**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-102/2023**

**Date of Registration : 14.08.2023**

**Date of Closing : 29.08.2023**

**Date of Final Order : 05.09.2023**

**In the Matter of:**

**M/s Shri Balaji Industries,**

**Agwar Pona,**

**Jagraon.**

**A/c No.: 3003355508**

**Through:**

Sukhminder Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen Op. Division,

PSPCL, Jagraon. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No. CF-102/2023 has been filed as an appeal against the decision of Zonal CGRF, Central PSPCL, Ludhiana, in the Forum by Sukhminder Singh/PR, in the matter related to A/c no. 3003355508, in the name of M/s Balaji Industries. Petitioner is having MS connection with the sanctioned load of 97.554KW/97KVA under Op. Divn. PSPCL, Jagraon. On the request of respondent’s office vide memo no. 954 dated 15.10.2019, meter of the petitioner was checked by ASE/Enforcement cum MMTS-4 Ludhiana and ECR No. 10/3165 dated 22.10.2019 was prepared. It was reported that the scroll buttons of the meter are defective and display of meter was stuck at one place. It was directed to replace the meter immediately. Meter of the petitioner was replaced being defective vide MCO No. 100009173326 dated 24.10.2019 effected on 08.12.2019. Replaced meter was checked in ME Lab vide challan no. 26 dated 09.01.2020 and it was reported that accuracy of the meter was found within limits & DDL was taken on MRI. Final readings were recorded as 331913Kwh/349424Kvah. Audit Party while checking the account of the petitioner pointed out the short assessment of Rs. 222492/- on account of difference of final reading recorded in ME Lab and reading upto which billing had been done vide HM no. 32 dated 24.06.2020. Notice no. 949 dated 01.07.2020 was issued to the petitioner to deposit this amount. Petitioner did not deposit this amount and accordingly, the amount was charged in his bill issued on dated 05.01.2022 as sundry charges (reflected as Rs. 222178/-). Petitioner did not agree to the bill and filed his case in Zonal CGRF, Central PSPCL, Ludhiana where the case was decided on 16.09.2022 that amount charged to the consumer is correct and recoverable. Petitioner did not agree to the bill as well as decision of Zonal CGRF and filed an appeal in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 17.08.2023, 22.08.2023 and finally on 29.08.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 17.08.2023***

*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. Jagraon (Respondent) along with copy of petition.*

*Respondent shall submit five copies of the following record/documents before the Forum:-*

1. *Respondent shall confirm that there is no case pending before any Court/Forum or any other authority between PSPCL and Petitioner.*
2. *Respondent shall confirm the status of up to date payments and shall ensure that no bill other than the amount in dispute, is pending.*
3. *Respondent shall confirm that the complainant/applicant/petitioner is a competent/authorised person to file/defend the case on behalf of the consumer of the above a/c no.*
4. *Point-wise/Para-wise reply to the petition be submitted in form of hard copy & soft copy through Email at* [*secy.cgrfldh@gmail.com*](mailto:secy.cgrfldh@gmail.com)*.*
5. *Respondent shall also ensure the following action: -*
   1. *He will check/verify the amount charged of Rs. 222492/- on account of difference in reading billed in SAP and reading found in ME lab of 37082 KVAH, reflected in bill dated 05.01.2022 as Rs. 222178/- under head sundry charges.*
   2. *He will submit case file of Zonal Forum along with its decision.*
   3. *He will submit consumption data depicting readings, dates of reading (in KWH & KVAH, MDI, PF etc.) also indicating the meter status, MF etc. For previous 5 years along with SAP reading record.*
   4. *He will submit copy of current site checking report and further submit copies of checking carried out by various authorities previously.*
   5. *Submit copies of related Job order clearly depicting date of effect thereof, ME lab report and DDL report of meter in dispute.*
   6. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
   7. *Ensure that all the documents have been checked/verified & signed by ASE/Sr. XEN and he will be responsible for the authenticity of the documents/information submitted to the Forum.*

