**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-124/2023**

**Date of Registration : 22.09.2023**

**Date of Closing : 03.10.2023**

**Date of Final Order : 06.10.2023**

**In the Matter of:**

 **M/S Pardeep Kumar Desh Raj,**

**Vijjay Market Circular Road,**

**Ludhiana.**

**A/c No.: 3002800035.**

**Through:**

Sh. Rahul Thapar  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS, City Central Divn. (Spl.),

PSPCL, Ludhiana. **...Respondent**

1. **BRIEF HISTORY:**

Petition against Case No. CF-124/2023 has been filed in the Forum as an appeal against the decision dated 28.03.2023 of City East Circle CGRF, PSPCL, Ludhiana in the matter related to account no. 3002800035in the name of M/S Pardeep Kumar Desh Raj. The Petitioner is having MS connection with Sanctioned Load/CD of 39.980 KW/44.420 KVA under DS City Central Division, PSPCL, Ludhiana. Petitioner was issued O-code bills, dated 18.05.2022 and 16.06.2022, for the consumptions of 12853 KVAH and 6098 KVAH and amounting to Rs. 118540/- and 164350/- respectively. Petitioner did not agree to these bills and challenged his meter. Site of the petitioner was checked by AEE/Tech-1, City Central Divn., PSPCL, Ludhiana on 23.06.2022 and LCR no. 6/2117 dated 23.06.2022 was prepared, wherein, it was mentioned that the meter be got checked from Xen/Enforcement. Connection of the petitioner was checked by ASE/Enf. cum EA & MMTS-2, PSPCL, Ludhiana on 14.07.2022 and ECR no. 38/2008 dated 14.07.2022 was prepared. As per ECR, pulse was blinking on running load and phase segments 1,2,3 were also blinking; accuracy of meter was checked with LTERS meter and it was found within limits. Meter of the petitioner was changed vide MCO no. 100018343331 dated 07.07.2022 effected on 04.08.2022. Removed meter was checked in ME Lab vide store challan no. 1307 dated 30.08.2022, wherein, it was reported that accuracy of the meter was within limits and DDL was taken on MRI. Petitioner did not agree to the results of ME Lab and filed his case in City East Circle CGRF, PSPCL, Ludhiana where case was decided on 28.03.2023 as under: -

*“ਖਪਤਕਾਰ ਦਾ ਡੀ.ਡੀ.ਐਲ ਘੋਖਿਆ ਗਿਆ। ਡੀ.ਡੀ.ਐਲ ਮੁਤਾਬਿਕ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਨੁਕਸਦਾਰ ਹੈ। ਕੇਸ ਵਿਚਾਰਨ ਉਪਰੰਤ ਕਮੇਟੀ ਵੱਲੋਂ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਕਿ ਖਪਤਕਾਰ ਦਾ ਮਿਤੀ 10.04.2022 ਤੋਂ ਮਿਤੀ 10.06.2022 ਤੱਕ ਦਾ ਖਾਤਾ ਨਵੇਂ ਮੀਟਰ ਦੀ ਵੱਧ ਤੋਂ ਵੱਧ ਰਿਕਾਰਡ ਹੋਈ ਖਪਤ 5300 ਯੂਨਿਟ (ਅਕਤੂਬਰ 2022) ਨੂੰ ਅਧਾਰ ਲੈ ਕੇ ਪ੍ਰਪੋਸ਼ਨੇਟ (Proportionate) ਅਧਾਰ ਤੇ ਸੋਧ ਦਿੱਤਾ ਜਾਵੇ।”*

On the basis of the above decision, a refund of Rs. 55664/- was given to the petitioner vide SCA no. 380/86/936 dated 28.04.2023. Petitioner, not satisfied with the above decision of City East Circle CGRF, PSPCL, Ludhiana, filed his appeal in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 25.09.2023 and finally on 03.10.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 25.09.2023***

