**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-141/2023**

**Date of Registration : 30.10.2023**

**Date of Closing : 07.11.2023**

**Date of Final Order : 17.11.2023**

**In the Matter of:**

 **Sh. Rajinder Sharma,**

**NK 255, Charanjitpura,**

**Jalandhar.**

**A/c No.: 3002974842.**

**Through:**

Sh. Rajinder Sharma  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS West Division,

PSPCL, Jalandhar. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-141/2023 has been filed directly in the Forum through Sh. Rajinder Sharma, in the matter related to A/c no. 3002974842, in the name of Sh. Rajinder Sharma. Petitioner is having DS connection with Sanctioned Load of 11.330 KW under DS West Division, PSPCL, Jalandhar. Meter of the petitioner, being defective, was changed and a new HPL make smart meter bearing Sr. No. 10062345 was installed at site vide MCO no. 100015259935 dated 20.09.2021 effected on 08.02.2022. After change of meter, bills were generated but were not released due to high consumption bill error. Petitioner apparently came to know that his meter is running fast and he challenged his meter. Meter of the petitioner was changed vide MCO no. 100017245701 dated 30.03.2022 effected on 24.08.2022. Removed meter was checked in ME Lab vide challan no. 16/3084 dated 28.03.2023 wherein meter was reported OK. Later, bills were released by out-sort release order in CRM. First bill released was dated 22.11.2022 for a period of 144 days from 07.02.2022 to 01.07.2022 for a consumption of 67177 KWH amounting to Rs. 585940/- (including -21269/- amount of unpaid arrears). Subsequently bill dated 23.11.2022 was released for a period of 139 days from 01.07.2022 to 17.11.2022 for a consumption of 19972 KWH (2653 KWH of new meter and 17319 KWH of old HPL make smart meter installed on 08.02.2022) amounting to Rs. 768160/- (including unpaid arrears amounting to Rs. 585937/-). Petitioner did not agree to these bills and filed his case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 31.10.2023 and finally on 07.11.2023, 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. West Jalandhar (Respondent) along with copy of petition as follows: -*

1. *Respondent shall check/verify the bill dated 22.11.2022 amounting Rs.585940/- for a consumption of 67177 KWH for period from 07.02.2022 to 01.07.2022, meter status O and bill dated 23.11.2022 of Rs. 768161/- for consumption of 19972 KWH (including previous bill).*
2. *Respondent shall submit five copies of the following record/documents to the Forum*
	1. *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. *screenshots of meter taken before 11/2022, 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.*
	3. *copy of current site checking report and copies of reports of checking carried out by various authorities previously.*
	4. *copies of related Job order clearly depicting date of effect thereof, ME lab reports of meter in dispute along with its DDL.*
3. *Respondent shall ensure that all the documents have been checked/verified & signed by him (ASE/Sr. XEN) and he will be responsible for the authenticity of the documents/information submitted to the Forum.*
4. *Respondent shall further: -*
	1. *confirm that the dispute between Petitioner and PSPCL as filed in this Forum has not been decided earlier by any Court/Forum or any other authority and no case pertaining to this dispute is pending before any Court/Forum or any other authority.*
	2. *confirm the status of up to date payments and shall ensure that no bill other than the amount in dispute, is pending.*
	3. *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 petition in five sets and the same is taken on record. One copy handed over to the 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 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. 3002974842, is having DS connection with Sanctioned Load of 11.330 KW, in the name of Sh. Rajinder Sharma, under DS West Division, PSPCL, Jalandhar.
3. The Petitioner in his Petition prayed that: -

*I have A/C No 3002974842-sub division Mai Hira Gate, West Division, Jalandhar Circle. I received a bill against this account last year approx. Rs. 585940 and after that again received a bill Amount Rs. 182221 so that total amount is Rs. 768161/-.*

*Sir/Madam we fulfill your all legal formalities like challenging the meter etc. after that report of the meter I am not satisfy because this our residential connection of load approx. 11 KW and in 144 days how it possible to burn the units 67000 approx. so for that please correct these and make decision on it as early as possible.*

1. The Respondent in his reply stated that: -

*The connection in dispute A/c no -3002974842 was running under DS category with a sanctioned 3002974842 v/s PSPCL Case History load of 11.330 kw. Consumer meter no 626156 Allied Engg. work was found to be DEFECTIVE and was replaced with HPL Electric & Power smart meter no. 10062345 with MCO 100015259935 dated 20.09.2021 effected on 08.02.2021. The bills were not released due to High consumption Bill error and later on were released by out sort release order in CRM, the bill released has reading 0 – 67177 = 67177 units for 144 days i.e., from 07.02.2022 – 01.07.2022 with current amount 607532/-. Due to this high amount and high consumption bill the consumer challenged his meter by paying fees of 540/- as on 08/08/2022. The challenged meter was replaced with another meter HPL Electric & Power Smart meter 10095643 with MCO no 10017245701 dated 30.03.2022 effected on 24.08.2022 and sent to ME LAB for checking and according to MCO the last meter reading recorded for this challenged meter was from 67177 – 84496 = 17319 units for 139 days i.e., 01/07/2022 - 23/08/2022.*

