

**COURT OF THE LOK PAL (OMBUDSMAN),  
ELECTRICITY, PUNJAB,  
PLOT NO. A-2, INDUSTRIAL AREA, PHASE-1,  
S.A.S. NAGAR (MOHALI).**

**(Constituted under Sub Section (6) of Section 42 of  
Electricity Act, 2003)**

**APPEAL No. 97/2021**

**Date of Registration : 09.12.2021**

**Date of Hearing : 22.12.2021**

**Date of Order : 22.12.2021**

**Before:**

**Er. Gurinder Jit Singh,  
Lokpal (Ombudsman), Electricity, Punjab.**

**In the Matter of:**

Sh. Malwinder Singh  
S/o Sh. Mohinder Singh Dhindsa,  
# 221, Anand Nagar-A,  
Patiala.

**Contract Account Number:3000114862 (Old)  
3007700256(New)**

...Appellant

Versus

Sr. Executive Engineer,  
DS West Division,  
PSPCL, Patiala.

...Respondent

**Present For:**

Appellant: Sh. Malwinder Singh,  
Appellant.

Respondent : 1. Er. Harpreet Singh,  
Sr. Xen/ DS West Divn.,  
PSPCL, Patiala.  
2. Er. Gurpreet Singh,  
AEE/ West Commercial-1,  
PSPCL, Patiala.

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 22.10.2021 of the Consumer Grievances Redressal Forum (Forum), Patiala in Case No. CGP-326 of 2021, deciding that:

*“The bills of Rs. 1,17,517/-, issued during the periods from 29.02.20 to 13.08.2021, are recoverable from the petitioner which the petitioner has already deposited.”*

## **2. Registration of the Appeal**

A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 18.11.2021 i.e within the period of thirty days of receipt of copy of the decision dated 22.10.2021 of the CGRF, Patiala in Case No. CGP-326 of 2021. The Appeal was not filed by the Consumer who had signed A&A form with the Respondent. So, the Appellant was directed vide Memo No. 1625/OEP/Malwinder Singh dated 18.11.2021 to get the change of name from Shri Mohinder Singh to Sh.Malwinder Singh done and again reminded vide Memo No. 1694/ OEP/ Malwinder Singh dated 02.12.2021 to get the needful done. The Appellant informed this Court that change of name had been affected. To confirm whether the change of name was got affected and the Appellant had deposited the requisite 40% of the disputed amount, Sr. Xen/ DS West

Division, PSPCL, Patiala was asked to confirm the same vide Memo No. 1715/ OEP/ Malwinder Singh dated 06.12.2021. The Respondent confirmed regarding change of name vide letter no. 2928 dated 07.12.2021 received in this office on 09.12.2021. Therefore, the Appeal was registered on 09.12.2021 and copy of the same was sent to the Sr. Executive Engineer/ DS West Division, PSPCL, Patiala for sending written reply/ parawise comments with a copy to the office of the CGRF, Patiala under intimation to the Appellant vide letter nos. 1727-29/OEP/A-97/2021 dated 09.12.2021.

### **3. Proceedings**

With a view to adjudicate the dispute, a hearing was fixed in this Court on 22.12.2021 at 12.00 Noon and an intimation to this effect was sent to both the parties vide letter nos. 1748-49/OEP/ A-97/ 2021 dated 15.12.2021. As scheduled, the hearing was held in this Court on 22.12.2021 and arguments of both the parties were heard.

### **4. Submissions made by the Appellant and the Respondent**

Before undertaking analysis of the case, it is necessary to go through written submissions made by the Appellant and reply of the Respondent as well as oral submissions made by the

Appellant and the Respondent alongwith material brought on record by both the parties.

**(A) Submissions of the Appellant**

**(a) Submissions made in the Appeal**

The Appellant made the following submissions in its Appeal for consideration of this Court:-

- (i) The Appellant was having a Domestic Supply Category Connection, bearing Account No. 3000114862 with sanctioned load of 3.74 kW under DS West Division, PSPCL, Patiala in the name of his father namely Sh. Mohinder Singh. The Appellant had been consuming electricity from the said connection and depositing the bills since the death of his father.
- (ii) The Appellant received inflated bills during the period of lockdown due to Covid-19 Pandemic, which were 2-3 times more than his earlier consumption. The reason for excess bills may be the meter was running fast or there was some defect in the wires which were 20-30 years old.
- (iii) The Appellant received online bill of ₹ 6,000/- in the month of April, 2020 which was deposited by him. After two months, the Appellant again received another bill which was more than his average consumption. The Appellant did not use the AC or Geyser during the period from March, 2020 to June, 2020 as

the weather was fine. Due to Covid-19 lockdown, the Appellant deposited the bill because he could not visit the office of the Respondent for filing the complaint against the inflated bill. After depositing these two inflated bills, the Appellant challenged the working of the meter and this meter was replaced at the end of December, 2020.