*The case be put up on 22.08.2023*

***Proceedings dated: 22.08.2023***

*Respondent submitted five copies of reply to the petition along-with the record/documents and the same has been taken on record. One copy was handed over to the petitioner/PR. Petitioner requested for some time for filing rejoinder.*

*Respondent is directed to submit copy of MCO depicting date on which it was affected and intimate whether Dial Test was done on the meter in ME Lab; if so, then submit the results on next date of hearing.*

*The case is adjourned to 29.08.2023 for filing rejoinder.*

***Proceedings dated: 29.08.2023***

*Petitioner submitted five copies of rejoinder and the same is taken on record. One copy given to respondent.*

*Respondent submitted copy of MCO and stated that the MCO was effected on 08.12.2019 and dial test was not done in ME Lab.*

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

*Respondent stated that the reply to the petition 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. 3003355508, is having MS connection with sanctioned load of 97.554KW/97KVA, in the name of M/s Balaji Industries, Agwar Pona, under Op. Jagraon.
3. The Petitioner in his Petition prayed that: -

*It is submitted that the petitioner is having MS category connection with Sanctioned Load as 97.554KW/97.000KVA under City Sub-Division Jagraon of Op. Division Jagraon PSPCL. The reading of the meter is taken every month and the bills as raised by the department from time to time, on the basis of measured consumption have been paid. However, as per energy bill issued on 5.1.2022 (copy enclosed), an amount of Rs. 222178/- was charged as Sundry Charges. On enquiry from the concerned office, the petitioner was informed that amount of Rs 222178/- has been charged on the basis of Half Margin dated 24.6.2020 (copy enclosed) of Internal Audit Party of PSPCL. It is only mentioned in the H.M. that Final Reading as per Store Challan 26 dated 9.1.2020: 349424 KVAH and Reading Billed: 312342 KVAH, difference of units: 37082 KVAH. Thus, the amount of Rs. 222492/- was pointed out as per H.M. for alleged unbilled consumption of 37082 KVAH. The amount charged to the petitioner was not in order. Therefore, the petitioner filed case before Hon'ble CGRF Ludhiana and case was registered as case No. 031/2022. However, in compliance to CC No. 39/2021, (after formation of Corporate CGRF), the case was sent to Chief Engineer /Central* *Zone Ludhiana vide Secy/ Corporate CGRF vide letter dated 10.6.2022 being monetary value of the case exceeding Rs. 2 lac and up to Rs.5 lac.*

*The case was heard by Zonal CRGF on 16.9.2022 but did not provide any relief admissible on merit. The Zonal CGRF decided that “****as per DDL report submitted by PO the remained at site till 25.12.2019 and the Final readings in ME Challan are correct. The account of the consumer had been overhauled by audit party only on the basis of final reading recorded as per ME Challan and apart from this nothing has been charged to the consumer. The Forum decides that amount charged to the consumer is correct and recoverable."***

*On the basis of decision of Zonal Forum, AEE/Op City Sub-Division Jagraon vide memo No. 930 dated 14.7.2023 (copy enclosed) sent the copy of decision of Zonal Forum and intimated that ZLDSC has decided that amount charged is recoverable and deposit the amount within 7 days.*

*The above decision of Zonal Forum is not as per merit of the case and the same is wrong as biased. The petitioner is not satisfied with the decision of the Zonal Forum. Therefore, present appeal is being filed.*

*The following submissions are made before the kind consideration of Hon'ble Corporate Forum:*

*1. The Scroll Button of the meter was defective and meter was replaced on 9.12.2019 vide Device Replacement Order dated 4.12.2019. However, before replacement of meter, incremental reading was recorded as 312342 KVAH on 8.12.2019 as per SAP reading record. The energy bills from 9/2019 to 12/2019 (for the period 13.9 2019 to 4.12.2019) were issued on D code due to display of the meter being defective. However, the energy bill issued on 16.1.2020 for the period 4.12.2019 to 11.1.2020 (copy enclosed) was issued with old reading as 311553 KVAH and new incremental reading as 312342 (consumption from old meter as 789 units) and consumption from new meter installed on 9.12.2019 as 5969 units (6284 KVAH-315 KVAH) with initial reading as 315 KVAH and new reading as 6284 KVAH and total consumption as 6758 KVAH (5969 units+789 units). It is pertinent to mention here that the date of replacement of as mentioned in the bill and as per SAP reading record is 9.12.2019. Further, the reading as per SAP reading data as on 11.1.2020 and as per bill is exactly matching.*

