

**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. 26/2024

**Date of Registration : 02.12.2024
Date of Hearing : 18.12.2024, 03.01.2025
Date of Order : 17.01.2025**

Before:

**Er. Anjuli Chandra,
Lokpal (Ombudsman), Electricity, Punjab.**

In the Matter of:

Sh. Davinder Singh,
Malerkotla Road,
Near Chaudhary Petrol Pump,
Khanna.

Contract Account Number: K35MS350080N(MS)

...Appellant

Versus

Addl. Superintending Engineer,
DS Division, PSPCL,
Khanna.

...Respondent

Present For:

Appellant: 1- Sh. Davinder Singh,
Appellant.
2- Sh. Sukhminder Singh,
Appellant's Representative.

Respondent : Er. H.S.Chahal,
Addl. Superintending Engineer,
DS Division, PSPCL,
Khanna.

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana (Corporate Forum) in Case No. CF-139/2024, deciding that:

- “ i. The account of the Petitioner be overhauled with MF as 2 instead of 1 for the period from the date of installation of the meter i.e. 28.09.2016 to date of its removal from site i.e. 27.04.2024. Notice no. 582 dated 05.07.2024 amounting to Rs. 1783991/- for the period from 06.09.2016 to 27.04.2024, be amended accordingly. Further, refund of Rs. 1,71,803/- already given for the period from 12/2016 to 07/2017, shall be kept in view.*
- ii. CE/EA & Enf., Patiala, CE/Metering, Patiala & CE/DS, Central Zone, Ludhiana are directed to investigate the matter in respect of the area of their respective jurisdiction as explained above in the discussion of the case and requisite steps/action be taken so that such lapses may not occur in future causing unnecessary harassment to the consumers & recurring revenue loss to PSPCL. ”*

2. Registration of the Appeal

A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 02.12.2024 i.e. beyond the period of thirty days of receipt of the decision dated 24.09.2024 of the CCGRF, Ludhiana in Case No. CF-139/2024. The Appellant had deposited the requisite 40% of the disputed amount. Therefore, the Appeal was registered in this Court on 02.12.2024 and copy of the same was sent to the Addl. SE/ DS Division, PSPCL, Khanna for sending written reply/ parawise comments with a copy to the office of the

CCGRF, Ludhiana under intimation to the Appellant vide letter nos. 685-87/OEP/A-26/2024 dated 02.12.2024.

3. Proceedings

With a view to adjudicate the dispute, a hearing was fixed in this Court on 18.12.2024 and intimation to this effect was sent to both the parties vide letter nos. 717-18/OEP/A-26/2024 dated 11.12.2024. As scheduled, the hearing was held in this Court on 18.12.2024 and arguments of both the parties were heard. This Court directed the Respondent to submit on or before 23.12.2024, the calculation sheet of ₹ 17,83,991/- charged to the Appellant vide Fresh Notice bearing Memo No. 1041 dated 04.11.2024 after the implementation of the orders of the CCGRF, Ludhiana. The next date of hearing was fixed for 03.01.2025. An intimation to this effect alongwith the copies of the proceedings dated 18.12.2024 was sent to both the parties vide letter nos. 732-33/OEP/A-26/2024 dated 18.12.2024. As scheduled, the hearing was held in this Court on 03.01.2025 and arguments of both the parties were heard. The case was closed for the pronouncement of the speaking orders.

4. Condonation of Delay

At the start of hearing on 18.12.2024, the issue of condoning of delay in filing the Appeal beyond the stipulated period was

taken up. The Appellant's Representative submitted that the Respondent had issued Revised Notice bearing Memo No. 1041 dated 04.11.2024 to deposit the amount of ₹ 17,83,991/- after the implementation of the order dated 24.09.2024 of the Corporate Forum, Ludhiana. Then the Appellant had deposited the balance 20% of the disputed amount on 13.11.2024. The reason for delay in filing the Appeal was delay in implementation of the order of the Corporate Forum, Ludhiana. He requested for the condonation of delay in filing the Appeal & prayed that Appeal be heard on merits. I find that the Respondent did not object to the condoning of the delay in filing the Appeal in this Court either in its written reply or during hearing in this Court.

In this connection, I have gone through Regulation 3.18 of PSERC (Forum and Ombudsman) Regulations, 2016 which reads as under: -

“No representation to the Ombudsman shall lie unless:

(ii) The representation is made within 30 days from the date of receipt of the order of the Forum.

Provided that the Ombudsman may entertain a representation beyond 30 days on sufficient cause being shown by the complainant that he/she had reasons for

not filing the representation within the aforesaid period of 30 days.”

It was observed that refusal to condone the delay in filing the Appeal would deprive the Appellant of the opportunity required to be afforded to defend the case on merits. Therefore, with a view to meet the ends of ultimate justice, the delay in filing the Appeal in this Court beyond the stipulated period was condoned and the Appellant's Representative was allowed to present the case.

5. 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 deliberations made by the Appellant's Representative and the Respondent along with 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 MS Category Connection bearing a/c no. K35MS350080N with Sanctioned load/CD as 38.30

kW/42.56 kVA under DS Suburban Sub Division of DS Division, PSPCL, Khanna in his name.

- (ii) The reading of the meter was taken every month and amount of energy bills as raised by the department from time to time on the basis of measured consumption had been duly paid.
- (iii) The connection of the Appellant was checked by ASE/Enf.-cum-EA & MMTS, Khanna vide ECR No. 41/2027 dated 26.04.2024. It had been reported that the capacity of CT (meter CT ratio) as per specification plate was 200/5A. However, on checking current with outgoing leads with clamp-on meter and comparing it with current as per display of the meter, it was observed that current of all the three phases was recorded as $\frac{1}{2}$ (half) of the actually current measured. Similarly, ASE/Enf.-cum-EA & MMTS, Khanna also mentioned that during dial test of the meter, consumption as per meter was recorded as 0.500 kWh whereas ERS meter recorded consumption as 1.000 kWh. The ASE/Enf.-cum-EA & MMTS reported that consumption of the meter was required to be multiplied by 2.00 (MF).
- (iv) On the basis of checking dated 26.04.2024 of ASE/Enf.-cum-EA & MMTS; AEE, DS Suburban Sub-Division, PSPCL, Khanna vide notice bearing Memo No. 582 dated 05.07.2024 raised demand of ₹ 17,83,991/- against alleged unbilled

consumption of 285384 kVAh relating to the period 06.09.2016 to 27.04.2024. It had been mentioned in the notice that CT ratio as per specification plate was 200/5A, whereas as per inspection report, the actual CT ratio was 100/5A.

- (v) The Appellant was not satisfied with the demand of ₹ 17,83,991/-, relating to the period 06.09.2016 to 27.04.2024. Therefore, the Appellant had approached the Corporate Forum, Ludhiana for registration & review of disputed case. Accordingly, as per orders of the Corporate Forum, Ludhiana, the Appellant had deposited 20% of the disputed amount and case was registered as Case No. CF-139/2024. The Appellant made genuine submissions based on facts, before the Corporate Forum, Ludhiana. However, Corporate Forum, Ludhiana did not provide any relief as admissible vide final order dated 24.09.2024.
- (vi) On the basis of decision of Corporate Forum, Ludhiana, the AEE, DS Suburban Sub-Division, PSPCL, Khanna vide notice bearing Memo No. 1041 dated 04.11.2024 asked the Appellant to deposit ₹ 17,83,991/-. The Appellant was not satisfied with the decision of the Corporate Forum, Ludhiana. Therefore, the present Appeal was filed by the Appellant in the Court of Ombudsman, Electricity, Punjab.

(vii) It was brought out for the kind consideration of the Ombudsman that as per specification plate the capacity of CT ratio was 200/5A and the billing to the Appellant was being done accordingly. It was the responsibility of PSPCL to ensure testing of meter before its installation in the premises of the Appellant and also should have ensured periodical testing as provided in Regulation 21.3 of Supply Code-2014, reproduced as under:-

“21.3 Testing of Meters

21.3.1 It shall be the responsibility of the distribution licensee to satisfy itself regarding the accuracy of a meter before it is installed for the consumer.

