**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-137/2023**

**Date of Registration : 17.10.2023**

**Date of Closing : 31.10.2023**

**Date of Final Order : 31.10.2023**

**In the Matter of:**

**M/S Indus Tower Ltd.,**

**Infrastructure Tel,**

**Baghela.**

**A/c No.: 3007112175.**

**Through:**

Sh. Inderpal Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS City Division,

PSPCL, Nakodar. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-137/2023 has been filed directly in the Forum by Sh. Inderpal Singh/PR in the matter related to A/c no. 3007112175 having NRS category connection with sanctioned load of 15 KW under DS City Division, PSPCL, Nakodar. Meter of the petitioner was replaced being defective vide MCO no. 100015143403 dated 10.09.2021 effected on 10.09.2021. Replaced meter was sent to ME Lab vide challan no. 21 dated 01.02.2022 where final readings were recorded as 213779KWH/ 224046KVAH. Audit party vide half margin no. 3121 dated 05.04.2023 pointed out an amount of Rs. 944419/- on account of difference of units billed as per SAP and Final reading (213779-105821) = 107958 units. This amount was charged as sundry charges in his bill dated 30.04.2023 for the period from 02.04.2023 to 30.04.2023 amounting to Rs. 1016990/- (including Sundry charges of Rs. 995999/-). Petitioner did not agree to it and filed his case in Corporate CGRF, Ludhiana. The case was heard on pre-hearing on dated 26.10.2023 where it was observed that amounts has been charged by the Internal Auditor City Division Nakodsar, as under:

* + 1. Amount of Rs. 52122/- has been charged vide HM no. 40 dated 31.01.2022.
    2. Amount of Rs, 944419/- has been charged as memo no. 2 dated 03.01.2023.

Forum decided that dispute of Rs. 52122/- on the basis of half margin no. 40 dated 31.01.2022 is of amount less than Rs. 5 lacs, therefore the same cannot be heard in Corporate Forum as per PSERC (Forum & Ombudsman) (2nd Amendment) Regulation 2021. However, petitioner was advised to approach appropriate Forum for redressal of his grievance regarding the issue related to Rs. 52122/- and decided to register the case on the issue of Rs. 944419/-.

Forum heard the case in its proceedings dated 19.10.2023, 26.10.2023 and finally on 31.10.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 19.10.2023***

*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 Nakodar (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: -*
5. *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*](mailto:secy.cgrfldh@gmail.com)*.*
6. *He will check/verify the amount of Rs. 995999/- reflected under the head of Sundry charges in bill dated 30.04.2023 on account of difference in units billed on basis of Audit half margin.*
7. *He will submit legible and complete copy of Audit half margin.*
8. *He will submit complete details about meter, how many digits the said meter in dispute has and other details.*
9. *He will submit screenshots of meter taken before 04/2023, consumption data depicting readings, dates of reading (in KWH & KVAH, MDI, PF etc.) also indicating the meter status, MF etc. For previous 7 years along with SAP reading record.*
10. *He will submit copy of current site checking report and further submit copies of reports of checking carried out by various authorities previously.*
11. *Submit copies of related Job order clearly depicting date of effect thereof, ME lab reports of meter in dispute alongwith its DDL.*
12. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
13. *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 26.10.2023*

***Proceedings dated: 26.10.2023***

*Respondent submitted reply to the petition in five sets and the same is taken on record. One copy handed over to the petitioner.*

*Forum observed that as per reply total amount of Rs. 995999/- had been charged to petitioner out of which Rs. 944419/- is on the basis of half margin no. 2 dated 23.01.2023 and Rs. 52122/- on the basis of half margin no. 40 dated 31.01.2022. Forum further observed that dispute of Rs. 52122/- cannot be heard in this Forum, the amount being less than Rs. 5 Lac; as per Regulation no. 2.9.1 of Punjab State Electricity Regulatory Commission (Forum and Ombudsman) (2nd Amendment) Regulations, 2021. Petitioner is at liberty to approach appropriate Forum for redressal of his grievance of Rs. 52122/-. However, dispute amounting Rs. 944419/- will be heard in this Forum.*