*2. The meter removed/replaced on 9.12.2019, was checked in ME/lab and as per challan No 26 dated 9.1 2020 (copy enclosed), the final reading has been observed as 349424 KVAH and accuracy of the meter within limits. The DDL of the meter has been taken in ME/Lab.*

*3. The petitioner was not informed about ME/Lab results and after about 2 years from the date of replacement of meter, an amount of Rs 222178/- has been charged in the regular energy bill issued on 5.1.2022 against unbilled consumption of 37082 KVAH, as pointed out by audit party of PSPCL Vide Half margin No. 32 dated 24.6.2020. (Copy enclosed).*

*4. It is brought to the kind notice of the Hon'ble corporate Forum that Scroll Button/display of the meter was defective and meter was replaced on 9.12.2019 vide Device Replacement Order dated 4.12.2019. The meter so removed/replace was checked in ME/Lab and as per challan No. 26 dated 9.1.2020, the final reading has been observed as 349424 KVAH and accuracy of the meter within limits. As pointed out above, the meter was replaced on 9.12.2019 (which is also evident from the energy bill issued on 16.1.2020 and the SAP reading data). The reading on 9.12.2019 as per DDL data is 342974 KVAH. However, when the meter was checked in ME/Lab on 9.1.2020, the Final reading of the meter as per ME/Lab report is 349424 KVAH, which is matching with the reading as per DDL as on 9.1.2020. Thus, it is evident that software of the meter was defective and due to this reading advanced from 342974 KVAH as on 9.12.2019 (date of replacement of meter) to 349424 KVAH at the time of testing in ME/Lab and taking DDL on 9.1.2020. Further, the display and working of the meter was in order up to 13.9.2019 and reading was recorded as 291912 KVAH (this reading as also matching with SAP reading data). The final reading as per meter replaced on 9.12.2019 has been considered as 349424 KVAH meaning thereby consumption of 57512 units from 13.9.2019 to 9.12.2019 (2 months and 26 days) i.e. average monthly consumption of 20060 units. However, total consumption during the same period of previous year comes to 20803 KVAH units Le average monthly consumption of 7248 units. Thus, consumption during the defective period of the meter (13.9.2019 to 9.12.2019) comes to about 300% when compared with the consumption of same period of previous year. Further, such a huge average monthly consumption was never recorded before and after replacement of defective meter, which can be seen from the consumption data.*

*5. The Zonal Forum has stated that no documentary evidence was provided by the representative of the consumer in support of fact that meter was replaced on 9.12.2019, whereas it is very much evident from the SAP billing record and bill issued on 16.1.2020 (as explained above) that meter was replaced on 9.12.2019. The Zonal Forum has not deliberated and explained as to why the facts as per SAP billing record and bill issued on 16.1.2020 The Zonal Forum did not arrange to provide the record on the basis of which the Forum came to the conclusion that meter was replaced on 25.12.2019. Further, in case of defective display, the meter is considered as defective. In the case of petitioner, besides defective display. The resultant consumption as per final reading viz-a-viz normal consumption pattern of the petitioner suggest that meter/software of the meter was defective which resulted into abnormal consumption. Needless to mention here that in case of defective meter, account is required to be overhauled as per Regulation 21.5 of Supply Code 2014*

***PRAYER****:*

*From all the above facts and figures it is evident that software of the meter was defective, as such account for the defective period of the meter may kindly be ordered to be overhauled as per Regulation 21.5 of Supply Code 2014 to meet with the ends of justice.*

