

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

Case No. CG-50 of 2013

Instituted on : 30.04.2013

Closed on : 02.07.2013

**M/S D.C.Steel Ltd. ,
V.P.O- Jhabewal,
Chandigarh Road,
Distt. Ludhiana.**

.... Appellant

Name of the Op. Division: Focal Point Spl. Ludhiana.

A/c No. FP-51/0246

Through

Sh.Baljinder Singh, PR

V/s

PUNJAB STATE POWER CORPORATION LTD.Respondent

Through

Er. H.S. Gill, ASE/Op. Focal Point Spl. Divn. Ludhiana.

BRIEF HISTORY

Petition No. CG-50 of 2013 was filed against order dt.03.01.2013 of the ZDSC, Ludhiana deciding that the amount charged to the consumer is correct and recoverable from him. The consumer is having

LS category connection with sanctioned load of 2215 KW with CD of 2461 KVA operating under AEE/Comml. Focal Point Spl. Divn. Ludhiana. The Sr.XEN/MMTS-1, Ludhiana on 09.08.2012 got the DDL printout of the meter installed in the premises of the consumer and pointed out violations of WOD vide memo.No.2378 dt. 03.09.2012. Due to this WOD violation an amount of Rs.2,18,819/- was recoverable from the consumer. The consumer was asked to deposit the said amount by the AEE/Comml. Focal Point Spl. Divn. Ludhiana. The consumer instead of depositing this amount made an appeal in the ZDSC, Ludhiana after depositing Rs. 43,765/- i.e. 20% of the disputed amount on 22.11.2012. The ZDSC heard the case on 03.01.2013 and decided that the amount charged to the consumer is correct and recoverable from him.

Being not satisfied with the decision of the ZDSC, the consumer made an appeal in the Forum. The Forum heard the case on 14.05.2013, 23.05.2013, 11.06.2013, 18.06.2013 and finally on 02.07.2013. Then the case was closed for passing speaking orders.

Proceedings:

The present dispute arises in view of telephone message 370/11 dt. 06.08.2012 vide which it was directed that all industrial consumer fed from Cat 2&3 feeders can use PSPCL power for 12 hrs. during day time. For Central Zone timings for which power can be used were 7.30 hrs. to 19.30 hrs. In the light of this circular consumer built up his load after 7.30 hrs. on 07.08.2012 of Tuesday. His WOD was on 06.08.2012

which was to continue till 07.08.2012, 8.30 hrs. in view of previous message 296/11 dt. 03.08.2012.

The recent message of 370/11 dt. 06.08.2012 was applicable to consumer w.e.f. 07.08.2012 as mentioned in the subject of the circular. Whereas this consumer has made a violation of observing the WOD of 06.08.2012, which was to continue till 07.08.2012 morning 8.30 hrs.

But in this context, a clarification of the same issue was sought by Dy.CE/Op. East Circle Ludhiana on dated 07.05.2013 from Dy.CE/PP&R Patiala in another similar case. He has clarified vide memo.No.4217 dt. 09.05.2013 that the consumer was allowed to use PSPCL power w.e.f. 7.30 hrs. to 19.30 hrs. on dated 07.08.2012. This clarification has been given in the case of M/s C.L.Engg. which is an induction furnace consumer and has the similar status as the status of consumer in the present dispute. So the present dispute may please be reviewed/decided in the light of above facts.

Both the parties have nothing more to say and submit and the case was closed for speaking orders.

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 and carefully considered.

Forum observed that the Sr.XEN/MMTS-1, Ludhiana checked the connection and got the DDL printout of the meter. He found that the

consumer was violating WOD instructions on 07.08.2012 issued by the PSPCL. Due to these violations consumer was charged Rs. 2,18,819/-. He did not agree to the charges levied and made an appeal in the ZDSC. The ZDSC decided that the amount is chargeable.

Forum observed that the dispute for violation of WOD dt. 07.08.2012 was in view of telephone message 370/11 dt.06.08.2012 vide which it was directed that all industrial consumers fed from category 2 & category 3 feeders can use PSPCL power for 12 hrs. during day time. For Central Zone timings for using power were 7.30 hrs. to 19.30 hrs.

In the light of this circular consumer built up his load after 7.30 hrs. on 07.08.2012. Consumer's WOD was on 06.08.2012 which was to continue till 07.08.2012 – 8.30 hrs. in view of previous message 296/11 dt.03.08.2012. The recent message of 370/11 dt.06.08.2012 was applicable to consumers w.e.f. 07.08.2012, whereas this consumer has made a violation of observing the WOD on 06.08.2012, which was continued till 07.08.2012 morning 8.30 A.M.

Forum further observed that a clarification of this issue was sought by Dy.CE/Op.East Ludhina from Dy.CE/PP&R, Patiala. The Dy.CE/PP&R clarified vide memo. dt.09.05.2013 that as per PR circular 09/2012, the consumer was allowed to use PSPCL power w.e.f. 7.30 hrs. to 19.30 hrs. on 07.08.2012. In view of the above clarification, Forum is of the view that amount charged on account of WOD violation dt.07.08.2012 is not recoverable.

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 amount charged due to WOD violation on 07.08.2012 is not recoverable, as such be not recovered.**
- * 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