

**PUNJAB STATE POWER CORPORATION LIMITED
FORUM FOR REDRESSAL OF GRIEVANCES OF CONSUMERS
P-1 WHITE HOUSE, RAJPURA COLONY, PATIALA
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Case No.: CG-106 of 2013

Instituted on: 19.08.2013

Closed on: 24.09.2013

**M/s Palhan Industries,
Back side Transport Nagar
Adjoining Focal Point,
Jalandhar.**

.... Appellant

Name of the Op. Division: East Commercial, Jalandhar

A/C No. LS-02/115

Through

Sh. Mayank Malhotra, PC

V/s

PUNJAB STATE POWER CORPORATION LTD.Respondent

Through

Er.K.P.S. Sekhon, ASE/Op. East Commercial Divn. Jalandhar.

BRIEF HISTORY

Petition No. CG-106 of 2013 was filed against order dated 06.06.2013 of the CDSC, Jalandhar, deciding that the revised amount charged by MMTS for violations of Power Regulatory Measures, is correct and recoverable from the consumer.

The petitioner is having LS category connection, and sanctioned load was 799.925 KW (450 KW furnace load + 349.925 KW general

load) operating under AEE/Comml. Unit-2, Jalandhar. The present load of the petitioner is 1499.925 KW (1150 KW furnace load +349.925 KW general load).

The data of the energy meter of the consumer, was down loaded by Sr.Xen/MMTS-I, Jalandhar on 04.01.2013, and print-out was taken. MMTS observed violations of power regulatory measures imposed by PSPCL, by the consumer from 08.12.2012 to 13.12.2012 (5 times). The consumer was asked to deposit violations charges amounting to Rs. 80390/- vide supplementary bill dated 26.02.2013. The consumer did not agree to the amount so charged and requested for review of disputed amount in CDSC, Jalandhar.

CDSC heard the case on 06.06.2013 and observed that violations charges have been calculated by taking exempted load as 50 kw, whereas the consumer was entitled to run 10% of the sanctioned load i.e. 79.99 kw. The amount for violations of restricted hours was revised to Rs. 72932/- instead of Rs. 80390/-, on the directions of CDSC. The CDSC decided that revised amount charged to the consumer is correct & recoverable.

Being not satisfied with the decision of the CDSC, the consumer made an appeal in the Forum. The Forum heard the case on 03.09.2013, 10.09.2013, 17.09.2013 and finally on 24.09.2013. Then the case was closed for passing speaking orders.

Proceedings:

PC contended that the case of the petitioner is based upon PR circular 12/2012, 13/2012, 14/2012 & 15/2012 & clarification issued by Dy. CE/PR, PSPCL vide letter No. 11739 dated 13.12.2012 to M/s Jagdambay Engg. and Welding Works, Jalandhar. Petitioner has already submitted their written arguments and the case may kindly be decided as per the submission made there in.

PSPCL contended that written arguments already submitted in this case be treated as part of oral discussion.

ASE/Op. East Commercial Divn. Jalandhar was asked to clarify, whether Steel Rolling Mill falls under General Category or not ?

ASE/Op. East Commercial Divn. Jalandhar has clarified vide its Memo No. 7497 dated 24.09.2013 that " there is no MIX Load (Induction & Steel rolling mills load), hence CC 13/2012 is not applicable.

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:-

PSPCL, vide PR circular No.12/2012 dated 02.12.2012 imposed Power Regulatory measures on Induction Furnace Industrial consumers during 09.00 hrs. to 21.00 hrs, applicable from 03.12.2012. The relevant portion of this PR circular is reproduced as under:-

The Induction Furnace consumers (fed from category 2 & 3 feeders), during the day time restricted hours i.e. between 0900 hrs to 1800 hrs of each day can use PSPCL power upto the limit of 10% of their sanctioned contract demand.

The consumer was charged for the following violations:

<u>Date</u>	<u>Time</u>	<u>Load</u>
08.12.12	13.00 hrs	281.96 KW
10.12.12.	09.30	275.67 KW
11.12.12	14.30	448.49 KW
12.12.12	13.00	439.94 KW
13.12.12	16.30	414.73 KW

Thereafter vide PR circular No. 13/2012, 14/2012 & 15/2012, following clarifications/relaxation in observing power regulatory measures, were given:-

PR 13/2012:

It is clarified that the instructions issued are applicable for Induction Furnace load only. The consumer having mixed load of induction and steel rolling mill being fed from same connection can use PSPCL power upto the sanctioned load of steel rolling mill.

PR 14/2012:

With effect from 09.00 hrs. of 08.12.2012, the induction furnace consumers having connected load upto 500 KW are hereby exempted from observing the power regulatory measures as imposed/applicable vide PR circular No.12/2012 dated 03.12.2012 &13/2012 dated 07.12.2012.

PR 15/2012:

In continuation to the PR circular No. 14/2012, it is clarified that PR circular No. 14/2012 is applicable to the consumers having induction load less than 500 KW. However they will restrict their total load upto 500 KW.

Further Dy. CE/PR, vide letter No. 11739 dated 13.12.2012 (issued to M/s Jagdambay Engg. & Welding works, Jalandhar) clarified that 10% relaxation of PIU load is over and above the general load during the Power Regulatory Measures on induction furnace consumer imposed vide PR circular No. 13/2012 dated 07.12.2012. The Induction furnace load of the petitioner is 450 KW, as such the consumer is exempted from observing power regulatory measures (as imposed/made applicable vide PR circular No. 12/2012) w.e.f. 09.00 hrs. of 08.12.2012. All the violations for which penalty has been imposed, are less than 500 KW and relates to the period/time after 9.00 hrs of 08.12.2012. Thus no

penalty/violation charges are recoverable in view of relaxation/clarification issued vide PR circular No. 13/2012, 14/2012 & 15/2012. Therefore, the forum is of view that violation charges levied on the consumer for all the alleged violations made from 08.12.2012 to 13.12.2012 are 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 violation charges raised on the consumer for violations during the period 08.12.2012 to 13.12.2012, are 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 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