1. The Respondent in his reply to petition stated that: -

*Kpqkwr dw mIfIAm splweI dw kunYkSn jgrwauN ivKy cldw hY ijsdw mMjUr Bwr 97.554 ikvw hY[ vDIk ingrwn ieMj:, ienPorsmYNt km AYmAYmtIAYs-4 luiDAwxw dI eIsIAwr nM-10/3165 imqI 22-10-19 Anuswr mItr dI ifsply Krwb pweI geI[ ies irport Anuswr Kpqkwr dw mItr MCO No-100009173326 imqI 24.10.19 ivKy cYk kIqw igAw[ lYb dI irport Anuswr mItr dI AYkurysI sImw ivc hY[ DDL lY ilAw hY[ irport Anuswr mItr dI AMiqm pVHq KWH-331913 Aqy KVAH-349424 pweI geI[ Awift pwrtI vloN hwP mwrjn nM-32 imqI 24-6-20 rWhI Kpqkwr nUM AMiqm pVHq dy Prk vjoN 222492- rUpY cwrj kr id`qy gey[ Kpqkwr vloN ieh kys zonl lYvl JgVw invwrn Porm, luiDAwxw ivKy lgw id`qw igAw[ Porm dy imqI 16-9-22 dy PYsly Anuswr Kpqkwr nUM cwrj kIqI rkm vsUlx Xog hY[ Kpqkwr nUM ieh rkm jmHW krwaux leI noits nM 930 imqI 14-7-23 ByijAw igAw[*

1. Petitioner in his Rejoinder stated as under: -

*The one-line reply, against detailed submission as per petition, given by the respondent is apparently incomplete and is not convincing at all, as such points raised as per petition may kindly be considered while arriving at any conclusion on the case. All the submissions as per petition are not repeated for sake of brevity.*

*However, it is reiterated that Scroll Button/display of the meter was defective and meter was replaced on 9.12.2019 vide Device Replacement Order dated 4.12.2019. The meter so removed/replaced was checked in ME lab and as per challan No.26 dated 9.1.2020, the final reading has been observed as 349424 KVAH and accuracy of the meter within limits. As pointed out above, the meter was replaced on 9.12.2019 (which is also evident from the energy bill issued on 16.1.2020 and the SAP reading data). The reading on 9.12.2019 as per DDL data is 342974 KVAH. However, when the meter was checked in ME/Lab on 9.1.2020, the Final reading of the meter as per ME/Lab. report is 349424 KVAH. Thus, it is evident that software of the meter was defective and due to this reading advanced from 342974 KVAH as on 9.12.2019 (date of replacement of meter) to 349424 KVAH at the time of testing in ME/Lab and taking DDL on 9.1.2020. Further, the display and working ne meter was in order up to 13.9.2019 and reading was recorded as 291912 KVAH (this reading as also matching with SAP reading data). The final reading as meter replaced on 9.12.2019 has been considered as 349424 KVAH meaning thereby consumption of 57512 units from 13.9.2019 to 9.12.2019 (2 months and 26 days) i.e., average monthly consumption of 20060 units. However, total consumption during the same period of previous year comes to 20803 KVAH units i.e., average monthly consumption of 7248 units. Thus, consumption during the defective period of the meter (13.9.2019 to 9.12.2019) comes to about 300% when compared with the consumption of same period of previous year.*

*Further, in case of defective display, the meter is considered as defective. In the case of petitioner, besides defective display, the resultant consumption as per final reading viz-a-viz normal consumption pattern of the petitioner, suggest that meter/software of the meter was defective which resulted into abnormal consumption. Needless to mention here that in case of defective meter, account is required to be overhauled as per Regulation 21.5 of Supply Code 2014.*

***PRAYER****: From all the above facts and figures it is evident that software of the meter was defective, as such account for the defective period of the meter may kindly be ordered to be overhauled as per Regulation 21.5 of Supply Code 2014 to meet with the ends of justice.*

1. Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder, 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 amount of Rs. 222492/- (reflected as 222178/- in the bill) charged to the petitioner in the bill issued on dated 05.01.2022 on account of difference of final reading recorded in ME lab and reading upto which billing had already been done, held as correct and recoverable by Zonal CGRF, Central PSPCL, Ludhiana vide its decision dated 16.09.2022.
2. Forum observed that on the request of respondent’s office vide memo no. 954 dated 15.10.2019, meter of the petitioner was checked by ASE/Enforcement cum MMTS-4 Ludhiana and ECR No. 10/3165 dated 22.10.2019 was prepared. It was reported that the scroll buttons of the meter are defective and display of meter was stuck at one place. It was directed to replace the meter immediately. Meter of the petitioner was replaced being defective vide MCO No. 100009173326 dated 24.10.2019 effected on 08.12.2019. Replaced meter was checked in ME Lab vide challan no. 26 dated 09.01.2020 and it was reported that accuracy of the meter was found within limits & DDL was taken on MRI. Final readings were recorded as 331913Kwh/349424Kvah. Audit Party while checking the account of the petitioner pointed out the short assessment of Rs. 222492/- on account of difference of final reading recorded in ME Lab and reading upto which billing had been done vide HM no. 32 dated 24.06.2020. Notice no. 949 dated 01.07.2020 was issued to the petitioner to deposit this amount. Petitioner did not deposit this amount and accordingly, the amount was charged in his bill issued on dated 05.01.2022 as sundry charges (reflected as Rs. 222178/-). Petitioner did not agree to the bill and filed his case in Zonal CGRF, Central PSPCL, Ludhiana where the case was decided on 16.09.2022 as under: -

*“The account of the consumer had been overhauled by audit part only on the basis of final reading recorded as per ME challan and apart from this nothing has been charged to the consumer the forum decide that the amount charged to the consumer is correct and recoverable.”*

Petitioner did not agree to the bill as well as decision of Zonal CGRF and filed an appeal in Corporate CGRF, Ludhiana. Forum observed the consumption pattern of the petitioner provided by the Respondent reproduced as under: -

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2017 | | 2018 | | 2019 | | 2020 | | 2021 | | 2022 | | 2023 | |
| *Month* | *Cons* | *Code* | *Cons* | *Code* | *Cons* | *Code* | *Cons* | *Code* | *Cons* | *Code* | *Cons* | *Code* | *Cons* | *Code* |
| *Jan* | *8604* | *O* | *8308* | *O* | *6695* | *O* | *6306* | *O* | *6768* | *O* | *5216* | *O* | *8921* | *O* |
| *Feb* | *5472* | *O* | *6332* | *O* | *7254* | *O* | *6216* | *O* | *2669*  *2198* | *O*  *O* | *5089* | *O* | *6603* | *O* |
| *Mar* | *8330* | *O* |  |  | *10113* | *O* | *5533* | *O* |  | *O* | *5940* | *O* | *3371* | *O* |
| *Apr* | *10344* | *O* | *11164* | *O* | *1363* | *O* | *7905* | *O* | *2505*  *1461* | *O*  *O* | *8372* | *O* | *2576* | *O* |
| *May* | *10612* | *O* | *7753* | *O* | *1131* | *O* | *1519* | *O* | *2714* | *O* | *10242* | *O* | *6093* | *O* |
| *Jun* | *7760* | *O* | *8737* | *O* | *14380* | *O* | *3295*  *3119* | *O*  *O* |  |  | *6458* | *O* | *12591* | *O* |
| *Jul* | *10510* | *O* | *4058* | *O* | *21334* | *O* | *8641* | *O* | *4136*  *2160* | *O*  *O* | *12814* | *O* | *7349* | *O* |
| *Aug* |  |  | *8591* | *O* | *20709* | *O* | *7704* | *O* | *1598* | *O* | *9674* | *O* |  |  |
| *Sept* | *24860* | *O* | *7993* | *O* | *14396* | *O* | *7745* | *O* | *3205* | *O* | *7757* | *O* |  |  |
| *Oct* | *10* | *O* | *7173* | *O* | *6942* | *D* | *2556* | *O* | *3059* | *O* | *7842* | *O* |  |  |
| *Nov* |  |  | *7264* | *O* | *7733* | *D* | *2251* | *O* | *2822* | *O* | *9521* | *O* |  |  |
| *Dec* | *12956* | *O* | *5595* | *O* | *3429* | *D* |  |  | *3839* | *O* | *6771* | *O* |  |  |
| ***Total*** | ***99458*** |  | ***82968*** |  | ***115479*** |  | ***62790*** |  | ***39134*** |  | ***95696*** |  | ***47504*** |  |

