**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-140/2023**

**Date of Registration : 27.10.2023**

**Date of Closing : 12.12.2023**

**Date of Final Order : 18.12.2023**

**In the Matter of:**

 **M/s Kaur Sain Spinners Ltd.,**

 **Vill Rohla, Samrala.**

**A/c No.: 3007509746.**

**Through:**

Sh. Pardeep Kumar Patra  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

ASE/DS Divn.

PSPCL, Samrala. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-140/2023 has been filed directly in the Forum by Sh. Pardeep Kumar Patra, in matter related to A/c no. 3007509746 running under the name of M/s Kaur Sain Spinners Ltd. The Petitioner is having LS connection with the Sanctioned Load of 3600 KW/3600 KVA under DS Division, PSPCL, Samrala. Petitioner applied for reduction of his load/CD from 4500 KW/4500 KVA to 3600 KW/3600 KVA along with change of supply voltage from 66 KV to 11 KV on 02.02.2022 by submitting A&A form and depositing processing fees of Rs. 2950/- vide BA-16 no. 231/5346 dated 02.02.2022. The same was approved by CE/DS, South Zone, PSPCL, Patiala on 25.02.2022 vide his office probable memo no. 1517/19 dated 25.02.2022. AE/City Samrala vide his office memo no. 259 dated 20.06.2022 issued demand notice to the petitioner to deposit cost of Estimate for providing supply at 11 KV voltage due to reduction of load/CD, amounting to Rs. 4982898/-. However, the petitioner firm instead of depositing the amount, wrote to SDO/DS Sub Division Samrala vide their letter no. 298/2022-23 dated 23.06.2022 that they had already deposited estimated cost of independent 66 KV line (Rs. 9806255/- vide BA-16 no. 314/4786 dated 29.08.2012 and Rs. 4100000/- vide BA-16 no. 520/4787 dated 06.09.2013) but they were given supply through solid tapping from an existing 66 KV line as their 66 KV line could not be erected due to some dispute and court case and requested to adjust amount of this demand notice from their outstanding amount deposited by them for erection of 66 KV line which could not be erected. In the meanwhile, petitioner again submitted revised A&A form no. 32486 dated 09.05.2023 requesting for changing his supply voltage from 11 KV to 66 KV for a load of 3600 KW/3600 KVA and same was approved by CE/DS, South Zone, PSPCL, Patiala vide his memo no. 4857 dated 31.05.2023. Petitioner pleaded that his load/CD was reduced/approved vide memo no. 1518/19 dated 25.02.2022 but PSPCL kept on charging the fixed charges on his previous load/CD and requested for refund of difference of fixed charges on the basis of CD 3600 KVA instead of 4500 KVA for the period from billing cycle of 03/2022 i.e. 18.02.2022 to 19.02.2023 (reduction effected in SAP) alongwith interest on it and filed his case in Corporate CGRF, Ludhiana for the same. Forum heard the case in its proceedings dated 31.10.2023, 07.11.2023, 15.11.2023, 21.11.2023, 29.11.2023, 05.12.2023 and finally on 12.12.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 31.10.2023***

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

*Respondent shall submit five copies of the following record/documents to the Forum*

* 1. *submit 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*
	2. *confirm the disputed amount of Rs. 3354827/-.*
	3. *submit copy of complete consumer case of reduction of load/CD enhancement of voltage.*
	4. *submit details of fixed charges levied during the period from the date of application for reduction in CD/Load to date on which it was given effect.*
	5. *submit copies of related Job order clearly depicting date of effect thereof.*
	6. *relevant Rules/Regulations related to present dispute.*
	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.*

*Respondent shall also submit following certificate & information: -*

* + 1. *Respondent shall confirm that dispute filed in this Forum has not been decided earlier by any Court/Forum or any other authority between PSPCL and Petitioner and no case pertaining to this dispute is pending before any Court/Forum or any other authority.*
		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.*

*The case be put up on 07.11.2023.*

***Proceedings dated: 07.11.2023***

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

*The case is adjourned to 15.11.2023 for filing rejoinder/ oral discussion.*

***Proceedings dated: 15.11.2023***

*Petitioner submitted rejoinder in one set in the office of Secretary Corporate CGRF, Ludhiana. The same is taken on record. Petitioner has also emailed his Rejoinder, which is forwarded to respondent for submission of comments on next date of hearing.*

*The case is adjourned to next date of hearing 21.11.2023 for Oral Discussion.*

***Proceedings dated: 21.11.2023***

*Respondent submitted comments on rejoinder and the same is taken on record. One copy handed over to the petitioner/PR.*

*Respondent requested some more time to get clarification from O/O CE/Commercial, PSPCL, Patiala.*

*Petitioner also requested some more time to study the comments submitted by the Respondent and to submit reply on it.*

*The case is adjourned to 28.11.2023 for Oral Discussion.*

***Proceedings dated: 29.11.2023***

*Petitioner submitted reply on comments submitted by the Respondent previously. Copy given to Respondent for comments.*

*Petitioner requested another date and same is admitted.*

*The case is adjourned to 05.12.2023 for Oral Discussion.*

***Proceedings dated: 05.12.2023***

*Respondent submitted comments on rejoinder which is taken on record. One copy given to petitioner.*

*Petitioner brought Sh. Sukhminder Singh/PR alongwith him. Sh. Sukhminder Singh submitted 2nd rejoinder under his signatures and stated that he will submit his authority letter on next date. The rejoinder has been taken on record subject to the condition that necessary authority in his favor shall be submitted by the petitioner on or before the next date of hearing.*

*Petitioner requested some more time for submission of documents related to the case. Final opportunity is being given to the petitioner.*

*The case is adjourned to 12.12.2023 for oral discussion.*

***Proceedings dated: 12.12.2023***

*Respondent submitted reply to 2nd rejoinder and the same is taken on record. One copy given to petitioner.*

*Petitioner submitted authority letter as directed in previous hearing and submitted Oral Discussion/Final Submission in writing which is taken on record. One copy handed over to the Respondent to which he replied that all the points had been placed on record and he has nothing more to say and submit.*