21.3.2 The distribution licensee shall set up such number of accredited testing laboratories or utilize the services of other testing laboratories accredited by the National Accreditation Board for Testing and Calibration Laboratories (NABL) as the Commission may require. The distribution licensee shall take immediate action to get the accreditation of existing meter testing laboratories from NABL, if not already done.

21.3.3 After testing in the laboratory, the body of the meter shall be duly sealed by an officer(s) authorized by the distribution licensee.

21.3.5 The distribution licensee shall also conduct periodical inspection/ testing of the meters/metering equipment installed at the consumer’s premises as per following schedule:

- (i) EHT meters:- at least once in a year***
- (ii) HT meters:- at least once in 2 years***
- (iii) LT 3-phase meters:- at least once in 3 years***
- (iv) LT 1-phase meters:- at least once in 5 years”***

Had the Respondent's office ensured dial testing of meter (CT meter) then actual capacity of the CT ratio could have been easily determined and correct consumption would have been measured. But probably due to non-conducting of dial test before installing meter in the premises of the Appellant, actual capacity of CT ratio could not be verified. However, this was blunder/mistake on the part of PSPCL officials but the Appellant was penalized with a huge demand of ₹ 17,83,991/- which was beyond the financial capacity of the Appellant having small business with MS category connection of 38.30 kW. The amount had been charged after overhauling the account for a period of about 8 years and the same may be restricted to 6 months or maximum for 2 years considering the facts of the case.

- (viii) The connection of the Appellant was also checked by ASE/Enf. vide ECR No. 7/3742 dated 28.06.2017, wherein accuracy of the meter was observed within limits and capacity of the CT was mentioned as 3x200/5. The ASE/Enf. further mentioned that as per bill, CT ratio was 100/5 and it may be corrected as per office record. It was very important to mention here that on the basis of checking of ASE/Enf., the Appellant was allowed refund of ₹ 1,71,804/- probably without verification of requisite

record and dial test of the meter. This was 2nd default by the concerned office, the first being non-compliance of Regulation 21.3 of Supply Code-2014.

- (ix) The metering equipment of the Appellant was checked in ME lab on the directions of the Corporate Forum, Ludhiana on 09.09.2024. The ME Lab vide report given on Challan No. 165/2024 dated 09.09.2024, mentioned that *“the results of the meter on dial test were observed in limits by taking CT Ratio as 100/5, whereas results were (-) 50% by taking CT Ratio of 200/5 as per specification plate i.e. meter was recording 50% less energy.”* Thus in view of position as explained above and taking into consideration 50% slowness pointed out in the report of ME Lab, the account of the Appellant may be considered for overhauling as per Regulation 21.5.2 of Supply Code-2014 for 6 months, with slowness of 50%.
- (x) The Appellant fixed his profit margin after considering all the input cost including electricity charges. Now the Respondent office had raised huge demand of ₹ 17,83,991/- against alleged unbilled consumption of 285384 kVAh relating to the period 06.09.2016 to 27.04.2024 (7 years and 8 months). The Appellant cannot recover any amount from its customers at this stage. Moreover, the wrong billing was apparently due to utter

negligence of officials of the Respondent, then how the genuine consumer can be penalized with such a huge amount, which was also against the provision as per Section-56(2) of the Act.

- (xi) The Corporate Forum, Ludhiana in its final order dated 24.09.2024 observed as under (relevant part):-

“Forum observed that no such periodical checking was done by the respondent as per the record submitted to the Forum and thus agrees to the contention of the petitioner. Had the checking’s been conducted in a periodical manner as defined in Reg. 21.3, such mistake could have been detected at an earlier stage. CE/DS Central Zone, Ludhiana may look into the matter and take suitable action that such lapses should not occur in future.”

“Forum observed that this was a very serious defect/lapse on part of the Manufacturer who mentioned wrong capacity of the meter on its name plate, which has caused financial loss to PSPCL as well as harassment to the petitioner. Further although each & every meter is tested in ME Lab before it is issued for installation at consumer premises, but in the instant case testing of the lot in ME Lab was waived off by CE/Metering as intimated by ASE/ME Lab, Ludhiana vide his office Memo No. 902 dated 17.09.2024 addressed to the respondent. This aspect is required to be taken care of in future by CE/Metering, PSPCL, Patiala.”

“It is further observed that this mistake could not be detected through the ‘Pulse Test’ during checking dated 28.06.2017 & specially on 26.04.2024 when specific investigation was carried out from this angle. Forum observed that this mistake should have been detected on ‘Pulse Test’ in the first instance as, normally a Pulse Test is done by the checking officers and the ‘Dial Test’ is skipped treating the meter accurate if found so in the ‘Pulse Test’. CE/EA & Enf., PSPCL, Patiala should look into the matter & check whether it is possible to detect such mistakes through ‘Pulse Test’ itself? And if the same is not possible with the present ERS meter(s) then necessary

corrective action is required to be taken in Pulse Testing and mean while 'Dial Test' should be made mandatory so that such mistakes do not go undetected and harassment of the consumers & recurring revenue loss to the PSPCL can be avoided in future."

From the above observations, it was clear that the Corporate Forum, Ludhiana was very much convinced regarding very serious lapses at various stages on the part of PSPCL officers/officials due to which wrong billing with wrong MF could not be detected for such a long period. The Corporate Forum, Ludhiana also agreed with the fact of harassment to the Appellant but surprisingly did not consider providing relief admissible to the Appellant by restricting the period of overhauling to 6 months or maximum 2 years. The Appellant will not gain anything from the departmental action against delinquents. The submission of the Appellant was how he can pay such a huge amount relating to wrong billing for such a long period especially when he cannot recover anything from his customers.

- (xii) It was also submitted for the kind consideration of the Ombudsman that in order to minimize the hardship & unnecessary excess financial burden on the genuine consumers on account of wrong billing with wrong MF, the Hon'ble PSERC had replaced Regulation 21.5.2 with new Regulation 39.4, wherein it is provided that where accuracy of meter is not

involved and it is a case of application of wrong multiplication factor, the accounts shall be overhauled for the period this mistake continued subject to maximum of 3 years.

- (xiii) Although, new Regulations shall come into force w.e.f. 14.11.2024 but this had been done just to provide some relief to the effected consumers where billing with wrong MF continues for a long period. The Hon'ble Ombudsman may kindly consider providing relief to the Appellant either by restricting the period of overhauling to 6 months or 2 years or maximum for 3 years as per new Regulation 39.4 of Supply Code-2024.
- (xiv) In view of position explained above, it is requested to Hon'ble Ombudsman that Appeal may be allowed and decision of Corporate Forum, Ludhiana may be set aside and account of the Appellant may kindly be ordered to be overhauled for 6 months or 2 years (as submitted above) or maximum for 3 years as per new Regulation 39.4 of Supply Code-2024 as the Hon'ble Court of Ombudsman may consider justified, keeping in view the principle of natural justice and fairness.

(b) Submissions in Rejoinder to the Reply of the Respondent

The Appellant submitted the following Rejoinder to the Reply of the Respondent for consideration of this Court:-

- (i) The reply submitted by the Respondent was not convincing as such, submission as per Appeal may kindly be considered by the Ombudsman, Electricity, Punjab while arriving at any conclusion on the case.
- (ii) There was no exception to ignore testing of meter before its installation in the premises of the Appellant and periodical testing as provided in Regulation 21.3 of Supply Code-2014. The meter was not tested even after the checking of ASE/Enf. vide ECR No. 7/3742 dated 28.06.2017 and Appellant was allowed refund of ₹ 1,71,804/- without verification of requisite record and dial test of the meter. The Respondent office cannot justify every mistake to penalize the Appellant due to serious lapses at various stages.
- (iii) The plea put forth by the Respondent that refund was allowed on the basis of conducted in good faith by ASE/Enf. vide ECR No. 7/3742 dated 28.06.2017 and dial test was not conducted. This plea was absolutely not convincing. Can the Respondent explain, whether the Appellant can recover any amount from its customers relating to period of about 8 years on the plea that rate of product/service were fixed by mistakes occurred in good faith and now the PSPCL had raised huge amount (on account of one of the input cost of the Appellant i.e. energy charges) on

the basis of mistakes conducted by PSPCL office from time to time, in good faith? The answers will probably 'No', as the Appellant cannot recover any amount from its customers for the product/services provided by fixing the profit margin after considering all the input cost(s) including electricity charges. The Corporate Forum, Ludhiana was also very much convinced regarding very serious lapses at various stages on the part of PSPCL officer/officials due to which wrong billing could not be detected for such a long period. The Corporate Forum, Ludhiana also agreed with the fact of harassment to the Appellant but surprisingly did not consider providing relief admissible to the Appellant by restricting the period of overhauling to 6 months. The Appellant will not gain anything from the department action against delinquents. The submission of the Appellant was how he can pay such a huge amount relating to wrong billing for such a long period especially when he cannot recover anything from its customers.

