

**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-54 of 2013

Instituted On: 30.04.2013

Closed On: 06.06.2013

**Sh. Chand Singh Johal
C/o Hotel Kingdom
Near: Bhagipura Chowk,
G.T.Road, Moga.**

.....Appellant

A/c No.: **GC-25/061**

Name of Division: **City Moga**

Through

Sh. Nirmal Singh, PR

V/s

PUNJAB STATE POWER CORPORATION LTDRespondent

Through

Er. C.S. Mann, Sr.Xen/OP. City Divn. Moga.

BRIEF HISTORY

The petitioner has filed appeal No. CG-54 of 2013 against order dated 25.03.2013 of DDSC Moga deciding that the amount charged on account of voltage surcharge was correct and recoverable from the consumer.

The petitioner is having NRS(hotel) connection bearing A/C No. GC-25/061 with sanctioned load of 92.49 KW operating under suburban sub division, Moga.

The connection of the consumer was checked by the Sr.Xen/Enf. Moga on 01.06.2012 vide ECR No. 18/1509 and found consumer was using load of 129.26 KW against sanctioned of 92.49 KW. The sanctioned load of the consumer was less than 100 KW, so his connection was running on LT voltage. The excess load was approved by the sub divisional office under VDS scheme, but its supply could not be changed from LT to HT line due to shortage of CT/PT unit. The account of the consumer was overhauled from 06/2012 to 09/2012 by the audit party vide HM/86 dt. 10/2012 to charge 15% voltage surcharge on the ground that the consumer is continuously using supply at 400 volts against specified voltage of 11 KV & recommended to charge the same to the consumer. The AEE/Suburban sub division Moga charged Rs.26,917/- vide memo No. 2942 dt. 21.12.2012. The consumer did not agree to it and challenged the amount in DDSC by depositing Rs.5383/- on 22.02.2013. i.e. 20% of the disputed amount. the DDSC heard the case on 25.03.2013 and decided that the amount charged on account of voltage surcharge from 06/2012 to 09/2012 is correct and recoverable from the consumer.

Being not satisfied with the decision of DDSC ,the consumer made an appeal in the Forum, Forum heard the case on 14.05.2013, 23.05.2013 and finally on 06.06.2013. Then the case was closed for passing speaking orders.

Proceedings:

On 14.05.2013, Representative of PSPCL submitted four copies of the reply and the same has been taken on record. One copy of the same has been handed over to the PR.

On 23.05.2013, PR submitted authority letter in his favour duly signed by the petitioner and the same has been taken on record.

Representative of PSPCL submitted authority letter vide Memo No. 7667 dt. 22.05.2013 in his favour duly signed by Sr.Xen/Op. City Divn. Moga and the same has been taken on record.

Both the parties have submitted four copies of the written arguments and the same has been taken on record. Copies of the same have been exchanged among them.

On 06.06.2013, PR contended that he had already submitted written argument and the same may be taken as oral discussion.

Representative of PSPCL contended that written argument already submitted may be taken on record as oral discussion. Although Consumer submitted bill of transformer and deposited required charges but practically not ready for conversion LT to HT i.e. installation of transformer and other equipment was not ready and the same was not clear from Chief Electrical Inspector. CT/PT unit was not available with PSPCL. According to ESIM (v) there are constraints in releasing additional load and converting the supply voltage of an existing consumer the supply could be continued at a lower voltage on the condition of payment of surcharge specified in the general conditions of tariff, so as per CC No. 18/2011, LT surcharge charged to the consumer is recoverable.

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

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 Sr.Xen/Enf. Moga checked the connection of the consumer and found running load of 129.26 KW against sanctioned load of 92.49 KW. The Audit Party overhauled the account from 06/2012 to 09/2012 and charged Rs. 26,917/- to the consumer on account of 15% voltage surcharge as his connected load was more than 100 KW on LT line instead of HT line.

Forum observed that the consumer has applied for extension in load, which was approved by the sub divisional office. As the load of the consumer exceeds 100 KW, so the supply was required to be changed from LT line to HT line, which was not done by the PSPCL due to non availability of CT/PT unit. Accordingly to clause (vi) 2 & 3 (d) of CC No. 18/2011 if there are constrains in releasing additional load and converting the supply voltage of an existing consumer, the supply could be continued at a lower voltage on condition of payment of surcharge specified in the general condition of tariff.

Forum further observed that the consumer has deposited requisite amount and completed all the necessary formalities for getting his load extended and even he has also purchased 200 KVA transformer vide invoice dated 29.06.2012. But the sub divisional office failed to convert LT line into HT line due to non availability of CT/PT unit. In this case the delay occurred for conversion from LT line to HT line was not due to technical constraint, but the supply could not be connected due to non availability of material equipment i.e. CT/PT unit with the PSPCL. The consumer has deposited the requisite amount and submitted bill of 200 KVA T/F on 10.07.2012 as demanded by AEE/Suburban S/Divn. Moga vide memo No. 1073 dated 19,06.2012. The PSPCL has to bear certain line losses in such cases, but on the other side consumer was not at fault , so charging of voltage surcharge from 06/2012 to 09/2012 is not 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 months of 06/2012 & 07/2012 be overhauled.**
- **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