*Petitioner/PR stated that the petition, rejoinders 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 rejoinders 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. 3007509746, is having LS connection with Sanctioned Load/CD of 3600 KW/ 3600 KVA, in the name of M/S Kaur Sain Spinners Ltd., under DS Division, Samrala.
3. The Petitioner in his Petition prayed that: -
	* + 1. *With reference to Load/CD reduction 4500KW/4500KVA TO 3600 KW/3600KVA on with supply voltage 66 kv to 11 kv dated 02.02.2022 and it is approved on dated 25.02.2022 (attached approved letter also A& A form on annexure-1)*
			2. *Letter corresponding to Divisional officer regarding refund of fix charges amount and up to date the energy bill. (Attached on annexure-2)*
			3. *Energy bill up to date on billing month march-2023 with reduction of load 3600kw/3600kva (attached energy bill on annexure-3)*
			4. *Revised A&A form applied dated 09.05.2023 on supply voltage 66kv and approved on dated 31.05.2023(attached approved letter also A& A form on annexure-4)*
			5. *Letter corresponding to Addl. Superintendent engineer regarding refund of fix charges amount with calculation sheet (attached letter on annexure-5)*

*Please do the need full and REFUND OF FIX CHARGES AMOUNT Rs.3354827.00(Thirty three lac's fifty four thousand eight hundred twenty seven only) OF LOAD/CD REDUCTION 4500KW/4500KVA TO 3600 KW/3600KVA.*

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

*In this connection the consumer has given request for load/CD reduction from 4500 KW/ KVA to 3600 KW/KVA along with change of supply voltage from 66KV to 11 KV on dt. 02.02.22 by submitting A&A form and depositing processing fees of Rs 2950 vide BA 16 no.231/5346 dt. 02.02.2022. A&A was registered vide A&A no 32819 dt. 02.02.2022 (A-1)*

*After giving recommendation for reduction of load by Addl. SE DS Division Samrala the case was sent for the approval to CE/DS SOUTH ZONE, Patiala. The reduction in contract demand with Supply voltage was approved on dt. 25.02.2022 vide memo no 1518/19 dt 25.02.2022.(A-2).*

*AE/ City Samrala office vide no. 259 dt.20.06.2022 issued a demand notice to deposit cost of Estimate of reduction of load/CD of Rs 49,82,898/- as per Supply Code Clause no. 8.5 on account of actual expenditure to be incurred for providing supply at 11KV voltage level but consumer failed to deposit the same.*

*Consumer had again submitted revised A&A form no. 32846 dt. 09.05.2023 (A-3) requesting for 3600KW/KVA load at 66 KV supply voltage level which was approved CE/DS SOUTH ZONE, Patiala vide memo no. 4857 dt. 31.05.2023. (A-4)*

*The consumer's request for refund of fixed charges is hereby denied but instead of it the fixed charges energy bills of the time period dt. 19.02.2023 to 31.05.2023 of Rs 8,37,992/- is hereby chargeable from the consumer.*

*Hereby, it is submitted that load/CD of 3600KW/KVA at 66KV Supply voltage was approved by approved CE/DS SOUTH ZONE vide memo no.4857 dt. 31.05.2023 but it is brought to your kind notice that in the SAP system it was mistakenly posted from 19.02.2023. Therefore, the recoverable fixed charges of Rs 8,37,992/- on account from energy bills of the time period dt. 19.02.2023 to 31.05.2023 is chargeable from the consumer.*

*The pointwise reply to the proceedings held dt. 31.10.2023 before the Hon'ble CCGRF, Ludhiana is as here under:*

1. *The pointwise reply has been given as above.*
2. *The disputed amount is hereby denied as the fixed charges from energy bills of the time period dt. 19.02.2023 to 31.05.2023 of Rs 8,37,992/- is chargeable from the consumer. (A-5)*
3. *The complete consumer case of reduction of load/CD enhancement of voltage is attached as demanded. (A-1 and A-3)*
4. *The fixed charges from energy bills of the time period dt. 19.02.2023 to 31.05.2023 of Rs 8,37,992/- is chargeable from the consumer. Calculation (A-5) of fixed charges is attached herewith.*
5. *Revised A&A form no. 32846 dt. 09.05.2023 is attached. (A-3)*
6. *As per PSERC (Electricity Supply Code& Related Matters) Regulations, 2014 regulation no. 8.5.(A-6)*
7. *All the document has been checked and signed and presented for consideration please.*

*From the above facts, fixed charges of Rs 8,37,992/- is chargeable and recoverable from the consumer. Therefore, the instructions may be imparted to the petitioner to deposit the same amount as per above.*

1. The Petitioner submitted rejoinder as under: -
2. *AE/CITY Samrala office vide memo no. 259 dated 20.06.2022 issue demand notice to deposit cost of Estimate of reduction of load/CD of Rs. 4982898/- of actual expenditure to be incurred for providing supply at 11 kv voltage level but we have given request letter(A1) vide letter no. 298/2022-2023 as per supply code cluse-9.3.6(A2) regarding the adjustment of estimate cost of 11 kv independent feeder with the amount which is deposited Rs. 98,06,255 vide BA 16 NO. 314/4786 dated 29.08.2012 and Rs. 4100000 vide BA 16 NO. 4787/520 dated 06.09.2013(A3) for 66 KV line independent feeder which is not complete due to some dispute against the PSPCL with the agriculture land owner. Our 66 kv supply line running via solid tapping arrangement by PSPCL.*
3. *After Request to the SE ROPAR, then SE ROPAR has been send letter to commercial pspcl, Patiala regarding adjustment of Estimate cost of reduction of load/CD of Rs. 4982898/- of actual expenditure to be incurred for providing supply at 11 kv voltage level vide memo no. 7558 dated 15.07.2022(A4) but still it is on pending.*
4. *Then request to Respected C.M.D, PSPCL regarding adjustment of Estimate cost of reduction of load/CD of Rs. 4982898/- of actual expenditure to be incurred for providing supply at 11 KV voltage level, vide letter no. kssl/20/2022-23 dated 28.09.2022(A5) but still it is pending.*
5. *For your kind information that our industry is a spinning unit and the process is continuous so we are applying continuous process, category-4 but it was refused by pspcl (A6) due to 66 kv line of independent feeder and is not completed and our industry suffering huge loss like time to time for power cut and other schedule shut down of power supply by pspcl*
6. *As per our industry is going through huge financial crises and becoming hope less the adjustment of Estimate cost of reduction of load/CD of Rs. 4982898/-of actual expenditure to be incurred for providing supply at 11 kv voltage level, then request to CE/DS SOUTH ZONE PATIALA to same as earlier approved load vide memo no. 1518/19 dated 25.02.2023 of reduction of load 4500KVA/KW to 3600KVA/KW and again approved by CE/DS SOUTH ZONE, PATIALA with 66 kv supply line.*

*Here by request to Hon'ble CCGRF, Ludhiana that is both approved by CE/DS SOUTH ZONE PATIALA vide memo no 1518/19 dated 25.02.2022 and 4857 dated 31.05.2023 are reduction of load 4500KVA/KW to 3600KVA/KW i.e. same but voltage level 11 kv independent feeder is not completed due to adjustment of Estimate of reduction of load/CD of Rs. 4982898/- but still the running supply voltage is 66 KV. As per the supply code clause no. 27.6.3(A7) on account of billing on the basis of reduction load shall be done from the date of sanction so requesting to refund our fix charges amount Rs. 3354827 of LOAD/CD REDUCTION 4500KVA/KW TO 3600 KVA/KW.*

*From the above conclusion that the fix charges of Rs. 837992 is not chargeable to us but refund our fix charges amount Rs. 3354827 of LOAD/CD REDUCTION 4500KVA/KW TO 3600 KVA/KW.*

*All documents have been checked and signed. Please do the need full and consider above points.*

1. The Respondent submitted reply to the above rejoinder as under: -
2. *AE/ City Samrala office vide no. 259 dt.20.06.2022 (Already submitted) issued a demand notice to deposit cost of Estimate of reduction of load/CD of Rs 49,82,898/- as per Supply Code Clause no. 8.5 on account of actual expenditure in be incurred for providing supply at 11KV voltage level but consumer failed to deposit the same. Consumer's request (A-1) for adjustment was received in the office of SDO City Samrala on dt. 23.06.22 and same was sent to Division office vide memo no 263 on dt 23.06.22 (A-2) and detailed case was forwarded to Circle office vide memo no 3435 dt. 28.06.22 (A-3). Subsequently it was forwarded to CE/Commercial office vide memo no. 7558 dt. 15.07.22(A-5). Again, reminder was sent by Circle office vide memo no. 10777/78 dt. 10.10.22.(A-4)*
3. *Reply already given in point no. 1 above.*
4. *Reply already given in point no. 1 above.*
5. *The 66KV line of PSPCL feeding 2 no. Substations has been tapped for this connection/Consumer as stop gap arrangement to give supply on 66KV voltage level due to court case at that time. Now, the process of providing 66KV supply through independent feeder by TL organization is in progress. As such, there is no power cut imposed on this 66KV line.*
6. *The consumer had again submitted revised A&A form no. 32846 dt. 09.05.2023 (Already submitted) requesting for 3600KW/3600KVA load at 66 KV supply voltage level which was approved by CE/DS SOUTH ZONE, Patiala vide memo no. 4857 dt. 31.05.2023 which is itself an acceptance by the consumer regarding non-compliance of the formalities/deposit of necessary charges at the time of initial application dt. 02.02.22 of reduction of load/demand.*

*Hereby, it is submitted that load/CD of 3600KW/3600KVA at 66KV Supply voltage was approved by approved CE/DS SOUTH ZONE vide memo no. 4857 dt. 31.05.2023 but it is brought to your kind notice that in the SAP system it was mistakenly posted from 19.02.2023. Therefore, the recoverable fixed charges of Rs 8,37,992/- on account from energy bills of the time period dt. 19.02.2023 to 31.05.2023 is chargeable from the consumer. Therefore, the instructions may be imparted to the petitioner to deposit the same amount as per above please.*

1. Petitioner submitted his comments on 29.11.2023 as under: -
2. *AE/CITY Samrala office vide memo no. 259 dated 20.06.2022 issue demand notice to deposit cost of Estimate of reduction of load/CD of Rs. 4982898/ but we have given request letter vide letter no. 298/2022-2023(Already submitted). as per supply code -9.3.6(A1) regarding the adjustment of estimate cost with the amount which is deposited Rs. 98,06,255 vide BA 16NO 314/4786 dated 29.08.2012 and Rs. 4100000 vide BA 16 NO. 4787/520 dated 06.09.2013(Already submitted) for 66 KV line independent feeder. For that the compliance of approved application vide memo no. 11518/19 dated 25.02.2022 is completed.*
3. *It is brought to your kind information that with reference to Load/CD reduction 4500KW/4500KVA to 3600KW/3600KVA is approved on dated 25.02.2022 (already submitted) and MDI RESET BY pspcl person on march 2022. So according to supply code no. 27.5.2 (A2) that MDI is recorded and rest at the time of reduction in contact demand. (attached MDI on month wise from march 2022 to May-2023, A-3). And it is below CD/Load 3600 KW/KVA. Which is approved by concern officer of pspcl.*
4. *As per supply code no. 27.6.5 (A-4) that the to reduce the load at the supply voltage level at which they are presently being fed. So that Load /CD of 3600KW/3600KVA was approved by CE/DS SOUTH ZONE vide memo no. 4857 dated 31.05.2023 and vide memo no. 1518/19 dt.25.02.2023 both are actual running supply voltage 66 kv.*

*Here by request to Hon'ble CCGRF, Ludhiana that is both approved by CE/DS SOUTH ZONE, PATIALA vide memo no 1518/19 dated 25.02.2022 and 4857 dated 31.05.2023 are reduction of load 4500KVA/KW to 3600KVA/KW i.e. SAME IN LOAD /CD is REDUCTION. As per the supply code no. 27.6.3(A5) on account of billing on the basis of reduction load shall be done from the date of sanction. so, requesting to refund our fix charges amount Rs. 3354827 of LOAD/CD REDUCTION 4500KVA/KW TO 3600 KVA/KW which is already paid to pspcl (period from dated march-2022 to feb-2023).*