From the above consumption data, the annual consumption from 2017 to 2023 (upto 07/23) has been recorded as 99458, 82968, 115479, 62790, 39134, 95696 & 47504 units respectively. The consumption has reduced considerably during 2020 & 2021, may be due to the effect of lockdown/restrictions imposed to avoid the spread of Covid-19. Forum observed that reading recorded on 13.09.2019 was on ‘O’ code meaning thereby that the meter was working correctly upto 13.09.2019. The display of the meter got defective on or after 13.09.2019 and accordingly petitioner was issued bills on ‘D’ code from 13.10.2019 to 11.01.2020. On the request of respondent’s office vide memo no. 954 dated 15.10.2019. Meter of the petitioner was checked by ASE/Enforcement cum MMTS-4 Ludhiana and ECR No. 10/3165 dated 22.10.2019 was prepared and it was reported as under: -

*“mItr dy skrol btn Krwb hn[ mItr dI ifsply iek jgHw qy rukI hoeI hY[ mItr qurMq bdlI krky ME Lab qoN cYk krvwieAw jwvy mItr dIAW pVHqW/pYrwmItr not nhIN ho sky[ mItr dI Accuracy LTERS mItr nwl kIqI geI[ sImw AMdr pweI geI[ mItr dw DDL nhIN ho irhw[”*

However, as per ME Lab report, the accuracy of the meter was within limits but there is no mention of defect in scroll buttons and defective display. Respondent during hearing was directed to intimate whether Dial Test was done in ME Lab, and if so, then report be submitted. Respondent during the hearing dated 29.08.2023 stated that Dial test of the meter was not done in ME Lab. Forum observed that if the final reading of 349424Kvah recorded in ME Lab is considered as true then there is a consumption of 68208 units in less than three months, meaning thereby consumption of about 22750 units per month. Such a high consumption has never been recorded earlier or even after the change of meter, the consumption has been recorded as 6669, 6109 & 8560 Kvah during Feb, March & April/2020, before the onset of the Covid pandemic.

Forum observed that readings as per DDL report are available but the same cannot be relied upon, the meter being defective and there is no provision in the Supply Code to charge consumption merely on the basis of DDL report. Display of the meter was defective and it was stuck up at one point while checking by ASE/Enforcement cum MMTS-4 Ludhiana on dated 22.10.2019 and its scroll buttons were also reported defective. Dial test of the meter was not done in ME Lab, therefore, the meter of the petitioner is required to be treated as defective although accuracy of the meter was found within the limits in ME lab. 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 has gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder, oral discussions made by Petitioner along with material brought on record. Keeping in view the above discussion, Forum is of the opinion that the meter of the petitioner was replaced being defective, its display was stuck at one point and Dial test could not be done in ME Lab, therefore meter is to be treated as defective. As such its reading recorded in ME lab cannot be treated as genuine reading therefore the amount of Rs. 222492/- charged as sundry charges in the energy bill issued on dated 05.01.2022 is not justified and liable to be quashed.

Keeping in view the above, Forum came to unanimous conclusion that the decision dated 16.09.2022 of Zonal CGRF, Central PSPCL, Ludhiana be set aside and sundry charges of Rs. 222492/- levied in the bill issued on dated 05.01.2022 be quashed.

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: -

**The decision dated 16.09.2022 of Zonal CGRF, Central Zone, PSPCL, Ludhiana is set aside and sundry charges of Rs. 222492/- levied in the bill issued on dated 05.01.2022 are quashed.**

**As required under Regulation 2.41 of the Punjab State Electricity Regulatory Commission (Forum & Ombudsman) Regulations, 2016 the compliance of this decision shall be made within 21 days from the date of receipt of this order.**

**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: 05.09.2023**