

**PUNJAB STATE POWER CORPORATION LTD
CONSUMERS GRIEVANCES REDRESSAL FORUM
P-1, WHITE HOUSE, RAJPURA COLONY ROAD, PATIALA
PHONE: 0175-2214909 ; FAX : 0175-2215908**

Appeal No: CG-107 of 2013

Instituted On: 19.08.2013

Closed On: 17.09.2013

**Sh. Shiv Dyal Chugh,
Near: Gita Mandir,
Urban Estate, Phase-I,
Jalandhar.**

.....Appellant

Name of Op/Division: East Commercial

A/c No.: CF-34/462

Through

Sh. Shiv Dyal Chugh, Petitioner

V/s

PUNJAB STATE POWER CORPORATION LTDRespondent

Through

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

BRIEF HISTORY

Petition No. CG- 107 of 2013 was filed against order dated 11.04.2013 of DDSC, East Commercial Division Jalandhar, deciding that the consumption of 7862 units recorded in 06/2012 is accumulated consumption for the period 05.01.2011 to 29.06.2012 and the same be divided for this period and amount recovered accordingly.

The consumer is having NRS category connection bearing Account No. CF-34/462, with sanctioned load as 1.080 KW, operating under East Commercial Divn. (Unit-5) Jalandhar.

The energy bill to the consumer for the period 08.05.2012 to 29.06.2012 was issued for 7862 units (16597-8735) amounting to Rs.49,470/-. The consumer made representation to SDO, Jalandhar Cantt. on 06.07.2012, against this high consumption bill. JE Concerned verified the meter reading at site on 09.07.2012 and reported that energy meter is installed on pole & confirmed the reading as 16682. The consumer challenged the accuracy of energy meter on 12.09.2012. The disputed energy meter was replaced on 20.09.2012 vide MCO No. 3465 dated 12.09.2012 for testing in ME lab. The working of the meter was reported defective dead vide store challan No. 75 dated 15.11.2012.

The consumer deposited 20% amount of the energy bill issued in 06/2012 and referred his case for review by DDSC, East Commercial Divn. Jalandhar.

DDSC heard the case on 11.04.2013 and observed that the consumption of 7862 units is the accumulated consumption of the period 05.01.2011 to 29.06.2012. Therefore, DDSC decided to divide this consumption in the period 05.01.2011 to 29.06.2012 and revise all the energy bills accordingly.

Being not satisfied with the decision of DDSC, the consumer made an appeal in the Forum. The Forum heard the case in the proceedings held on 03.09.2013, 05.09.2013, 12.09.2013 and finally on 17.09.2013. Then the case was closed for passing speaking orders.

Proceedings:-

The Petitioner contended that first three paras of DDSC decision dated 11.04.2013 does not relate to their case. It is further stated that no Electricity was consumed/used for the purpose of construction. Moreover, only construction of structure was done during the year 2010. If there is still any doubt about my statement I offer to have any inspection even today to know the factual status.

As per ME Lab report handed over during proceedings where facts are clear that disputed meter was running fast. DDSC have declared disputed period from 05.01.2011 to 26.06.2012 whereas up to 05.09.2011 no any amount was recoverable as I deposited Rs. 2400 on 22.03.2011 vide receipt No. 194 as excess amount (mentioned on the receipt) & I also deposited Rs. 2384 on 08.09.2011. Moreover as per consumption data provided to me during proceeding consumption dt. 05.11.2011 shown new 8735 & old 8599 net consumption 136 units & meter status is OK. It is clear that before this date there was no any outstanding amount recoverable from me. Hence disputed period 05.01.11 to 26.06.12 is totally wrong. It is further stated that procedure adopted by the DSC to divide the consumption is wrong. As per my knowledge maximum six months consumption can be charged on the basis of past and future average consumption basis and

DSC has also not mentioned any specific rule to adopt this procedure. It is further stated that as per report of JE dt. 09.07.12 meter was fixed at pole outside, so code 'L' has no relevancy.

PSPCL contended, it is agreed that first three paras of the DSC decision does not relate to the disputed case of Sh. Shiv Dyal Chugh. In the month 06/2012, the consumption of A/C no. CF-34/462 (NRS) was 7862 units and meter status was OK. The consumer challenged the accuracy of meter on 12.09.12 and the meter was changed vide MCO No. 12/3465 dt. 12.09.12 effected on 20.09.12. The meter was presented in ME Lab. vide Challan No. 75 dt 15.11.12, where meter was declared defective.

As per consumption data of the consumer, the status of meter from 05.01.11 to 06/2012 was mostly N code and L code i.e. the recording was not normal. In the month 06/2012 consumption recorded was 7862 units which appears to be accumulation of the reading from 05.01.11 to 29.06.12 i.e. total consumption of 7862 units was spread into a period of 05.01.11 to 06/2012.

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 normal bi-monthly consumption of the consumer is 300-400 units. However from 01/2011 to 09/2011, the reading of 8599 has been mentioned by the meter reader, with meter status code 'L' or 'N' (Lock, Not Read). During 11/2011, the meter reading was recorded as 8735 (consumption 136 units) and status of the meter was mentioned as OK ('O' code). Thereafter, again from 01/2012 to 05/2012, the same reading i.e. 8735 was recorded. The energy bills during this period were issued on average basis. The energy

meter has been installed on the pole, outside the premises of the consumer and it appears that the meter reader was not checking/recording the reading as per the meter. The actual reading was recorded on 29.06.2012 as 16597, which resulted into abnormal consumption of 7862 units (16597-08735).

The petitioner contended that as per ME lab report, the disputed meter was running fast. As per consumption data, the status of the meter was shown OK in 05/2011, so disputed period from 05.01.2011 to 29.06.2012 considered by DSC is totally wrong. The petitioner further contended that construction of structure of building was done during the year 2010 and no electricity was used for the purpose of consumption.

PSPCL contended that the consumer challenged the accuracy of the meter on 12.09.2012 and the same was checked in ME lab and declared defective. The status of the meter from 05.01.2011 to 06/2012 was mostly 'N' code and 'L' code, as recording of the meter reading was not normal. In the month of 06/2012, recorded consumption was 7862 units (status of meter OK), which appears to be accumulation of reading from 05.01.2011 to 29.06.2012.

The Forum observed that the energy meter was declared defective in ME lab and not fast as contended by the petitioner. The meter reader did not record actual consumption as per energy meter during the period 01/2011 to 05/2012 and mostly reported the status code of the meter as 'N' or 'L'. The consumption of 7862 units recorded in 06/2012, actually relates to the period 01/2011 to 06/2012 and by spreading this consumption over this period, the average bi-monthly consumption works out to about 700 units. The status of the meter in 06/2012 was OK. The higher consumption for the period 01/2011 to 06/2012 (7862 units) is

possibly due to use of electricity for the purpose of construction of building. Although, the petitioner has contended that construction of structure was done in the year 2010 but the representative of the petitioner has confirmed to DDSC during proceedings on the case, that school building is under construction. The DDSC has rightly spread the consumption of 7862 units, in the period of 05.01.2011 to 29.06.2012. However, the energy bills already deposited by the petitioner, for the consumption during the period 05.01.2011 to 29.06.2012, are also required to be adjusted.

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 of the DDSC taken in its meeting held on 11.04.2013. However, the amount of energy bills already deposited by the consumer for the period 01/2011 to 06/2012 be adjusted.
- 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