*From the above conclusion that the fix charges of Rs. 837992 is not chargeable to us but refund our fix charges dated march-2022 to feb-2023 vide amount Rs. 3354827 of LOAD/CD REDUCTION 4500KVA/KW TO 3600 KVA/KW. All documents have been checked and signed. Please do the need full and consider above points.*

1. Respondent submitted his reply/comments as under: -

*Brief History: - The consumer is having A/c no. 3007509746 with present load/CD of 3600KW/3600KVA under LS category running at supply voltage 66KV under Sub division City Samrala. It is mentioned that at the initial stage consumer was granted feasibility as per the FCC letter vide memo no. 5237 dt 05.09.11 (copy attached). (A-1) Thereafter it was revised due to court stay on erection of the 66KV line as per FCC letter vide memo no. 217 dt 18.03.13 (copy attached). (A-2)*

*Point wise reply to the rejoinder is as hereunder:*

1. *The reduction in contract demand with 11KV Supply voltage was approved on dt. 25.02.2022 vide memo no 1518/19 dt 25.02.2022. AE/City Samrala office vide no. 259 dt. 20.06.2022 issued a demand notice to deposit cost of Estimate of reduction of load/CD of Rs 49,82,898/- as per Supply Code Clause no. 8.5 on account of actual expenditure to be incurred for providing supply at 11KV voltage level but consumer failed to deposit the same.*

*It is further clarified that as per FCC memo no 5237 dt 05.09.11, the point no (iii) which is reproduced as under:*

*"If any problem arises regarding right of way in the construction of 11 KV/66 KV lines, the PSPCL will not be responsible for any financial or other loss/damages to the applicant due to any delay in the construction of line."*

*and also, as per point (d) of FCC letter memo no. 217 dt 18.03.13 which is reproduced as under:*

*“ਬਿਨੈਕਾਰ ਪਾਸੋਂ ਇਹ undertaking ਲੈ ਲਈ ਜਾਵੇ ਕਿ ਉਸਾਰੀ ਅਧੀਨ 66 ਕੇਵ ਲਾਈਨ ਤੇ ਸਟੇਅ ਖਤਮ ਹੋਣ ਉਪਰੰਤ ਉਹ ਪਹਿਲਾਂ allow ਕੀਤੀ ਤਜਵੀਜ, ਇਸ ਦਫਤਰ ਦੇ ਮੀਮੋ ਨੰ. 5237 ਮਿਤੀ 5.9.11 ਦੀਆਂ terms & conditions ਮੁਤਾਬਿਕ ਪਾਲਣਾ ਕਰੇਗਾ"*

*in compliance to the above memos the consumer had given the undertaking (copy attached) (A-3) the relevant part is reproduced as*

*"We undertake that as well as the stay vacated, we are agree to do the work as per FCC on 66KV line already given by The Chief Engineer (Commercial) vide memo no. 5237 dt 05.09.11 & will comply with the terms & conditions of this memo."*

*and now consumer's contention of adjustment of that amount is totally irrelevant to the case of reduction of load as the 66KV line work is at the re tendering stage by the TL organization.*

1. *Consumer has not deposited the cost of estimate therefore the Regulation 27.5.2 is not applicable in the present case.*
2. *The consumer had again submitted revised A&A form no. 32846 dt. 09.05.2023 requesting for 3600KW/3600KVA load at 66 KV supply voltage level which was approved by CE/DS SOUTH ZONE, Patiala vide memo no. 4857 dt. 31.05.2023. Regulation 27.6.2 is related to other than HT/EHT category therefore there is no relevance in the present case.*

*Therefore, the recoverable fixed charges of Rs 8,37,992/- on account from energy bills of the time period dt. 19.02.2023 to 31.05.2023 is chargeable from the consumer. Therefore, the instructions may be imparted to the petitioner to deposit the same amount as per above please.*

