**CORPORATE CONSUMERS GRIEVANCES REDRESSAL FORUM**

**PUNJAB STATE POWER COPROPRATION LIMITED**

**220 KV S/Stn. Opp. Verka Milk Plant, Ferozepur Road, Ludhiana**

**Tel: 0161-2971912, email: secy.cgrfldh@gmail.com**

**CASE NO.: CF-145/2023**

**Date of Registration : 08.11.2023**

**Date of Closing : 29.11.2023**

**Date of Final Order : 30.11.2023**

**In the Matter of:**

 **Smt. Rita Devi,**

**Jaspal Singh.**

**A/c No.: H41CA581304L.**

**Through:**

Smt. Rita Devi.  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

PSPCL, Mahilpur. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-145/2023 has been filed directly in the Forum by Petitioner, in the matter related to A/c no. H41CA581304Lhaving DS category with sanctioned load of 0.900KW, in the name of Smt. Rita Devi under DS Divn. PSPCL, Mahilpur. Petitioner was issued bills correctly upto 21.06.2021 on ‘O’ codes. Then bill dated 26.08.2021 was issued on ‘I’ code and next bill dated 03.11.2021 was issued on ‘O’ code for an abnormal consumption of 3634 units. Thereafter, from 01/2022 to 05/2022 bills were issued on I/N code. Then, as per respondent bill dated 08.07.2022 was issued for the period 15.05.2022 to 08.07.2022 for the consumption of 100141KWH amounting to Rs. 622965/-, including previous balance. Petitioner was not satisfied with the reading recorded and working of meter and challenged his meter. Meter of the petitioner was replaced being challenged vide MCO no. 29/221018 dated 07.10.2022 effected on dated 10.10.2022. Replaced meter was sent to ME Lab, Hoshiarpur vide challan no. 113 dated 02.02.2023 where it was reported that terminal block of the meter was overheated & display was dead. Meter was then sent to ME lab, Jalandhar for getting its DDL done vide challan no. 101 dated 14.11.2023 where DDL of the meter could not be done as communication link could not be established. Thereafter Petitioner was issued bill dated 20.09.2023 for the period from 11.07.2023 to 20.09.2023 for consumption of 136 units amounting to Rs. 800680/-, including previous balance of Rs. 800672/- which was adjusted to Rs. 696190/-. Petitioner did not agree to the bill and filed his case in Corporate CGRF. Forum heard the case in its proceeding dated 15.11.2023, 21.11.2023 and finally on 29.11.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 15.11.2023***

*The petition has been placed before the forum for admission. After considering the averments made in the petition, the petition is admitted. Notice be issued to ASE/Sr. Xen/Op. Mahilpur (Respondent) along with copy of petition as follows: -*

1. *Respondent shall check verify the bills for the period beginning from 21.06.2021 onwards, bill dated 08.07.2022 of Rs. 45580/- for an average consumption of 13 units with readings as; Old reading 5204 KWH, New reading 105275 KWH for the period 03.11.2021 to 08.07.2022 and bills generated after 07/2022 and finally bill dated 20.09.2023 of Rs. 800680/-manually corrected to Rs. 696190/-.*
2. *Respondent shall submit five copies of the following record/document to the Forum*
3. *Point-wise/ para-wise reply to the petition in form of hard copy & soft copy (in word format) through email at secy.cgrfldh@gmail.com.*
4. *Screenshots of the meter taken before 06/2021, consumption data depicting readings, dated of reading (in KWH& KVAH, MDI, PFI etc.) also indicating the meter status, MF etc. For previous 5 years along with SAP reading record.*
5. *Copy of current site checking report and copies of report of checking carried out by various authorities previously.*
6. *Copies of related Job order clearly depicting date of effect thereof, ME lab reports of meter in dispute along with its DDL.*
7. *Respondent shall ensure that all documents have been checked/verified & signed by him (ASE/Sr. XEN) and he will be responsible for the authenticity of the documents/information submitted to the Forum.*
8. *Respondent shall further: -*
9. *confirm that the dispute between Petitioner and PSPCL as filed in this Forum has not been decided earlier by any Court/Forum or any other authority and no case pertaining to this dispute is pending before any Court/Forum or any other authority.*
10. *Confirm the status of up to date payments and shall ensure that no bill other than the amount in dispute, is pending.*
11. *Confirm that the complainant/ applicant/ petitioner is a competent/authorized person to file/defend the case on behalf of the consumer of the above a/c no.*

