

**PUNJAB STATE POWER CORPORATION LIMITED
FORUM FOR REDRESSAL OF GRIEVANCES OF CONSUMERS
P-1 WHITE HOUSE, RAJPURA COLONY, PATIALA
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Case No. CG-88 of 2013

Instituted on : 19.07.2013

Closed on : 22.08.2013

**Sh. Sanchit Gupta ,
116-A, Sham Nagar,
Ludhiana.**

.... Appellant

Name of the Op. Division: Model Town(Spl.) Ludhiana.

A/c No. CS-01/0398

Through

Sh.Sukhminder Singh, PR

V/s

PUNJAB STATE POWER CORPORATION LTD.Respondent

Through

Er. Sanjiv Parbhakar, ASE/Op. Model Town Divn., Ludhiana.

BRIEF HISTORY

Petition No. CG-88 of 2013 was filed against order dt. 08.03.2013 of the ZDSC, Ludhiana deciding that the amount charged against

defective / burnt meter on the basis of LDHF formula, to the consumer is correct and recoverable.

The consumer is having NRS category connection with sanctioned load of 30.00 KW operating under AEE/Tech.2, . Model Town, Ludhiana.

The NRS category connection to the consumer was released on 27.03.2012 vide SCO No. 11761/2302 dt. 06.01.2012. No bill-cum-notice was issued upto the month of 10/2012. The energy meter of the consumer was checked vide LCR No. 26/404 dt. 23.10.2012 and was reported as burnt and the same was replaced vide MCO No. 131839/4794 dt. 23.10.2012. The account of the consumer for the period 27.03.2012 to 27.10.2012 was overhauled on the basis of LDHF formula (@4320 units per month) and charged Rs. 2,40,951/-.

The consumer instead of depositing the requisite amount made an appeal in the ZDSC, Central, Ludhiana after depositing Rs. 48,190/- i.e. 20% of the disputed amount on 15.01.2013. The ZDSC heard the case on 08.03.2013 and decided that the amount charged to the consumer on the basis of LDHF formula is correct and recoverable.

Being not satisfied with the decision of the CDSC, the consumer made an appeal in the Forum. The Forum heard the case on 01.08.2013, 13.08.2013 and finally on 22.08.2013. Then the case was closed for passing speaking orders.

Proceedings:

PR contended that first energy bill is required to be issued within 3-4 months from the date of release of connection but it was not issued for nine months and in the meantime the meter got burnt and average has been charged with heavy consumption base, for the period 27.03.2012 to 26.10.2012 @ 4320 units per month.

Further as per regulation No. 21.4 (g) (ii) of Electricity Supply Code 2007, it has been prescribed that accounts of the consumer will be overhauled for the period a burnt meter remained at site on the basis of consumption for the corresponding previous year. "In case the average consumption for the corresponding previous period is not available then the consumer will be tentatively billed for the consumption to be assessed in the manner indicated in para-4 of annexure-8 & subsequently adjusted on the basis of actual consumption in the corresponding period of the succeeding year.

The consumption of about 6 to 7 months (including summer months) is available after the installation of new meter. Thus average charged with LDHF formula is required to be adjusted on the basis of actual consumption, as prescribed in regulation No. 21.4 (g) (ii) of Electricity Supply Code 2007.

It is therefore, once again humbly requested to the Hon'ble Forum to look into all the merits of the case, set aside the decision of ZDSC and provides justice.

PSPCL contended that first bill was issued with delay of 3-4 months due to non-submission of consumer case to the revenue section and average was charged with LDHF formula for the period in which meter was burnt i.e. from 27.03.2012 to 26.10.2012.

It is correct that as per regulation No. 21.4 (g) (ii) of Electricity Supply Code 2007 "In case the average consumption for the corresponding previous period is not available then the consumer will be tentatively billed for the consumption to be assessed in the manner indicated in para-4 of annexure-8 & subsequently adjusted on the basis of actual consumption in the corresponding period of the succeeding year. But in this case, consumer represented his case to ZDSC immediately after receiving the supplementary bill. ZDSC decided the case on 08.03.2013 with remarks that the consumption already assessed on the basis of LDHF formula is alright and is recoverable from the consumer.

Observations of the Forum:

Written submission made in the petition, reply, written arguments of the respondents as well as petitioner and other material on record have been perused carefully and considered.

Forum observed that the consumer got the NRS category connection on 27.03.2012, but no energy bill was issued upto 10/2012. The connection of the consumer was checked on 23.10.2012 and the meter

was found burnt. The meter was replaced and the account of the consumer was overhauled on the basis of LDHF formula as the meter was defective from the release of connection. The consumer was charged Rs. 2,40,951/- @ 4320 units per month.

The representative of the petitioner contended that as per Regulation No. 21.4(g) of Electricity Supply Code-2007, account, for the period meter remained burnt, is to be overhauled on the basis of previous consumption of the consumer. If the consumption of previous period is not available, then the consumer will be tentatively billed for the consumption to be assessed and subsequently adjusted on the basis of actual consumption in the corresponding period of the succeeding year.

The representative of the PSPCL contended that first bill issued with delay of 3-4 months due to non- submission of consumer case to the Revenue Section. So average was charged with LDHF formula as the previous consumption was not available. But in this case, consumer represented his case in ZDSC immediately .

Forum concludes that overhauling the account of the consumer in the first instance on the basis of LDHF formula is correct because no consumption before and after the replacement of meter was available with the PSPCL. Now the actual consumption after replacement of burnt meter is available and the account for the disputed period can be

overhauled on the basis of actual consumption recorded after the change of meter as per Regulation No. 21.4(g) (ii) of Electricity Supply Code-2007.

Decision:

Keeping in view the petition, reply, oral discussions, and after hearing both the parties, verifying the record produced by them & observations of Forum, Forum decides that:

- * **The accounts of the consumer for the period 27.03.2012 to 26.10.2012 be overhauled on the basis of consumption recorded from 01/2013 to 08/2013.**
- * **Forum further decides that the balance amount recoverable/refundable, if any, be recovered/refunded from/to the consumer along-with interest/surcharge as per instructions of PSPCL.**
- * **As required under Section-19 (1) & 19 (1A) of Punjab State Regulatory Commission (Forum & Ombudsman) Regulation-2005, the implementation of this decision may be intimated to this office within 30 days from the date of receipt of this letter.**

(CA Rajinder Singh)
Member/CAO

(K.S.Grewal)
Member/Independent

(Er.Ashok Goyal)
EIC/Chairman