

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

Case No. CG-57 of 2013

Instituted on : 09.05.2013

Closed on : 22.07.2013

**Sh.Rakesh Kumar,
C/O M/S Milkhi Ram Oil & Dal Plant,
Jawaharke Road,
Mansa.**

.... Appellant

Name of the Op. Division: Mansa.

A/c No. LS-23

Through

S.R.Jindal, PR

V/s

PUNJAB STATE POWER CORPORATION LTD.Respondent

Through

Er. U.S. Dhillon, ASE/Op. Divn., Mansa.

BRIEF HISTORY

Petition No. CG-57 of 2013 was filed against order dt. 06.03.2013 of the CDSC, Bathinda deciding that the Peak Load Hour' violation charges are justified and recoverable.

The consumer is having LS category connection with sanctioned load of 197.388 KW with CD of 191 KVA operating under AEE/Op. City Sub-Divn., Mansa.

The connection of the consumer was checked by Sr.XEN/MMTS, Bathinda ,data was downloaded on 08.10.2012 and penalty of Rs. 85,000/-was pointed out, for PLHR violations. A notice of Rs.85000/-, on the basis of Sr.XEN/MMTS, Bathinda report was served to the consumer vide Memo. No.2710 dt. 30.11.2012 which was challenged by the consumer in the CDSC.

The CDSC heard the case on 6.03.2012 and decided that the amount charged due to violation of PLHR is correct and amount is recoverable..

Being not satisfied with the decision of the CDSC, the consumer made an appeal in the Forum. The Forum heard the case on 23.05.2013, 27.06.2013, 11.07.2013 and finally on 22.07.2013. Then the case was closed for passing speaking orders.

Proceedings:

PR contended that comparison data sheet of some of the days was supplied before the Hon'ble Forum on 11-07-2013. On scrutiny it was noticed that when the supply from the S/Stn (Log sheet) was off due to power cut or Mtc. work that matches with the DDL of Vijay Oil Mill (LS-25) which is on the same feeder where the connection of the petitioner Sh. Rakesh Kumar is also running. But in the DDL it has

been observed that the load is running at that time. How it is possible, this is only due to defect in the software of the meter or drift in the meter of about 11.30 to 12.30 Hrs. The supply is shown off 11.30 to 12.30 hrs back when the supply from the S/Stn was running. In this case 8 days example was supplied to the respondent. Keeping in view, the facts as explained, no amount is chargeable because it happens in the L & T Meter Software. Copy of forum decision case No. CG-49/2010 and ZDLC, LDH already supplied, in which the cases were decided in favour of the petitioner. For example on 03-08-2012 supply from the S/Stn. was off from 04 hrs to 06 hrs and it matches with the DDL of Vijay Oil Mill that supply was off from 04 hrs to 06 hrs, but in the DDL of Sh. Rakesh Kumar (Petitioner) supply was running from 04 hrs to 06 hrs it was only due to software defect. Similarly on the same day supply was off from 08 hrs to 09 hrs, 13.00 to 15.00 hrs & 18.00 hrs to 19.00 hrs from S/Stn. but, the same position was off DDL of Vijay Oil Mills and the supply was running in the DDL off the petitioner Sh. Rakesh Kumar.

Representative of PSPCL contended that as per data supplied by petitioner on dt. 11-07-13, on scrutiny it was noticed that as per data of 31-07-12 to 14-09-12, it is observed that on dt 13-09-12 at 19.30 to 22.00 load of Vijay Oil Mills and Rakesh Kumar runs while the petition said that the Grid supply is off. The main reasons for this is that load of the feeder (Bhai Gurdas) is shifted on the City feeder as recorded on the log sheet. Similarly on dt. 14-09-12 at 19.30 to 22.00 load was

shifted on city feeder. On dt. 26-08-12 as the supply was off only for 10-15 Minutes due to shifting of 66 KV load from 220 KV Mansa to 220 KV Jhunir at 19.50, so in the block off 30 minutes 10-15 minutes of time is negligible Similarly on dt. 20-08-2012 at 20.00 hrs Rakesh Kumar load survey of DDL shows load and Vijay Oil Mill indicates nil load due to feeder switched on at 20.05 as per log sheet.