*The case be put up on 21.11.2023.*

***Proceedings dated: 21.11.2023***

*Respondent vide email dated 20.11.2023 requested another date due to non-availability of DDL of the meter and telephonically requested another date for submission of reply. The same is admitted.*

*The case is adjourned to 28.11.2023 for submission of reply.*

***Proceedings dated: 29.11.2023***

*Respondent submitted reply in five sets which is taken on record. One copy thereof was handed over to the petitioner/PR.*

*Petitioner/PR stated that the petition/rejoinder and other documents already submitted may also be considered as part of oral discussion.*

*Respondent stated that the reply to the petition/reply to the rejoinder and other documents already submitted may be considered as oral discussion.*

*Both the parties have nothing more to say and submit.*

*The case is closed for passing speaking orders.*

1. **FACTS OF THE CASE AND OBSERVATIONS OF THE FORUM: -**
2. The Petitioner bearing A/c no. H41CA581304Lof DS category with sanctioned load of 0.900 KW, in the name of Smt. Rita Devi under DS Divn. PSPCL, Mahilpur.
3. The Petitioner in his Petition prayed that: -

*auprokq ivSy dy sbMD iv`c bynqI kIqI jWdI hY ik ivSw drj Kwqw nM H41CA581304L– rIqw dyvI w/o SRI jspwl isMG dy nwm qy ipMf ic`qoN iv`c hvylI dw c`l irhw hY[ ies Kwqy dw mhInw 11/2021 dw ibl rIifMg (5204-1570) = 3624 KWH XUintW nwl rkm 23130/- dw bixAw sI Aqy mhInw 07/2022 dw ibl rIifMg (105275-5134) = 100141 KWH XUintW nwl rkm 5666027/- dw bixAw sI[ ies qrWH mhInw 07/2022 ku`l rkm 622965/- dw ibl bx igAw sI[ ies rkm qy Surcharge/interest l`gx kwrn ieh rkm mhInw 09/2023 q`k 696190/- bx geI hY[ ies ibl nUM shI krvwaux leI myry duAwrw mItr cYlyNj krvwaux dI ArjI id`qI geI sI prMqU dPqr duAwrw mYnUM sUicq kIqw igAw ik mItr dI Display dead Aqy TB overheat hox krky mitr dw cYlyNj Result nhIN pRwpq ho sikAw ijs kwrx aunHW duAwrw ieh ibl TIk nhIN kIqw jw skdw hY[ ies leI kys CGRF iv`c lgwaux leI Awp jI nUM bynqI kIqw jWdI hY[ ikrpw krky myrI ies bynqI nUM sivkwr kIqw jwvy qW jo myry ibjlI ibl dI rkm soD ho sky ikauNik swfI hvylI iv`c ibjlI dI Kpq bhuq G`t hY Aqy kdy vI myrw ibjlI dw ibl ienI ijAwdw rkm dw nhIN bixAw sI ies leI ikrpw krky myrw kys CGRF iv`c lgwieAw jwvy qW jo ibl soDx qoN bwAd bxdI rkm nUM mYN jmW krw skW jI[ mYN Awp jI dI bhuq DMnvwdI hovWgI[*

