

**PUNJAB STATE POWER CORPORATION LTD  
CONSUMERS GRIEVANCES REDRESSAL FORUM  
P-1, WHITE HOUSE, RAJPURA COLONY ROAD, PATIALA  
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Appeal No: CG-76 of 2013

Instituted On: 12.06.2013

Closed On: 16.07.2013

**Smt. Meenakshi Handa,  
E-593, Phase-7, Focal Point,  
Ludhiana.**

**.....Appellant**

**Name of Op/Division: Focal Point Ludhiana**

A/c No.: **MS-43/0015**

Through

Sh. V.K. Sharma, PR

V/s

**PUNJAB STATE POWER CORPORATION LTD**

**.....Respondent**

Through

**Er. Harjit Singh, ASE/OP. Focal Point Divn. Ludhiana.**

**BRIEF HISTORY**

Petition No. CG-76 of 2013 was filed against the decision dated 02.02.2013 of ZDSC Central Ludhiana, deciding that the petitioner may be charged on the basis of average, taking healthy base period from 01.04.2010 to 31.03.2011 and defective period from 01.09.2011 to 31.08.2012.

The consumer is having MS category connection with sanctioned load of 89.630 KW, operating under Op. Divn. Focal Point (Spl.) Ludhiana.

The energy bill for the month of 08/2012 was issued to the consumer for 45127 units amounting to Rs.2,90,450/-. Due to abnormal consumption, the consumer challenged the energy meter by depositing Rs. 1200/- as meter challenge fee, vide BA-16 No. 479/1553 dated 09.07.2012. The meter was checked at site, by the ASE/Enf.I, Ludhiana on 21.07.2012 vide their checking report No. 28/400 and found that display and pulse indicator of the meter was off. The energy meter was replaced vide MCO No. 122694/5909 dated 24.07.2012 effected on 11.8.2012 and was sent to the ME Lab. for testing. The ME Lab, vide store challan No. CG-120829/52778 dt.11.09.2012 found the accuracy results of energy meter within permissible limits and declared the meter as burnt. But the consumer was not satisfied with these results.

The consumer made an appeal before ZDSC/Central Zone, Ludhiana against the abnormal consumption of 45127 units recorded in 08/2012. ZDSC heard the case on 02.02.2013 and decided that the consumer may be charged on the basis of average, taking healthy base period from 01.04.2010 to 31.03.2011 and defective period from 01.09.2011 to 31.08.2012.

Not satisfied with the decision of ZDSC the consumer made an appeal before the Forum. The Forum heard the case in its proceedings held on 27.06.2013, 09.07.2013 and finally on 16.07.2013. Then the case was closed for passing speaking orders.

**Proceedings:-**

PR contended that as per the written arguments handed over in previous proceeding on 9-07-2013, it was concluded in that as per clause No. 21.4 of the supply code of PSERC has not been followed for calculating the average consumption for defective meters, where in

overhauling of the accounts should have been done as per 21.4 (g). The average applicable in this case can be only for immediate preceding months from 7-7-12 for six months only, in case ME Lab report is taken as correct for working within permissible limits. It is not understood as to how the ME Lab report dated 11-09-2012 took cognizance for treating the meter as burnt as well as within the permissible limits. It has been replied by the ASE/Focal Point LDH, vide No, 3187 dated 10-7-2013 today i.e. 16-07-2013 that no DDL of the defective meter prior to 17-07-2012, as mentioned in proceeding on 09-07-2012, is available in record with PSPCL. The data provided from 17-07-2012 to 25-09-2012 is irrelevant. It is admitted by ASE/Focal Point Ludhiana today in reply to Forum that consumption of the consumer of previous year i.e. 2011-12 false between 3000 to 4000 units.

Secondly it is also stated that reports of ME Lab dated 11-09-2012 is not clear. Moreover data download of temper data of defective meter provided completely whereas the data provided does not pertain to the relevant period. In view of the above details in petition/written arguments, the calculation should be reviewed before levying any amount to the petitioner. Also the amount deposited for challenging the meter be also refunded as per clause 21.4 (b) (i) as contained in the last para of arguments. The refund for the amount already deposited by petitioner be also considered as per provision in clause No. 114 under Electricity Sales Manual Page-133. The relevant part of the above clauses as provided in the Electricity supply instruction manual, 2010 & supplied code of PSERC applicable at present since 2007 on wards also placed on record for Forum for ready reference in triplicate.

Representative of PSPCL contended that written arguments have been submitted. The ME Lab report clearly indicates that meter is burnt, however, accuracy is reported within limits. The data retrieved from meter through DDL has already been supplied. The instructions ESIM

59.7, supply code 21.4 (g) (ii) is relevant in this context. The Zonal level DSC has also asserted that erratic behavior of the meter cannot be ruled out approximately one year prior to date of detection. The consumption pattern also supports these arguments. In the light of above facts the period of 1 year has been overhauled on the basis of previous year consumption. It is requested that the same may be upheld.

PR further contended that the DDL mentioned above by PSPCL does not provide any concrete result in the absence of temper data of 70 days required with all other para meters as mentioned in para 3 of written arguments submitted. The clause 21.4 (g) mentioned above does not permit the overhauling of accounts for more than six months in any case either within permissible limit or burnt.

**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 normal electricity consumption of the consumer during the year 2010 & year 2011 was in the range of 3500-7000 units per month. The energy bill issued in 08/2012 for 45127 units is very much on the higher side, keeping in view the consumption pattern of the consumer before and after replacement of defective meter in 08/2012. However the accuracy results of the energy meter were found within limits in ME Lab. There is substantial fall in consumption from 04/2011 onwards as compared to consumption of previous periods. ZDSC considered the energy meter as erratic and decided for charging the average from 01.09.2011 to 31.08.2012, on the basis of average of consumption recorded during the period 01.04.2010 to 31.03.2011.

PR contended that the data down load of the meter reveals erratic behaviour on various dates viz 20.07.2012, 22.07.2012, 29.07.2012. No display of measurement was retrieved from 11.08.2012 onwards but reading again appeared on 25.09.2012, whereas defective meter had been removed on 11.08.2012.

Representative of PSPCL contended that ME lab report, indicates the accuracy of the meter within limits and meter as burnt. The ZDSC has asserted that erratic behavior of the meter cannot be ruled out approximately one year prior to date of defection. The consumption pattern also supports these arguments.

Forum observed that behaviour of the meter was erratic which is evident from the DDL report dated 25.09.2012 and consumption pattern of the consumer from the year 2010 onwards. The fall in consumption from 04/2011 by about 50%, may be due to erratic behaviour of the meter. However it is very difficult to ascertain the exact date/month when the energy meter became defective, as DDL reports are not available for the period prior to 07/2012, because the DDL of MS consumers is not done on regular basis. Further, reasons for the huge variation in consumption from 04/2011 onwards were not investigated by PSPCL as per instruction No. 102.7 of ESIM. Had the reasons for fall in consumption, been investigated, the erratic behaviour of the meter could have been determined then and there, for taking remedial measures. The petitioner also has not justified the low consumption from 04/2011 onwards as compared to consumption of previous periods. Keeping in view, all the facts of the case, the Forum came to the conclusion that overhauling of account, for the preceding six months from the date of detection of defect in the energy meter i.e. 08/2012 till the replacement of meter, on the basis of consumption recorded during the corresponding period of year 2010, is justified.

**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 be overhauled from 02/2012 to the date of replacement of energy meter i.e. 11.08.2012, on the basis of consumption recorded during the corresponding period of the year 2010.
- 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