

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

Case No. CG- 44 of 2013

Instituted on : 12.04.2013

Closed on : 16.05.2013

**Sh. Raj Kumar indal
S/o Sh. Niwas Jindal
307, Master Tara Singh Nagar,**

Jalandhar.

Appellant

Name of Op. Division: Model Town Comml. Jalandhar.

A/C No: CK-18/0177

Through

Sh. Raj Kumar Jindal, Petitioner

Sh. Bhagwan Das, PR

V/s

Punjab State Power Corporation Ltd.

Respondent

Through

Er. Kewal Singh Sabharwal,ASE/OP. Model Town Comml.Divn. Jalandhar.

BRIEF HISTORY

The petitioner has filed appeal No. CG-49 of 2013 against order dt. 01.11.2012 of DDSC Model Town Jalandhar deciding that the amount charged is correct and recoverable from the consumer.

The petitioner is having DS category connection bearing Account No. CK-18/0177 with sanctioned load of 16.74 KW operating under AEE/Comml. Unit No.3, Model Town Division, Jalandhar.

The energy meter of the consumer was burnt and on his request the meter was changed vide MCO No. 12/3486 dated 08.02.2012 effected on 16.02.2012. AEE/Comml. Unit No. 3 overhauled the account of the consumer for the period 06/2011 to 12/2011 on the basis of consumption recorded in corresponding period of 6/2010 to 12/2010 and charged Rs. 41890/- vide notice No. 21356 dt. 05.08.2012. The consumer did not agree to it and challenged the amount charged in DDSC by depositing Rs. 8400/- as 20% of the disputed amount vide stub No. 58 dt. 27.08.2012. The meter of the consumer was sent to ME Lab. Jalandhar vide office challan No. 117-A dt. 05.09.2012 for testing in the presence of ASE/Enf-I, Jalandhar where the meter was declared burnt. The ASE/Enf. directed that the cost of meter be recovered and the account be overhauled.

The DDSC heard the case in its meeting and decided on dated 01.11.2012 that the amount charged is correct and recoverable.

Not satisfied with the decision of DDSC the consumer filed an appeal before the Forum and the Forum heard the case in its proceedings held on 25.04.2013, 02.05.2013 and finally on 16.05.2013 when the case was closed for passing speaking orders.

Proceedings:

On dated 25.04.2013, PR submitted authority letter dt.18.04-2013 in his favour duly signed by the petitioner and the same has been taken on record.

Representative of PSPCL submitted authority letter in his favour duly signed by ASE/ Model Town Commercial Divn. Jalandhar 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 thereof has been handed over to the PR.

On dated 02.05.2013, Representative of PSPCL submitted authority letter in his favour duly signed by ASE/Op. Model Town Comml. Division, Jalandhar 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 exchanged among them.

On dated 16.05.2013, Petitioner contended that his house remained under repair for more than one year i.e. May,2011 to June,2012 and during this period he stayed with his sons in Kothi No.19, MTS Nagar Jalandhar. During the period of renovation only one servant was staying in the house during night. Further the meter remained OK upto Jan.2012, so the overhauling of the account for the period 6/2011 to 12/2011 is not justified because the meter was OK during this period. Further this fact was verified

by Sh. Rahul Kapoor, SDO of the area in his report No. 21/24 dt. 30.10.2012.
So the amount charged be refunded.

Representative of PSPCL contended that the meter was replaced as a burnt meter during the month of Feb.2012 and the account was overhauled for the period 6/2011 to 12/2011 on the basis of consumption recorded in the corresponding period of previous year. The amount has been charged as per decision of DDSC.

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 DS category connection bearing Account No. CK-18/0177 with sanctioned load of 16.74 KW operating under AEE/Comml. Unit No.3, Model Town Division, Jalandhar.

the petitioner requested that energy meter installed at his premises got burnt and the same was replaced vide MCO No. 12/3486 dated 08.02.2012 effected on 16.02.2012. The AEE/Comml. Unit No.3 overhauled the account of the consumer for the period 6/2011 to 12/2011 on the basis of consumption recorded in corresponding period of the year 2010 and charged Rs. 41890/- vide notice NO. 2135 dt.08.08.2012.

The petitioner contended that he started renovation of his house on dated 21.04.2011 and the work of renovation was completed on dated 30.06.2012. During the period of renovation he was staying with his son in house No. 19, Master Tara Singh Nagar, Jalandhar. During this period the energy bill were issued to him on MMC basis due to less consumption. On dated 06.02.2012 he reported to the complaint centre that the wire of his meter got burnt. As per directions of respondents he deposited Rs. 4120/- being cost of burnt meter and the energy meter was replaced on dated 16.02.2012. Even after installing the new energy meter his energy bills were issued under MMC. He shifted to his residence on dated 01.07.2012 and after that the bills were being issued as per reading of the energy meter.

PR further contended that his premises were got checked by respondents on dt. 30.10.2012 from SDO Partap Bagh and JE of Divisional Office. The checking team reported that the house was repaired and painted. The checking team got this fact verified from the general store opposite to his residence who also confirmed that the work of repair and painting intimated for nearly one year and during this period only a servant was staying in the home. PR also submitted the repair bills and bank statement in the office of respondents.

Forum observed that the fall in consumption is for the period 6/2011 to 6/2012 and not from 6/2011 to 12/2011 the disputed period. Even after installation of new meter in the month of Feb.2012 the bills were issued under MMC because energy consumption was less actually due to of

renovation of house in progress and the fact that house remained under renovation was verified by SDO, Partap Bagh area & JE of divisional office. But the DDSC while deciding the case ignored the site report of the SDO & JE. Further the replaced energy meter was checked in ME Lab. and accepted as a burnt meter . So the bill for the period under dispute were issued with 'O' code . As per Supply Code Instruction No. 21.4(g)(ii) the account of the consumer will be overhauled for the period, the burnt meter remained at site and for the period of direct supply on the basis of energy consumption of the corresponding period of the previous year. In the present case the burnt meter remained at site only for the period from 06.02.2012 to 16.02.2012, so overhauling of period prior to 06.02.2012 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 be overhauled only for the period from 06.02.2012 to 16.02.2012 on the basis of the energy consumption of 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 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