

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

Case No. CG- 38 of 2013

Instituted on : 21.03.2013

Closed on : 14.05.2013

Sh.Chand Singh

S/o Sh. Harpal Singh,

Near:Bhugi Pura Chowk,

G.T. Road, Opp. Kingdon Hotel,

Ludhiana Road, Moga.

Appellant

Name of Op. Division: City Moga

A/C No: F-25 BP-89/0240

Through

SH. Nirmal Singh, PR

V/s

Punjab State Power Corporation Ltd.

Respondent

Through

Er. C.S. Mann, Sr.Xen/Op. City Division, Moga.

BRIEF HISTORY

The petitioner has filed an appeal No. CG-38 of 2013 dated 21.03.2013 against the decision of DDSC City Moga dated 23.10.2012 deciding that the amount charged is recoverable.

CG-38 of 2013

The petitioner is having DS category connection bearing Account No. F 25 BP 89/0240 with sanctioned load of 19.520 KW under AEE/Op. Suburban sub division, Moga.

The energy meter installed at premises of the consumer got defective during the billing months of Oct. 2012. The energy bill of the consumer for the month of October,2011 was also issued on 'C' code. As previous year average was not available so energy bill for the month of Oct. 2012 was issued as per LDHF formula for 2904 units. the energy bill for the month of Aug.2012 was issued for 904 units on average basis being premises locked. So consumer was issued bill amounting to Rs. 24990/-. The consumer did not agree to it and challenged the bills charged on LDHF basis in DDSC by depositing Rs. 3800/- as 20% of challenged bill vide stub no.127 dt. 15.10.2012.

The DDSC heard the case and decided in its meeting held on dt. 23.10.2012 that the amount charged 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 09.04.2013, 16.04.2013, 30.04.2013, 09.05.2013 and finally on 14.05.2013 when the case was closed for passing speaking orders.

Proceedings:

On dated 09.04.2013, No one appeared from petitioner side.

Representative of PSPCL submitted authority letter No. 5322 dated. 08.04. 2013 in his favour duly signed by Sr.XEN/ Op. City Divn Moga, and the same has been taken on record.

Representative of PSPCL submitted four copies of the reply and the same has been taken on record.

Representative of PSPCL is directed to hand over a copy of the reply alongwith the copy of proceedings to the petitioner under his dated signatures.

On dated 16.04.2013, No one appeared from petitioner side.

Representative of PSPCL submitted authority vide letter No.5503 dt. 15-04-2013 in his favour duly signed by Sr.XEN/ Op. City Divn Moga, and the same has been taken on record.

Representative of PSPCL stated that their reply submitted on 09.04.2013 be treated as their written arguments.

Representative of PSPCL is directed to supply consumption data for the period 01.01.2011 onwards, copy of MCO, ME report on the next date of hearing.

Representative of PSPCL is directed to hand over the copy of the proceeding to the PR under dated signatures.

On dated 30.04.2013, In the proceeding dated 16.04.2013, Representative of PSPCL was directed to supply consumption data for the period 01.01.2011 onwards, copy of MCO, ME report on the next date of hearing and the same has been supplied by the respondent and the same has been taken on record. One copy of the same has been handed over to the PR.

PR stated that their petition be considered as their written arguments.

PR is directed to submit photo copy of the passport of the consumer on the next date of hearing.

On dated 09.05.2013, Representative of PSPCL submitted authority vide letter No. 6893 dt.08.05.2013 in his favour duly signed by Sr.Xen/Op. City Divn. Moga and the same has been taken on record.

PR submitted authority letter in his favour duly signed by the petitioner and the same has been taken on record.

Sr.Xen/Op. City Divn. Moga is directed to appear in person on the next date of hearing otherwise the case shall be decided on the merit and available record.

On dated 14.05.2013, In the proceeding dated 30.04.2013, PR was directed to submit photo copy of the passport of the consumer on the next date of hearing and the same was supplied and taken on record.

PR stated that their petition be considered as a part of oral discussion and it is again reiterated that consumer is British citizen and the amount charged on LDHF formula is very much on the higher side as the consumer Sh. Chand Singh visited India during the year 2011 and did not visit during 2012. The house remains vacant and only Gardener resides in servant room as a care taker. So the amount be charged as per previous average.

Representative of PSPCL contended that the meter was reported as defective by the meter reader in the month of Sept.2012. Due to non-availability of consumption during the same month of previous year LDHF formula has been applied and the amount is chargeable.

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:-

The consumer is having DS category connection bearing Account No. F 25 BP 89/0240 with sanctioned load of 19.520 KW under AEE/Op. Suburban sub division, Moga.

The energy meter installed at consumer's premises got defective in the billing months of Oct.2012. The energy bills issued during the same month of previous year was also on 'C' code. As previous year average was not available, so computer issued energy bill to the consumer for 2904 units based on LDHF formula.

The energy bill during the month of July,2012 was issued for 904 units average as premises were locked. The consumer challenged the energy bill issued during Oct.2012 on LDHF formula in the concerned DDSC. DDSC hear and decided that the amount charged is recoverable.

Form observed that the consumer lives in UK and visits India occasionally only for a shorter duration. Further as per pass port the consumer visited India in the year 2011 and did not visit India during the year 2012. the consumption data put up by the respondents reveals that the consumption is on the lower side as compared to sanctioned load and the reason for is that only care taker/gardner lives in servant room in the absence of the consumer.

From further observed that LDHF formula is applied in the cases where previous consumption record is not available and in this case although consumption of same month of previous year is not available because the energy meter during Oct.2011 was replaced and bill was issued on average basis under 'C' code. But the consumption of same period for the year 2010 is available and energy bill during the period of Oct.2011 was issued on average of the Oct. 2010. So instead of LDHF formula average for the year 2010 can be taken as basis for charging bill.

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 account for the month of Oct.2012 be overhauled on the basis of 508 units average charged in Oct. 2011.

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