

**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-86 of 2013**

**Instituted On: 11.07.2013**

**Closed On: 09.09.2013**

**M/s AST Paper Mills,  
Village Gaunspura,  
Hambran Road,  
Ludhiana.**

**.....Appellant**

**Name of Op/Division: Adda Dakha**

**A/c No: HB01/0013**

**Through**

**Er. R.S. Dhiman, PR**

**V/s**

**PUNJAB STATE POWER CORPORATION LTD .....Respondent**

**Through**

**Er. Amarjit Singh Grewal, Sr.Xen/Op. Divn. Adda Dakha.**

**BRIEF HISTORY**

**Petition No. CG- 86 of 2013 was filed against order dated 05.04.2013 of ZDSC Central, Ludhiana, deciding that the disputed case can only be reviewed by CGRF.**

The consumer had LS category connection bearing Account No. HBO1/0013 with sanctioned load of 3317.221 KW and CD 2495 KVA.

The energy meter of the consumer got damaged on 25.01.2002 which was subsequently checked by SE/MMTS vide ECR No. 1/13 dated 28.01.2002. The meter was found burnt, display was missing, hence DDL could not be taken. The defective meter of the consumer was replaced on 30.01.2002 vide MCO No.179/58239 dated 29.01.2002. Centralized Billing Cell (CBC) issued energy bill for 01/2002 on average basis for 1131321 units, amounting to Rs.39,74,698/-. The consumer did not agree with the energy bill so raised. He represented before Chief Engineer/Central Zone, Ludhiana that supply to the connection is fed from 11 KV Independent Feeder, as such energy bill may be revised on the basis of reading as per energy meter installed at substation meter. The energy bill on the basis of reading as per the energy meter installed at substation was worked out to be Rs.29,10,828/-.The CE/Central Zone, asked the consumer to deposit 70% amount of the energy bill and get his case referred for review in DSA. The consumer deposited Rs. 28,00,000/- vide RO-4 No. 166/4456 dated 15.02.2002. The disputed case of the consumer was referred to DSA for review in the year 2002.

At the same time co-incidentally another disputed case of the consumer for Rs.1,39,875/- relating to unauthorized load was also under consideration of DSC. Instead of sending the history of the disputed case of amount of Rs.39,74,698/-, relating to energy bill issued in 01/2002, ASE/Op. Dakha provided the agenda of disputed case of Rs.1,39,875/-. The then DSA considered the 2nd disputed case (for Rs.1,39,875/-) of the consumer and sent back the case to the C.E. Central vide letter dated 26.08.2002, on the ground that the disputed case does not fall in the purview of DSA.

Thereafter, the correspondence on the first disputed case of Rs.39 lac started in the case file of 2nd case of Rs.1,39,875/- relating to unauthorised load.

Due to this misconception of DSA and operation offices the disputed case of Rs.39,74,698/- was not adjudicated at all.

It was wrongly presumed by the operation offices and the consumer, that the disputed case had been dismissed by the DSA. Therefore, the consumer made representation to CE/Comml., Patiala for review of his appeal case in Board level Review Committee (BLRC).

The office of CE/Comml. vide memo No. 14625 dated 10.03.2004 conveyed that the appeal case in BLRC can be reviewed subject

to deposit of 50% of the balance disputed amount. The consumer deposited Rs.1,10,828/- (Rs.29,10,828 - Rs.28,00,000) towards balance of energy bill as per reading of energy meter installed at substation and 50% of the remaining disputed amount of Rs.10,63,870/-, on 26.04.2004. However, possibly due to discontinuation of BLRC, the appeal case of the consumer was never considered in BLRC, Thus the disputed case of the consumer was virtually never settled even upto 11/2010 by any authority. The connection of the consumer was permanently disconnected on 26.11.2010 due to non payment of current energy bills. The consumer was asked vide AEE/Hambran memo No. 955 dated 30.08.2012 to deposit Rs. 29,03,460/- which includes balance of disputed amount of energy bill of 01/2002, outstanding amount of current energy bills and interest/surcharge thereon.

The consumer then requested CE/Central for registration of disputed case of Rs. 10,63,870/- relating to balance amount of energy bill issued in 01/2002. The case of the consumer was instituted for hearing on 30.11.2012.

ZDSC heard the case on 05.04.2013 and observed that DSA had already considered and settled the case. ZDSC decided not to re open/review this case again and mentioned that petitioner is at liberty to approach CGRF.

Being not satisfied with the decision of ZDSC, the consumer made an appeal in the Forum. Forum heard the case on 25.07.2013,

06.08.2013, 13.08.2013, 06.09.2013 and finally on 09.09.2013. Then the case was closed for passing speaking orders.

**Proceedings:-**

PR contented that the petitioner's meter and CT/PT unit got burnt on 25.1.2002. The same were replaced by the deptt. after 6-7 days. Reading of the meter could not be recorded due to its burning. As such the respondents raised a bill amounting to Rs.39,74,698/- for the period 28.12.2001 to 28.1,2002 on the basis of some previous consumption.