On dt. 3-08-2012 it is observed that from 4.00 to 6.05, 11.02 to 11.58, 13.30 to 15.02, & 17.32 to 19.02 supplies was switched off from the S/Stn. but the load on Vijay Oil Mills was Nil & Rakesh Kumar load survey shows the load 5.30, 6.00, 11 to 11.30, 13 to 14 & 17 to 18. Which is negligible load i.e? 2 to 3 KW and the same may be due to generator etc.

So the amount is correct and chargeable.

PR further contended that contention stated in para -1 has no relevancy with the query given above where as the contention of the respondent is wrong and denied because during power cut/ supply off on 03-08-2012 at 04.30 hrs load of 74.91 KW and at 05.00 hrs load of 76.35 KW was running. The version that negligible load is shown during power cut due to generator is wrong because we need not to run generator during power cut, the load was of transformer because supply of the petitioner is on 11 KV. It is further stated that load survey was shifted to 16.00 hrs to 17.30 hrs of 02.08.12, 20.00 to 21.00 hrs or 2-08-12, 02.00 to 03.00 hrs of 03-08-12, 0 5.30 hrs to 07.00 hrs of

3.08-12 (DDL of Rakesh Kumar) Hence the chargeable amount is wrong and unjustified, may please be reviewed.

PSPCL further contended that the load on Vijay Kumar (LS-25) from 16.30 to 17.30 on dt. 02-08-12 is also nil. Similarly at 20.30 on dt. 02-08-12 load on Vijay Kumar (LS-25) is nil On dt. 03-08-12 from 02 to 03 hrs. supply from Grid Sub/Stn. is on it may be possible that consumer has not run the load. Whereas the load of Vijay Kumar was running From 05.30 to 07.00 on dt. 03-08-12 the supply of Vijay Oil Mill is off also as per DDL.

Observations of the Forum:

Written submission made in the petition, reply, written arguments of the respondents as well as petitioner and other material on record have been perused and carefully considered.

Forum observed that Sr.XEN/MMTS, Bathinda down loaded the data of the meter on 08.10.2012 and pointed out penalty of Rs.85,000/- for Peak Load hrs. Violations. The CDSC decided that the disputed amount was recoverable from the petitioner as there were 36 times violations of PLHRs during the month 08/2012 and 09/2012. The Peak Load times were 19.30 hrs. to 22.30 hrs. during 07/2012, 19.00 hrs. to 22.00 hrs. during 08/2012 and 18.30 hrs. in the month of 09/2012.

The petitioner contended that in some cases the supply from Sub-Stn. was off as per log sheet of the Sub-Stn., but as per DDL, the

load was running at that time. This can be due to defect in the software of the meter or drift in the meter.

The representative of PSPCL contended that the main reason for not matching supply of the consumer with the grid/feeder is due to shifting of load to other feeders.

Forum observed that during peak load violations timings supply as per log sheet of the Sub-Stn. was on, as such peak load violations as per print-out cannot be said to be due to defect in the software of the meter. Moreover PR could not point out any violation as per DDL when the supply on the Sub-Stn. was off. Respondent has made clear that on certain days, load as per DDL has been found running and supply on the Sub-Stn. was off. But this was due to shifting of load of Bhai Gurdas feeder on the City feeder. Similarly in certain cases load of Mansa feeder was also shifted to Jhunir feeder.

Forum observed that as per printout of the DDL, the consumer had made 36 times violations of peak load, during peak load restrictions hrs. The consumer has made violations more than once during peak load timings. The Forum concluded that due to shifting of load on certain dates/time the load is appearing in the load survey data of DDL, whereas supply has been shown as off, as per log sheet of the Sub-Stn. Therefore Forum is of the view that violations, as per DDL taken on 08.10.2012, are quite in order and amount charged for violations, is justified.

Decision:

Keeping in view the petition, reply, oral discussions, and after hearing both the parties, verifying the record produced by them & observations of Forum, Forum decides that:

- * **To uphold the decision of the CDSC, Bathinda taken in its meeting held on 06.03.2013.**
- * **Forum further decides 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.**

(CA Rajinder Singh)
Member/CAO

(K.S.Grewal)
Member/Independent

(Er.Ashok Goyal)
EIC/Chairman