

**PUNJAB STATE POWER CORPORATION. LTD.
CONSUMERS GRIEVANCES REDRESSAL FORUM
P-I, White House, Rajpura Colony Road, Patiala.**

Case No. CG- 39 of 2013

Instituted on : 21.03.2013

Closed on : 02.05.2013

M/s Arjun Agro Foods,

Village Bardhalan

Khanna-Samrala Road,

Doraha, Distt:Ludhiana.

Appellant

Name of Op. Division: Khanna

A/C No: LS-07

Through

Sh.Sant Ram, Petitioner

V/S

Punjab State Power Corporation Ltd.

Respondent

Through

Er. Dhanwant Singh, ASE/Op. Division, Khanna

BRIEF HISTORY

The petitioner has filed appeal No. CG-39 of 2013 dt. 21.03.2013 against the decision of ZDSC Central Zone, Ludhiana dt. 25.08.2012 deciding that the amount charged due to WOD violations is correct and recoverable.

The petitioner is having LS category connecting bearing Account No. LS-07 with sanctioned load of 970 KW/995 KVA running under AEE/Op. Sub Division Chawa. The connection is being used for Rice Sheller.

ASE/MMTS Khanna down loaded the data of the consumer's meter vide ECR No. 46/1796 dt. 09.01.2012. From the print out of DDL the ASE/MMTS Khanna observed that the consumer has violated WODs during the period 20.11.2011 to 01.01.2012 and pointed out to AEE/Op. Chawa S/D chargeable amount of Rs. 279100/- vide its office memo No. 165/67 dt. 15.03.2012. AEE/Op. S/D Chawa charged the amount and asked the consumer to deposit the same charged due to violation of WODs. Instead of depositing the amount the consumer challenged it in ZDSC, Central and deposited Rs. 55820/- as 20% of the disputed amount vide BA-16 No. 456/9715 dt. 01.06.2012.

The ZDSC Central heard the case and decided in its meeting held on 31.01.2013 that the amount charged is correct and recoverable.

Not satisfied with the decision of ZDSC the consumer filed an appeal before the Forum and the Forum heard the case in its proceedings held on

09.04.2013, 18.04.2013 and finally on 05.05.23013 when the cased was closed for passing speaking orders.

Proceedings:

On dated 09.04.2013, Representative of PSPCL submitted authority letter in his favour duly signed by Sr.XEN/ Op. Divn Khanna and the same has been taken on record.

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 petitioner.

On dated 18.04.2013, Representative of PSPCL stated that reply submitted on dt.9.04.2013 be treated as their written arguments.

PR submitted four copies of the written arguments and the same has been taken on record. One copy of the same has been handed over to the respondent.

On dated 02.05.2013, PR contended that in addition to their petition and written arguments it is once again reiterated that the amount charged due to violation of WODs is not in order and be waived off as we were not informed by PSPCL about the imposition of WODs.

Representative of PSPCL contended that the amount charged is correct and chargeable so far as the information about WOD is concerned it is available by the PSPCL on the website. As per contention of the consumer WOD on 01.01.2012 was relaxed for Arc Induction/Rolling Mills and it was not relaxed for this category. Regarding the charging of

Rs.100/- per KVA has been charged as the consumer has violated the WODs second time.

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 petitioner is having LS category connecting bearing Account No. LS-07 with sanctioned load of 970 KW/995 KVA running under AEE/Op. Sub Division Chawa. The connection is being used for Rice Sheller.

ASE/MMTS down loaded the data of the consumer's meter vide ECR No. 46/1796 dt. 09.01.2012. From the print out of DDL ASE/MMTS Khanna intimated AEE/Op. Chawa that the consumer has violated WODs and pointed out chargeable amount of Rs. 279100/-. AEE/Op. Chawa charged the amount of WOD violations and asked the consumer to deposit the same. The consumer did not agree to it and challenged it.

Petitioner had contended that he never violated any instructions or rules and regulations of PSPCL so far. Although the PSPCL authorities are bound to inform him about the off days but they never gave such information rather he used to enquire about the WODs. So PSPCL is not entitled to recover any amount on account of WODs. Petitioner further contended that ASE/.Op. Khanna has agreed that to inform the consumer

about WODs was the duty of AEE/Op. Chawa and he failed to give such information. Although the information is displayed on the website of the department but it is not necessary that the consumer should get it from website or from the newspaper. Further as per telephonic message No. 35/11 dt. 01.01.2012. WOD was relaxed for dated 01.01.2012 but even then the penalty from 01.01.2012 has been charged.

Representative of PSPCL contended that the information regarding WOD is available on the website of the department and the circulars regarding PLR are updated on the website. In addition to it information is also published through newspaper and the other consumers also gets information through these channels. So the contention of the consumer that he was not informed is not maintainable. Further the WOD for dated 01.01.2012 was relaxed only for arc induction & rolling mills and it was not relaxed for the category of the consumer. It was also contended by the respondent that the consumer had earlier also violated WODs so Rs. 100/- per KVA has been charged.

Forum observed that the consumer had been observing WODs in the previous years so the contention of the petitioner that he was not informed about the WODs is not justified.

Further every consumer has to observed WOD unless relaxed. The WODs violated by the consumer were not extended WODs but regular WODs. No intimation regarding relaxation of these WODs was given to the consumer either by the AEE/Op. Chawa or through the website of the PSPCL. The

WODs relaxed for date 01.01.2012 was applicable to 2nd & 3rd WOD on Arc/Induction & Rolling Mills industrial consumer feeding from category-2& 3 only. so the message No. 35/11 dt. 01.01.2012 was not applicable for this consumer. So the amount charged for WOD 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:

To uphold the decision taken by the ZDSC in their meeting held on 25.08 .2012.

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.

(Harpal Singh)
CAO/Member

(K.S. Grewal)
Member/Independent

(Er. Ashok Goyal)
EIC/Chairman