

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

Case No. CG- 42 of 2013

Instituted on : 26.03.2013

Closed on : 14.05.2013

Sh.Natha Singh

C/o Sh. Ranjit Singh,

M/s Raj Digital Studio,

Shop No.1, Gurudwara Singh Sabha,

Main Bazar, Moga.

Appellant

Name of Op. Division: City Moga

A/C No: MR-92/0038

Through

Sh. R.S. Dhiman, PR

V/s

Punjab State Power Corporation Ltd.

Respondent

Through

Er. C.S. Mann, Sr.Xen/Op. City Division, Moga.

BRIEF HISTORY

Petition No. CG-42 of 2013 was filed against order dt. 06.03.2013 of CDSC Faridkot deciding that the amount charged was correct and recoverable from the consumer.

CG-42 of 2013

The petitioner is having NRS category connection bearing Account No. MR-92/0038 with sanctioned load of 4.18 KW. The connection is being used for photo studio and operating under South Sub division Moga.

The energy meter of the consumer got defective and was changed vide MCO No. 60/38 dt. 19.06.2012 effected on 22.06.2012. The replaced meter was sent to ME lab. for testing vide ME lab. challan No. 06 dated 10.07.2012. The final reading recorded on the MCO as well as on ME challan was 28908 kwh, whereas the energy bill as per ledger was prepared for reading upto 5225 units. The audit party intimated South Sub Division Moga vide HM No. 97 dated 12/2012 that an amount of Rs. 1,62,166/- for 23683 units (28908-5225) be charged to the consumer. The SDO/South Moga charged the said amount to the consumer vide memo No. 58 dt. 21.01.2013.

The consumer did not agree to it and made an appeal in the CDSC by depositing Rs. 32,433/- on dated 11.02.2013 i.e. 20% of the disputed amount. The CDSC heard the case and decided on 06.03.2013 that the amount charged as per final reading recorded on the MCO dt. 22.06.2012 was correct and recoverable from the consumer.

Not satisfied with the decision of CDSC the consumer filed an appeal before the Forum and the Forum heard the case in its proceedings held on 09.04.2013, 16.04.2013, 30.04.2013, 09.05.2013 and finally on 14.05.2013 when the case was closed for passing speaking orders.

Proceedings:

On dated 09.04.2013, PR submitted authority letter dt.05-04-2013 in his favour duly signed by the petitioner and the same has been taken on record.

Representative of PSPCL submitted authority vide letter No.5322 dt. 08-04-2013 in his favour duly signed by Sr.XEN/ Op. City Divn Moga, 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 PR.

On dated 16.04.2013, No one appeared from petitioner side.

Representative of PSPCL submitted authority vide letter No.5503 dt. 15-04-2013 in his favour duly signed by Sr.XEN/Op. City Divn Moga, and the same has been taken on record.

Representative of PSPCL stated that their reply submitted on 09.04.2013 be considered as their written arguments.

Representative of PSPCL is directed to hand over the copy of the proceeding to the petitioner under dated signature.

On dated 30.04.2013, PR stated that their petition be considered as their written arguments.

On dated 09.05.2013, Representative of PSPCL submitted authority vide letter No. 6893 dt.08.05.2013 in his favour duly signed by Sr.Xen/Op. City Divn. Moga and the same has been taken on record.

Sr.Xen/Op. City Divn. Moga is directed to appear in person on the next date of hearing otherwise the case shall be decided on the merit and available record.

On dated 14.05.2013, PR contended that the petitioner's meter jumped during June 2012. This was noticed by the meter reader while recording its reading. From the previous reading of 5225 in 5/12 it jumped to 28908 in 6/12. Showing a consumption of 23683 units against the normal average consumption of about 350 units. Obviously, the abnormal consumption is unjustified and needs to be corrected.

The petitioner's sanctioned load is 4.18 KW. But the actual connected load is 2.980 KW as confirmed by Sr XEN city Division Moga vide his checking report of 4.3.13 attached with the respondent's reply. Evidently, such a high

consumption of the order of 23683 units in one month is not possible even if the full load runs for full month round the clock. A statement of consumption from Jan 2009 to March 2013 is submitted to prove that the petitioner's consumption never reached such a high level.

CDSC Faridkot has held the disputed amount recoverable saying that the consumption has been accumulated by recording less consumption by the meter reader. This is a misstatement based on speculation only. There is no evidence to support this contention of the committee. Rather, there is incontrovertible evidence of ME lab report which has declared the meter defective. The meter is shown defective as per MCO also. As such Reg 21.4 (g) (i) is squarely applicable in this case. The SDO who accepted the faulty report of audit which put the petitioner to avoidable harassment needs to be pulled up. This case also shows the casual approach of DSCs below.

Representative of PSPCL contended that the meter cannot jumped being an electronic meter. The reading 28908 entered on MCO in the presence of the consumer, if consumer feels that meter jumped then he should have challenged it. It is accumulation of consumption. The amount charged from 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 petitioner is having NRS category connection bearing Account No. MR-92/0038 with sanctioned load of 4.18 KW. The connection is being used for photo studio and operating under South Sub division Moga.

Forum observed that the meter of the consumer became defective and changed vide MCO No. 60/38 dated 19.06.2012 effected on 22.06.2012. Being defective, the meter was sent to ME Lab for testing and the ME lab reported vide challan dated 10.07.2012 that the final reading recorded by the meter as per MCO record was 28908 kwh, whereas the consumer was billed for reading upto 5225 kwh. The AEE/Op. South S/Divn., Moga charged Rs. 1,62,166/- for the remaining 23683 units on the recommendation of Internal Audit.

Forum further observed that the bi-monthly consumption of the consumer recorded from 01/2010 to 02/2013 except of the disputed month varies from 135 to 873 kwh. Further the load of the consumer was also checked by the Sr.Xen/City, Moga vide CCR No. 56 dated 04.03.2013 and found running load of 2.980 KW against sanctioned load of 4.18 KW. Further the disputed meter was installed during the month of July,2010 and replaced in June,2012 and as per consumption data put up by respondents the consumption of nearly 29000 kwh in a period of 21 months is not possible.

So, Forum is of the view that accumulation of 23683 units is not seems to be possible. Further the erratic behaviors of the meter could be ruled out and the jumping of the meter cannot be ascertained in the ME lab. So the amount charged Rs. 1,62,166/- to the consumer 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 disputed month be overhauled on the basis of consumption of 873 units recorded during the month of 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 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