- (iv) It was submitted for the kind consideration of Ombudsman, Electricity, Punjab that it was not a clear case of wrong MF as presumed by the Respondent office, rather due to wrong CT ratio, the meter was observed slow by 50% when checked at site and in ME Lab. The Respondent plea that actual CT ratio

of the meter was 100/5 A which was observed during checking on 26.04.2024 by ASE/Enf. and in ME/Lab on 09.05.2024 whereas as per specification plate it was 200/5 A, as such wrong billing was done with MF 1 instead of 2. Firstly the mistakes/lapses from time to time were on the part of PSPCL office. Secondly the difference of billing was due to slowness of meter due to wrong CT ratio and it was not a case of wrong MF as provided in Regulation 21.5 of Supply Code-2014.

- (v) The slowness of 50% as checked in ME/Lab was due to wrong CT ratio and this was not a clear case of wrong MF. Thus in view of position explained in para no. 1 and para no. 2 of the Appeal besides above position and taking into consideration 50% slowness pointed out in the report of ME/Lab, the account of the Appellant be considered for overhauling as per Regulation 21.5.2 of Supply Code-2014 for 6 months, with slowness of 50%.
- (vi) It was again submitted that even in case of wrong MF, the PSERC had replaced Regulation 21.5.2 with new Regulation 39.4, wherein it was provided that the accounts shall be overhauled for the period this mistake continued subject to maximum of 3 years. Although, new Regulation shall come into force w.e.f. 14.11.2024 but this had been done just to

provide some relief to the effected consumers where billing with wrong MF continues for a long period.

(vii) As explained above, the case of the Appellant was not a clear case of wrong MF, rather due to wrong CT ratio (as detected after about 8 years) the meter was observed slow by 50%. Thus it was not justified to penalize the Appellant by overhauling the account for a period of about 8 years.

(viii) In view of position narrated in the Appeal and as explained above, it was once again prayed to Ombudsman, Electricity, Punjab that Appeal may be allowed and decision of Corporate Forum, Ludhiana may be set aside and account of the Appellant may kindly be ordered to be overhauled for 6 months or any other minimum period as the Hon'ble Court of Ombudsman may consider justified, keeping in view the principle of natural justice and fairness.

(c) Submission during hearing

During hearings on 18.12.2024 & 03.01.2025, the Appellant's Representative reiterated the submissions made in the Appeal & Rejoinder to the reply and prayed to allow the same.

(B) Submissions of the Respondent

(a) Submissions in written reply

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

- (i) The periodical testing this connection as provided in Regulation 21.3 of Supply Code, 2024 had been done with ECR No. 07/3742 dated 28.06.2017 and ECR No. 26/7035 dated 26.04.2024. As per directions by the higher authorities, in year 2016, 100% testing of LTCT operated meters for providing TOD Tariff to the consumers was waived off to expedite installation of LTCT operated meters. Therefore, meter was not tested before installation.
- (ii) While checking of the connection by the Enforcement wing, PSPCL, Khanna on 28.06.2017 vide ECR No. 07/3749, accuracy of meter was done only on pulse test. Accuracy on dial test was not conducted, that's why difference of MF was not figured out at that time. The Checking of the connection was done in good faith and accordingly refund was allowed. So, it was a mistake without any mala-fide intention or negligence.

- (iii) As per Challan No.165/2024 dated 09.09.2024, Challan No. SPL01 dated 09.05.2024 & as per ASE/Enforcement, Khanna, ECR No. 26/7035 dated 26.04.2024, it was found that as per specification plate CT ratio of the meter was 200/5A whereas actual CT ratio of the meter was 100/5A & the same was proved in the dial test of the meter held in ME Lab and at site. Therefore, the actual MF of the Appellant was 2, whereas billing of the Appellant was done as per MF 1.
- (iv) As per Supply Code Regulation 21.5, ESIM Regulation 59.4.1 & Sec 55 of the Electricity Act, 2003, it was clear beyond doubt that in Case of Application of wrong Multiplying Factor, the account shall be overhauled for the period mistake continued. It is submitted that since the accuracy of the meter was not involved in present Case, therefore, the instructions of overhauling the Consumer account for six months was not applicable on the Appellant. Also in this Case the Demand was raised on 05.07.2024, therefore limitation period of 2 years was not applicable on the Appellant.
- (v) New Regulation regarding overhauling which stated that provided that where accuracy of meter is not involved and it is a Case of application of wrong Multiplication Factor, the accounts shall be overhauled for the period this mistake

continued subject to maximum of 3 years, came into force w.e.f 14.11.2024, So, the same cannot be made applicable in the present Case as it pertained to previous period.

- (vi) In view of the position explained above, it is respectfully prayed that the amount charged to the Appellant is correct and the same is recoverable as per the provisions of the applicable laws.

(b) Submission during hearing

During hearings on 18.12.2024 & 03.01.2025, the Respondent reiterated the submissions made in the written reply to the Appeal and prayed for the dismissal of the Appeal.

6. Analysis and Findings

The issue requiring adjudication is the legitimacy of the amount of ₹ 17,83,991/- charged to the Appellant vide notice bearing Memo No. 1041 dated 04.11.2024 on account of rectification of wrong Multiplying Factor from 1 to 2 for the period from 28.09.2016 to 27.04.2024 as per the decision dated 24.09.2024 of the Corporate Forum, Ludhiana in Case No. CF-139/2024.

My findings on the points that emerged and my analysis is as under:

- (i) The Corporate Forum in its order dated 24.09.2024 observed as under:-

“Forum observed that Connection of the Petitioner was checked by ASE/Enf. cum EA &MMTS, Khanna as per the list supplied by the higher officers regarding suspected wrong meter CT ratio cases (meter CT ratio is different from originally assigned while procurement) and ECR no. 26/7035 dated 26.04.2024 was prepared. In the report it was reported as under:

“ਇਹ ਕੁਨੈਕਸ਼ਨ ਉੱਚ ਅਧਿਕਾਰੀਆਂ ਵਲੋਂ ਮਿਤੀ 26/04/2024 ਨੂੰ ਭੇਜੀ ਗਈ ਲਿਸਟ [Suspected Wrong Meter CT Ratio cause (meter CT ratio is different from originally assigned while procurement)] ਅਨੁਸਾਰ ਚੈਕ ਕੀਤਾ ਗਿਆ ਹੈ।

MCB ਘੋਖ ਕੇ ਚੈਕ ਕੀਤਾ ਗਿਆ ਹੈ। ਮੀਟਰ ਡਿਸਪਲੇ ਤੇ ਪੜਤਾ ਉਤੇ ਲੋਡ ਪੈਰਾਮੀਟਰ ਰਿਕਾਰਡ ਕੀਤੇ ਗਏ।

CT ਬਕਸਾ ਖੋਲ ਕੇ ਚੈਕ ਕੀਤਾ ਗਿਆ ਹੈ। CT's ਦੇ ਵੇਰਵੇ ਰਿਕਾਰਡ ਕੀਤੇ ਗਏ। CT's ਦੇ ਸੀਰੀਅਲ ਨੰ. ਪੜਨਯੋਗ ਨਹੀਂ ਹਨ।

