

**PUNJAB STATE POWER CORPORATION LTD
CONSUMERS GRIEVANCES REDRESSAL FORUM
P-1, WHITE HOUSE, RAJPURA COLONY ROAD, PATIALA
PHONE: 0175-2214909 ; FAX : 0175-2215908**

Appeal No: CG-91 of 2013

Instituted On: 19.07.2013

Closed On: 08.08.2013

**Sh. Dharampal Singh C/O Smt. Sital Verma,
1709/2, Street No.8, Kwality Chowk,
Shimlapuri, Ludhiana.**

.....Appellant

Name of Op/Division: Janta Nagar (Spl.) Ludhiana

A/c No.: JJ-01/0882

Through

Sh. Ajay Kumar, PR

V/s

PUNJAB STATE POWER CORPORATION LTDRespondent

Through

Er. Sanjiv Kumar Jolly, Sr.Xen/Op Janta Nagar (Spl) Divn.

BRIEF HISTORY

Petition No. 91 of 2013 was filed against the decision dated 10.05.2013 of ZDSC Central Ludhiana, deciding that the amount charged to the consumer on account of average charges against defective meter, is correct and recoverable.

The appellant consumer is having SP category connection bearing Account No. JJ-01/0882, with sanctioned load of 11.870 KW, operating under Janta Nagar Division (Unit-3), Ludhiana.

The consumer challenged the working of the meter on observing that reading of the meter has jumped. The consumer deposited meter challenge fees of Rs. 450/- vide BA-16 No.551/7971 dated 03.12.2012. The energy meter was replaced vide MCO No. 134823/06668 dated 03.12.2012 effected on 22.12.02012. The challenged meter was sent to ME lab for testing vide Store challan No. 130102/9707 dated 09.01.2013. The accuracy of the meter was reported as defective internally as the software of the meter was damaged. The account of the consumer for the period 09/2011 to 11/2012 was overhauled by the Audit Party on the basis of corresponding consumption of previous year, vide HM No. 195 dated 05.03.2013. The amount of Rs. 2,75,601/- pointed out by audit, was debited to the consumer's account. The consumer did not agree with the amount so charged and referred his case for review by ZDSC Central Ludhiana, by depositing 5% of disputed amount.

ZDSC heard the case on 10.05.2013 and observed that same reading of KWH and KVAH was recorded continuously for the last one year from 10/2011 to 12/2012 which indicates that the software of the meter had gone defective. ZDSC decided that the amount charged to the consumer is correct and recoverable.

Not satisfied with the decision of ZDSC, the consumer made an appeal in the Forum. The Forum heard the case on 01.08.2013, 06.08.2013 and finally on 08.08.2013. Then the case was closed for passing speaking orders.

Proceedings:-

PR contended that the petition and written arguments already submitted may be considered as part of oral discussion.

PSPCL also submitted that reply already submitted may be taken as final and part of oral discussion.

Observations of the Forum:-

After the perusal of petition, reply, written arguments, proceedings, oral discussions and record made available to the Forum, Forum observed as under:-

The reading of the energy meter installed in the premises of the consumer jumped by several lakh units during 11/2012. The ME Lab declared that software of the meter has gone defective and final reading was mentioned as 949672. Thus the resultant consumption was 841437 units. This is a crystal clear case of jumping of reading of the meter. The meter reader has recorded same reading viz 108235 and nil consumption from 09/2011 to 11/2012 without any remarks.

The reasons for nil consumption were neither reported by the meter reader nor investigated by the PSPCL. The account of the consumer was overhauled for the period 09/2011 to 11/2012 on the basis of consumption recorded during the corresponding period of previous year. However the meter was not declared defective by PSPCL during this period and software of the meter was reported defective in ME lab only on 09.01.2013.

The petitioner contended that the premises was given on rent from 01.01.2011 to 30.07.2011. After that his premises was vacated, no work was being carried out in his factory and he was paying MMC from then onwards. During the proceedings of disputed case in ZDSC, the connection was got checked vide LCR No. 897 dated 25.04.2012. It was reported that the premises is vacant and there is no machinery installed in the factory.

The petitioner submitted an affidavit wherein she has stated that the premises was vacated by the tenant on 31.07.2011 and from then onwards it is lying vacant and no work is being carried out. Further the petitioner has also submitted a certificate from the area MLA, Punjab Vidhan Sabha & Councillor, MC Ludhiana, in this regard. The AEE/T-3 vide LCR No. 1237 dated 08.08.2013, has also verified the position stated in the affidavit from the neighbours of the consumer. He has confirmed in his report that factory (premises) of the consumer is lying vacant from the last more than one year.

Keeping in view, all the facts of the case, the Forum concluded that the consumer did not use the electricity in the factory during the period 09/2011 to 11/2012, as such overhauling of account on the basis of consumption of previous period, is not justified. The account for the period 09/2011 to 11/2012 needs to be overhauled on the basis of consumption recorded after the replacement of challenged meter.

Decision:-

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

- That the account of the consumer for the period 09/2011 to 22.12.2012, (the date of replacement of meter), be overhauled on the basis of consumption recorded from 01/2013 to 06/2013.

- 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 Electricity 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.

(Rajinder Singh)
CAO/Member

(K.S. Grewal)
Member/Independent

(Er. Ashok Goyal)
EIC/Chairman

