

**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-81 of 2013

Instituted On: 21.06.2013

Closed On: 25.07.2013

**Sh. Tejbir Singh
C/o Hindustan Wire Industries,
F-199, Phase 8-B, Industrial Area,
Mohali.**

.....Appellant

Name of Op/Division: Mohali

A/c No.: MS-58/989

Through

Sh. R.S.Dhiman, PR

V/s

PUNJAB STATE POWER CORPORATION LTDRespondent

Through

Er. A.K.Sharma, ASE/OP. Divn. Mohali.

BRIEF HISTORY

Petition No.CG-81 of 2013 was filed against the decision dated 20.12.2012 of ZDSC, South Zone, Patiala deciding that the account of the consumer, from 03.03.2012 to the date of replacement of meter, be overhauled, on the basis of consumption of corresponding months of the previous year.

The petitioner is having MS connection bearing Account No. MS-58/989, with sanctioned load of 98.72 KW operating under operation Sub/Division, Mohali-II.

The consumer was served with a exorbitant bill in the month of 05/2012, for 708520 units amounting to Rs. 39,46,809. The consumer did not agree with this bill. The consumer deposited Rs. 74,710 on the average basis and challenged the working of the meter. The meter was checked by Sr.Xen/Enf., Mohali vide ECR No. 87/30 dated 22.08.2012 and reported that, 'at the time of monthly reading dated 03.05.2012, the KWH reading for billing became double than KVAH reading. Before & after this the KVAH & KWH consumption is proportionate.' Thereafter the energy meter of the consumer was replaced on 24.08.2012 vide Job Order No. 18851 dated 29.05.2012, at final reading as 1488530. The energy bills for the month of 06/2012 to 8/2012 were deposited on the basis of the recorded consumption. The accuracy of challenged energy meter was declared within limits in M.E. lab. Ropar on 30.10.2012

The outstanding amount against energy bill issued in 05/2012 including surcharge. became Rs. 44,84,561/-. The amount of Rs.2,52,057/-as first installment of arrears due to increase in tariff rates is also included in the outstanding amount of Rs. 44,84,561/- The consumer referred his case for review by ZDSC,Patiala. ZDSC heard the case on 20.12.2012 and observed the behaviour of the meter as erratic from 03.03.2012 onwards. ZDSC decided that Account of the consumer be overhauled for the period 03.03.2012 to date of replacement of meter, on the basis of consumption recorded during corresponding period of previous year.

Being not satisfied with the decision of ZDSC, the consumer made an appeal before the Forum. Forum heard the case in its proceedings held on 04.07.2013, 16.07.2013 and finally on

25.07.2013. Then the case was closed for passing speaking orders.

Proceedings:-

PR contented that the petitioner's meter jumped some time during 01.04.2012 to 03.05.2012 and registered consumption of 708520 units against a normal monthly consumption of 10000/15000 units. Accordingly a bill amounting to Rs 4484560/- was raised against the petitioner during 05/2012. Finding this consumption disproportionate to normal consumption, the petitioner agitated the matter before the respondents. He was allowed to deposit Rs.74710/- on average basis. The petitioner also challenged the meter by depositing meter challenge fee on 29.05.2012 and the same was replaced on 24.08.2012.

Learned ZDSC/South has accepted that the petitioner's meter reading had indeed jumped during 01.04.2012 to 03.05.2012. But instead of correcting the consumption of this period the committee ordered to overhaul the petitioner's account from 03.03.2012 to date of replacement of meter on the basis of consumption of corresponding months of the previous year. It is this which is not acceptable to the petitioner. Jumping of meter reading took place between the periods 01.04.2012 to 03.05.2012. So there is no reason to overhaul the account of other months, especially when the meter accuracy was found within permissible limits both at site and in ME lab. Apart from this, the consumption after 03.05.2012 is comparable with the petitioner's normal consumption.

As per Reg 21.4 (b) of Supply code, a meter on being challenged has to be replaced within 7 days. In the present case the disputed meter was changed after 87 days. The respondents cannot be allowed to first delay the replacement of a challenged meter for

months together and then charge the consumer according to their own sweet will.

Representative of PSPCL contended that as per the checking report of ME Lab, Meter accuracy is OK but the consumption which comes out to be abnormally high may be due to the anti-temper condition. This anti-temper condition implies, if somebody tempers the meter that meter will read the consumption according to I-max i.e. meter will record the consumption according to the highest current carrying capacity of the meter. As & when this tempering is removed then the meter will record the actual consumption.

As such conclusion cannot be drawn that meter reading jumped.

The point referred above may be taken into consideration while deciding the case.

PR further contended that there is no allegation of tempering of meter in any report of Xen/Enf. or ME Lab.

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 & 2011 is in the range of 12000-18000 units per month. The energy bill issued in 05/2012, for the period 03.04.2012 to 03.05.2012, for 708520 units is abnormally high and definitely due to some internal defect in the energy meter. However, the accuracy results of the energy meter were found within limits in ME lab. The consumption of only 6843 units was recorded in 04/2012, immediately before the abnormal consumption in 05/2012. The disputed meter was replaced on 24.08.2012 i.e. about 4 months after the recording of abnormal consumption on

03.05.2012. The energy consumption recorded from 06/2012 to the date/month of replacement of meter is between 11817 units to 15774 units. The consumption after replacement of meter, from 11/2012 to 06/2013, is in the range of 12000 units to 16000 units per month. Thus the consumption recorded during the period 06/2012 to 09/2012 is almost matching with the consumption recorded after replacement of meter, as such working of the meter during this period can be considered to be correct.

PR contended that jumping of the reading took place between the periods 01.04.2012 to 03.05.2012. As such, there is no reason to overhaul the account of other months especially when the accuracy was found within permissible limits. The petitioner also contended that decision of ZDSC may be set aside and petitioner be charged suitably for the period 01.04.2012 to 03.05.2012 or alternatively in accordance with regulation 21.4(g) (i) of Supply Code-2007.

PSPCL contended that accuracy of meter was found OK but abnormal consumption may be due to anti temper conditions, as such it cannot be concluded that meter reading got jumped.

Forum observed that behaviour of the meter was erratic although accuracy results were found within limits in ME lab. It was due to erratic meter that abnormally high consumption in 05/2012 and very low consumption in 04/2012, has been recorded. The consumption pattern after replacement of energy meter also substantiates the fact that energy meter was defective during the period 03.03.2012 to 03.05.2012. Therefore, the Forum is of the view that overhauling account for this period i.e. 03.05.2012 to 03.05.2012, on the basis of consumption recorded during the corresponding period of previous year, 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 for the period 03.03.2012 to 03.05.2012 be overhauled on the basis of consumption recorded during the corresponding period of the previous year.
- 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