ਮੀਟਰ ਦੀ specification plate ਅਨੁਸਾਰ Meter CT Ratio 200/5A ਹੈ। ਮੀਟਰ ਦੀ ਡਿਸਪਲੇ ਤੇ ਕਰੰਟ ਦਾ ਮਿਲਾਣ, Clamp on ਮੀਟਰ ਨਾਲ Actual ਚੱਲ ਰਹੇ current ਨਾਲ ਮੀਟਰ ਦੀਆਂ (CT's ਦੀਆਂ) outgoing leads ਤੇ ਕੀਤਾ ਗਿਆ ਤਾਂ ਪਾਇਆ ਕਿ ਮੀਟਰ ਵੱਲੋਂ ਤਿਨੋ ਫੇਸਾ ਦਾ current, actual current ਤੇ ਅੱਧਾ ਰਿਕਾਰਡ ਕੀਤਾ ਜਾ ਰਿਹਾ ਹੈ।

ਮੋਕੇ ਤੇ ਮੀਟਰ ਦਾ pulse ਟੈਸਟ ਮੀਟਰ ਦੀ specification plate ਤੇ ਦਰਸਾਏ ਅਨੁਸਾਰ 62.5 imp/kwh ਅਤੇ overall MF=1.00 ਨਾਲ ਕੀਤਾ ਗਿਆ ਜੋ ਕਿ ਸੀਮਾ ਵਿੱਚ ਪਾਇਆ ਗਿਆ। ਮੋਕੇ ਤੇ ਮੀਟਰ ਦਾ Dial ਟੈਸਟ ਵੀ ਕੀਤਾ ਗਿਆ ਹੈ। ਡਾਇਲ

ਟੈਸਟ ਦੋਰਾਨ ਪਾਇਆ ਕਿ ਮੀਟਰ ਵਲੋਂ ਖਪਤ 0.500 kwh ਰਿਕਾਰਡ ਕੀਤੀ ਗਈ, ਜਦਕਿ LT-ERS ਅਨੁਸਾਰ actual ਖਪਤ 1.00 kwh ਰਿਕਾਰਡ ਕੀਤੀ ਗਈ ਹੈ।

Clamp on ਮੀਟਰ ਰਾਹੀਂ ਕਰੰਟ ਦਾ ਮਿਲਾਣ, ਮੀਟਰ ਦੀ ਡਿਸਪਲੇ ਤੇ ਚੱਲ ਰਹੇ ਕਰੰਟ ਨਾਲ ਕਰਨ ਅਤੇ ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਦੇ ਨਤੀਜੇ ਅਨੁਸਾਰ ਪਾਇਆ ਗਿਆ ਖਪਤਕਾਰ ਵੀ Actual ਖਪਤ 2.00 Multiplying factor ਨਾਲ ਹੀ ਸਹੀ ਬਣਦੀ ਹੈ।

ਮੀਟਰ ਅਤੇ CT's ਨੂੰ ਜਿਉਂ ਦੀ ਤਿਉਂ ਹਾਲਤ ਵਿੱਚ ਸਮੇਤ ਬਕਸੇ ਪੈਕ ਸੀਲ ਕਰ ਲਿਆ ਜਾਵੇ ਅਤੇ ਅਗਲੇਰੀ ਜਾਂਚ ਪੜਤਾਲ ਐਮ.ਈ ਲੈਬ ਤੋਂ ਕਰਵਾਈ ਜਾਵੇ।

ਖਪਤਕਾਰ ਦੇ ਨਵਾਂ ਮੀਟਰ ਅਤੇ CT's ਲਗਾਏ ਜਾਣ।

ਚੈਕਿੰਗ ਉਪਰੰਤ ਇੰਜ ਰਮੇਸ਼ ਕੁਮਾਰ AAE ਵਲੋਂ MCB ਅਤੇ CT ਬਕਸੇ ਉਪਰ PC ਸੀਲਾਂ ਲਗਾ ਦਿੱਤੀਆਂ ਹਨ।

Meter and CT's set were checked in ME Lab, Ludhiana vide ME challan no. Spl-1 dated 09.05.2024. It was reported as under:-

ਇਹ LTCT ਮੀਟਰ (ਲੜੀ ਨੰ: 15523486 ਸਮੇਤ LTCT, ECR 26/7035 ਮਿਤੀ 26.02.2024 ਦੇ ਸਬੰਧ ਵਿੱਚ ਅੱਜ ਮਿਤੀ 09/05/2024 ਨੂੰ ME Lab ਲੁਧਿਆਣਾ ਵਿੱਚ ਜਿਉਂ ਦੀ ਤਿਉਂ ਪੈਕ ਸੀਲ ਹਾਲਤ ਵਿੱਚ ਲਿਆਂਦਾ ਗਿਆ ਹੈ। ਅਤੇ ਮੀਟਰ ਖਪਤਕਾਰ ਦੇ ਬੋਟੇ ਸ਼੍ਰੀ ਗਗਨਦੀਪ ਸਿੰਘ s/o ਸ਼੍ਰੀ ਦੇਵਿੰਦਰ ਸਿੰਘ ਦੀ ਹਾਜ਼ਰੀ ਵਿੱਚ ਖੋਲਿਆ ਗਿਆ ਹੈ। ਚੈਕਿੰਗ ਸਮੇਂ ਮੀਟਰ ਦੇ LTCTs ਦੀ incoming ਲੀਡਾਂ ਤਿੰਨੇ ਫੇਜ਼ਾਂ ਉਪਰ ਲੇਡ ਪਾਇਆ ਗਿਆ ਲੇਡ ਪਾਉਣ ਉਪਰੰਤ ਮੀਟਰ ਲੜੀ ਨੰ: 15523486, ਰੈਫਰੇਂਸ ਮੀਟਰ ਅਤੇ ਲੀਡਾਂ ਉੱਪਰ Clamp On meter ਲਗਾ ਕੇ ਕਰੰਟ ਦੀ ਵੈਲਿਊ ਚੈਕ ਕੀਤੀ ਗਈ ਅਤੇ ਤਿੰਨੇ ਮੀਟਰਾਂ ਵਲੋਂ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਕਰੰਟ ਰਿਕਾਰਡ ਕੀਤਾ ਗਿਆ:-

ਮੀਟਰ ਲੜੀ ਨੰ. 15523486			ਰੈਫਰੇਂਸ ਮੀਟਰ			Clamp on meter		
R	Y	B	R	Y	B	R	Y	B
5.33A	4.958A	5.168A	10.71A	9.981A	10.35A	10.6A	9.9A	10.0A

ME Lab ਵਿੱਚ ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਦੋਰਾਨ ਪਾਇਆ ਗਿਆ ਕਿ ਰੈਫਰੇਂਸ ਮੀਟਰ ਵਲੋਂ 1.083682 KWH, 1,098208 KVAH ਯੂਨਿਟਾਂ ਰਿਕਾਰਡ ਕੀਤੀਆਂ ਗਈਆਂ, ਜਦਕਿ ਮੀਟਰ (ਲੜੀ ਨੰ. 15523486 Make-L&T) 0.545625 KWH, 0.552237 KVAH ਯੂਨਿਟਾਂ ਰਿਕਾਰਡ ਕੀਤੀਆਂ ਗਈਆਂ। ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਅਨੁਸਾਰ ਮੀਟਰ ਲੜੀ ਨੰ. 15523486 actual ਖਪਤ (Reference Meter) ਨਾਲੋਂ ਅੱਧੀ ਖਪਤ