- (iv) Even the replaced meter was running fast than the old meter. The Appellant compared the 3 bills with the old bills and noticed that he was again getting the inflated bills. The Appellant got checked whole wiring system of his house including the Inverter from the private Electrician 2-3 times and even once by a PSPCL employee personally known to him but no fault could be traced. The Appellant observed that his meter was running fast as compared to his neighbour's meters.
- (v) The Appellant met a PSPCL officer and told him that at the time of rain, his meter runs very fast even if only a single tube light was being used and he got checked internal wiring system of his house from the private as well as PSPCL employees but could not find any fault. The PSPCL officer advised him to challenge his meter again and also got replaced the incoming/ outgoing wires of the meter from the Respondent.

(vi) The Appellant again challenged the working of his meter and also requested to replace the old wires. Due to strike of the PSPCL employees, the meter of the Appellant was replaced after two-three months. The old wires were also replaced after 2-3 days of installation of new meter. After this, the newly installed meter was recording the accurate consumption. The consumption data of new and old meters according to Appellant was as below:

Days	Period	Consumption of units	Average of units	Amount in Rs.
113	29.02.20 to 20.06.20	3018	26.7	26,567
65	20.06.20 to 25.08.20	1657	25.4	14,360
58	25.08.20 to 23.10.20	2411	41.5	21,340
62	23.10.20 to 25.12.20	963	15.5	8,130
57	25.12.20 to 22.02.21	795	13.9	6,320
62	22.02.21 to 24.04.21	1168	18.8	10,200
62	24.04.21 to 25.06.21	1621	26.1	13,340
47	25.06.21 to 12.08.21	2059	43.7	17,270 (not paid)
15	12.08.21 to 27.08.21	240	16	19,820
65	27.08.21 to 31.10.21	657	10.1	4,574 (5000/- paid)
Total Amount				1,20,077/-

(vii) The Appellant filed the petition before the Forum and the Forum heard the Appellant and informed him that working of

both the meters were found okay. The Appellant told the Forum that he and his wife are Private Teachers and his daughter and mother aged 85 years stays at home. The Appellant told the Forum that they only use two rooms and a corridor then how they could consume the 40-45 units in a single day even the Appellant's sanctioned load was checked by the Respondent? Before the replacement of meter and wires, the Appellant's consumption was 40-45 units per day which got reduced to 10-15 units after the replacement of meter and wires. The Appellant was asked which wires were replaced, he told that the wires from meter to his premises were replaced. The Forum said that it was not the responsibility of the PSPCL. The Appellant submitted that from the Pole, 8-10 wires were outgoing then how the Appellant could recognize which one was his and even the PSPCL officials also checked the wires but they did not find any fault. But when the PSPCL officials came to replace the wires then they told us that there was a joint in the wires.

- (viii) After replacement of the wires and meter, the Appellant got the accurate consumption of 10-15 units per day which was according to his consumption. The Appellant further submitted that the fault was either in meter or in wires. The Appellant had

deposited all the electricity consumption bills including the disputed bills.

- (ix) The Appellant prayed for the refund/ adjustment of the already paid inflated bills and requested that justice be done to him.

**(b) Submission during hearing**

During hearing on 22.12.2021, the Appellant reiterated the submissions already made in the Appeal and prayed to allow the relief claimed in the Appeal.

**(B) Submissions of the Respondent**

**(a) Submissions in written reply**

The Respondent submitted the following written reply for consideration of this Court:-

- (i) The Appellant was having a Domestic Supply Category Connection, bearing Account No. 3000114862 with sanctioned load of 3.74 kW, in the name of his father Sh. Mohinder Singh.
- (ii) The Appellant challenged the meter on 05.11.2020. The Appellant's meter was replaced on 29.12.2020 with final reading as 98888 units. Meter was checked in ME Lab, Patiala vide ME Challan Report No. 278/2 dated 05.02.2021 in which accuracy of the Meter was found within permissible limits with



final reading as 98888 units. This Meter was Electro Mechanical so DDL could not be done.

- (iii) The Appellant again challenged the meter on 17.05.2021 and this meter was replaced on 12.08.2021 with final reading as 5643 units. Meter was checked in ME Lab, Patiala vide ME Challan Report No. 335/2 dated 09.09.2021 in which meter accuracy was found within permissible limits with final reading as 5643 units. The Appellant was billed as per Daily Load Profile of its DDL report and there was no reading jump as per DDL of the meter.
- (iv) The Appellant is a Domestic Supply consumer so during lockdown in the year 2020, the Appellant's consumption was not comparable. After the replacement of the meter, the Appellant's consumption was recorded as 897 units for 79 days for the period from 13.08.2021 to 31.10.2021. The Appellant was issued bills for the actual consumption recorded by the meter.
- (v) The Appellant had filed a Petition in the Forum. According to the decision of the Forum, bills issued for the period 29.02.2020 to 13.08.2021 were recoverable from the Appellant.
- (vi) The Appellant had applied for change of name of consumer from Sh. Mohinder Singh to Sh. Malwinder Singh and the same

was affected on 07.12.2021 and new Account no. 3007700256 was allotted to the Appellant.