*Respondent is directed to submit copy of MCO depicting date of effect and ME Lab report on next date of hearing.*

*The case is adjourned to 31.10.2023 for filing rejoinder/oral discussion.*

***Proceedings dated: 31.10.2023***

*Respondent submitted all the documents as directed in previous hearing. The same is taken on record. One copy thereof handed over to petitioner.*

*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 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. 3007112175, is having NRS connection with sanctioned load of 15 KW, in the name of M/S Indus Tower, under DS Division, Nakodar.
3. The Petitioner in his Petition prayed that: -

*imqI 30.04.2023 nUM issue hoey ib`l iv`c Sundry charge rwhIN Rs 995999/- rupey ib`l iv`c charge kIqy gey hn[ ieh rkm Aoift pwrtI duAwrw hwP mwrjn No. 3121 imqI 05.04.2023 rwhIN Rs. 944419/- rupey dI hwP mwrjn bxw ky ib`l iv`c Rs. 995999/- rupey charge kIqy gey[ twvr dw mItr ijsdw Sr. No. 723357 hY ieh mItr imqI 03/2017 iv`c rIifMg KWH 99695 old Aqy New KWH 509 pw ky (X) code dw ib`l bxw id`qw igAw K`pq 814 unit qW shI sI pRMqU rIifMg 99695 to KWH 100509 pweI geI sI 6 iPgr iv`c pRMqU mItr rIfr v`loN 509 pweI geI[ iPr Sr. No. 723357 cldw hoieAw A`gy mhInw 05/2021 iv`c Round kmplIt kIqw igAw Aqy auhI mItr ijsdw Sr. No. 723357 hY[ 05/21 iv`c mItr rIfr duAwrw (P) Code Avg bill old KWH 99554 Aqy New KWH 204484 pw ky Kpq 104930 unit dw g`lq ib`l jwrI kIqw igAw iPr ies qoN bwd 07/21 iv`c 99554 to 207114 (P) Code iPr imqI 28.07.2021 nUM KWH 99554 to 209185 KWH units K`pq 109631 (P) Code dw g`lq Avg bill jwrI kIqw igAw g`lq Avg Kpq nUMM ADwr bxw ky Aoift duAwrw Rs 944419/- rupey dI hwP mwrjn bxweI geI Aqy ib``l iv`c Rs 995999/- rupey cwrj kIqy gey[ kMpnI duAwrw rIifMg muqwibk ib`l swry jmW krvw id`qy gey sn pRMqU imqI 30.04.2023 nUM jwrI hoey ib`l iv`c Sundry rwhIN Rs 995999/- rupey g`lq pwey jwx kwrn ibl Pay nhIN ho sikAw sMbDq dPqr v`lo kys CGRF Ludhiana iv`c lgvwaux leI ikhw igAw Aoift pwrtI v`loN imqI 10.09.2021 nUM mItr No. 723375 jo ik bdlI kIqw igAw Aqy New Meter No. 295065 lgwieAw igAw hY ies qrw auqry mItr dI Fr rIifMg 213779 pweI geI aus muqwibk rIifMg KWH 99554 To Fr 213779 q`k jo ib`l kMpnI jmw krvwey gey hn auh ibl Afj`st kIqy jwx Aqy g`lq Sundry charge Amount with Surchage ivAwj smyq irPMf kIqI jwvy[*

*kMpnI duAwrw swry ib`l smy isr jmW krvwey jw rhy sn pRMqU g`lq ibl imqI 30.04.2023 nUM jo jwrI kIqw igAw ijs ivc Sundry charge rwhIN Rs. 995999 pwey gey hn ies g`lq ib`l kwrn krmt ibl jmW krvw id`qw igAw sbMDq dPqr v`loN kys (CGRF) Ludhiana iv`c lgvwx leI ikhw igAw Dispute Amount Rs. 995999/- rupey dw 5% rkm jmW krvw ky kys lgw ilAw jwvy Awp jI dw bhuq DMnvwd[*

