the Petitioner-Consumer is disposed of at the stage of conciliation.”*

3. Heard the parties. In course of hearing, on behalf of the Respondent-Licensee, Shri Satya Narayan Samal, Asst. Manager (Fin.), TPCODL appeared and sought for an adjournment to comply with the order of the Learned Ombudsman-I passed in C.R. Case No.05 of 2023 after receipt of necessary approval in the matter from their competent authority.
4. Considering the above submissions of the Respondent-Licensee, the Commission finds that there is no need to proceed further in the present case and accordingly the Respondent-TPCODL is directed to comply with order of the Learned Ombudsman-I passed in C.R. Case No.05 of 2023 within a month hence & serve the compliance report on the Petitioner with an intimation to this Commission.
5. With the above direction to the Respondent-Licensee, the case is disposed of.

Sd/-

**(S.K. Ray Mohapatra)**  
**Member**

Sd/-

**(G. Mohapatra)**  
**Member**

Sd/-

**(S.C. Mahapatra)**  
**Chairperson**