ਰਿਕਾਰਡ ਕਰ ਰਿਹਾ ਹੈ। ਮੀਟਰ ਦੀ ਡਿਸਪਲੇ ਵਿੱਚ Ct 20.0 (CT ratio i.e. 100/5A) ਅਤੇ Lf 125.000 (Meter constant) ਆ ਰਿਹਾ ਹੈ। ਮੀਟਰ ਦੀ Specification Plate ਉੱਪਰ CT Ratio 200/5A ਅਤੇ pulse 62.5 Imp/Kwh ਹੈ ਜਦਕਿ ਮੀਟਰ ਦੀ actual CT Ratio 100/5A ਹੈ ਅਤੇ pulse rate 125 Imp/Kwh ਹੈ। ਮੀਟਰ ਦੀ Inspection report ਅਨੁਸਾਰ ਵੀ ਮੀਟਰ ਦੀ CT Ratio 100/5A ਹੈ। ਮੀਟਰ ਦੀ ਚੈਕਿੰਗ ਅਤੇ ਡਾਇਲ ਟੈਸਟ ਦੀ ਵੀਡੀਓਗ੍ਰਾਫੀ ਕਰ ਲਈ ਗਈ ਹੈ। ਮੀਟਰ ਦੀ ਚੈਕਿੰਗ ਕਰਨ ਉਪਰੰਤ MCB ਆ CT ਬਕਸੇ ਨੂੰ Plain paper seal(ਸਬੰਧਤ ਜੇ.ਈ ਅਤੇ ਖਪਤਕਾਰ ਦੇ ਹਸਤਾਖਰ) ਅਤੇ MCB ਉੱਪਰ PC ਸੀਲ ਨੰ. KK38101 ਅਤੇ CT ਬਕਸੇ ਉੱਪਰ PC ਸੀਲ ਨੰ. KK38102 ਲਗਾ ਕੇ ਖਪਤਕਾਰ ਦੀ ਹਾਜ਼ਰੀ ਵਿੱਚ ਸੀਲ ਪੈਕ ਕਰਕੇ ਇਜੀ: ਕਰਨਦੀਪ ਸਿੰਘ, ਜੇ ਈ ਉਪ ਮੰਡਲ ਦਿਹਾਤੀ ਖੰਨਾ ਨੂੰ ਸਾਭ ਸੰਭਾਲ ਲਈ ਸੋਪ ਦਿੱਤਾ ਹੈ। ਇਸ ਸਬੰਧੀ ਦਫਤਰੀ ਰਿਕਾਰਡ/ ਹੋਰ ਘੋਖ ਪੜਤਾਲ ਕਰਨ ਉਪਰੰਤ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ।

Upon completion of the testing, it was concluded that actual capacity/rating of the meter was 100/5 Amps and its pulse rate was 125 Imps/kWH instead of 200/5A & 62.5 Imp/kWh as mentioned on the meter name plate. ASE/Enf. cum EA & MMTS, Khanna issued speaking orders vide memo no. 254 dated 13.06.2024, as under:

“ਖਪਤਕਾਰ ਦੇ ਬਿਲ ਵਿੱਚ Multiplying Factor 1.0 ਲੱਗ ਰਿਹਾ ਹੈ। ਮੈਂਕੇ ਤੇ ਮੀਟਰ ਦੀ Display ਤੇ ਆ ਰਹੇ ਕਰੰਟ ਦਾ ਮਿਲਾਣ ਮੀਟਰ ਦੀਆਂ Outgoing Leads ਤੋਂ Clamp On meter ਨਾਲ ਅਸਲ)Actual) ਚੱਲ ਰਹੇ ਕਰੰਟ ਨਾਲ ਕੀਤਾ ਗਿਆ ਤਾਂ ਪਾਇਆ ਗਿਆ ਕਿ ਮੀਟਰ ਵੱਲੋਂ ਤਿੰਨੋਂ ਫੇਜ਼ਾਂ ਦਾ ਕਰੰਟ ਅਸਲ ਚੱਲ ਰਹੇ ਕਰੰਟ ਤੋਂ ਅੱਧਾ ਰਿਕਾਰਡ ਕੀਤਾ ਜਾ ਰਿਹਾ ਸੀ। ਮੈਂਕੇ ਤੇ ਮੀਟਰ ਦਾ ਡਾਇਲ ਟੈਸਟ ਵੀ ਕੀਤਾ ਗਿਆ ਸੀ। ਡਾਇਲ ਟੈਸਟ ਦੌਰਾਨ ਪਾਇਆ ਗਿਆ ਕਿ ਮੀਟਰ ਵੱਲੋਂ ਖਪਤ 0.500 KWH ਯੂਨਿਟ ਰਿਕਾਰਡ ਕੀਤੀ ਗਈ, ਜਦਕਿ LT ERS ਅਨੁਸਾਰ ਅਸਲ ਖਪਤ 1.00 KWH ਯੂਨਿਟ ਰਿਕਾਰਡ ਕੀਤੀ ਗਈ। Clamp On meter ਰਾਹੀਂ ਅਸਲ)Actual) ਚੱਲ ਰਹੇ ਕਰੰਟ ਦਾ ਮਿਲਾਣ ਮੀਟਰ ਦੀ Display ਤੇ ਆ ਰਹੇ ਕਰੰਟ ਨਾਲ ਕਰਨ ਅਤੇ ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਦੇ ਨਤੀਜੇ ਅਨੁਸਾਰ ਪਾਇਆ ਗਿਆ ਕਿ ਖਪਤਕਾਰ ਦੀ ਅਸਲ)Actual) ਖਪਤ 2.0 Multiplying Factor ਨਾਲ ਹੀ ਸਹੀ ਬਣਦੀ ਹੈ। ਮੈਂਕੇ ਤੇ ਮੀਟਰ ਅਤੇ CT's ਨੂੰ ਜਿਉਂ ਦੀ ਤਿਉਂ ਹਾਲਤ ਵਿੱਚ ਸਮੇਤ ਬਕਸੇ ਪੈਕ ਸੀਲ ਕਰਕੇ ਅਗਲੇਰੀ ਜਾਂਚ ਪੜਤਾਲ ME Lab ਤੋਂ ਕਰਵਾਉਣ ਲਈ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ, ਜਿਸ ਦੀ ਪਾਲਣਾ ਹਿੱਤ ਆਪ ਦੇ ਦਫਤਰ ਵੱਲੋਂ ਮੀਟਰ ਅਤੇ CT's ਨੂੰ ਜਿਉਂ ਦੀ ਤਿਉਂ ਸਮੇਤ ਬਕਸੇ ਪੈਕ ਸੀਲ ਕਰਕੇ ਚਲਾਣ ਨੰ .SPL-1 ਰਾਹੀਂ ਮਿਤੀ 09.05.2024 ਨੂੰ ME Lab Ludhiana ਵਿਖੇ ਖਪਤਕਾਰ ਦੇ ਨੁਮਾਇੰਦੇ ਦੀ ਮੌਜੂਦਗੀ ਵਿੱਚ ਚੈਕ ਕਰਵਾਇਆ ਗਿਆ। ਚਲਾਣ ਦੀ ਰਿਪੋਰਟ ਅਨੁਸਾਰ ਮੀਟਰ ਦੇ LTCT ਦੀਆਂ ਲੀਡਾਂ ਰਾਹੀਂ ਤਿੰਨੋਂ ਫੇਜ਼ਾ ਉੱਪਰ ਲੋੜ ਪਾਇਆ ਗਿਆ। ਲੋੜ ਪਾਉਣ ਉਪਰੰਤ ਮੀਟਰ .ਲੜੀ ਨੰ)15523486, Make- L&T).

ਰੈਫਰੈਂਸ ਮੀਟਰ ਅਤੇ ਲੀਡਾਂ ਉੱਪਰ Clamp On meter ਲਗਾ ਕੇ ਕਰੰਟ ਦੀ ਅਤੇ ਤਿੰਨੋਂ ਮੀਟਰਾਂ ਵੱਲੋਂ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਕਰੰਟ ਰਿਕਾਰਡ ਕੀਤਾ ਗਿਆ:-

ਮੀਟਰ ਲੜੀ ਨੰ. 15523486			ਰੈਫਰੈਂਸ ਮੀਟਰ			Clamp on meter		
R	Y	B	R	Y	B	R	Y	B
5.33A	4.958	5.168	10.71	9.981	10.35	10.6	9.9	10.0A
	A	A	A	A	A	A	A	