*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. City central, Ludhiana (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. *Respondent shall also ensure the following action: -*
	1. *He will submit point-wise/para-wise reply to the petition be submitted in form of hard copy & soft copy (in word format) through Email at* *secy.cgrfldh@gmail.com*
	2. *He will check/verify the current energy bill dated 18.05.2022 amounting to Rs. 79723/-for consumption of 12853KVAH for period 10.04.2022 to 10.05.2022 with Meter status O and current energy bill dated 16.06.2022 of Rs. 42551/-, thus totaling Rs. 122280/- (Round Up Rs. 7/-).*
	3. *He will submit copy of decision of Circle CGRF along with its case file.*
	4. *He will check/verify and submit details of the notice memo no. 2480 dated 28.06.2023 amounting Rs. 294339/-.*
	5. *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.*
	6. *He will submit copy of current site checking report and further submit copies of reports of checking carried out by various authorities previously.*
	7. *Submit copies of related Job order clearly depicting date of effect thereof, ME lab reports of meter in dispute alongwith its DDL.*
	8. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
	9. *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 03.10.2023.*

***Proceedings dated: 03.10.2023***

*Respondent submitted five copies of reply to the petition along-with the record/documents and the same has been taken on record. One copy thereof was handed over to the petitioner/PR.*

*Petitioner/PR stated that the petition and other documents already submitted may also 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. 3002800035 is having MS connection with Sanctioned Load/CD of 39.980 KW/44.420 KVA in the name of M/S Pardeep Kumar Desh Raj, under DS City Central Division, Ludhiana.
3. The Petitioner in his Petition prayed that: -

*My MS connection bills issued by PSPCL in May, 2022 & June 2022 for 12853 units & 6098 units. I challenged my meter & filed a case in Circle CGRF. Circle CGRF decided the case but partial relief given to me. I request you to please accept my appeal & decide the case and average be taken with previous year consumption as per rules of PSPCL.*

