

**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. 15/2024**

Sri Birabar Sahoo

..... Petitioner

Vrs.

The SDO (Electrical),  
Athagarh Electrical Sub-Division,  
TPCODL, Athagarh & another

..... Respondents

**In the matter of:** Application under Sections 142 of the Electricity Act, 2003 alleging non-compliance of order dated 20.05.2023 of the GRF, Cuttack passed in C.C. Case No.95 of 2023.

**For Petitioner:** None appears on behalf of the Petitioner

**For Respondent:** Shri Santosh Kumar Samantaray, S.D.O (Electrical), Athagarh Electrical Sub-Division, TPCODL along with Shri S.C. Dash, Advocate.

**ORDER**

**Date of Hearing: 21.05.2024**

**Date of Order: 21.05.2024**

The Petitioner-Sri Birabar Sahoo has filed the present Petition under Sections 142 of the Electricity Act, 2003 alleging non-compliance of order dated 20.05.2023 of the GRF, Cuttack passed in C.C. Case No.95 of 2023. Said order of the Learned-GRF, Cuttack runs as under:

*“1. The O.P. is directed to follow Regulation 175 of the OERC (Conditions of Supply) Code, 2019 in case of the service connection of sri Mohan Sahoo bearing A/C No.20701699 and service connection of Muralidhar Mallia.*

*2. The O.P. is directed to verify complainant land documents and if the complainant has applied new service connection to premises/plot where already two service connection given then new service connection to be given to complainant only after compliance of regulation 17(iii), (iv) and (vi) of OERC (Conditions of Supply) Code, 2019. If the complainant has applied for power supply to different plot/ premises new power supply to be given by O.P. without insisting to pay any arrear dues of his brothers.”*

2. Upon hearing the parties, this Commission vide the Order dated 02.04.2024 has been pleased to pass the following interim order:

*“The Representative of the Respondent-licensee submitted that the Petitioner has applied for new power supply connection to his premises over plot No.29/2315 under Khata*

*No.106/75 in Mouza-Nuapatna, Cuttack. But according to the Respondent-Licensee, there is mismatch in existing house and the said Plot.*

*In the circumstances, GRF, Cuttack is called upon to conduct an enquiry issuing notices to the parties about existence of a house if any, belonging to the Petitioner and feasibility of the electricity connection to it as per his application. Send a copy of the Application of the Petitioner along with the present Order of this Commission to the GRF, Cuttack for reference.*

*Put up on 21.05.2024 for further hearing awaiting the report of GRF, Cuttack in this regard.”*

3. Pursuant to the aforesaid order of the Commission, Learned GRF, Cuttack has submitted their inquiry report vide Letter No-82 dated 10.05.2024. Both the parties attended the Enquiry of the Forum along with their supporting documents. The relevant portion of the aforesaid inquiry report of the Learned GRF, Cuttack is reproduced as hereunder:

*“The Forum conducted one site visit in presence of both the parties. It was found that a single floor new house has been constructed on Plot No-29/2315. Shri Birabara Sahoo is the owner of the Plot No-29/2315. There is another single floor old house on plot No-29/1673 which is adjoining to the above newly constructed house. The old house on Plot No-29/1673 is at the front side and it is close to the village road. The new house on Plot No-29/2315 is at back side to the above mentioned adjoining old house. The old house Plot No-29/1673 is jointly owned by Shri Birabara Sahoo, Muralidhar Sahoo and Mohan Sahoo. The new service connection from the existing LT PSC Pole of the Licensee to the house of Sri Birabara Sahoo on Plot No-29/2315 has to go over the vacant land not owned by Sri Birabara Sahoo for which he informed during inquiry that he will arrange necessary ROW/permission from the adjoining vacant land owner in accordance with Regulation-15 of OERC Supply Code, 2019. In case the adjoining vacant land owner will not give his consent for drawing new service line over his vacant land then with one LT interposing pole near the village road, the new service connection can be given to Sri Birabara Sahoo. The power supply to the locality is given through one 11/0.4 KV 250 KVA distribution transformer with peak load of 112 KW of the transformer.*

*In conclusion, there is a house on Plot No-29/2315 and Khata No-106/75. Sri Birabara Sahoo is the owner and occupier of the house. The LT Single Phase new connection with CD 1.5 KW to the above house on Plot No-29/2315 of Sri Birabara Sahoo is feasible.”*

4. The matter is taken up for hearing as scheduled through hybrid mode. In course of the hearing, the Petitioner is found absent on repeated calls. On the other hand, the Respondent-Licensee is represented by their Learned Counsel Shri S.C. Dash.
5. In view of the report received from the Learned GRF, Cuttack, it is expedient to provide connection to the Petitioner through the alternative proposal suggested by the Learned GRF.
6. Accordingly, Respondent-Licensee is directed to carry out the alternative proposal as suggested by the Learned GRF, Cuttack in their report dated 10.05.2024 and to submit a report after execution of the alternative proposal within a month from the date of receipt of this order. The proceeding stands closed.

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

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