1. The Respondent in his reply stated that: -

*The detailed reply to the para no 1 of the petition, is submitted as under: -*

1. *That the Domestic connection of petitioner is running under account number* *H41CA581304L in the name of Smt. Rita Devi w/o Sh. Jaspal Singh Vill. Chitton has a sanctioned load of 0.90 kW under subdivision Bassi Kalan.*
2. *It is submitted that as per bill issued on 21/6/21, the status code of meter was OK bearing reading as 1570 KWH. (Annexure 1)*
3. *In the next Cycle 3 dated 26/8/21, the reading of this account was recorded by the meter reader as 5170 which is abnormal compared to previous consumption. Due to this, the system generated this month’s bill of 86 units on an “I” code average basis. (Annexure 2)*
4. *That the next bill dated 3/11/2021 was issued on actual consumption (i.e., 5204 -1570) = 3634 units bearing the amount Rs 23593 after clearing the I code. (Annexure 3)*
5. *In the next cycle 5 dated 26/1/2022, once again the reading of this account was recorded by the meter reader as 105123 which is abnormal as compared to the previous consumption. Due to abnormal reading the system generated this bill of 88 units with “I” code on an average basis. (Annexure 4)*
6. *On date 16/3/2022 the bill of this account was issued on “N” code basis due to change of spot billing company. (Annexure 5)*
7. *In this way, this consumer was issued bill from 3/11/2021 to 16/3/2022 on I/N code basis upto 16/3/2022 bearing the amount 35857/-. On dated 12.4.2022 the consumer gave an application for verification of meter readings. The concerned JE verified the reading as 5134 on dated 12/4/2022. (Annexure 6)*
8. *In the next cycle 1 dated 15/5/2022 (Annexure 7), the meter reader recorded the reading as 105164 which is also very high as compared to previous bills due to which the system generated the bill of “I” code bearing 17 units. After this consumer again gave the application bearing diary No.-1466 dt 13/6/2022. On this application, the concerned JE verified the reading as 5164.4 KWH with remarks that meter reading digit is cut-off due to internal fault. (Annexure 8)*
9. *In the next cycle 2 dated 8/7/2022, the meter reader recorded the reading of the meter as 105275 kwh resulting the bill for (105275-5134) = 100141 units was issued bearing amount 566027. Upto 8/7/2022, the bill amount becomes Rs 622965/- including the previous balance. (Annexure 9)*
10. *Then the consumer gave an application vide sub division Bassi Kalan Diary no. 2698/4.10.22 to challenge the meter. The concerned JE reported that the meter reading was 105433KWH/2986KVAH and give remarks that KVAH reading was wrong (Annexure 10). After depositing the challenge fee consumer, the challenged meter was replaced vide MCO no. – 29/221018 dt 7/10/2022. (Annexure 11)*
11. *The challenged meter was checked in ME lab Hoshiarpur vide ME challan No. – 113/2.2.23. According to the ME Lab report the Terminal block of the meter overheated and display was dead. (Annexure 12)*
12. *Again, the meter was sent to ME lab Jalandhar for DDL. As per ME challan No. 101 dt 14.11.2023 of ME Lab Jalandhar has reported that “Meter tried to power ON, but meter not powered ON, DDL of the meter tried many times but communication link not established.” So, DDL of this meter cannot be done. (Annexure 13)*

*The detailed reply to this para no 2 of the petition, is submitted as under: -*

1. *In the context of point no 2.a point wise reply to the petition is sent by email on 24/11/2023 and hard copies of the related documents of petition are attached with the reply of this petition.*
2. *In the context of point no 2.b it is submitted that previous five years consumption data and screenshot of month 8/7/2022 and 14/9/22 related with the petition are attached as per (Annexure 14)*
3. *In the context of point no 2.c it is submitted that copies of current and previous site checking reports carried out by various authorities are attached with the reply of this petition. (Annexure 15)*
4. *In the context of point no 2.d it is submitted that the copy of MCO Job order and ME lab report are attached with the reply of this petition. DDL of this meter was not carried out as per ME report that “Meter not powered ON and communication link is not established”.*

