

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

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

Case No. 12/2017

Manas Kumar Mangaraj	Petitioner
Vrs.		
CESU & Others	Respondents

In the matter of: **An application under Section 142 of the Electricity Act, 2003 for non-compliance of Order dated 31.12.2016 of the GRF, Bhubaneswar at Khurda passed in C.C. Case No. 528 of 2016.**

For Petitioner: Shri Manas Kumar Mangaraj.

For Respondent: Shri Manoj Kumar Das, E.E (Elect.), Khurda Electrical Division, CESU, Shri Bibaswan Das, Advocate representative of M/s. FEDCO and Satya Ranjan Behera, Dy. Manager, M/s. FEDCO.

ORDER

Date of hearing: 13.06.2017

Date of order: 22.08.2017

The petitioner Shri Manas Kumar Mangaraj of village Lendo, Nirakarpur, Dist-Khurda has filed the above case under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 31.12.2016 of the GRF-Bhubaneswar at Khurda passed in C.C. Case No. 528/2016. The learned GRF while disposing the said case has directed as follows:

“The opposite parties are directed to restore the power supply immediately and pay compensation for the delayed period from the date of disconnection to the date of restoration under Schedule-3 of Guaranteed Standard of Performance. Accordingly the case is disposed of”

2. As the above order of the GRF-Bhubaneswar, Khurda has not been complied by the respondents herein, the petitioner approached the Commission for implementation of the above order of the GRF and also for compensation for the period of disconnection of power supply to his rice huller.
3. A show cause notice was issued on 14.02.2017 to the respondents for filing of show cause reply through affidavit serving a copy on the petitioner as to why they had failed to implement the order dated 31.12.2016 of the GRF-Bhubaneswar, Khurda passed in C.C.

Case No. 528/2016 failing which a proceeding under Section 142 of the Electricity Act, 2003 should not be initiated against them for lapses on their part.

4. In reply to the above show cause notice of the Commission and also during the hearing of the above matter, the respondents have submitted that the power supply to the rice huller of the petitioner was interrupted on 25.10.2016 due to falling of a branch of a tree on the conductor and when the O&M team of the distribution franchisee tried to restore the power supply on that day some villagers led by one Ladukishore Das restrained them to do so. Thereafter, the restoration team lodged a FIR in the nearest police station.
5. The respondents have also submitted that as per order dated 31.12.2016 of the GRF-Bhubaneswar at Khurda the power supply though not restored on the same day due to ROW problem but was restored after stringing near about 120 meters AB Cable through a new 8mt pole on 09.02.2017. Therefore, there is no negligence on the part of the respondents for implementation of the said order of the GRF-Bhubaneswar at khurda.
6. In view of above submission of the respondents that they have complied with the order passed by the GRF-Bhubaneswar, Khurda in C.C. Case No. 528/2016 by restoring power supply to the rice huller of the Petitioner on 09.02.2017 to the rice huller of the petitioner, there is no need to proceed further in this matter. The proceeding under Section 142 of the Act is hereby dropped. Regarding the payment of compensation for delayed restoration as directed by GRF it has been mentioned in the same order that Petitioner can approach Ombudsman-I. Therefore, the Petitioner is at liberty to approach the same forum.
7. Accordingly, the case is disposed of.

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson