**CORPORATE CONSUMERS GRIEVANCES REDRESSAL FORUM**

**PUNJAB STATE POWER COPROPRATION LIMITED**

**220 KV S/Stn. Opp. Verka Milk Plant, Firozpur Road, Ludhiana**

**Tel: 0161-2971912, email: secy.cgrfldh@gmail.com**

**CASE NO.: CF-147/2023**

**Date of Registration : 15.11.2023**

**Date of Closing : 21.11.2023**

**Date of Final Order : 24.11.2023**

**In the Matter of:**

**Sh. Jai Dev Verma,**

**190, Old Bishan Nagar,**

**Street no. 6, Patiala.**

**A/c No.: 3000014433**

**Through:**

Sh. Sachin Verma  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/Op. West Division,

PSPCL, Patiala. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-147/2023 has been filed in the Forum as an appeal against the decision of Divisional CGRF West Division, PSPCL, Patiala in the matter related to A/c no. 3000014433. The Petitioner is having DS connection with SL of 4.960 KW under DS West Division, PSPCL, Patiala. Meter of the petitioner got burnt on 01.07.2023 and his installation was directly connected to the PSPCL mains on 01.07.2023 vide DSO no. 09/311 dated 01.07.2023. Meter of petitioner was replaced on 22.07.2023 before issue of formal MCO no. 100022029796 dated 24.07.2023 as stated by respondent during hearing dated 20.11.2023. Replaced meter was checked in ME Lab vide challan no. 613 dated 17.08.2023 wherein meter was reported completely burnt; accuracy could not be done and reading of the meter was reported ‘Not Visible’. Petitioner was issued bill dated 20.07.2023 for the period of 62 days from 19.05.2023 to 20.07.2023 on R-code for average consumption of 715 KWH amounting to Rs. 3910/-. Petitioner did not agree to this bill and filed his case in Divisional CGRF West Division, PSPCL, Patiala. Divisional CGRF West Division, PSPCL, Patiala on 22.08.2023 decided that amount charged is correct and recoverable. Petitioner did not agree to this decision and filed appeal in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 15.11.2023 and finally on 21.11.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 15.11.2023***

*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 Patiala (Respondent) along with copy of petition as follows: -*

1. *Respondent shall check/verify the bill dated 20.07.2023 of Rs. 3910 for consumption of 715 KWH for period from 19.05.2023 to 20.07.2023, with meter status R code and bill dated 04.08.2023 of Rs. 3910/-.*
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*](mailto:secy.cgrfldh@gmail.com)
   2. *Copy of decision of Divisional CGRF and its case file.*
   3. *screenshots of meter taken before 07/2023, 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.*
   4. *copy of current site checking report and copies of reports of checking carried out by various authorities previously.*
   5. *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 21.11.2023.*

***Proceedings dated: 21.11.2023***

*Respondent submitted reply in five sets which is taken on record. One copy thereof was handed over to the petitioner/PR.*

*Respondent stated that though MCO was issued on 24.07.2023 however in actual the meter was replaced on 22.07.2023 on verbal orders of ASE/DS Division West Patiala as the petitioner approached him for filing case in Divisional CGRF. Further he clarified that the equipment issue date of 02.08.2023 is actually the date on which details of MCO were punched in SAP which has no relevance with actual replacement of meter.*

*Petitioner stated that due to heavy rains in his area and being a flood affected region, his consumption was comparatively lower than the corresponding months of previous years.*

*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. 3000014433, is having DS connection with sanctioned load of 4.96 KW, in the name of Sh. Jai Dev Verma, under DS West Division, Patiala.
3. The Petitioner in his Petition prayed that: -

*ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਮੈਨੂੰ ਅਜੇ ਤੱਕ ਸੀਨੀਅਰ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ (D.S.C.) ਕਮੇਟੀ ਦੇ ਚੇਅਰਮੈਨ ਨੇ ਫੈਸਲੇ ਦੀ ਕਾਪੀ ਮੈਨੂੰ ਅਜੇ ਤੱਕ ਡਾਕ ਰਾਹੀ ਨਹੀਂ ਭੇਜੀ। ਮੈਂ ਆਪਣੇ ਪੱਧਰ ਤੇ ਸਹਾਇਕ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ (ਪੱਛਮ) ਵਣਜ ਉਪ-ਮੰਡਲ, ਪਟਿਆਲਾ ਤੋਂ ਮਿੱਤੀ 18.9.23 ਨੂੰ ਫੈਸਲੇ ਦੀ ਕਾਪੀ ਪ੍ਰਾਪਤ ਕੀਤੀ।*