*The reply to the para no 4 of this petition is submitted as under-*

* + - 1. *It is submitted that there is no case pending before any court/ Forum or any other authority between PSPCL and Petitioner except the present one.*
			2. *It is also submitted that the total pending amount relates only to the disputed amount out of which the consumer deposited Rs 4411/- vide receipt no. 199632592 on date 27/10/2023.*
			3. *Petitioner himself has filed the present case.*
1. Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, oral discussions made by Petitioner along with material brought on record. The issue that requires adjudication in the present case is to decide the legitimacy of the bill dated 20.09.2023 for the period from 11.07.2023 to 20.09.2023 for consumption of 136 units adjusted to Rs. 696190/- (including arrears).
2. Forum observed that Petitioner was issued bills correctly upto 21.06.2021 on ‘O’ codes. Then bill dated 26.08.2021 was issued on ‘I’ code and next bill dated 03.11.2021 was issued on ‘O’ code for an abnormal consumption of 3634 units. Thereafter, from 01/2022 to 05/2022 bills were issued on I/N code. Then, as per respondent bill dated 08.07.2022 was issued for the period 15.05.2022 to 08.07.2022 for the consumption of 100141KWH amounting to Rs. 622965/-, including previous balance. Petitioner was not satisfied with the reading recorded and working of meter and challenged his meter. Meter of the petitioner was replaced being challenged vide MCO no. 29/221018 dated 07.10.2022 effected on dated 10.10.2022. Replaced meter was sent to ME Lab, Hoshiarpur vide challan no. 113 dated 02.02.2023 where it was reported that terminal block of the meter was overheated & display was dead. Meter was then sent to ME lab, Jalandhar for getting its DDL done vide challan no. 101 dated 14.11.2023 where DDL of the meter could not be done as communication link could not be established. Thereafter Petitioner was issued bill dated 20.09.2023 for the period from 11.07.2023 to 20.09.2023 for consumption of 136 units amounting to Rs. 800680/-, including previous balance of Rs. 800672/- which was adjusted to Rs. 696190/-. Petitioner did not agree to the bill and filed his case in Corporate CGRF. Forum observed the consumption data supplied by the Respondent tabulated as under:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Year | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan |  |  |  |  |  |  |  |  | 24 | O |  |  | 88 | I | 21083 | C |
| Feb | 19 | O | 14 | O | 20 | O | 18 | O | 11 | O | 22 | O |  |  |  |  |
| Mar |  |  |  |  |  |  |  |  |  |  |  |  | 16 | N | 17 | O |
| Apr | 21 | O | 24 | O | 13 | O | 16 | O | 18 | N | 16 | O |  |  |  |  |
| May |  |  |  |  |  |  |  |  |  |  |  |  | 17 | I | 21 | O |
| Jun | 65 | O | 57 | O | 54 | O | 31 | O | 52 | O | 14 | O |  |  |  |  |
| Jul |  |  |  |  |  |  |  |  |  |  |  |  | 100141 | O | 105 | O |
| Aug | 78 | O | 85 | O | 74 | O | 84 | O | 79 | O | 86 | I |  |  |  |  |
| Sep |  |  |  |  |  |  |  |  |  |  |  |  | 129 | O | 136 | O |
| Oct | 83 | O | 85 | O | 63 | O | 64 | O | 70 | O |  |  |  |  |  |  |
| Nov |  |  |  |  |  |  |  |  |  |  | 3634 | O | 1615 | F |  |  |
| Dec | 18 | O | 24 | O | 20 | O |  |  | 57 | O |  |  |  |  |  |  |
| **TOTAL** | **284** |  | **289** |  | **244** |  | **213** |  | **311** |  | **3772** |  | **102006** |  | **21362** |  |

Forum observed that the annual consumption of petitioner from 2016 to 2023 (upto 09/2023) is 284, 289, 244, 213, 311, 3772, 102006 and 21362 units. Forum observed that the consumption of the petitioner remained consistent from 2016 to 2021 (upto 06/2021). Forum observed that firstly abnormal consumption of 3634 units was recorded during 11/2021 and then exponentially high consumption of the order of 105275 unit was recorded in the bill dated 08.07.2022. Such high consumptions were never recorded before or after the replacement of meter.

Respondent in his reply stated that the reading was recorded by the meter reader as 5170 on 26.08.2021 which resulted in depicting very high consumption which was quite abnormal compared to previous consumption. Due to this, the system generated bill of 86 units on ‘I’ code average basis.The next bill dated 03.11.2021 was issued on actual consumption (i.e., 5204 -1570) = 3634 units. Again, the reading was recorded by the meter reader as 105123 on dated 26.01.2022 which also was abnormal as compared to the previous consumption. Due to abnormal reading the system generated bill of 88 units with ‘I’ code on an average basis. On dated 16.03.2022 the bill of this account was issued on ‘N’ code basis due to change of spot billing company. In this way, this consumer was issued bill from 03.11.2021 to 16.03.2022 on I/N code basis upto 16.03.2022. On 12.04.2022 the consumer gave an application for verification of meter readings. The concerned JE verified the reading as 5134 on dated 12.04.2022. Again, the meter reader recorded the reading as 105164 which is also very high as compared to previous bills due to which the system generated the bill of “I” code bearing 17 units. Petitioner gave another application bearing diary No. 1466 dated 13.06.2022. On this application, the concerned JE verified the reading as 5164.4 KWH with remarks as under:

*“ieh mItr iksy AMdrUnI nuks kwrn mItr rIifMg dI figure k`t ho rhI hY[ ijs kwrn rIifMg glq Aw rhI hY[ MCO jwrI kIqw jwvy”[*

Then the petitioner challenged the meter. The concerned JE of the respondent reported on dated 07.10.202 that the meter readings as 105433KWH/2986KVAH and reported as under:

*“mOky qy cY`k kIqw rIifMg Aqy KVAH glq hY”[*

Forum also observed that meter was sent to ME Lab Jallandhar for getting its DDL done vide challan no. 101 dated 14.11.2023, whereas it was reported as under: -