ME Lab ਵਿੱਚ ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਦੇਰਾਨ ਪਾਇਆ ਗਿਆ ਕਿ ਰੈਫਰੈਂਸ ਮੀਟਰ ਵਲੋਂ 1.083682 KWH, ME Lab ਵਿੱਚ ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਦੇਰਾਨ ਪਾਇਆ ਗਿਆ ਕਿ ਰੈਫਰੈਂਸ ਮੀਟਰ ਵਲੋਂ 1.083682 KWH, 1.098208 KVAH ਯੂਨਿਟਾਂ ਰਿਕਾਰਡ ਕੀਤੀਆਂ ਗਈਆਂ, ਜਦਕਿ ਮੀਟਰ(ਲੜੀ ਨੰ. 15523486 Make-L&T) 0.545625 KWH 0.552237 KVAI ਯੂਨਿਟਾਂ ਰਿਕਾਰਡ ਕੀਤੀਆਂ ਗਈਆਂ। ME Lab ਵਿੱਚ ਮੀਟਰ ਦੇ ਡਾਇਲ ਟੈਸਟ ਦੇਰਾਨ ਪਾਇਆ ਗਿਆ ਕਿ ਮੀਟਰ (ਲੜੀ ਨੰ. 15523486 Make-L&T), AsI ਖਪਤ (ਰੈਫਰੈਂਸ ਮੀਟਰ) ਨਾਲੋਂ ਅੱਧੀ ਖਪਤ ਰਿਕਾਰਡ ਕਰ ਰਿਹਾ ਹੈ। ਇਸ ਮੀਟਰ ਦੀ ਡਿਸਪਲੇ ਵਿੱਚ Ct 20.0 (i.e. CT ratio 200/5A ਅਤੇ pulse 62.5 Imp/KWH ਹੈ। ਮੀਟਰ ਦੀ Inspection report ਅਨੁਸਾਰ ਵੀ ਮੀਟਰ (ਲੜੀ ਨੰ. 15523486 Make-L&T) ਦੀ CT Ratio 100/5A ਹੈ।

ਇਸ ਤੋਂ ਇਲਾਵਾ ਆਪ ਦੇ ਪੱਤਰ ਨੰ .452 ਮਿਤੀ 17.05.2024 ਅਨੁਸਾਰ, ਖਪਤਕਾਰ ਦੇ ਮੀਟਰ .ਲੜੀ ਨੰ)15523486 Make- L&T), MCO No. 16/100691imqI 06/09/2016rwhI lgwieAw igAw hY[Awp dy p`qr ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਬਦਲੀ ਕਰਨ ਉਪਰੰਤ MF 2.00 ਨਾਲ ਬਿਲਿੰਗ ਕੀਤੀ ਗਈ, ਜੋ ਕਿ ECR No. 07/3742 ਮਿਤੀ 28.06.2017 ਦੀ ਚੈਕਿੰਗ ਉਪਰੰਤ, Advise ਭੇਜਣ ਉਪਰੰਤ 1.00 MF ਲਗਾ ਦਿੱਤਾ ਗਿਆ। ਪ੍ਰੰਤੂ ਖਪਤਕਾਰ ਦੇ ਮੀਟਰ .ਲੜੀ ਨੰ)15523486, Make-L&T) ਲੱਗਣ ਤੋਂ ਪਹਿਲਾਂ ਅਤੇ ਮੀਟਰ ਲੱਗਣ ਉਪਰੰਤ ਦਾ ਖਪਤ ਡਾਟਾ ਘੋਖਣ ਤੇ ਪਾਇਆ ਗਿਆ ਕਿ ਮੀਟਰ .ਲੜੀ ਨੰ)15523486. Make- L&T) ਲੱਗਣ ਤੋਂ ਪਹਿਲਾਂ ਖਪਤਕਾਰ ਦੀ ਜੋ Average ਖਪਤ ਆ ਰਹੀ ਸੀ, ਮੀਟਰ ਲੱਗਣ ਉਪਰੰਤ MF 2.00 ਅਨੁਸਾਰ ਵੀ ਖਪਤਕਾਰ ਦੀ ਐਵਰੇਜ ਖਪਤ ਦੇ ਬਰਾਬਰ ਹੈ। ਪ੍ਰੰਤੂ MF 1.00 ਲਗਾਉਣ ਉਪਰੰਤ ਖਪਤਕਾਰ ਦੀ ਐਵਰੇਜ ਖਪਤ ਘਟ ਕੇ ਅੱਧੀ ਰਹਿ ਗਈ ਹੈ। ਜਿਸਦੀ ਪੁਸ਼ਟੀ ਖਪਤ ਡਾਟੇ ਨੂੰ ਘੋਖਣ ਤੋਂ ਹੁੰਦੀ ਹੈ।

ਉਪਰੋਕਤ ECR ਚੈਕਿੰਗ, ME LAB ਦੀ ਰਿਪੋਰਟ ਤੋਂ ਸਪਸ਼ਟ ਹੈ ਕਿ ਮੀਟਰ .ਲੜੀ ਨੰ) 15523486. Make-L&T) ਦੀ Specification Plate ਉੱਪਰ ਮੀਟਰ ਦੀ CT Ratio ਸਹੀ ਨਹੀਂ ਹੈ। ਮੀਟਰ ਦੀ ਅਸਲ (Actual) CT Ratio 100/5A ਹੈ। ਇਸ ਲਈ ਖਪਤਕਾਰ ਨੂੰ ਮੀਟਰ ਦੀ Actual CT Ratio 100/5A ਅਤੇ LTCT's 200/5A ਦੀ ਸਮਰੱਥਾ ਅਨੁਸਾਰ Multiplying Factor 2.0 ਲੱਗਣਾ ਬਣਦਾ ਹੈ। ਇਸ ਲਈ ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ ਮੀਟਰ ਲੱਗਣ ਦੀ ਮਿਤੀ 06.09.2016 ਤੇ ਮੀਟਰ

ਉਤਾਰਨ/ਬਦਲੀ ਕਰਨ ਦੀ ਮਿਤੀ ਤੱਕ Multiplying factor 2.0 ਨਾਲ ਸੋਧ ਦਿੱਤਾ ਜਾਵੇ’

On the basis of the speaking orders issued by ASE/Enf. cum EA &MMTS, Khanna, AEE/DS Suburban Khanna overhauled the account of the Petitioner from 06.09.2016 to 27.04.2024 with correct MF of 2 and amount of Rs. 1783991/- was charged and notice no. 582 dated 05.07.2024 was issued to the Petitioner. Petitioner did not agree to the same and filed case against it in the Corporate Forum.

Forum observed the consumption data submitted by the Respondent is reproduced below:

Month	2015		2016		2017		2018 *	2019*	2020*	2021*	2022*	2023*	2024	
	Cons	M F	Cons	M F	Cons	M F	Cons	Cons	Cons	Cons	Cons	Cons	Cons	MF
Jan	23854	1	5315	1	7806	2	2802	3522	3427	2481	2086	3341	3805	1
Feb	4982	1	4829	1	6234	2	2962	2441	1952	1843	1665	2102	2298	1
Mar	4138	1	4605	1	5772	2	2297	3299	1136	1633	2264	2325	3153	1
Apr	5854	1	5392	1	7478	2	3268	3330	1778	2020	2524	3226	3347	1
May	4877	1	5740	1	7242	2	3471	3469	2465	2229	3027	3506	5269	1
Jun	5912	1	5200	1	6754	2	3710	3796	3085	2051	3443	3915	10191	1
Jul	6860	1	6296	1	4529	1	5062	4463	2684	2709	4254		10118	1
Aug	5801	1	6230	1	4455	1	2647	4686	3024	3107	3928	4203		
											4976			
Sep	6068	1	6070	1	3220	1	5041	4112	2960	2837	4164	4461		
										1531				
Oct	5819	1	5187	2	3651	1	3095	3327	2784	2479	2923	3580		
Nov	5608	1	6826	2	3645	1	3818	3396	1898	2055	2716	1899		
Dec	5366	1	6514	2	3890	1	3664	3756	2059	2650	2021	2430		
TOTAL	85139		68204		64676		41837	43597	29252	29625	35015	39964	38181	

***With wrong MF of 1.**

Forum observed that annual consumption of the petitioner from 2015 to 2024 (upto 08/2024) is 85139,68204, 64676, 41837, 43597, 29252,29625, 35015, 39964, 38181 units respectively. It is observed that the effect of wrong MF as 1 instead of 2 is visible from the consumption data. The monthly consumption of the Petitioner w.e.f. July/2017 onwards dipped to roughly half in comparison to that recorded in the same months of the year 2016 when MF as 1 was being applied. It again rose to almost double w.e.f. June/2024 when correct MF of 2 was applied.