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

*ਖਪਤਕਾਰ ਨੂੰ ਮਹੀਨਾ 5/22 ਅਤੇ 6/22 ਵਿੱਚ ਖਪਤ 12853 KVAH ਅਤੇ 6098 KVAH ਰਿਕਾਰਡ ਹੋਣ ਕਾਰਨ 79,723/- ਅਤੇ 42,551/- ਰੁਪਏ ਬਿੱਲ ਜਾਰੀ ਹੋਇਆ। ਜਿਸ ਦੀ ਰਕਮ 1,22,280/- ਰੁਪਏ ਬਣ ਗਈ। ਖਤਪਕਾਰ ਵੱਲੋਂ ਆਪਣਾ ਮੀਟਰ ਤੇਜ ਚੱਲਦਾ ਸਮਝਦੇ ਹੋਏ ਪ੍ਰਤੀਵੇਦਨਾ ਦਿੱਤੀ। ਖਪਤਕਾਰ ਦੀ ਪ੍ਰਤੀਵੇਦਨਾ ਤੇ ਇਹ ਕੁਨੈਕਸ਼ਨ AEE/ਟੈਕ-1, ਵੱਲੋ ਐਲ.ਸੀ.ਆਰ.ਨੰ. 6/2117 ਮਿਤੀ 23.06.2022 ਨਾਲ ਚੈਕ ਕੀਤਾ ਗਿਆ। ਜਿਸ ਉਪਰੰਤ ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ/ਇੰਨਫੋ-2, ਲੁਧਿਆਣਾ ਵੱਲੋਂ ਈ.ਸੀ.ਆਰ.ਨੰ. 38/2008 ਮਿਤੀ 14.7.2022 ਨਾਲ ਚੈੱਕ ਕੀਤਾ ਗਿਆ ਅਤੇ ਲਿਖਿਆ ਗਿਆ ਕਿ “ਮੌਕੇ ਤੇ ਚੱਲਦੇ ਭਾਰ ਤੇ Pulse Blink ਕਰਦੀ ਹੈ 1,2,3 ਫੇਜ Segments ਵੀ Blink ਕਰਦੇ ਹਨ। LTERS ਮੀਟਰ ਨਾਲ ਅਕੁਰੇਸੀ ਠੀਕ ਪਾਈ ਗਈ ਲਿਖਿਆ ਗਿਆ । ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਐਮ.ਸੀ.ਓ. ਨੰ. 100018343331 ਮਿਤੀ 7.7.2022 ਨਾਲ ਮਿਤੀ 4.8.2022 ਨੂੰ ਬਦਲਿਆ ਗਿਆ ਉਤਾਰਿਆ ਮੀਟਰ ਸਟੋਰ ਚਲਾਨ ਨੰ. 1307 ਮਿਤੀ 30.8.2022 ਨਾਲ ਚੈਕ ਕੀਤਾ ਗਿਆ ਅਤੇ ਮੀਟਰ ਦੀ ਐਕੁਰੇਸੀ ਸੀਮਾ ਵਿੱਚ ਹੈ ਡੀ.ਡੀ.ਐਲ. MRI ਤੇ ਲੈ ਲਿਆ ਲਿਖਿਆ ਗਿਆ। ਐਮ.ਈ. ਚਲਾਨ ਤੇ ਖਪਤਕਾਰ ਦੀ KWH ਰੀਡਿੰਗ 607348, KVAH ਰੀਡਿੰਗ 648902 ਅਤੇ MDI 27 ਰਿਕਾਰਡ ਕੀਤੀ ਗਈ। ਜਿਸ ਤੋਂ ਸਹਿਮਤ ਨਾਂ ਹੁੰਦੇ ਹੋਏ ਖਪਤਕਾਰ ਵੱਲੋਂ ਆਪਣਾ ਕੇਸ ਸਰਕਲ ਖਪਤਕਾਰ ਸ਼ਿਕਾਇਤ ਨਿਵਾਰਨ ਫੋਰਮ ਵਿੱਚ ਲਗਾਉਣ ਸੰਬੰਧੀ ਪ੍ਰਤੀਵੇਦਨਾ ਦਿੱਤੀ ਗਈ ਜਿਸਦਾ ਫੈਸਲਾ ਮਿਤੀ 28.03.2023 ਨੂੰ ਸੁਣਾਇਆ ਗਿਆ ਅਤੇ ਇਸ ਫੈਸਲੇ ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਨੂੰ 55664/- ਰੂ: ਦਾ ਰਿਫੰਡ ਸੰਡਰੀ ਨੰ. 380/86/936 ਮਿਤੀ 28.04.2023 ਰਾਹੀਂ ਪੋਸਟ ਕਰ ਦਿੱਤਾ ਗਿਆ (ਫੈਸਲੇ ਦੀ ਕਾਪੀ ਅਤੇ ਸੰਡਰੀ ਦੀ ਕਾਪੀ ਨੱਥੀ)। ਪਰ ਖਪਤਕਾਰ ਇਸ ਨਾਲ ਸਹਿਮਤ ਨਹੀਂ ਹੋਇਆ ਅਤੇ ਆਪਣਾ ਕੇਸ CORPORATE CGRF ਵਿੱਚ ਲਗਾਉਣ ਪ੍ਰਤੀਵੇਦਨਾ ਦਿੱਤੀ। ਕੇਸ ਸਬੰਧੀ ਦਸਤਾਵੇਜ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿੱਤ ਪੇਸ਼ ਹੈ ਜੀ।*

