

BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR

Present.: Hon'ble Shri D.N. Padhi, S.C.I.C  
and  
Prof. Radhamohan, S.I.C

Dated. 13<sup>th</sup> June of 2006

Complainant Case No.58/2006

Sri. Kanhei Charan Das  
Plot No. 301/A, Sahid Nagar  
Po. Bhubaneswar -751007  
Khurda District.....Complainant  
-Vrs-

1. Chief Executive Officer, CESCO, Bhubaneswar
2. Executive Engineer, CESCO, Kendrapara,  
Electrical Division No. 1
3. S.D.O. (Asst. Manager, Commerce) CESCO,  
Kendrapara
4. President, Grievance Redressal Forum,  
CESCO Colony, Cuttack.....Opposite Parties

Decision

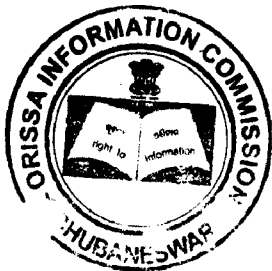
1. Complainant Sri Kanhei Charan Das though found absent when case was called for hearing later entered appearance. C.E.O, CESCO, Bhubaneswar, Executive Engineer and S.D.O.(AMC), CESCO are present. The President, Grievance Redressal Forum, CESCO Colony, Cuttack has filed his written show cause but absent at the time of hearing. Heard all the parties to their satisfaction.
2. Shorn of unnecessary factual details, the case of the Complainant is that he had asked for a copy of the energy ledger of his own consumer No.01164428/DKC-1455 from September, 1993 to October, 1997. He alleged that Opposite Parties instead of supplying the above needed information, took the stand that they being a Private Company the provisions of Right To Information Act, 2005 are not applicable to them.
3. During hearing, the CEO candidly stated before the State Commission that they are not inclined to raise the legal objection regarding non applicability of the provisions of Right To Information Act, 2005 since their Company renders service to their consumers and they in turn pay the electric consumption charges to the Company. It was, however, explained with reference to the several provisions of the Right To Information Act, 2005 to the Opposite Parties including CEO, CESCO that the Right To Information Act, 2005 does apply to them also.
4. It also emerged during hearing that an application for information was submitted by the Complainant on 26/7/2005 and the Opposite Party No. 3 had supplied a portion of the information to him on 17/08/2005. The Complainant filed another application for some more information relating to another period which is also submitted to have been supplied on 21/11/2005 to the Complainant.


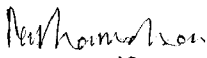
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5. The Opposite Party No. 3 stated that some of the information needed by the Complainant has not been supplied to him relating to the period September 1993 to October 1997 as records are not available in the office. The Opposite Parties submitted that till 1995 no electric meter was installed in the premises of the Complainant so as to quantify the actual consumption of energy. Billing was on Load factor basis. They further submitted that after receipt of information about the non-installation of meter, the same was installed in 1995 and thereafter energy charges have been collected from the consumer as per meter reading. According to CEO Authorities, there was no difference in the electrical bill with or without the meter.
6. Keeping in view the purpose and object of disclosure of complete information the State Commissioner hereby direct the Opposite Parties to provide the remaining information needed by the Complainant within a month, that is on or before 12/07/2006. The Opposite Parties will report compliance to the above direction to the State Commission within 7 days thereafter, that is by 19/7/2006. The fact that the representation to the Complainant is sub-judice before the Grievance Redressal Forum, CESCO, Cuttack was pointed out by the Opposite Parties. However, Chief Executive Officer, CESCO assured the State Commission to move the said Forum for early disposal of the representation of the Complainant so that the above direction of the State Commission shall be implemented in letter and spirit.
7. For the reasons aforementioned the case of the Complainant is partly allowed subject to the direction given. The Complainant is also directed to intimate the State Commission as soon as he receives the remaining information from the Opposite Parties.

**Pronounced**

Given under the hand and seal of the State Commission, this 13<sup>th</sup> day of June 2006.



  
**Hon'ble S.C.I.C** 13.6.06  
  
S.I.C 13.6.06