**CORPORATE CONSUMERS GRIEVANCES REDRESSAL FORUM**

**PUNJAB STATE POWER COPROPRATION LIMITED**

**220 KV S/St. Opp. Verka Milk Plant, Ferozepur Road, Ludhiana.**

**Tel: 0161-297-1912, email: secy.cgrfldh@gmail.com**

**CASE NO.: CF- 144/2023**

**Date of Registration : 07.11.2023**

**Date of Closing : 07.11.2023**

**Date of Final Order : 17.11.2023**

**In the Matter of:**

 **Sh. Balbir Singh,**

**#1983/171B St. No. 9/2 G.G.S. Ngr,**

**New Shimlapuri, Ludhiana.**

**A/C No.: 3001948467.**

**Through:**

Smt. Bhupinder Kaur, **…Petitioner**

Versus

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Janta Nagar (Spl.) Divn.,

PSPCL, Ludhaina.  **…Respondent**

1. **BRIEF HISTORY**

Petition, against Case No. CF-144/2023 has been filed as an appeal in this Forum by Smt. Bhupinder Kaur/PR, in the matter related to account no. 3001948467 in the name of Sh. Balbir Singh with a sanctioned load of 1.000Kw under DS Janta Nagar (Spl.) Division, Ludhiana. Petitioner was issued bill dated 19.03.2023 for 58 days for the period from 20.01.2023 to 19.03.2023 for consumption of 747 units amounting to Rs. 12740/- (including previous unpaid arrears of Rs. 9894/-). Petitioner did not agree to this bill and on the request/complaint of petitioner, site was checked by respondent’s office and LCR no. 72/1148 dated 13.04.2023 was prepared, wherein, it was reported that there was no electricity theft from the cable of the petitioner by any other consumer and also there was no joint in the service cable. Petitioner did not agree to it and filed his case in Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana. Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana in its decision dated 11.08.2023 held that the account of the petitioner for the period under dispute be overhauled on the basis of consumption recorded in the corresponding period of the previous year. Petitioner did not agree to decision of Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana and filed his case in Corporate CGRF.

Forum heard the case on pre-hearing on dated 07.11.2023 when it was decided to register the case and after hearing both the parties, the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***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.*

*Respondent stated that the present petition is filed by Smt. Bhupinder Kaur w/o Sh. Balvir Singh and the case had already been heard in Divisional CGRF and therefore appeal can be heard.*

*Daughter of the petitioner who represented the petitioner claimed that supply of three other consumers had been running from her meter and her service cable had been changed before joint checking by two PSPCL officers. She further claimed that she has video footage of CCTV camera as a proof of the same. She showed a video clip on her mobile phone. However, nothing to support her claim was visible in the video clip.*

*After hearing both the parties, Forum decided to register the case and close it for passing speaking orders.*

1. **FACTS OF THE CASE AND OBSERVATIONS OF THE FORUM:**
2. The Petitioner bearing A/c no. 3001948467, is having DS connection with sanctioned Load of 1.000 KW, in the name of Sh. Balvir Singh, under DS Janta Nagar (Spl.) Division, PSPCL Ludhiana.
3. Petitioner in his petition pleaded as under:

*bynqI hY ik myry Gr dw mItr ijs dw Kwqw nMbr 3001948467 hY ijs iv`c mwrc 2023 dw ib`l 12740 rupey hY[ ies qoN ipCly ib`l vI swFy cOdW hzwr q`k dy vI hn[ 31.03.2023 nUM ies sbMDI AsIN S.D.O. jiqMdr isMG BMfwrI (jnqw ngr) nUM vI Complaint id`qI sI[ swfw mItr jo ik aus smyN 200-250 M dI dUrI qy bwks iv`c l`igAw hoieAw sI, ibjlI mulwzmW duAwrw hI swfy mItr dI qwr qoN iqMn GrW dy kunYkSn PVy gey[ ies dI swrI jwxkwrI CCTV Camera dI irkwrifMg iv`c vI mOjUd hY[ AYksIAn AmndIp isMG nUM ieh Video Proof vI idKwey gey[ auhnW ny Aqy S.D.O. mnpRIq isMG (dSmyS ngr) ny DSC kmytI iv`c kwrvweI krn dw AwSvwSn vI id`qw[ 13 ApRYl 2023 nUM hI S.D.O. mnpRIq isMG Aqy S.D.O. jiqMdr isMG BMfwrI ny swfy Gr dw mItr 200 M dI dUrI qy l`gy bwks iv`coN k`F ky qkrIbn 60 Pu`t nyVy trWsPwrm jo swfy Gr dI nzdIk hY aus au`pr lgw id`qw[ aus qoN bwAd Awey ib`lW dI Unit Consumption pihlW Awey ib`lW dI Consumption nwloN bhuq ijAwdw G`t AweI hY[ 24.08.2023 nUM DSC dw PYslw id`qw igAw ijsdI swnUM koeI jwxkwrI nhIN id`qI geI[ 13.09.2023 nUM AsI Awp Pon krky PYsly bwry pu`iCAw[ ausy idn hI swnUM PYsly dI kwpI Whatsapp rwhIN ByjI geI[ pr mYN ies PYsly nwl sihmq nhIN hW[ ikauNik ies PYsly iv`c myry v`loN id`qI geI Complaint dw invwrn nhIN kIqw igAw[ mYN Awp jI nUM ieh vI d`sxw cwhuMdI hW ik myry Gr dw mItr myry pqI blvIr isMG dy nwm qy hY ijs nwl myrw Court iv`c Case c`l irhw hY[ auh qkrIbn A`T swlW qoN swfy nwloN v`K rih irhw hY[ mYN qy myry iqMn b`cy ies mkwn iv`c rihMdy hW[ ies leI myry pqI dw ies ibjlI vwly kys nwl koeI vI Xogdwn jW lYx-dyx nhIN hovygw[ Awp jI nUM ie`k bynqI ieh vI hY ik mYN id`l dI mrIz hox krky Aksr ibmwr rihMdI hW[ ies leI ies kys dI pYrvwhI myrI lVkI qy myry Brw v`loN hI kIqI jwvygI[ mYnUM aumId hY ik Awp myrI siQqI nUM smJ ky myrI Complaint dw jldI qoN jldI invwrn krogy[ mYnUM ienswP vI idaugy[*