1. The Petitioner submitted his oral discussion/written submission as under: -
2. *The petitioner applied for 66 KV connection for which feasibility was cleared by CE/Commercial on 5.9.2011 for erecting 66 KV Line from 220 KV Sub-station Ghulal to the premises of consumer. The petitioner deposited Rs. 9806255/- on 29.8.2012 & Rs. 4100000/- on 6.9.2013, totaling to Rs. 13906255/- as estimated cost.*
3. *However, due to case filed by land owners in High Court, the proposed 66 KV Line from 220 KV Sub-station Ghulal to the premises of consumer could not be erected by PSPCL and as per revised feasibility cleared by CE/Commercial on 18.3.2013, the connection to the petitioner was released by Solid-Tapping of 66 KV Ghulal -Khumano line.*
4. *The O/o ASE/TLSC Division Jalandhar vide letter dated 21.6.2022 intimated the total expenditure of Rs. 5247639/- incurred of on erection 66 KV line for release of connection to the consumer in 7/2017*
5. *The expenditure incurred for release of connection to the consumer was required to be intimated and excess amount of Rs. 8658616/- (Rs. 13906255- Rs. 5247639) was required to be refunded/adjusted within 60 days from the date of release connection as provided in Regulation 9.3.6 of Supply Code and interest @SBI base rate plus 2 % is payable for the period of delay. However, the excess amount of Rs. 8658616/- has not been refunded till date.*
6. *The petitioner applied for reduction of load of 900 KW/900KVA CD from the existing load of 4500 KW/4500 KVA at 11 KV voltage, vide A&A No. 32819/LS dated 02.02.2022 and the same was sanctioned/approved by CE/Op South Zone on 25.02.2022.*
7. *As per instruction No. 27.5.2. of ESIM it is provided that, "AEE/Xen (DS) will ensure that the reduced contract demand is got sanctioned from the competent authority within a period of 15 days from the date of receipt of application complete in all respects.* ***The reduced demand will be effective for the purpose of billing from the date it is sanctioned and intimated to the consumer or from the billing month falling after the expiry of 15 days from the date of receipt of application for reduced contract demand whichever is earlier. Even if reduced contract demand is not sanctioned within 15 days, it will be deemed to have been sanctioned for the purpose of billing after 15 days from the date of receipt of application complete in all respects****".*
8. *Thus, in view of instruction No. 27.5.2 of ESIM, the bill for the period 18.2.2022 to 16.3.2022 (issued on 24.3.2022) was required to be issued with reduced contract demand of 3600 KVA as sanctioned by CE/Op South Zone on 25.02.2022 However, this was not done.*
9. *The energy bills from 3/2022 to 6/2022 and afterwards up to 2/2023 were issued with 4500 KVA CD and Fixed Charges were levied accordingly. The petitioner vide letter dated 11.4.2022 (received by the office on 11.4.2022), 18.8.2022 (received by the office on 18.8.2022) and vide letter dated 10.4.2023 (received by the office on 11.4.2023) requested SDO, Samrala City Sub-Division PSPCL to do the needful to ensure billing with reduced CD of 3600 KVA and allow refund of excess Fixed Charged levied in the energy bills by considering sanctioned CD of 4500 KVA.*
10. *However, no action was taken by SDO/ Samrala City Sub-Division. The SDO/ Samrala City Sub-Division vide memo No. 259 dated 20.6.2022 asked the petitioner to deposit estimated cost of Rs. 4982898/- for reduction of load/demand, the petitioner vide letter dated 23.6.2022 requested SDO, Samrala City Sub-Division to adjust the estimated cost of Rs. 4982898/- for erection of 11 KV line (independent feeder) from the amount already deposited by the petitioner for erection of 66 KV line which could not be erected due to court case by agriculture land owners and the SDO, Samrala City Sub-Division vide memo No. 263 dated 23.6.2022, sent the case to ASE/Op Division Samrala for adjustment of estimated cost of Rs. 4982898/ from the amount already deposited by the petitioner against 66 KV Line. ASE/Op Division Samrala forwarded the case to Dy CE/Op Circle Ropar vide memo No. 3435 dated 28.6.2022 requesting for guidelines to adjust the estimated cost of Rs. 4982898/- from the amount of Rs. 13906255/- already deposited by the consumer. The Dy CE/Op Circle Ropar vide memo No. 7558 dated 15.7.2022 requested CE/Commercial for necessary guidelines for adjustment of estimated cost of Rs. 4982898/-for erection of 11KV line (independent feeder) from the amount of Rs. 13906255/- already deposited by the petitioner for erection of 66 KV line which could not be erected due to court case by agriculture land owners. The connection was released by Solid-Tapping arrangement. The expenditure of Rs. 5247639/- incurred on erection 66 KV line for release of connection to the consumer as intimated by ASE/STLSC Division Jalandhar vide letter dated 21.6.2022 was also mentioned.*
11. *The reminder to CE/Commercial PSPCL was also given by Dy CE/Op Circle Ropar vide memo No.10777/78 dated 10.10.2022. The petitioner is not aware of the guidelines (if any) given by the O/o CE/Commercial PSPCL.*
12. *It is evident from the various correspondence that none of the office denied to adjust the estimated cost of Rs. 4982898/-for erection of 11KV line (independent feeder) from the amount of Rs. 13906255/- already deposited by the petitioner.*
13. *As already submitted, that in view of instruction No. 27.5.2. of ESIM, the bill for the period 18.2.2022 to 16.3.2022 (issued on 24.3.2022) was required to be issued with reduced contract demand of 3600 KVA i.e. even before the intimation by SDO, Samrala City Sub-Division vide memo No.259 dated 20.6.2022 to deposit of estimated cost of Rs. 4982898/-for erection of 11KV line.*
14. *The claim of refund of excess fixed charges levied in the energy bills issued from 3/2022 to 2/2023 cannot be denied on the ground that estimated cost of Rs. 4982898/- for erection of 11KV line (independent feeder) was not deposited by the petitioner. Needless to mention again that billing with reduced CD was required to be done 15 days after the date of application for reduction of load. Further, on receiving letter dated 259 dated 20.6.2022, the petitioner immediately requested vide letter dated 23.6.2022 for adjustment of estimated cost of Rs. 4982898/-for erection of 11KV line (as explained above), which was never denied.*
15. *The 2nd application of release of connection with 3600 KW/3600 KVA on 66 KV as approved by CE/DS South on 31.5.2023 is not relevant at all with the refund case before Corporate CGRF.*
16. The Petitioner submitted his final submission as under: -

*In continuation to submission made on 5.12.2023 and as a rebuttal to reply given by the respondent it is submitted for the kind consideration of Corporate Forum as under:*

1. *As far as point No.(ii) of FCC memo No. 5237 dated 5.9.2011, it is clarified that the petitioner has not claimed any damages due to delay in construction of 11KV/66 KV line against problem of right of way.*
2. *The petitioner has also given undertaking for work as per FCC on 66 KV line given by CE/Commercial vide memo No. 5237 dated 5.9.2011.*
3. *However, it is brought out for the kind consideration of Hon'ble Corporate Forum that there is no instruction/rule/provision in ESIM or Supply Code or Electricity Act-2003 or any law of the country which prevent any consumer that he cannot opt for reduction in load/demand or change of supply voltage after clearance of FCC on 66 KV line by CE/Commercial vide memo No. 5237 dated 5.9.2011. Although the department can approve the reduction in load as per then prevailing instructions/rules. It is fundamental right of any consumer to apply for reduction/increase in load/demand at any time as per his requirement. Even the consumer can opt for reduction of load/demand to less than 100KW/KVA and supply as LT. Accordingly, the petitioner applied for reduction of load of 900 KW/900KVA CD from the existing load of 4500 KW/4500 KVA at 11 KV voltage. vide A&A No. 32819/LS dated 02.02.2022 and the same was sanctioned/approved by CE/Op South Zone on 25.02.2022. Before sanction of reduction of load/demand, the respondent' office did not issue any notice regarding estimated cost to be deposited for supply at 11 KV. The SDO, Samrala City Sub-Division vide memo No. 259 dated 20.6.2022 asked the petitioner to deposit estimated cost of Rs. 4982898/- for reduction of load/demand. Whereas, as per instruction No. 27.5.2. of ESIM it is provided that AFE/Xen (DS) will ensure that the reduced contract demand is got sanctioned from the competent authority within a period of 15 days from the date of receipt of application complete in all respects. The reduced demand will be effective for the purpose of billing from the date it is sanctioned and intimated to the consumer or from the billing month falling after the expiry of 15 days from the date of receipt of application for reduced contract demand whichever is earlier". Thus, the bill for the period 18.2.2022 to 16.3.2022 (issued on 24.3.2022) was required to be issued with reduced contract demand of 3600 KVA on the existing 66 KV as sanctioned by CE/Op South Zone on 25.02.2022 especially when there was no intimation/notice to deposit estimated cost of 11KV line. There is no exception to this rule/instruction.*

