

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

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

Case No. 05/2017

Smt. Aratilata Pattanayak Petitioner

Vrs.

S.D.O (Elect.), Markona, NESCO Utility Respondent

In the matter of: An application under S.142 of the Electricity Act, 2003 for non-compliance of Order dated 21.05.2016 of the Ombudsman-II passed in C.R.Case No.Omb (II) N-012 of 2016.

For Petitioner: Shri A. K. Sahani, authorised representative of the petitioner.

For Respondent: Shri Asit Kumar Pradhan, Asst. Manager (Elect.), Markona.

ORDER

Date of Hearing: 06.06.2017

Date of Order:22.08.2017

- The present petition has been filed by one Smt. Aratilata Pattanayak under the electricity supply jurisdiction of SDO (Elect.), Electrical Sub-division, Markona, NESCO Utility under Section 142 of the Electricity Act since the order of Ombudsman-II in CR Case No. Omb (II) N- 12 of 2016 dated 21.05.2016 was not implemented.
2. During hearing Shri Asit Kumar Pradhan, Asst. Manager (Elect.), Markona has submitted that as per order dated 21.05.2016 of the Ombudsman-II passed in C.R. Case No. Omb (II) N-12/2016 the load factor based energy bills raised for the period from 04/2008 to 11/2013 has been revised on the basis of average consumption as per Regulation 97 of the OERC Distribution (Conditions of Supply) Code, 2004. The bill has also been revised from 09/2003 to 03/2008 taking monthly average consumption of 7 units per month of the petitioner as per the order of the Ombudsman-II. The above order of the Ombudsman-II and the order of the GRF, Jajpur Road passed in C.C. Case No. 88/2015 have been implemented in the month of June, 2016 and January, 2016 respectively.
 3. The representative of the petitioner submitted that the respondent has served the compliance report of the above order of the Ombudsman-II during hearing only. Though the said order

of the Ombudsman-II is stated to have been complied by the respondent, the petitioner would examine it whether it had been implemented in line with the above order of the Ombudsman-II or not and he would file his reply on the compliance report as submitted by the respondent. Therefore, he prayed for 15 days time to submit his rejoinder to the reply of the respondent. His prayer was allowed.

4. Now, the Petitioner has submitted that the Respondent has revised the bill for the period of 06/2009 to 11/2013 instead of 04/2008 to 11/2013 which had been directed by the Ombudsman.
5. In view of the above contradictory statements of the Petitioner and the Respondent the matter is remanded back to Ombudsman-II again to find out whether his order is fully implemented or not.
6. A copy of this order be sent to Ombudsman-II to consider the matter. The Petitioner is at liberty to approach Ombudsman-II once again within one month from the issue of this order.
7. With above observation the case is disposed of.

Sd/-
(S. K. Parhi)
Member

Sd/-
(A. K. Das)
Member

Sd/-
(U. N. Behera)
Chairperson