1. The Respondent in his reply to petition stated that: -
2. *That there is no case pending before any court/Forum or any other authority between PSPCL and the Petitioner.*
3. *That all the up to date payments have been deposited by the consumer and there is no bill other than the disputed amount is pending on behalf of the consumer. The 20% of the disputed amount Rs 2,20,221 has been deposited by the consumer by doc no 250003741273 on dated 11.10.2023.*
4. *That the complainant is a competent person to defend the case on behalf of the consumer of the above account no.*
5. *Below is the point wise detail required in the above case:*

*That the petitioner is NRS consumer under Mehatpur sub division of City Division Nakodar Shahkot falling under Kapurthala distribution circle and is having a sanctioned load of 15 kw bearing contract account no. 3007112175 (X46GT460004H) in the name of Indus Tower Ltd. Village Baghela, Tehsil-Nakodar, Distt- Jalandhar.*

*That the total amount Rs 995999 had been charged to petitioner out of which Rs 944419 on the basis of memo no. 2 dated 03.01.2023 and Rs 52122 on the basis of half margin no 40 dated 31.01.2022 in the bill dated 30.04.2023.*

*That the complete copy of Audit half margin and Memo no is attached herewith.*

*That the disputed meter has 6 digits having serial no 723357 and make Avon.*

*That the consumption data along with meter status of previous 7 years is attached alongwith sap reading record.*

*That the amount Rs 944419 charged to the petitioner on account of difference in units billed 213779 (last reading as per record)-105821 (upto which billing is done ending month 29.05.2021)-107958 (difference of units charged by audit) and Rs 52122 charged on the basis of d-code from 28.03.2021 to 05.09.2021 according to previous year consumption. That the disputed meter had reading in the bill dated 02.02.2017 was 99695 and in the bill dated 02.03.2017 was 509 and its status was X (round complete). Since at that time meter reading was in six digits i.e., 100509 but reading recorded by meter reader is 509 i.e., in spite of recording reading in six digits it had been recorded by meter reader by taking last five digits. Since from that time till 28.03.2021 in spite of recording reading in six digits it had been recorded in five digits. Because difference of units charged to consumer by Audit party had already been recovered in bills. Therefore, the amount charged to the consumer Rs 944419 is refundable but amount Rs 52122 is the average charged to consumer on account of defective meter which is not refundable.*

*That the Me lab report of the defected meter is attached but the DDL is not possible due to data loss as per ME lab report (attached herewith)*

*That the amount charged to the consumer as per ESIM Reg 57 and supply code 21.5.*

*That all the documents have been checked/verified and signed by ASE.*

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 amount of Rs. 944419/- charged as Sundry charges in the bill dated 30.04.2023 on account of difference of units billed as per SAP and Final reading (213779-105821) = 107958 units.
2. Forum observed that the meter of the petitioner was replaced being defective vide MCO no. 100015143403 dated 10.09.2021 effected on 10.09.2021. Replaced meter was sent to ME Lab vide challan no. 21 dated 01.02.2022 where final readings were recorded as 213779KWH/ 224046KVAH. Audit party vide half margin no. 3121 dated 05.04.2023 pointed out an amount of Rs. 944419/- on account of difference of units billed as per SAP and Final reading (213779-105821) = 107958 units. This amount was charged as sundry charges in his bill dated 30.04.2023 for the period from 02.04.2023 to 30.04.2023 amounting to Rs. 1016990/- (including Sundry charges of Rs. 995999/-). Petitioner did not agree to it and filed his case in Corporate CGRF, Ludhiana. Forum observed the consumption data of petitioner supplied by the Respondent, which is tabulated under: -

