

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

Case No. CG- 49 of 2013

Instituted on : 12.04.2013

Closed on : 07.05.2013

M/s Pure Milk Products,

Malerkotla Road, Vill: Alamgir,

Distt. Ludhiana.

Appellant

Name of Op. Division: Lalton Kalan

A/C No: U/44-LK-00002

Through

SH. Kuldip Singh, PR

V/s

Punjab State Power Corporation Ltd.

Respondent

Through

Er. Baljinder Singh, Sidhu, ASE/Op. Lalton Kalan Division.

BRIEF HISTORY

The petitioner has filed appeal No. CG-49 of 2013 against order dt. 06.06.2011 of DDSC Ludhiana deciding that the amount charged on account of WOD violations was correct and recoverable from the consumer.

The consumer is having LS category connection used for Milk plant bearing Account No. U44.LK-00002 with sanctioned load 469.120 KW/CD 500 KVA running under AEE/ Sarinh sub division.

The connection of the consumer was checked by the Sr.Xen/MMTS-3 Ludhiana and carried out the DDL on dated 18.06.2010. From the print outs of DDL Sr.Xen/MMTS pointed out that consumer has violated WOD restrictions on dt. 15.05.2010 and dt. 22.05.2010. The Sr.Xen/MMTS III Ludhiana intimated to the AEE/Op. DS sub division, Sarinh vide memo No. 371 dt. 09.07.2010 that Rs. 39269/- was chargeable to the consumer on account of WOD violations. The AEE/Op. Sarinh charged the said amount accordingly. The consumer did not agreed to it and made an appeal in the DDSC by depositing Rs. 9000/- i.e. 20% of the disputed amount . The DDSC heard the case on 06.06.2011 and decided that the amount charged on account of violations of WOD, is correct and recoverable from the consumer.

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 22.04.2013 and finally on 07.05.2013 when the case was closed for passing speaking orders.

Proceedings:

On dated 07.05.2013, PR contended that their petition may be considered as a part of oral discussions. further it is reiterated that Milk plants are covered under essential industries as per PR circular No. 12/98 and as per PR circular No.

5/2010 are exempted from observing WODs. So the amount charged be refunded.

Representative of PSPCL contended that the amount charged is not recoverable as contended by the PR.

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:-

Forum observed that Sr.Xen/MMTS-3 Ludhiana checked the connection of the consumer and got DDL on 18.06.2010. As per DDL report the consumer has violated WODs restrictions on dt. 15.05.2010 and 22.05.2010. As per the MMTS report the AEE/Op. Sarinh charged Rs. 39269/- to the consumer on account of violating WODs restrictions.

Forum further observed that as per petitioner that Milk plants are covered under essential industries so as per circular No. 12/98 and No. 5/10 these are exempted from observing WODs. Further the representative of PSOPCL contended and admitted before the Forum that the amount charged on account of violations of WODs restrictions is not recoverable.

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 amount charged on account of violation of WODs restrictions is not recoverable.**
- **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