*ਸ਼੍ਰੀ ਪ੍ਰਦੀਪ ਕੁਮਾਰ ਦੀ ਪ੍ਰਤਿਨਿਧਤਾ ਦਾ ਜਵਾਬ ਅਤੇ ਟਿਪਣੀ :-*

*ਖਪਤਕਾਰ ਮੁਤਾਬਿਕ ਉਸ ਦੀ ਮਹੀਨਾ 05/2022 ਅਤੇ 06/2022 ਵਿੱਚ ਖਪਤ 12853 KVAL ਅਤੇ 6098 KVAL ਆਈ ਸੀ, ਜੋ ਕਿ ਔਸਤ ਖਪਤ ਨਾਲ ਬਹੁਤ ਜ਼ਿਆਦਾ ਹੈ। ਇਸ ਸਬੰਧੀ ਕੇਸ ਹਿਸਟਰੀ ਵਿੱਚ ਡਿਟੇਲ ਦਰਜ ਹੈ ਜੀ। ਖਪਤ ਡੇਟਾ ਦੀਆਂ ਪੜਤਾ DIL ਵਿੱਚ ਰਿਕਾਰਡ ਦੀਆਂ KWH ਪੜਤਾ ਮਿਤੀ 03.08.2021, 06.10.2021, 06.11.2021, 07.12.2021, 08.02.2022 ਅਤੇ 09.03.2022 ਨਾਲ ਮੇਲ ਖਾਂਦੀਆ ਹਨ, ਪਰ ਖਪਤ ਡੇਟਾ ਦੀਆਂ ਪੜਤਾ DDL ਵਿਚ ਮਿਤੀ 29.03.2022, 06.05.2022 08.06.2022 ਅਤੇ 05.07.2022 ਨੂੰ ਰਿਕਾਰਡ ਹੋਈਆਂ KWH ਪੜਤਾ ਨਾਲ ਮੇਲ ਨਹੀਂ ਖਾਂਦੀਆਂ ਹਨ, ਜਦ ਕਿ KVAH ਪੜਤਾ ਮੇਲ ਖਾਂਦੀਆਂ ਹਨ।*

1. The Forum have gone through written submissions made by the Petitioner in the petition, written reply of the Respondent along with the relevant material brought on record. The issue that requires adjudication in the present dispute is to decide the legitimacy of decision dated 28.03.2023 of City East Circle CGRF, PSPCL, Ludhiana vide which it was held that account of the petitioner be overhauled from 10.04.2022 to 10.06.2022 on the basis of the maximum consumption of 5300 KVAH recorded by the new meter.
2. Forum observed that petitioner was issued O-code bills, dated 18.05.2022 and 16.06.2022, for the consumptions of 12853 KVAH and 6098 KVAH and amounting to Rs. 118540/- and 164350/- respectively. Petitioner did not agree to these bills and challenged his meter. Site of the petitioner was checked by AEE/Tech-1, City Central Divn., PSPCL, Ludhiana on 23.06.2022 and LCR no. 6/2117 dated 23.06.2022 was prepared, wherein, it was mentioned that the meter be got checked from Xen/Enforcement. Connection of the petitioner was checked by ASE/Enf. cum EA & MMTS-2, PSPCL, Ludhiana on 14.07.2022 and ECR no. 38/2008 dated 14.07.2022 was prepared. Relevant part of the observations recorded in ECR is reproduced under: -

*“ਚਲਦੇ ਭਾਰ ਤੇ ਪਲਸ ਬਲਿੰਕ ਕਰਦੀ ਹੈ। 1,2,3 ਫੇਜ਼ ਸੈਗਮੈਂਟ ਵੀ ਬਲਿੰਕ ਕਰਦੇ ਹਨ। LTERS ਮੀਟਰ ਨਾਲ accuracy ਚੈਕਿੰਗ ਕਰਨ ਤੇ ਠੀਕ ਪਾਈ ਗਈ।*