*Further, on receiving memo No. 259 dated 20.6.2022 of SDO, Samrala City Sub-Division, the petitioner immediately vide letter dated 23.6.2022 requested SDO. Samrala City Sub-Division to adjust the estimated cost of Rs. 4982898/- for erection of 11 KV line (independent feeder) from the amount already deposited by the petitioner for erection of 66 KV line which could not be erected due to court case by agriculture land owners and the SDO, Samrala City Sub-Division sent the case to ASE/Op Division Samrala for adjustment of estimated cost of Rs. 4982898/- and ASE/Op Division Samrala forwarded the case to Dy CE/Op Circle Ropar and Dy CE/Op Circle Ropar requested CE/Commercial for necessary guidelines for 11KV line adjustment of estimated cost of Rs. 4982898/-for erection of (independent feeder) from the amount of Rs. 13906255/- already deposited by the petitioner for erection of 66 KV line which could not be erected due to court case by agriculture land owners. Thus, none of the office denied till date the request of the petitioner for adjustment of cost of estimate for erection of 11 KV line from the amount already deposited against 66 KV Line. Then how the respondent can now claim that contention of the consumer for adjustment is irrelevant and instruction No. 27.5.2. of ESIM is not applicable especially when the respondent himself forwarded the case for adjustment to Dy CE/Op Circle Ropar. How the respondent can deny the refund as admissible without any reply from his higher office against the case sent by him. Thus, in view of above, the followings points need to be considered before arriving at any conclusion on the case:*

1. *Whether claim of refund for Fixed Charges excess levied from 18.2.2022 is not justified as per instruction No. 27.5.2. of ESIM and as per approval of CE/Op South Zone on 25.02.2022 especially when no notice was given for deposit of estimated cost of 11 KV line till 20.6.2022.i.e. before the approval of reduction in load/demand on 2.2.2022?*
2. *Whether the claim of refund to the petitioner can be denied on the ground that estimated cost as intimated on 20.6.2022 was not deposited, considering the fact that request dated 23.6.2022 of petitioner for adjustment was not refused by the respondent' office and higher offices?*
3. *Whether SDO, Samrala City Sub-Division. ASF/Op Samrala, Dy CE/Op Circle Ropar, CE/Op South and CE/Commercial are at fault for sanction of reduction in load before deposit of estimated cost of 11 KV line and for not giving any reply to the petitioner against request for adjustment from the amount already deposited?*
4. *Whether the respondent has provided any new instruction/document which may justify that approval for reduction in load given by CE/Op South, forwarding the case for adjustment by his office & by the office of Dy CE/Op Circle Ropar, non-reply to the petitioner by any office and intimation to deposit the estimated cost on 20.6.2022 i.e. about 4 months after the approval of reduction in load on 25.2.2022, was wrong and against the rules/instructions, due to which refund claim by the petitioner is not allowable?*

*It is again reiterated the 2nd application of release of connection with 3600 KW/3600 KVA on 66 KV as approved by CE/DS South on 31.5.2023 is not relevant at all with the refund case before Corporate CGRF, as petitioner can apply any time for reduction/extension in load and change of supply voltage as permissible and PSPCL can clear feasibility and ask for deposit of estimated cost or can refuse per reduction/extension, change of supply voltage as the prevailing rules/instructions. Further, the petitioner is also entitled for billing as per reduced demand even on 66KV.*

1. *Respondent submitted his comments in compliance to the proceedings dated 05.12.2023, as under: -*
2. *The 66KV line work is at the re-tendering stage by the TL organization for which feasibility was cleared by CE/Commercial on dt. 05.09.11. Hence not relevant in the present case.*
3. *Related document has already been submitted vide memo no 6049 dt. 04.12.23.*
4. *It is matter of record.*
5. *This point doesn't relate to this case.*
6. *It is matter of record.*
7. *The reduction in contract demand with 11KV Supply voltage was approved on dt. 25.02.2022 vide memo no 1518/19 dt 25.02.2022. AE/ City Samrala office vide no.259 dt.20.06.2022 issued a demand notice to deposit the cost of estimate of reduction of load/CD of Rs 49,82,898/- as per Supply Code Clause no.8.5 on account of actual expenditure to be incurred for providing supply at 11KV voltage level but consumer failed to deposit the same. Therefore, instructionno.27.5.2 of ESIM is non-relevant.*
8. *As the instruction no. 27.5.2 of ESIM is not applicable the billing with reduced contract demand can't be done for the mentioned time period.*
9. *The consumer's request for refund of fixed charges has already been denied as per memo no. 5604 dated. 06.11.2023*
10. *It is matter of record.*
11. *It is matter of record.*
12. *As per reply already submitted by this office vide memo no.6049 dated 04.12.2023 the details had been provided.*
13. *The reply given in para no.6 may be considered.*
14. *The reply given in para no.11 may be considered.*
15. *Consumer had again submitted revised A&A form no. 32846 dt. 09.05.2023 requesting for 3600KW/3600 KVA load at 66 KV supply voltage level which was approved CE/DS SOUTH ZONE, Patiala vide memo no. 4857 dt. 31.05.2023 which is matter of record.*

*Therefore, the recoverable fixed charges of Rs 8,37,992/- on account from energy bills of the time period dt. 19.02.2023 to 31.05.2023 is chargeable from the consumer. Therefore, the instructions may be imparted to the petitioner to deposit the same amount as per above please.*

1. Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder by Petitioner, reply to the 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 claim of the petitioner for refund of Rs. 3354827/- charged to him as difference of fixed charges for the period from 18.02.2022 to 19.02.2023 including interest.
2. Forum observed that petitioner applied for reduction of his load/CD from 4500 KW/4500 KVA to 3600 KW/3600 KVA along with change of supply voltage from 66 KV to 11 KV on 02.02.2022 by submitting A&A form and depositing processing fees of Rs. 2950/- vide BA-16 no. 231/5346 dated 02.02.2022. The same was approved by CE/DS, South Zone, PSPCL, Patiala on 25.02.2022 vide his office probable memo no. 1517/19 dated 25.02.2022. AE/City Samrala vide his office memo no. 259 dated 20.06.2022 issued demand notice to the petitioner to deposit cost of Estimate for providing supply at 11 KV voltage due to reduction of load/CD, amounting to Rs. 4982898/-. However, the petitioner firm instead of depositing the amount, wrote to SDO/DS Sub Division Samrala vide their letter no. 298/2022-23 dated 23.06.2022 that they had already deposited estimated cost of independent 66 KV line (Rs. 9806255/- vide BA-16 no. 314/4786 dated 29.08.2012 and Rs. 4100000/- vide BA-16 no. 520/4787 dated 06.09.2013) but they were given supply through solid tapping from an existing 66 KV line as their 66 KV line could not be erected due to some dispute and court case and requested to adjust amount of this demand notice from their outstanding amount deposited by them for erection of 66 KV line which could not be erected. In the meanwhile, petitioner again submitted revised A&A form no. 32486 dated 09.05.2023 requesting for changing his supply voltage from 11 KV to 66 KV for a load of 3600 KW/3600 KVA and same was approved by CE/DS, South Zone, PSPCL, Patiala vide his memo no. 4857 dated 31.05.2023. Petitioner pleaded that his load/CD was reduced/approved vide memo no. 1518/19 dated 25.02.2022 but PSPCL kept on charging the fixed charges on his previous load/CD and requested for refund of difference of fixed charges on the basis of CD 3600 KVA instead of 4500 KVA for the period from billing cycle of 03/2022 i.e. 18.02.2022 to 19.02.2023 (reduction effected in SAP) alongwith interest on it and filed his case in Corporate CGRF, Ludhiana for the same. Forum observed that Clause 8.5 ‘Reduction in Sanctioned Load’ of PSERC Supply Code-2014 (read with 5th Amendment circulated vide CC no. 9/2019 dated 18.02.2019, effective from 28.01.2019) reads as under: -

*“8.5 Reduction in Sanctioned Load/Demand*

*The request for reduction in sanctioned demand/ load by a consumer shall be submitted on A & A form prescribed by the distribution licensee along with processing fee and electrical contractor’s test report only in case there is change in connected load and/or electrical installation.*

*Provided that in case reduction in load/ demand results in reduction of supply voltage also, the supply may continue to be given at the existing higher supply voltage. However, in case the consumer opts for supply voltage corresponding to the reduced load/demand and it involves change in the licensee’s distribution system then such consumer shall be liable to pay actual expenditure incurred by the licensee to effect such changes in infrastructure.*

*The request shall be granted by the distribution licensee within a maximum period of fifteen (15) days from the date of its submission of revised A&A form and deposit of necessary charges, wherever applicable, failing which the demand/ load shall be deemed to have been reduced as requested by the consumer.*

*Provided further that in case a consumer (except seasonal industrial category) requests for increase in his sanctioned contract demand/load upto the original sanctioned demand/load within a period of one year from the date of approval in reduction in demand/ load, the same shall be allowed subject to technical feasibility, without recovery of any Service Connection Charges/Line Charges or proportionate cost of the common portion.*

*Provided also that such option shall be exercised by the consumer only once.”*

It is obvious from the above that the 15 days period for granting the request of reduction in load/CD is to be counted from the date of its submission of revised A&A formand deposit of necessary charges for shifting the supply voltage from 66KV to 11 KV as demanded by the respondent vide memo no. 259 dated 20.06.2022. However, petitioner did not deposit the said amount and later on opted for shifting back to 66KV supply.

Forum observed that Feasibility Clearance for release of new connection to the petitioner (in his earlier name M/s Mittal Spinning Mills) was granted vide CE/Commercial, Patiala probable memo no. 5237 dated 05.09.2011 as per which his load was to be fed from 132 KV Grid Sub Station Ghulal by erecting a Multi Ckt. Tower Line with 0.15 Sq.” conductor upto common point (approximately 4 km) and single circuit on S/C Towers upto their premises. Petitioner deposited estimate cost of this line as Rs. 9806255/- vide BA-16 no. 314/4786 dated 29.08.2012 and Rs. 4100000/- vide BA-16 no. 520/4787 dated 06.09.2013. However, this line could not be erected due to court case and his feasibility was revised in order to provide him 66 KV supply through solid tapping from an existing PSPCL 66 KV line as a stop gap arrangement, vide memo no. 217/Ind./Ropar/FC dated 18.03.2013 treating it as a special case. Along with other terms and conditions, following condition was imposed on the petitioner in this revised feasibility clearance: -

*“ਬਿਨੈਕਾਰ ਪਾਸੋਂ ਇਹ undertaking ਲੈ ਲਈ ਜਾਵੇ ਕਿ ਉਸਾਰੀ ਅਧੀਨ 66 ਕੇਵੀ ਲਾਈਨ ਤੇ ਸਟੇਅ ਖਤਮ ਹੋਣ ਉਪਰੰਤ ਉਹ ਪਹਿਲਾਂ allow ਕੀਤੀ ਤਜਵੀਜ, ਇਸ ਦਫਤਰ ਦੇ ਮੀਮੋ ਨੰ: 5237 ਮਿਤੀ 5.9.11 ਦੀਆਂ terms & conditions ਮੁਤਾਬਿਕ ਪਾਲਣਾ ਕਰੇਗਾ।”*

As per above condition, petitioner submitted undertaking on 22.03.2013 as under: -

“*We undertake that We will have no claim for failure of supply irrespective of duration of failure as the solid tapping shall result into longer time period for identification /segregation of fault.*

*The principal of (LILO)-shall be made applicable i.e. loop in-loop out arrangement shall be made at consumer's substation for which the expenditure will be borne by us.*

*We undertake that as well as the stay vacated we are agree to do the work as per FCC on 66 KV line already given by The Chief Engineer (Commercial) vide Memo No. 5237 Dt. 5-9-11 & will comply with the terms & conditions of this memo.*”

As per the above undertaking, he was bound to follow the conditions laid down in the original feasibility till the completion of work. The accounts of any work can be finalized only after completion of the work and petitioner cannot claim refund of any excess amount till completion of the concerned work or withdrawal of his claim for getting supply on 66 KV as per original feasibility clearance granted vide Memo no. 5237 dated 05.09.2011. In the present case the work has not yet been completed and now stay has been vacated by the Hon’ble Court and as per submission of respondent vide memo no. 7027 dated 08.12.2023, the 66KV line work is at retendering stage by the TL organization. As the work is still in progress, therefore, request of petitioner that amount of estimate of shifting the supply voltage at 11KV, be adjusted against already deposited amount for erection of 66 KV line, does not seem to be justified.