*As per M.E. lab report the meter report found OK. The consumer was informed regarding his report with this office memo no 519 dated 14/06/2023*

*The consumer was not satisfied with this report. The consumer has paid his current bills. The new meter installed at consumer premises is working OK and bills were generated timely by the smart meter.*

***Para wise reply for proceeding 31.10.2023***

* + - 1. *The bill dated 22.11.2022 (billed period: 07.02.2022 to 01.07.2022 having consumption of 67177 amounting 585940/- and bill dated 23.11.2022 (billed period: 01.07.2022 to 17.11.2022 for consumption of 19972(new meter consumption 2653 and old meter consumption 17319) amounting 768160/- are verified and attached herewith.*
			2. *Five copies of following record/ documents are attached:*
1. *point wise /para wise reply of the petition in form of hard copy and soft copy*
2. *(i) Screenshot of meter bearing number 10062345 is attached herewith*

*(ii) Consumption data in excel sheet depicting data for five years from 29.12.2017 to upto date is attached herewith*

*(iii) Consumption data depicting dates of reading (in KWH, KVAH, MDI, PF) also indicating the meter status as per SAP installation format is attached herewith.*

1. *Copy of current site checking report LCR no 2107/84 Dated 02.11.2023 is attached herewith no previous checking was carried out by various authorities.*
2. *(i) Copy of related MCO no 100015259935 dt 20.09.21 and MCO no 100017245701 dt 30.03.22 is attached.*

*(ii) Copy of ME 2 of meter no 10062345 is attached herewith*

*(iii) Copy of DDL dated 01.08.2023 of meter sr. no. 10062345 is attached herewith*

*(iv) Copy of ME LAB report for challenged meter no 10062345 is attached herewith*

* + - 1. *It is ensured that all the documents attached herewith are duly attested by ASE West division. Jalandhar*
				1. *It is confirmed that the dispute between Petitioner and PSPCL as filed in this forum has not been decided earlier by any Court /Forum or any other authority and no case pertaining to this dispute is pending before any Court/ Forum or any other authority.*
				2. *It is ensured that no bill other than the amount in dispute is pending*
				3. *It is confirmed that the complainant Mr. Rajinder Sharma himself filed the case and is the competent person to file /defend the case.*
1. Forum has 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 all bills pertaining to the period HPL make Smart Meter bearing Sr. No. 10062345 remained installed at the premises of the petitioner i.e., from 08.02.2022 to 24.08.2022.
2. Forum observed that meter of the petitioner, being defective, was changed and a new HPL make smart meter bearing Sr. No. 10062345 was installed at site vide MCO no. 100015259935 dated 20.09.2021 effected on 08.02.2022. After change of meter, bills were generated but were not released due to high consumption bill error. Petitioner apparently came to know that his meter is running fast and he challenged his meter. Meter of the petitioner was changed vide MCO no. 100017245701 dated 30.03.2022 effected on 24.08.2022. Removed meter was checked in ME Lab vide challan no. 16/3084 dated 28.03.2023 wherein meter was reported OK. Later, bills were released by out-sort release order in CRM. First bill released was dated 22.11.2022 for a period of 144 days from 07.02.2022 to 01.07.2022 for a consumption of 67177 KWH amounting to Rs. 585940/- (including -21269/- amount of unpaid arrears). Subsequently bill dated 23.11.2022 was released for a period of 139 days from 01.07.2022 to 17.11.2022 for a consumption of 19972 KWH (2653 KWH of new meter and 17319 KWH of old HPL make smart meter installed on 08.02.2022) amounting to Rs. 768160/- (including unpaid arrears amounting to Rs. 585937/-). Petitioner did not agree to these bills and filed his case in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent as under:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Year | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan | 1376 | O |  |  | 569 | O | 401 | D |  |  |
| Feb | 553 | O | 679 | O | 610 | O | 465122 | DD |  |  |
| Mar | 637 | O | 570 | N | 505 | O |  |  |  |  |
| April | 558 | O | 703 | N | 468 | O |  |  |  |  |
| May | 1248 | O | 757 | N | 525 | O |  |  | 3298 | O |
| June | 1850 | O | 2154 | O | 935 | O |  |  |  |  |
| July | 1605 | O | 1380 | O | 935 | O | 67177 | O | 2423 | O |
| Aug | 1079 | O | 1411 | O | 1120 | O |  |  | 1418 | O |
| Sept | 972 | O | 1466 | O | 1344 | O |  |  | 1455 | O |
| Oct | 781 | O | 911 | O | 1084 | D |  |  | 1266 | O |
| Nov | 885 | O | 777 | O | 831 | D | 2653 | O | 675 | O |
| Dec | 478 | O | 661 | O | 642 | D |  |  |  |  |
| **Total** | **12022** |  | **9439** |  | **9568** |  | **70818** |  | **10535** |  |