*Meter old version ਹੈ, ਬਦਲੀ ਕਰਕੇ ME-Lab ਤੋਂ ਚੈਕ ਕਰਵਾਇਆ ਜਾਵੇ।*

*Meter ਬਕਸਾ ਪੁਰਾਣਾ ਹੈ, ਨਵਾਂ ਲਗਾਇਆ ਜਾਵੇ ਅਤੇ ਅਹਾਤੇ ਦੇ ਬਾਹਰ ਸ਼ਿਫਟ ਕੀਤਾ ਜਾਵੇ।*

*CT ਵੀ old version ਹਨ ME Lab ਬਦਲੀ ਕਰਕੇ ME-Lab ਤੋਂ ਚੈਕ ਕਰਵਾਏ ਜਾਣ।”*

Meter of the petitioner was changed vide MCO no. 100018343331 dated 07.07.2022 effected on 04.08.2022. Removed meter was checked in ME Lab vide store challan no. 1307 dated 30.08.2022, wherein, it was reported that accuracy of the meter was within limits and DDL was taken on MRI. Petitioner did not agree to the results of ME Lab and filed his case in City East Circle CGRF, PSPCL, Ludhiana where case was decided on 28.03.2023 as under: -

*“ਖਪਤਕਾਰ ਦਾ ਡੀ.ਡੀ.ਐਲ ਘੋਖਿਆ ਗਿਆ। ਡੀ.ਡੀ.ਐਲ ਮੁਤਾਬਿਕ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਨੁਕਸਦਾਰ ਹੈ। ਕੇਸ ਵਿਚਾਰਨ ਉਪਰੰਤ ਕਮੇਟੀ ਵੱਲੋਂ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਕਿ ਖਪਤਕਾਰ ਦਾ ਮਿਤੀ 10.04.2022 ਤੋਂ ਮਿਤੀ 10.06.2022 ਤੱਕ ਦਾ ਖਾਤਾ ਨਵੇਂ ਮੀਟਰ ਦੀ ਵੱਧ ਤੋਂ ਵੱਧ ਰਿਕਾਰਡ ਹੋਈ ਖਪਤ 5300 ਯੂਨਿਟ (ਅਕਤੂਬਰ 2022) ਨੂੰ ਅਧਾਰ ਲੈ ਕੇ ਪ੍ਰਪੋਸ਼ਨੇਟ (Proportionate) ਅਧਾਰ ਤੇ ਸੋਧ ਦਿੱਤਾ ਜਾਵੇ।”*

On the basis of the above decision, a refund of Rs. 55664/- was given to the petitioner vide SCA no. 380/86/936 dated 28.04.2023. Petitioner, not satisfied with the above decision of City East Circle CGRF, PSPCL, Ludhiana, filed his appeal in Corporate CGRF, Ludhiana.

Forum observed the consumption data submitted by the Respondent on record reproduced below in tabular form:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| KVAH | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code |
| Jan | 1246 | O | 1229 | O | 1269 | O | 2208 | O | 2760 | O |
| Feb | 962 | O | 1177 | O | 1676 | O | 2232 | O | 1149 | O |
| Mar | 1398 | O | 1192 | O | 1116 | O | 4577 | O | 2952 | O |
| Apr | 1585 | O |  |  | 4007 | O | 3921 | O | 2636 | O |
| May | 1525 | O |  |  | 3201 | O | 12853 | O | 3573 | O |
| Jun | 1712 | O | 2232 | O | 671 | O | 6098 | O | 4700 | O |
| Jul | 2414 | O | 2784 | O | 2629 | O | 2565 | O |  |  |
| Aug | 1772 | O | 2660 | O | 4630 | O | 4136 | K | 13290 | O |
| Sept | 2099 | O | 2204 | O | 6026 | O | 5171 | O |  |  |
| Oct | 1630 | O | 2594 | O | 5328 | O | 5300 | O |  |  |
| Nov | 1455 | O | 1351 | O | 4365 | O | 4330 | O |  |  |
| Dec | 934 | O | 1387 | O | 4050 | O | 4408 | O |  |  |
| **TOTAL** | **18732** |  | **18810** |  | **38968** |  | **57799** |  | **31060** |  |

As per the data, the annual consumption of the Petitioner from 2019 to 2023 (upto August) is 18732, 18810, 38968, 57799 and 31060 (upto Aug/2023) units respectively. Monthly consumption as high as 12853 units charged to petitioner in bill dated 18.05.2022 has never been recorded in any month before and after the change of meter.

