

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**

**SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH**

**Petition No. 17 of 2021**  
**Date of Order: 22.04.2021**

Petition filed under regulation 3.5 and 47 of Supply Code 2014 and Regulation 69, 70, 71 and 72 of Chapter- XIII of the (Conduct of Business) Regulations, 2005 for temporary amendment in the procedure for over hauling of consumer accounts provided in the Regulation 21.5.2 of Supply code - 2014 for the FY 2021-22 only due to impact of Covid -19 pandemic.

AND

In the matter of: Punjab State Power Corporation Limited , The Mall,  
Patiala

...Petitioner

**ORDER:**

The present petition has been filed by Punjab State Power Corporation Limited (PSPCL) for relaxing the provisions of Regulation 21.5.2 of Supply Code-2014 regarding the procedure for overhauling the account of the consumer in case of meter becoming defective/dead stop/burnt/stolen meter during FY 2021-22 under Regulation 3.5 & 47 of Supply Code-2014 read with Regulation 69, 70, 71 & 72 of chapter XIII of the PSERC (Conduct of Business) Regulations, 2005 due to impact of Covid-19 pandemic.

1. The petitioner submitted as under;
  - i. Curfew/lockdown was imposed in the state of Punjab w.e.f 23.03.2020 due to outbreak of COVID-19 pandemic. Most of the commercial and industrial establishments were

closed during lock down/curfew period or opened only for limited hours in a day. During the unlock phase also, the industries were not fully revived due to shortage of labour, strict labour rules, restriction of inter-state movements of goods, non-disbursement of loan amount from the bank etc. Further, the demand of goods was also on the lower side and has not reached to the extent which was prior to the outbreak of Covid-19. Due to these reasons, the consumption of all categories of consumers (except DS) has been on lower side in the financial year 2020-21 in comparison to FY 2019-20.

- ii. Due to opening up of the economy, it is expected that all the commercial establishments/shops/businesses/industries shall operate to their full capacity during FY 2021-22. Therefore, the electricity consumption of such consumers shall also increase to the pre-Covid period i.e. FY 2019-20. But, in the financial year 2021-22, if the meter of any consumer becomes Defective (other than inaccurate)/Dead Stop/Burnt/Stolen, then account of such a consumer shall be overhauled on the basis of energy consumption of corresponding period of previous year i.e. FY 2020-21 as per the provisions of Regulation 21.5.2 of Supply Code-2014. However, in FY 2020-21, the consumption of some of the consumers may possibly be nil or very less therefore the accounts of such consumers in FY 2021-22, if overhauled on basis of consumption during the corresponding months of FY 2020-21 will cause financial

loss to PSPCL & undue financial gain to consumers. Further, it may also be possible that some consumers, who are generally involved in theft of electricity, may damage their electricity meters deliberately during FY 2021-22 to get undue benefit of very less consumption in the last financial year. Therefore, temporary amendment in Regulation 21.5.2 of Supply Code-2014 for financial year i.e. FY 2021-22 is essential to safeguard the financial interest of PSPCL and other consumers also.

- iii. Regulation 21.5.2 of Supply Code-2014 which provides the methodology for overhauling/billing of accounts of consumers in case of Defective (other than inaccurate)/Dead Stop/Burnt/Stolen meters. Regulation 21.5.2 of Supply Code-2014 is reproduced below for ready reference:

**“21.5.2 Defective (other than inaccurate)/ Dead Stop/ Burnt/ Stolen Meters**

*The accounts of a consumer shall be overhauled/billed for the period meter remained defective/dead stop subject to maximum period of six months. In case of burnt/stolen meter, where supply has been made direct, the account shall be overhauled for the period of direct supply subject to maximum period of six month. The procedure for overhauling the account of the consumer shall be as under*

- a) *On the basis of energy consumption of corresponding period of previous year.*
- b) *In case the consumption of corresponding period of the previous year as referred in para (a) above is*

*not available, the average monthly consumption of previous six (6) months during which the meter was functional, shall be adopted for overhauling of accounts.*

- c) If neither the consumption of corresponding period of previous year (para-a) nor for the last six months (para-b) is available then average of the consumption for the period the meter worked correctly during the last 6 months shall be taken for overhauling the account of the consumer.*
- d) Where the consumption for the previous months/period as referred in para (a) to para (c) is not available, the consumer shall be tentatively billed on the basis of consumption assessed as per para -4 of Annexure-8 and subsequently adjusted on the basis of actual consumption recorded in the corresponding period of the succeeding year.*
- e) The energy consumption determined as per para (a) to (d) above shall be adjusted for the change of load/demand, if any, during the period of overhauling of accounts.”*

iv. In view of above, PSPCL proposed the following temporary amendment in Regulation 21.5.2 of Supply Code-2014 for FY 2021-22 only:

**"21.5.2 Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters**

*The account of a consumer shall be overhauled/billed for the period meter remained defective/dead stop subject to maximum period of six months. In case of burnt/stolen meter, where supply has been made direct, the account shall be overhauled for the period of direct supply subject*

*to maximum period of six months. The procedure for overhauling the account of the consumer shall be as under:*

- a) *On the basis of energy consumption of corresponding period of **financial year 2019-20 or 2020-21 whichever is higher.***
- b) *In case the consumption of corresponding period of previous year as referred in para (a) above is not available, the average monthly consumption of previous six (6) months (**excluding months of FY 2020-21**) during which the meter was functional, shall be adopted for overhauling of accounts.*
- c) *If neither the consumption of corresponding period of previous year (para-a) nor for the last six months (para-b) is available then average of the consumption for the period the meter worked correctly during the last 6 months (**excluding months of FY 2020-21**) shall be taken for overhauling the account of the consumer.*
- d) *Where the consumption for the previous months/period as referred in para (a) to para (c) is not available, the consumer shall be tentatively billed on the basis of consumption assessed as per para -4 of Annexure-8 and subsequently adjusted on the basis of actual consumption recorded in the corresponding period of the succeeding year.*

e) *The energy consumption determined as per para (a) to (d) above shall be adjusted for the change of load/demand, if any, during the period of overhauling of accounts.”*

2. The petition was admitted and PSPCL was directed to issue public notice inviting objections/suggestions on the issue since the matter involves public interest. The public notice inviting public objections/suggestions was issued by PSPCL.
3. During public hearing held on 15.04.2021, no objector appeared before the Commission and no written objection/comments have been received from the public. After hearing the officers of PSPCL, the order was reserved.

4. **Commission’s Findings and Order**

PSPCL has filed this petition for relaxing/amending the provisions of Regulation 21.5.2 of Supply Code-2014 regarding the procedure for overhauling of the consumer accounts on account of meter becoming defective/dead stop/burnt/stolen during FY 2021-22. The main reason enunciated by the distribution licensee is that due to impact of Covid-19 pandemic, the energy consumption of consumers, except domestic, were very low during FY 2020-21 as compared to FY 2019-20. Further that, in case the meter of a consumer becomes defective during FY 2021-22 and the account of the consumer is overhauled as per clause (a) of Regulation 21.5.2 of the Supply Code, 2014 on the basis of the consumption of corresponding period of FY 2020-21, it will

cause financial loss to the licensee. Accordingly PSPCL proposed that consumption of FY 2019-20 or FY 2020-21, whichever is higher, may be considered for arriving at consumption of corresponding period as per clause (a) of Regulation 21.5.2 of the Supply Code. The remaining clauses (b) and (c) of Regulation 21.5.2 of the Supply Code, 2014 have also been proposed to be amended accordingly.

While appreciating the concern of the distribution licensee, the Commission notes that since the consumption of DS consumers during FY 2020-21 was on the higher side due to COVID restriction and is not commensurate with the sanctioned load & utilization factor of this category of consumers so applying the methodology of considering higher of the consumption recorded during FY 2019-20 or FY 2020-21 for overhauling the account of domestic consumers on account of meter getting defective during FY 2021-22, will not be fair.

Further, there is no rationale to apply amended methodology for entire period of FY 2021-22 since the COVID-19 restrictions affecting the electricity consumption was mainly from 23.03.2020 to 30.06.2020 and at best the Commission can consider the impact of COVID-19 on the consumption of consumers upto 30.09.2020. **Accordingly, the modified procedure for overhauling of accounts under Regulation 21.5.2 of the Supply Code shall be applied to meters becoming defective/dead stop/burnt/stolen from 23.03.2021 to 30.09.2021.**

In view of the same, the Commission, invoking the powers vested in it under Regulation 46 and 47 of the Supply Code-2014 read with Regulations 69, 71 & 72 of PSERC (Conduct of Business) Regulations 2005, decides that **the words “previous year” appearing in clause (a) to (c) of Regulation 21.5.2 of the Supply Code, 2014 shall be read as “FY 2019-20” while overhauling the consumer account due to meters becoming defective/dead stop/burnt/stolen during the period 23.03.2021 to 30.09.2021 only under Regulation 21.5.2 of the Supply Code, 2014.**

The petition is disposed of accordingly.

Sd/-

**(Paramjeet Singh)  
Member**

Sd/-

**(Anjuli Chandra)  
Member**

Sd/-

**(Viswajeet Khanna)  
Chairperson**

Chandigarh

Dated: 22.04.2021