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2019** | | **2020** | | **2021** | | | **2022** | | | **2023** | |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | | Code | Cons | | Code |
| **Jan** | 2230 | O | 2247 | O | 2204 | O | 3011 | |  |  | |  |
| **Feb** | 2425 | O | 2449 | O | 2315 | O |  | |  | 2547 | | o |
| **Mar** | 2282 | O | 2348 | O | 2295 | O |  | |  |  | |  |
| **Apr** | 2213 | O | 671 | N | 2265 | O | 7321 | | O |  | |  |
| **May** | 2247 | O | 5505 | O | 2378 | P | 9543 | | O |  | |  |
| **Jun** | 1745 | O | 2596 | O | 3662 | P |  | |  |  | |  |
| **Jul** | 2550 | O | 2278 | O | 4643 | O |  | |  |  | |  |
| **Aug** | 2419 | O | 1997 | O | 6116 | O |  | |  |  | |  |
| **Sep** | 3043 | O | 2431 | O | 754 | O | 2881 | | O |  | |  |
| **Oct** | 1898 | O | 2241 | O | 2606 | O |  | |  |  | |  |
| **Nov** | 2021 | O | 2259 | O | 2250 | O |  | |  |  | |  |
| **Dec** | 2231 | O | 1785 | O |  |  | 2802 | | O |  | |  |
| **TOTAL** | **27304** |  | **28807** |  | **31488** |  | **25558** | |  | **2547** | |  |

From the above consumption data, it is observed that the annual consumption of the petitioner from 2019 to 2022 is recorded as 27304, 28807, 31488 and 25558 units respectively. It is further observed that Respondent in his reply has submitted as under: -

*“Disputed meter has 6 digits having serial no. 723357 and make Avon. That the disputed meter had reading in the bill dated 02.02.2017 was 99695 and in the bill dated 02.03.2017 was 509 and its status was X (round complete). Since at that time meter reading was in six digits i.e., 100509 but reading recorded by meter reader is 509 i.e., in spite of recording reading in six digits it had been recorded by meter reader by taking last five digits. Since from that time till 28.03.2021 in spite of recording reading in six digits it had been recorded in five digits. Because difference of units charged to consumer by Audit party had already been recovered in bills. Therefore, the amount charged to the consumer Rs. 944419/- is refundable. That the ME lab report of the defected meter is attached but the DDL is not possible due to data loss as per ME lab report.”*

It is observed from the consumption data that reading on dated 02.02.2017 was recorded as 99695 KWH and same was recorded as 509 KWH on 02.03.2017 with ‘X’ code (Round complete). Similarly, on 27.03.2021 reading was recorded as 99554 KWH (which actually should have been recorded as 199554 KWH meter being of six digits and one round had already completed on 02.03.2017) and on 29.05.2021 it had been recorded as 204484 KWH resulting in wrong consumption of 104930 KWH. This fact has also been admitted by the respondent in his reply. It is observed that this issue might had arisen as the display of the meter was showing only five digits whereas actually the readings were in six digits.

From the above, it appears that due to recording of incorrect readings in five digits apparently as visible on display, from 03/2017 to 03/2021, the above issue had arisen, whereas internally, the meter was recording the readings correctly. Hence, this so-called difference of units is actually not there and it is liable to be ignored as admitted by the respondent that this billing has already been done.

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. Forum is of the opinion that amount charged to petitioner amounting to Rs. 944419/- by Audit party vide half margin no. 3121 dated 05.04.2023 on the basis of difference of reading (213779-105821) = 107958 units, is liable to be annulled as also admitted by the respondent.

Keeping in view the above, Forum came to unanimous conclusion that amount charged to petitioner amounting to Rs. 944419/- by Audit party vide half margin no. 3121 dated 05.04.2023 on the basis of difference of reading (213779-105821) = 107958 units, be annulled.

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. **The amount charged to petitioner amounting to Rs. 944419/- by Audit party vide half margin no. 3121 dated 05.04.2023 on account of difference of reading (213779-105821) = 107958 units, is annulled.**
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: 31.10.2023**