Forum observed that site of the petitioner was checked by AEE/Tech-1, City Central Divn., PSPCL, Ludhiana vide LCR no. 6/2117 dated 23.06.2022 wherein readings of the meter recorded as 602539 KWH/643762 KVAH. After 21 days i.e., on 14.07.2022, connection was checked by ASE/Enf. cum EA & MMTS-2, PSPCL, Ludhiana and readings of the meter were recorded as 604633KWH/645980KVAH. However, as per the billing report of DDL submitted by the Respondent, readings of the meter on 14.07.2022 are 584676.8 KWH/645982.10 KVAH. Although KVAH readings as recorded by ASE/Enf. cum EA & MMTS-2, Ludhiana and that in DDL match with each other but there is a huge gap of 19957 units (604633-584676) in KWH reading.

Further, from the billing report of DDL, it is observed that meter recorded *Rev. kWh* and *Rev. kVArh Lag* readings. These readings can only be recoded if the consumer also supplies some energy to the Distribution company like in a case of a prosumer who has installed a solar plant. In addition to this, consumption during the period from 06.05.2022 to 08.06.2022 is recorded as 6098.00 KVAH and -492.90 KWH as per billing report of DDL. Also, for the period from 29.03.2022 to 06.05.2022, consumption recorded by the meter is 12853.40 KWH/2774.10 KVAH which means that the petitioner has drawn power factor of 0.22 which is not commensurate with the power factor the petitioner he has been maintaining before and after the change of his meter. All these facts show that meter of the petitioner had become erratic. Circle CGRF had also declared the meter defective on the basis of DDL. Therefore, despite the fact that accuracy of the meter was reported within limits at site and in ME Lab, the meter is required to be treated as defective. 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 further observed that City East Circle CGRF, PSPCL, Ludhiana in its decision dated 28.03.2023 decided to overhaul the account of the petitioner for the period from 10.04.2023 to 10.06.2023 with the maximum consumption recorded by new meter installed at the site of the petitioner, without referring in specific rules/regulation. As per the above instructions of the Supply Code, account of the petitioner is required to be overhauled with the consumption recorded in the corresponding period. However, Forum observed that it cannot be confirmed that since how long the disputed meter was behaving in erratic manner and the previous year of 2021 was affected due to Covid pandemic. Hence, consumption of corresponding period of previous year cannot be relied upon and therefore consumption of corresponding period of succeeding year is to be used for overhauling the account of the petitioner.

Forum have gone through written submissions made by the Petitioner in the petition, written reply of the Respondent along with the relevant material brought in the record. Forum is of the opinion that decision dated 28.03.2023 of City East Circle CGRF, PSPCL, Ludhiana is liable to be set-aside and bills dated 18.05.2022 and 16.06.2022 are liable to be quashed. Account of the petitioner is required to be overhauled for the period from 10.04.2022 to 04.08.2022 i.e., date of replacement of meter with the actual consumption recorded in corresponding period of succeeding year as per Regulation no. 21.5.2(d) of Electricity Supply Code and Related Matters Regulations-2014.

Keeping in view the above, Forum came to unanimous conclusion that decision dated 28.03.2023 of City East Circle CGRF, PSPCL, Ludhiana be set-aside and bills dated 18.05.2022 and 16.06.2022 be quashed. Account of the petitioner be overhauled for the period from 10.04.2022 to 04.08.2022 i.e., date of replacement of meter, with the actual consumption recorded in corresponding period of succeeding year as per the Regulation no. 21.5.2(d) of Electricity Supply Code and Related Matters Regulations-2014.

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. **Decision dated 28.03.2023 of City East Circle CGRF, PSPCL, Ludhiana is set-aside and bills dated 18.05.2022 and 16.06.2022 are quashed. Account of the petitioner be overhauled for the period from 10.04.2022 to 04.08.2022 i.e., date of replacement of meter** **with the actual consumption recorded in corresponding period of succeeding year as per the Regulation no. 21.5.2(d) of Electricity Supply Code and Related Matters Regulations-2014.**
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: 06.10.2023**