**(b) Submission during hearing**

During hearing on 22.12.2021, the Respondent reiterated the submissions made in the written reply to the Appeal and prayed for dismissal of the Appeal. The Respondent informed that consumption recorded by the second meter (disputed) tallies with the consumption data as per DDL report.

**5. Analysis and Findings**

The issue requiring adjudication is the legitimacy of the bills issued during the period from 29.02.2020 to 13.08.2021 amounting to ₹ 1,17,517/-.

*My findings on the points emerged, deliberated and analysed are as under:*

- (i) The Appellant pleaded that he was having a Domestic Supply Category Connection, bearing Account No. 3000114862 with sanctioned load of 3.74 kW in the name of his father. The Appellant had been consuming electricity from the said connection and depositing the bills since the death of his father. He stated that inflated bills were issued to him during the period from 29.02.2020 to 13.08.2021 as either the meters were

running fast or there was fault in the wires. The Appellant challenged the working of the meter first time in December, 2020 and the meter was replaced but the Appellant found that the replaced meter was also running fast. Then again the Appellant challenged the working of the replaced meter and requested for the replacement of wires as well. The meter and the wires were replaced in August, 2021 after which the Appellant was satisfied with the bills received by him and prayed for the refund of inflated bills of the disputed period issued to him and paid by him.

- (ii) The Respondent controverted pleas raised by the Appellant and argued that the Appellant had challenged the working of his meters on 05.11.2020 and 17.05.2021 and on both the occasions, the accuracy of the challenged meters were found within permissible limits at ME Lab, Patiala. The Appellant was issued bills for the actual consumption recorded by the meters.
- (iii) The Forum in its decision dated 22.10.2021 observed that the Appellant had challenged the working of his meters on 05.11.2020 and 17.05.2021 and on both the occasions, accuracy of the challenged meters were found within permissible limits at ME Lab, Patiala and during the proceedings, the Respondent

stated that billing of the Appellant was done on the basis of consumption as recorded by the meters. Keeping in view the above, the Forum decided that the bills of ₹ 1,17,517/- issued to the Appellant during the period from 29.02.2020 to 13.08.2021 were recoverable and the Appellant had already deposited the bills.

- (iv) I have gone through the written submissions made by the Appellant in the Appeal, written reply of the Respondent as well as oral arguments of both the parties during the hearing of the case. The Appellant challenged the working of the meter on 05.11.2020 and the meter was replaced on 29.12.2020 vide MCO No. 100011542114 dated 05.11.2020. The meter was checked in ME Lab, Patiala vide ME Challan No. 278/2 dated 05.02.2021 in which the meter accuracy was found OK. The Appellant again challenged the working of new installed meter on 17.05.2021 and the meter was replaced on 12.08.2021 vide MCO No. 100013459867 dated 17.05.2021. This meter was checked in ME Lab, Patiala vide ME Challan No. 335/2 dated 09.09.2021 in which the accuracy of the Meter was found OK. Both times the working of the meters was found OK. The Respondent had billed the consumer during the period from

29.02.2020 to 13.08.2021 on the actual consumption recorded by the meters which were found OK by the ME Lab, Patiala.

- (v) There is no provision for overhauling of the account of any consumer whose meter was found working within the permissible limits and as such, the plea of the Appellant for grant of relief was not tenable and sustainable in the eyes of the law. Moreover, the Appellant brought nothing new in the Appeal which was not considered by the Forum at the time of passing orders on 22.10.2021. Therefore, the Appeal of the Appellant deserves dismissal on merits.
- (vi) In view of above, this Court is inclined to agree with the decision dated 22.10.2021 of the Forum in Case No. CGP-326 of 2021.

## **6. Decision**

As a sequel of above discussions, the Appeal of the Appellant against order dated 22.10.2021 of the Forum in Case No. CGP-326 of 2021 is hereby dismissed.

- 7.** The Appeal is disposed of accordingly.
- 8.** As per provisions contained in Regulation 3.26 of Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations-2016, the Licensee will comply with the award/order within 21 days of the date of its receipt.

9. In case, the Appellant or the Respondent is not satisfied with the above decision, it is at liberty to seek appropriate remedy against this order from the Appropriate Bodies in accordance with Regulation 3.28 of the Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations-2016.

December 22, 2021  
S.A.S. Nagar (Mohali),

(GURINDER JIT SINGH)  
Lokpal (Ombudsman)  
Electricity, Punjab.