From of the above table, annual consumption of the petitioner for the period from 2019 to 2023 (upto Nov) is 12022, 9439, 9568, 70818 and 10535 (upto Nov/2023) including the exponentially high consumption of 67177 KWH. Consumption, as high as 67177 KWH, has never been recorded in any monthly bill before and after the change of meter on 24.08.2022.

Forum observed that HPL make smart meter bearing Sr. No. 10062345 was installed on the connection of the petitioner on 08.02.2022. Thereafter, bills were not issued to the petitioner due to high consumption error and later a bill for a period of 144 days from 07.02.2022 to 01.07.2022 for a consumption of 67177 KWH amounting to Rs. 585940/- was released on 22.11.2022 through out-sort release order in CRM. Thereafter another bill dated 23.11.2022 was issued for a period of 139 days from 01.07.2022 to 17.11.2022 for a consumption of 19972 KWH (2653 KWH of new meter plus 17319 KWH of old/challenged meter removed on 24.08.2022) amounting to Rs. 768160/- (including unpaid arrears of Rs. 585938/-). The disputed HPL make smart meter bearing Sr. No. 10062345 recorded a consumption of 67177+17319=84496 KWH during a period of 197 days from the date of its installation i.e., 08.02.2022 to the date of its removal against challenge i.e., 24.08.2022; meaning thereby a monthly consumption of 12867 KWH. consumption of this magnitude has never been recorded in any month before installation or after removal of this disputed meter. Further, connected load of the petitioner was found as 7.793 KW against the Sanctioned Load of 11.330 KW as per LCR no. 84/2107 dated 02.11.2023. Monthly estimated consumption for this connected load of 7.793 KW as per LDHF formula prescribed by PSERC comes out to be 561.096 KWH. Further on scrutinizing the ‘Other Events’ data of DDL report, large number of Magnet Temper incidences have been depicted in the DDL report of the meter, wherein, the meter has recorded at Imax i.e., 60 Amp, whereas, meter has been accepted in ME Lab as Okay and nothing abnormal was observed/reported by ME Lab. This shows that the disputed meter recorded false Magnetic Temper incidences repeatedly and accordingly false consumption at Imax.

Forum has gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent as well as other material brought on record. Keeping in view the above facts, Forum is of the opinion that the disputed smart meter did not record actual consumption of the petitioner, it rather behaved erratically on ‘Magnet Tamper’ & recorded consumption at Imax and therefore the same is to be treated as defective in spite of the fact that it was found Okay in ME Lab. Hence, all bills pertaining to the period HPL make Smart Meter bearing Sr. No. 10062345 remained installed at the premises of the petitioner i.e., from 08.02.2022 to 24.08.2022, are liable to be quashed and his account is required to be overhauled on the basis of the consumption recorded during the corresponding period of the previous year in view of the Regulation No. 21.5.2 (a) of PSERC Electricity Supply Code and Related Matters Regulaitons-2014 reproduced below: -

*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”.*

Keeping in view the above, Forum came to the unanimous conclusion that all the bills pertaining to the period HPL make Smart Meter bearing Sr. No. 10062345 remained installed at the premises of the petitioner i.e., from 08.02.2022 to 24.08.2022, be quashed. Account of the petitioner for this period be overhauledon the basis of energy consumption of corresponding period of previous year as per Regulation No. 21.5.2 (a) of PSERC Electricity Supply Code and Related Matters Regulaitons-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. **All bills pertaining to the period HPL make Smart Meter bearing Sr. No. 10062345 remained installed at the premises of the petitioner i.e., from 08.02.2022 to 24.08.2022, are quashed. Account of the petitioner for this period be overhauledon the basis of energy consumption of corresponding period of previous year as per Regulation No. 21.5.2 (a) of PSERC Electricity Supply Code and Related Matters Regulaitons-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: 17.11.2023**