During hearing dated 03.09.2024, Forum directed the Respondent to get the meter and CT's checked up separately in ME Lab as earlier, these had been checked up combined metering equipment as in 'found condition'. This checking was carried out in ME Lab vide challan No. 165/2024 dated 09.09.2024 and the following observation were recorded in the challan: -

“ਉਪਰੋਕਤ ਮੀਟਰ LT/CT set ਸਮੇਤ MCB ME Lab ਲਿਆਇਆ ਗਿਆ ਇਸ LT/CT set ਦੀ ਚੈਕਿੰਗ ਮਾਣਯੋਗ CGRF ਵਲੋਂ ਮਿਤੀ 07.09.2024 ਨੂੰ ਕੇਸ ਨੰ. CF-138/24 ਦੀ ਪ੍ਰੋਸੀਡੀਗ ਦੇ ਸਬੰਧ ਵਿੱਚ ਖਪਤਕਾਰ ਦੇ ਨੁਮਾਇੰਦੇ ਗਗਨਦੀਪ ਸਿੰਘ ਪੁੱਤਰ ਦਵਿੰਦਰ ਸਿੰਘ ਦੀ ਹਾਜ਼ਰੀ ਵਿੱਚ ਵਖਰੇ ਤੌਰ ਤੇ ਕੀਤੀ ਗਈ ਮੀਟਰ ਦੀਆਂ 2 ਨੰ. ਸੀਲਾਂ ਠੀਕ ਪਾਈਆ ਗਈਆਂ। ਮੀਟਰ ਉਪਰ ਐਮ.ਈ ਲੈਬ ਦੀ ਪੇਪਰ ਸੀਲ ਨਹੀਂ ਲਗੀ ਹੋਈ। ਮੀਟਰ ਦੀ ਐਕੁਰੇਸੀ ਟੈਸਟ ਬੈਂਚ ਮੇਕ MTE ਉਪਰ ਮੀਟਰ ਦੀ ਸਪੇਸੀਫਿਕੇਸ਼ਨ ਅਨੁਸਾਰ ਦਰਸਾਈ CT ਰੇਸ਼ੋ 200/5 (ਅਨੈ-1) ਅਤੇ ਮੀਟਰ ਦੀ ਡਿਸਪਲੇ ਉਪਰ ਆ ਰਹੀ CT 20.0 (i.e. CT ratio 100/5 ਐਨ 2) ਅਨੁਸਾਰ ਚੇਕ ਕੀਤੀ ਗਈ ਜਿਸ ਅਨੁਸਾਰ ਨਤੀਜੇ ਨੱਥੀ ਰਿਪੋਰਟ ਅਨੁਸਾਰ ਹਨ।

ਮੀਟਰ ਦੇ ਨਤੀਜੇ ਡਾਇਲ ਟੈਸਟ ਕਰਨ ਤੇ CT ਰੇਸ਼ੋ 100/5 ਅਨੁਸਾਰ ਸੀਮਾ ਵਿੱਚ ਪਾਏ ਗਏ ਜਦਕਿ ਮੀਟਰ ਦੀ ਸਪੇਸੀਫਿਕੇਸ਼ਨ ਪਲੇਟ ਤੇ CT ਰੇਸ਼ੋ 200/5 ਅਨੁਸਾਰ -50% ਪਾਏ ਗਏ। ਭਾਵ ਮੀਟਰ 50% ਘੱਟ ਖਪਤ ਰਿਕਾਰਡ ਕਰ ਰਿਹਾ ਹੈ LT/CT ਸੈਟ ਦੀ ਚੈਕਿੰਗ ਦੇਰਾਨ CT ਰੇਸ਼ੋ 200/5 ਪਾਈ ਗਈ। ਜਿਸ ਦੇ ਨਤੀਜੇ ਕਰਕੇ ਸਬੰਧਿਤ ਜੇ.ਈ ਕਰਨਦੀਪ ਸਿੰਘ ਨੂੰ ਅਗਲੀ ਸਾਂਭ ਲਈ ਸੋਪ ਦਿੱਤਾ ਗਿਆ ਹੈ”

It became clear from the above checking report that the actual capacity/rating of the disputed L&T make meter bearing Sr no. 15523486 installed on 28.09.2016 was 100/5 Amps but it was wrongly marked as 200/5 Amps on its name plate. Therefore, with Line CT capacity of 200/5A, MF of 2 is required to be applied.

Forum observed that this is an unusual case in which the capacity/rating of 3-Phase LTCT meter was wrongly marked as 200/5 Amps on its name plate, instead of the actual

capacity at 100/5 Amps. The capacity of the meter is a very important aspect as it decides the overall Multiplying Factor (MF) to be applied for billing purpose depending upon capacity of the Line CTs installed at that connection. As in the present case, line CT's of 200/5A capacity had been installed on the connection of the petitioner however, MF of 1 was being applied as per the capacity of 200/5A as mentioned on name plate of the meter, whereas, it should have been 2 as actual capacity of the meter after checking has been found as 100/5Amp and consequently only half of the energy that passed through the meter was being accounted for and billed accordingly. The disputed DLMS Meter of L&T make, was installed at the connection of the Petitioner on 28.09.2016 for replacing the existing non-DLMS Meter vide MCO No. 16/100691 dated 06.09.2016.

It is also observed that this meter was got issued from ME Lab through Store Requisition no. 34/13058 dated 16.09.2016 vide which 15 Nos. LTCT meters had been drawn from ME Lab including the disputed one and capacity of all 15 nos. meter was mentioned as 100/5 Amps at a single place on the SR instead of mentioning it separately against each meter as done usually. Interestingly, the official who executed the MCO mentioned capacity of the Meter as 100/5 Amp, (perhaps on the basis as mentioned on the SR and not actually referring the meter name plate where same is mentioned as 200/5A), resultantly MF of 2 was made applicable with effect from 28.09.2016.

Thereafter on the request of SDO/Suburban Khanna vide memo No. 459 date 21.06.2017 (copy of this letter was not made available to the Forum by the Respondent stating that it was not traceable) connection of the Petitioner was checked by ASE/Enf. Khanna and ECR No. 7/3742 dated 28.06.2017 was prepared. Capacity of the meter was recorded as 3x200/5 Amps in the ECR and the following remarks were given:

“ਇਹ ਕੂਨੇਕਸ਼ਨ ਉਪ ਮੰਡਲ ਅਫਸਰ ਦਿਹਾਤੀ ਖੰਨਾ ਦੇ ਮੀਮੇ ਨੰ. 459 ਮਿਤੀ 21.06.2017 ਦੇ ਆਧਾਰ ਤੇ ਚੈਕ ਕੀਤਾ ਗਿਆ ਹੈ। ਮੀਟਰ display ਤੇ ਹੋਠ ਲਿਖੇ ਅਨੁਸਾਰ ਪੈਰਾਮੀਟਰ ਰਿਕਾਰਡ ਕੀਤੇ ਗਏ।

	Voltage	Current
R	250	12.70
Y	242	15.62
B	238	14.13

Phase Sequence:-

V-rby A-rby A-000

ਨੋਟ:- ਖਪਤਕਾਰ ਨੂੰ ਜਾਰੀ ਕੀਤੇ ਜਾ ਰਹੇ ਬਿਲ ਉਪਰ ਮੀਟਰ ਰੇਸ਼ੇ 200/5 Amp ਅਤੇ CT ਰੇਸ਼ੇ 100/5 Amp ਲਿਖੀ ਆ ਰਹੀ ਹੈ ਇਸ ਨੂੰ ਦਫਤਰੀ ਰਿਕਾਰਡ ਤੇ ਚੈਕ ਕਰਨ ਉਪਰੰਤ ਠੀਕ ਕੀਤਾ ਜਾਵੇ।

ਮੀਟਰ ਦਾ DDL ਕਰ ਲਿਆ ਹੈ। DDL ਦਾ ਪ੍ਰਿੰਟ ਆਉਟ ਪੜਨ ਉਪਰੰਤ ਆਪ ਨੂੰ ਸੂਚਿਤ ਕਰ ਦਿੱਤਾ ਜਾਵੇਗਾ। MCB/CTC Box ਖੁੱਲੀ ਹਾਲਤ ਵਿੱਚ ਸ਼੍ਰੀ ਬਲਜੀਤ ਸਿੰਘ ਫੋਰਮੈਨ ਨੂੰ ਸੀਲਾਂ ਲਗਾਉਣ ਲਈ ਸੌਂਪ ਦਿੱਤੇ ਹਨ।

As per the above checking of Enforcement, refund of Rs. 1,71,803/- was given to the Petitioner for the period from 12/2016 to 07/2017 vide entry dated 20.11.2017 in the Sundry Register stating that wrong MF-2 was being applied instead of 1, and MF was changed to 1 thenceforward which continued for about 7 years.