As the bill amount was quite high and unjustified, the petitioner made a representation to CE/DS central on 12.2.2002 seeking permission to approach DSC for settlement of the dispute. On this, CE/Central directed SE/Suburban Ludhiana to accept 70% of the disputed amount and send a complete case to him within 15 days for consideration of the case by DSA. In compliance to this, the petitioner deposited Rs. 28,00,000/- vide RO-4 No 166/4546 dated 15.2.2002. From the reply submitted by respondents it transpires that the case was referred to DSA but the same was returned by DSA and was never decided by it.

It further comes to light from the reply of respondents that CE/Commercial vide his memo no 14624 dated 10.3.2004 issued instructions to accept an amount based on the consumption recorded by the meter installed at substation on the petitioner's feeder and refer the matter to DSC after recovering 50% of the balance disputed amount. Accordingly the petitioner deposited Rs 110828/- in addition to Rs 2800000/- already deposited to clear the amount based on consumption of substation meter. An additional amount of Rs 531935/- was also deposited towards 50% of the balance disputed amount as per instructions of CE/Commercial.

Both these amounts were deposited vide BA16 NO. 240/60708 dated 26.4.04. Despite all this, the case was still not heard by any DSC or DSA

Ultimately the case was heard by ZDSC/Central on 5.4.13 and disposed of without any finding into the matter. The petitioner is before the Forum against this slipshod decision of ZDSC.

Coming back to the moot point, it is submitted that the petitioner's connection is fed through an independent feeder. A parallel meter is installed at sending end of this feeder. As such, there is no difficulty in determining the petitioner's actual consumption of disputed period. The petitioner is agreeable to pay the bill prepared on the basis of consumption recorded by the meter installed at substation on the petitioner's feeder although this consumption includes line losses also and is, therefore, more than the actual consumption. The respondents have also agreed to this proposal vide their reply to para-11 of the petition. It is reiterated that there is no justification in raising the bill on average basis in the petitioner's case when there is a reliable source available to determine the actual consumption of disputed period.

PSPCL contended that it is incorrect and denied that the consumer had paid his energy bill regularly because the consumer had not paid the bill for the month from 01.10.2010 to 26.11.2010. The consumer meter was checked by Sr.Xen/MMTS Ludhiana vide his checking report 1/13 dated 28/01/2002 and it was reported that the CT/PT units and meter was found damaged. Meter of the consumer premises was replaced vide MCO No. 179 dt. 28/01/2002 affected on 30/01/2002. It is incorrect and denied that the machinery of the consumer was defective during this

period, because the consumer had not produced any documentary evidence in the office of AEE, Ham bran. It is submitted that the meter and CT/PT were damaged and no reading was available on meter as reported by ME. So CB Cell charged average on the basis of consumption recorded in previous six month as per CC 13/96.

**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 meter of the consumer got burnt and energy bill for 01/2002 was prepared by CBC for 1131321 units, based on average recorded consumption of previous six months. The consumer challenged this bill and the case was referred to DSA. However the disputed case of the consumer could not be settled due to its inter-mixing with another disputed case of the consumer. The electricity connection of the consumer was permanently disconnected on 26.11.2010. Before disconnection, the supply to the consumer was fed from 11 KV Independent Feeder emanating from 220/66KV substation Hambran. The reading data from 01/2000 to 04/2002 of the meter installed at the substation has been made available by the respondent. This reading data is almost matching with the consumption data of the energy meter installed in the premises of the consumer.

PR contended that the petitioner's metering equipment got burnt on 25.01.2002 and reading could not be recorded due to its burning. The bill raised by the respondent was quite high and on the directions of the CE/Central, Ludhiana, 70% of the bill amount i.e. Rs.28,00,000/- was deposited for referring the case to DSA.



The disputed case was never decided by DSA and was returned back. Thereafter, on the instruction of CE/Comml. Patiala vide letter dated 10.03.2004, the balance amount of Rs.1,08,828/- (as per energy bill based on consumption by the meter at substation) and Rs.5,31,935/- towards 50% balance disputed amount was deposited. Despite all this the case was not heard by any authority. The PR further contended that the petitioner is agreeable to pay the bill on the basis of the consumption of the energy meter installed at substation although this consumption includes line losses.

PSPCL contended that meter and CT/PT were damaged, no reading on the meter was available, so bill was prepared on average based on the consumption of previous six months.

The respondent has admitted that duly calibrated meter remained installed at the sending end of the independent feeder. The consumption recorded during 01/2002 as per meter installed at the substation is 806910 units. In the cases of overhauling of accounts against defective/burnt meter, the consumption recorded during the corresponding period of previous year is also required to be considered. The consumption of the petitioner during 01/2000 & 01/2001 is 697960 units and 768975 units respectively. Further, the consumption recorded during the corresponding period of succeeding year i.e. 01/2003, is 621893 units. Thus the consumption as per substation meter during 01/2002 is more than the consumption recorded during the corresponding period of previous years as well as succeeding year. Therefore, the Forum found merit in the contention of the PR that there is no justification in raising the bill on average basis when there is reliable source for consumption available



(consumption as per meter installed at substation) to determine the actual consumption for the disputed period.

Thus, keeping in view all the facts of the case, the forum concluded that revising the energy bill of 01/2002, on the basis of consumption as per meter installed at the substation, is quite 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 energy bill issued in 01/2002 for 1131321 units, be revised on the basis of consumption as per the energy meter installed at substation i.e. 806910 units.
- 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