1. Respondent in his reply to the petition is submitted as under:

*Connection bearing Contract Account No. 3001948467 is running in the name of Mr. Balbir Singh under DS category with sanctioned Load of 1 KW. The Connection to the consumer was released on dated 07.03.2011. Consumer was issued a bill for 747 KWH units in the month of 03/2023 for 58 days for the period 20/01/2023 to 19/03/2023 of Rs. 12740/- including previous balance of Rs. 9894/. As per consumer, this bill was abnormal and supply of electricity was used by other neighbor by tapping their service cable. So, on consumer's complaint his Premises was checked by SDO (T- unit 2) Er. Manpreet Singh and SDO (T- unit 3) Er. J.M Bhandari vide LCR no.72/1148 dated 13.04.2023. According to LCR no electricity theft was detected in Consumer/Petitioner premises and no joint was found in their service cable. Not satisfying Consumer/Petitioner gave his representation to the Divisional Dispute Settlement Committee Janta Nagar by depositing 20% of disputed amount 2550/-, According to committee decision, disputed bill was to be rectified according to previous year's consumption of the same month and same was done by refunding 4600/- to consumer.*

*But not satisfying with issued bill and DDSC decision consumer lodged his case with Chairman, CGRF Ludhiana.*

1. Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent as well as oral arguments made by the Petitioner and the Respondent along with the material brought on the record. The issue that requires adjudication in the present dispute is to decide the legitimacy of bill dated 19.03.2023 for 58 days for the period from 20.01.2023 to 19.03.2023 for consumption of 747 units amounting to Rs. 12740/- (including previous arrears of Rs. 9894/-) along with decision dated 11.08.2023 of Divisional CGRF, PSPCL Ludhiana.
2. Forum observed that Petitioner was issued bill dated 19.03.2023 for 58 days for the period from 20.01.2023 to 19.03.2023 for consumption of 747 units amounting to Rs. 12740/- (including previous unpaid arrears of Rs. 9894/-). Petitioner did not agree to this bill and on the request/complaint of petitioner, site was checked by respondent’s office and LCR no. 72/1148 dated 13.04.2023 was prepared, wherein, it was reported that there was no electricity theft from the cable of the petitioner by any other consumer and also there was no joint in the service cable. Petitioner did not agree to it and filed his case in Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana. Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana in its decision dated 11.08.2023 decided as under: -

*“kmytI v`loN Kpq GoKx qy pwieAw igAw Kpqkwr dI ipCly swlW iv`c ies smyN dOrwn kdy vI ieMnI Kpq nhIN AweI ijs nUM iDAwn iv`c r`Kdy hoey PYslw ilAw igAw ik Kpqkwr dw Kwqw ipCly swl ienW hI mhIinAw dorwn irkwrf hoeI Kpq nwl soD id`qw jwvy[”*

Petitioner did not agree to decision of Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana and filed his case in Corporate CGRF. 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 | 670 | C | 309 | O | 429 | O | 522 | O | 787 | O |
| March | 323 | O | 348 | O | 304 | O | 571 | O | 747 | O |
| May | 441 | O | 392 | O | 437 | O | 799 | O | 467 | O |
| July | 1046 | O | 1079 | N | 615 | O | 844 | O | 571 | O |
| Sept | 840 | O | 1694 | O | 917 | O | 1577 | O | 565 | O |
| Nov | 443 | O | 667 | O | 576 | O | 764 | O |  |  |
| Total | 3763 |  | 3410 |  | 3278 |  | 5077 |  | 3137 |  |

Forum observed that, the annual consumption of the petitioner from 2019 to 2023 (upto 09/2023) has been recorded as 3763, 3410, 3278, 5077 & 3137 units. Forum observed that consumption of the petitioner remained consistent with minor variation from year to year basis except for the year 2022 in which it has been recorded higher (including disputed consumption of 1577 units in 09/2022) than the other years. On the complaint of the petitioner, the site of the petitioner was checked by two officers of the respondent and LCR no. 72/1148 dated 13.04.2023 was prepared and it was reported as under: -