*“Meter tried to power ON but meter not powered ON, DDL of meter tried many times but communication link not established.”*

Site of the petitioner was recently checked and LCR No. 15/444 dated 23.11.2023 was prepared as per which connected load was found as 1.319KW against sanctioned load of 0.900KW and reading was recorded as 357KWH/ 482KVAH and it was reported as under: -

*“ies Ahwqy AMdr ibjlI dI vrqo hvylI leI ho rhI hY, Kpqkwr kol 2 duDwrU pSU Aqy 3 b`cy hn[ Kpqkwr dy d`sx Anuswr aus ny 4/4½ (cwr/ swfy cwr mhIny) pihlW hI tokw motr lgvweI hY, ies qoN pihlW auh p`Ty kuqrn leI ieMjx dI vrqoN krdw irhw hY[ Kpqkwr dI irhwieS p`ky qOr qy hor pwsy hY[ ibjlI dI vrqo svyry Swm hI huMdI hY[”*

As per the above reading of 357 Kwh, the consumption comes out to be just about 27 units per month.

Forum observed that the concerned JE of the respondent recorded the meter readings as 105433KWH/2986KVAH on dated 07.10.2022. had the meter recorded the readings correctly, KVAH/KWH readings would have been nearly equal (there cannot be such a huge difference between KVAH and KWH readings). This huge difference between KWH (105433) and KVAH (002986) & sudden Jump from 5204 to 105123 clearly indicates that the software of the meter misbehaved and meter had become defective on or after the reading recorded on dated 21.06.2021. The relevant regulation of Supply Code-2014 dealing with dead stop, burnt, defective meters is as under:

*Regulation 21.5.2 of Supply Code 2014 dealing with Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters is as under: -*

*“The accounts of a consumer shall be overhauled/billed for the period meter remained defective/dead stop and in case of burnt/stolen meter for the period of direct supply subject to maximum period of six months as per procedure given below:*

*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”.*

Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, oral discussions made by Petitioner along with material brought on record. Keeping in view the above, Forum is of the opinion that as the terminal block of meter was found overheated and display was dead in ME Lab and further its DDL could not be taken as its power could not be made ‘ON’, therefore, the readings recorded by it during the period after 22.06.2021 cannot be relied upon. As such, the amount of Rs. 696190/- is not justified and liable to be quashed along with bills issued upto 10.10.2022 i.e., date of change of meter. The account of the petitioner is required to be overhauled for the period from 22.06.2021 to 10.10.2022 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014 and further subsequent bills are to be revised on the basis of actual consumption recorded by the new meter.

Keeping in view the above, Forum came to the unanimous conclusion that all the bills issued after 21.06.2021 upto the period of 10.10.2022 i.e., date of change of meter, be quashed. The account of the petitioner be overhauled for the period from 22.06.2021 to 10.10.2022 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014 and further subsequent bills are to be revised on the basis of actual consumption recorded by the new meter.

1. **DECISION:**

Keeping in view the petition, reply, oral discussion, after hearing both the parties, perusal of the record produced by them & observations of Forum,

Forum decides that: -

1. **All the bills issued after 21.06.2021 upto the period of 10.10.2022 i.e., date of change of meter, are quashed. The account of the petitioner be overhauled for the period from 22.06.2021 to 10.10.2022 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014. Further the subsequent bills issued after 10.10.2022 be revised on the basis of actual consumption** **recorded by the new meter.**
2. **As required under Regulation 2.33 of the Punjab State Electricity Regulatory Commission (Forum & Ombudsman) (2nd Amendment) Regulations, 2021 the compliance of this decision shall be made within 21 days from the date of receipt of this order.**
3. **If the Petitioner is not satisfied with the decision of Corporate CGRF, he is at liberty to file a representation before the Ombudsman appointed / designated by the Punjab State Electricity Regulatory Commission within 30 days from the date of receipt of the order of the Forum, as required under Regulation 2.39 read with Regulation 2.37 of the Punjab State Electricity Regulatory Commission (Forum & Ombudsman) (2nd Amendment) Regulations, 2021.**

 **(CA. Baneet Kumar Singla) (Er. Himat Singh Dhillon)**

**Member (Finance) Independent Member**

**(Er. Navdeep Singh Chahal) (Er. Kuldeep Singh)**

**Permanent Invitee Chairperson**

**O/o CE/Commercial, PSPCL**

**Place: Ludhiana**

**Date: 30.11.2023.**