Forum further observed that the petitioner is relying upon instruction no. 27.5.2 of ESIM reproduced as under:

***27.5 Reduction in Contract Demand by HT / EHT Consumers:***

*27.5.1 An industrial consumer who desires to get his connected load / contract demand reduced must apply for the same on the prescribed A & A form as applicable alongwith processing fee and electrical contractor's test report.*

*27.5.2 The AE/AEE/XEN (DS) will ensure that the reduced contract demand is got sanctioned from the competent authority (authority which sanctioned the original contract demand) within a period of 15 days from the date of receipt of application complete in all respects. The reduced contract demand will be effective for the purpose of billing from the date it is sanctioned and intimated to the consumer or from the billing month falling after the expiry of 15 days from the date of receipt of application for reduced contract demand whichever is earlier. Even if the reduced demand is not sanctioned within 15 days, it will be deemed to have been sanctioned for the purpose of billing after 15 days from the date of receipt of application complete in all respects. It should be ensured that MDI is recorded and reset at the time of reduction in contract demand.*

Forum observed that the above instruction does not deal with the cases where HT/EHT consumer has opted for change in supply voltage from higher level to lower level. For such cases Reg. 8.5 of Supply Code is applicable which clearly conveys that such request shall be granted by the distribution licensee within a maximum period of fifteen (15) days from the date of its submission of revised A&A form and deposit of necessary charges, wherever applicable. Therefore instruction no. 27.5.2 of ESIM, is not applicable here.

Petitioner has also made reference to clause nos. 27.6.3 & 27.6.5 of Supply Code (whereas actually these are instructions of ESIM) regarding billing to be started on reduced load after fifteen days. Form observed these instructions are applicable to the consumers applying for reduction in load other than HT/EHT consumers, so the same is also not applicable here.

Petitioner has also made reference of Reg. 9.3.6 of Supply Code that the expenditure incurred for release of connection to the consumer was required to be intimated and excess amount of Rs. 8658616/- (Rs. 13906255- Rs. 5247639) was required to be refunded/adjusted within 60 days from the date of release connection and interest @SBI base rate plus 2 % is payable for the period of delay. However, the excess amount of Rs. 8658616/- has not been refunded till date. In this regard, Forum observed that as the work has not yet completed and is still in progress, as such the above regulation is not applicable here.

Further, Respondent in his reply stated that reduction in load was approved by CE/DS, South Zone, PSPCL, Patiala on 31.05.2023 but in SAP system it was mistakenly posted from 19.02.2023 due to which the fixed charges on reduced load/CD started on 19.02.2023, which actually are to be charged from 31.05.2023. He further stated that an amount of Rs. 837992/- is chargeable to the petitioner on account of fixed charges for 4500 KVA instead of 3600 KVA from 19.02.2023 to 31.05.2023. Forum observed that as the petitioner failed to deposit necessary charges for change in supply voltage to 11 KV against earlier sanction of reduction in CD on 25.02.2022 and he again applied for supply voltage at 66 KV which was sanctioned on 31.05.2023. Hence fixed charges are required to be charged on 4500 KVA till 31.05.2023.

Petitioner in his final submission on 12.12.2023 stated as under: -

1. Whether claim of refund for Fixed Charges excess levied from 18.02.2022 is not justified as per instruction No. 27.5.2 of ESIM and as per approval of CE/Op South Zone on 25.02.2022 especially when no notice was given for deposit of estimated cost of 11 KV line till 20.6.2022 i.e. before the approval of reduction in load/demand on 25.2.2022?
2. Whether the claim of refund of the petitioner can be denied on the ground that estimated cost as intimated on 20.6.2022 was not deposited, considering the fact that request dated 23.6.2022 of petitioner for adjustment was not refused by the respondent’ office and higher offices?

Forum observed that sanction of the Reduction in Load/CD by CE/DS South Zone, PSPCL, Patiala was conditional and had to take effect on deposit of necessary charges and completion of all necessary formalities by the petitioner. The petitioner failed to deposit the estimated cost of shifting of supply voltage from 66KV to 11KV, amounting to Rs. 4982898/- as per probable Memo no. 1517 dated 25.02.2022 and intimated to him vide SDO/DS Sub Division Samrala vide notice no. 259 dated 20.06.2022. As such the above contentions of the petitioner are not acceptable.

Forum has gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent as well as rejoinder/oral arguments and other material brought on record. Keeping in view the above facts/discussion, Forum is of the opinion that claim of the petitioner for billing with fixed charges on reduced load/CD of 3600KW/3600KVA w.e.f. 22.03.2022 is not justified as he failed to deposit the cost of the 11 KV system as per demand notice no. 259 dated 20.06.2022. Therefore, claim of the petitioner for refund of an amount of Rs. 3354827/- on account of difference in fixed charges (3600 KVA instead of 4500 KVA) including interest for the period from 22.03.2022 to 23.02.2023, is not acceptable.

Keeping in view the above, Forum came to unanimous conclusion that claim of the petitioner for refund of an amount of Rs. 3354827/- on account of difference in fixed charges (3600 KVA instead of 4500 KVA) for the period from 18.02.2022 to 19.02.2023 including interest, is not acceptable.

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 with majority decision, decides that: -

1. **Claim of the petitioner for refund of an amount of Rs. 3354827/- on account of difference in fixed charges (3600 KVA instead of 4500 KVA) for the period from 18.02.2022 to 19.02.2023 including interest, is not acceptable.**
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: 18.12.2023**