*“ieh LCR sInI: kwrjkwrI ieMjI: jnqw ngr mMfl (Kws) luiDAwxw jI dIAW hdwieqW muqwibk Kpqkwr dI iSkwieq dw inptwrw krn ih`q iqAwr kIqI geI hY[ Kpqkwr dy d`sx muqwibk aus dy Gr dI splweI qoN koeI hor Kpqkwr ibjlI dI vrqo krdw hY[ mOkw cY`k kIqw igAw qW mOky qy Kpqkwr dy Gr nUM AwauNdI 2/C PVC qoN koeI vI Kpqkwr ibjlI corI krdw nhIN pwieAw igAw ijs dI mOky qy vIifE gRwPI kr leI geI hY[ Kpqkwr dw mItr Gr qo lgBg 100 mI: dUrI qy trWsPwrmr kol l`igAw sI jo ik auqwr ky dusry 200 KVA T/F crc vwly dy H polW aupr lgw id`qw igAw hY[ Kpqkwr dy Gr nUM AwauNdI nvIN 2/C PVC outgoing AMdr koeI vI joV nhIN hY[”*

Forum observed that petitioner in his petition pleaded that she had received an inflated bill of Rs. 12740/- for the period of 58 days from 20.01.2023 to 19.03.2023 which was very much on higher side as supply of electricity was used by other neighbourers by tapping their service cable, which was recorded in the CCTV camera. During proceeding dated 07.11.2023, representative of the petitioner claimed that supply of three other consumers had been running from her meter and her service cable had been changed before joint checking by two PSPCL officers. She further claimed that she has video footage of CCTV camera as a proof of the same. petitioner was asked to produce the footage of CCTV camera. She showed a video clip on her mobile phone. However, nothing to support her claim was visible in the video clip. As such, Petitioner failed to prove his claim on the basis of any documentary/ other evidence. On the other hand, respondent submitted that as per LCR no. 72/1148 dated 13.04.2023, no electricity theft by any consumer was detected from the petitioner’s service cable and no joint was found in the service cable. Mere submission that energy consumption shown in this bill was on higher side as compared to succeeding year consumption is not sufficient to prove her claim. Forum observed that the meter of the petitioner was working ok till ­­­­­­date and bills on ‘O’ Codes are being issued from time to time. Moreover, petitioner has not challenged the working of the meter. From the above analysis & discussion, it can be concluded that the petitioner could not prove her claim with any documentary evidence. Bill dated 19.03.2023 for the period from 20.01.2023 to 19.03.2023 (for 58 days) for consumption of 747 units was correctly issued on the basis of energy recorded and reflected in the meter reading of the Energy Meter, whose working was not challenged by the petitioner. Further bill issued on dated 19.03.2023 includes arrears of Rs. 9894/- due to non-payment of previous bill(s) by the petitioner. Forum also observed that decision of Divisional Forum is not based on any regulations/instructions of the Distribution Licensee/PSERC as the meter was not challenged by the petitioner as same is working correctly and the Reg. 21.5.2 of Supply Code-2014 used by the Divisional Forum deals only with Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters. As such Divisional Forum had erred in passing such order.

Forum further observed that two bills dated 19.03.2023 belonging to this account have been made available to the forum. One bill has been issued in SAP system in which the address of the consumer has been mentioned as under: -

***Mr. Balbir Singh***

***#1983/171B St. No. 9/2 G.G.S. Ngr, New Shimlapuri, Ludhiana.***

 Whereas, the same in the SBM based bill has been stipulated as under: -

**Balbir Singh**

**#HNO 52/1 ST10/6 GO NGR S PURI NEW SHIMLAPURI**

Further, the amount of unpaid arrears has been mentioned as Rs. 9894/- in the SAP bill and Rs. 9889/- in the SBM based bill.

Respondent is directed to check up reasons behind this anomaly and take corrective action. Forum has considered the address and the amount of previous unpaid arrears as stipulated in the SAP system bill, so far as this case is concerned.

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. Keeping in view the above, Forum is of the opinion that bill dated 19.03.2023 for 58 days for the period from 20.01.2023 to 19.03.2023 for consumption of 747 units amounting to Rs. 12740/- (including previous unpaid arrears of Rs. 9894/-) is justified, correct and recoverable. Accordingly, the decision dated 11.08.2023 of Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana is liable to be set aside.

Keeping in view the above, Forum came to unanimous conclusion that the decision dated 11.08.2023 of Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana be set aside. Bill dated 19.03.2023 for 58 days for the period from 20.01.2023 to 19.03.2023 for consumption of 747 units amounting to Rs. 12740/- (including previous unpaid arrears of Rs. 9894/-) is correct and recoverable.

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 decision dated 11.08.2023 of Divisional CGRF, Janta Nagar (Spl.) PSPCL Ludhiana is set aside. Bill dated 19.03.2023 for 58 days for the period from 20.01.2023 to 19.03.2023 for consumption of 747 units amounting to Rs. 12740/- (including previous unpaid arrears of Rs. 9894/-) is correct and recoverable.**
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**