Petitioner in his petition submitted that the periodical testing as per Reg. 21.3 of Supply Code was not conducted resulting in penalizing him with huge amount of Rs.1783991/- charged vide notice no. 582 dated 05.07.2024 for the period from 06.09.2016 to 27.04.2024. Forum observed that no such periodical checking was done by the respondent as per the record submitted to the Forum and thus agrees to the contention of the petitioner. Had the checking's been conducted in a periodical manner as defined in Reg. 21.3, such mistake could have been detected at an earlier stage.

CE/DS Central Zone, Ludhiana may look into the matter and take suitable action that such lapses should not occur in future.

Petitioner also prayed that the amount charged on account of incorrect MF is of period of 8 years and it may be restricted to 6 months or 2 years as per Sec. 56(2) of Electricity Act. In this regard, Forum observed that Regulation No. 21.5.1 of Supply Code-2014 deals with the cases of application of wrong Multiplying Factor. The note of Regulation 21.5.1 of Supply Code-2014 dealing with inaccurate meters is reproduced below:

21.5.1 Inaccurate Meters

Note: Where accuracy of meter is not involved and it is a case of application of wrong multiplication factor, the accounts shall be overhauled for the period this mistake continued.

In the light of the Note of above appended to Regulation no. 21.5.1 of Supply Code-2014, the request of the petitioner is not maintainable hence declined.

Forum observed that this was a very serious defect/lapse on part of the Manufacturer who mentioned wrong capacity of the meter on its name plate, which has caused financial loss to PSPCL as well as harassment to the petitioner. Further although each & every meter is tested in ME Lab before it is issued for installation at consumer premises, but in the instant case testing of the lot in ME Lab was waived off by CE/Metering as intimated by ASE/ME Lab, Ludhiana vide his office Memo no. 902 dated 17.09.2024 addressed to the respondent. This aspect is required to be taken care of in future by CE/Metering, PSPCL, Patiala.

It is further observed that this mistake could not be detected through the 'Pulse Test' during checking dated 28.06.2017 & specially on 26.04.2024 when specific investigation was carried out from this angle. Forum observed that this mistake should have been detected on 'Pulse Test' in the first instance as, normally a Pulse Test is done by the checking officers and the 'Dial Test' is skipped

treating the meter accurate if found so in the 'Pulse Test'. CE/EA & Enf., PSPCL, Patiala should look into the matter & check whether it is possible to detect such mistakes through 'Pulse Test' itself? And if the same is not possible with the present ERS meter(s) then necessary corrective action is required to be taken in Pulse Testing and meanwhile 'Dial Test' should be made mandatory so that such mistakes do not go undetected and harassment of the consumers & recurring revenue loss to the PSPCL can be avoided in future.

Forum has gone through written submissions made by the Petitioner in the petition, written reply of the Respondent along with the relevant material brought on the record. Keeping in view the above discussion/facts, Forum is of the opinion that correct MF of 2 (two) is required to be applied to the Petitioner for billing purpose for the period under dispute from the date of installation of the disputed meter i.e. 28.09.2016 upto the date of its removal from site i.e. 27.04.2024. Hence the impugned notice no. 582 dated 05.07.2024 amounting to Rs. 1783991/- for the period from 06.09.2016 to 27.04.2024, issued to the Petitioner is liable to be amended and account of the Petitioner is required to be overhauled with MF as 2 instead of 1 for the period from the date of effect of MCO no. 16/100691 dated 06.09.2016 i.e. 28.09.2016 to date of its removal from site i.e. 27.04.2024. Further, refund of Rs. 1,71,803/- given to the Petitioner for the period from 12/2016 to 07/2017 vide entry dated 20.11.2017 in the Sundry Register on the basis of checking done by ASE/Enf. Khanna vide ECR No. 7/3742 dated 28.06.2017, shall be kept in view."

- (ii) I have gone through the written submissions made by the Appellant in his Appeal & Rejoinder to the reply, written reply of the Respondent & the data placed on the record by both the parties as well as oral arguments of both the parties during the

hearings on 18.12.2024 & 03.01.2025. The connection of the Appellant was checked by ASE/Enf.-cum-EA & MMTS, Khanna vide ECR No. 41/2027 dated 26.04.2024. It had been reported that the capacity of CT (meter CT ratio) as per specification plate was 200/5A. However, on checking current with outgoing leads with clamp-on meter and comparing it with current as per display of the meter, it was observed that current of all the three phases was recorded as $\frac{1}{2}$ (half) of the actually current measured. Similarly, ASE/Enf.-cum-EA & MMTS, Khanna also mentioned that during dial test of the meter, consumption as per meter was recorded as 0.500 kWh whereas ERS meter recorded consumption as 1.000 kWh. The ASE/Enf.-cum-EA & MMTS reported that consumption of the meter was required to be multiplied by 2.00 (MF). On the basis of this checking, AEE, DS Suburban Sub-Division, PSPCL, Khanna vide notice bearing Memo No. 582 dated 05.07.2024 raised demand of ₹ 17,83,991/- against unbilled consumption of 285384 kVAh relating to the period 06.09.2016 to 27.04.2024. The Appellant was not satisfied with the demand of ₹ 17,83,991/-, relating to the period 06.09.2016 to 27.04.2024. Therefore, the Appellant had approached the Corporate Forum, Ludhiana. On the basis of decision of Corporate Forum,

Ludhiana, the AEE, DS Suburban Sub-Division, PSPCL, Khanna issued Fresh notice bearing Memo No. 1041 dated 04.11.2024 for ₹ 17,83,991/-. The Appellant was not satisfied with the decision of the Corporate Forum, Ludhiana. Therefore, the present Appeal was filed by the Appellant in this Court.

- (iii) The Appellant's Representative prayed that the meter be considered as slow by 50% & his account be overhauled for the maximum period of six months or two years. This Court observed that it is case of application of wrong Multiplication Factor (MF) and not the case of inaccurate meter. It is specifically mentioned in the Note to Regulation 21.5.1 of Supply Code, 2014 that where accuracy of meter is not involved and it is a case of application of wrong multiplication factor, the accounts shall be overhauled for the period this mistake continued. The Hon'ble Supreme Court of India has also held in Civil Appeal No. 7235 of 2009 titled as M/s Prem Cottex Versus Uttar Haryana Bijli Vitran Nigam Ltd. & Ors. that the escaped assessment can be recovered from the consumer by the Licensee for the full period the mistake continued and there is no bar on this as per Section 56 (2) of The Electricity Act, 2003.

- (iv) The Appellant's Representative further prayed that the account of the Appellant be overhauled for the maximum period of three years as per Regulation 39.4 of Supply Code, 2024. But he himself admitted that the Supply Code, 2024 came into force w.e.f 14.11.2024, while the current dispute is for the period before 14.11.2024.
- (v) In view of above, this Court is not inclined to differ with the decision dated 24.09.2024 of the CCGRF, Ludhiana in Case No. CF-139/2024.

7. Decision

As a sequel of above discussions, the order dated 24.09.2024 of the CCGRF, Ludhiana in Case No. CF-139/2024 is hereby upheld.

- 8.** The Appeal is disposed of accordingly.
- 9.** 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.
- 10.** In case, the Appellant or the Respondent is not satisfied with the above decision, he 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.

January 17, 2025
S.A.S. Nagar (Mohali)

(ANJULI CHANDRA)
Lokpal (Ombudsman)
Electricity, Punjab.