*ਮੈਂ ਉਪਰੋਕਤ ਫੈਸਲੇ ਨਾਲ ਸਹਿਮਤ ਨਹੀਂ ਹਾਂ। ਕਿਉਂਕਿ ਸ੍ਰੀ ਅਕਸ਼ਦੀਪ ਸਿੰਘ, ਜੇ.ਈ. ਨੇ ਜਾਣ ਬੂਝ ਕੇ ਇਕ ਹਫਤੇ ਅੰਦਰ ਮੀਟਰ ਨਹੀਂ ਬਦਲਿਆਂ, ਜਦ ਕਿ ਮੀਟਰ ਸਟੋਰ ਵਿਚ ਪਏ ਸਨ। ਜੇ.ਈ ਦੇ ਖਿਲਾਫ ਬਣਦੀ ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ। ਜੇ ਉਸ ਸਮੇਂ ਮੀਟਰ ਲਗ ਜਾਂਦਾ ਤਾਂ average bill ਨਹੀਂ ਆਉਣਾ ਸੀ। ਮੇਰਾ average bill 403 ਯੂਨਿਟ ਬਣਦਾ ਹੈ। ਇਸ ਨੂੰ ਮੰਨਣ ਦੀ ਕਿਰਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ। ਮੈਂ ਆਪਣੀ ਅਰਜ਼ੀ ਜਿਹੜੀ ਸੀਨੀਅਰ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ (ਪੱਛਮ) ਨੂੰ 24-7-2023 ਨੂੰ ਲਿਖਿਆ ਸੀ 715 ਯੂਨਿਟ ਬਿਨਾਂ ਮੀਟਰ ਦੀ ਰੀਡਿੰਗ ਨੂੰ consider ਨਾ ਕੀਤਾ ਜਾਵੇ ਪਰੰਤੂ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ (ਪੱਛਮ) ਨੇ ਇਸ ਨੂੰ ਗਲਤ ਲਿਖ ਦਿੱਤਾ ਹੈ।*

*ਆਪ ਜੀ ਨੂੰ ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਮੇਰੀ 3910/- ਰੁਪਏ ਦੀ disputed amount ਨੂੰ ਮਾਫ ਕਰਕੇ ਕੇਸ ਦਾ ਨਿਪਟਾਰਾ ਕੀਤਾ ਜਾਵੇ ਜੀ। ਮੈਂ ਆਪ ਜੀ ਦਾ ਧੰਨਵਾਦੀ ਹੋਵਾਂਗਾ।*

1. The Respondent in his reply stated that: -

*ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਸਬੰਧੀ ਆਪ ਜੀ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ ਨੰਬਰ 3000014433 ਜੋ ਕਿ ਜੈ ਦੇਵ ਵਰਮਾ ਦੇ ਨਾਂ ਤੇ 4.960 ਕੇ.ਵੀ. ਦਾ ਡੀ.ਐਸ. ਕੁਨੈਕਸ਼ਨ ਚਲਦਾ ਹੈ ਦੇ ਸਬੰਧੀ ਵਿੱਚ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਸੜ ਜਾਣ ਕਾਰਨ, ਖਪਤਕਾਰ ਦਾ ਬਿਜਲੀ ਸਪਲਾਈ DSO ਨੰ. 311/09 ਮਿਤੀ 01.07.2023 ਮੁਤਾਬਿਕ Direct ਕਰ ਦਿੱਤੀ ਗਈ ਸੀ।*

*ਖਪਤਕਾਰ ਦਾ ਇਸ ਤੋਂ ਪਹਿਲਾਂ ਬਿਲ ਮਿਤੀ 19.05.2023 ਤੱਕ ਦਾ ਜਾਰੀ ਹੋਇਆ ਸੀ।*

*ਮੀਟਰ ਸੜਨ ਕਾਰਨ ਖਪਤਕਾਰ ਦੇ ਮਿਤੀ 19.05.2023 ਤੋਂ ਬਾਅਦ ਦੇ ਬਿਲ ਐਵਰੇਜ ਅਧਾਰ ਤੇ ਬਣੇ ਜਿਨਾਂ ਦੀ ਡਿਟੇਲ ਹੇਠ ਅਨੁਸਾਰ ਹੈ ਜੀ ।*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Bill Date | Period | Units | Current Bill Amount | Average Base |
| 21.07.2023 | 19.05.23-20.07.23, 62 Days | 715 Avg | 3920 | Last year Same Month (As per Supply code, 2014, Regulation 21.5.2(a)) |
| 04.08.2023 | 20.07.23-22.07.23, 2 Days | 15 Avg | 0  Subsidized | Supply code 2014, Regulation 21.5.2 (a) ਮੁਤਾਬਿਕ 24 ਯੂਨਿਟ ਚਾਰਜ ਹੋਏ ਬਣਦੇ ਹਨ। |

*ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਮਿਤੀ 22.07.2023 ਨੂੰ 2690 ਐਵਰੇਜ ਰੀਡਿੰਗ ਤੇ ਬਦਲੀ ਕੀਤਾ ਗਿਆ ਜੀ।*

*ਅਤੇ ਖਪਤਕਾਰ ਦਾ ਰਿਕਾਰਡ ਘੋਖਿਆ ਅਤੇ ਪਾਇਆ ਕਿ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ 22.07.2023 ਨੂੰ ਬਦਲੀ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ ਅਤੇ ਐਲ.ਸੀ.ਆਰ. ਨੰ. 61/777 ਮਿਤੀ 21.08.2023 ਅਨੁਸਾਰ ਨਵੇਂ ਮੀਟਰ ਦੀ 30 ਦਿਨਾਂ ਦੀ ਖਪਤ 511 ਯੂਨਿਟ ਆਈ ਹੋਈ ਹੈ।*

*ਖਪਤਕਾਰ ਨੂੰ ਚਾਰਜ ਕੀਤੀ ਐਵਰੇਜ ਅਤੇ ਨਵੇਂ ਮੀਟਰ ਦੀ ਖਪਤ ਮੇਲ ਖਾਂਦੀ ਹੈ, ਇਸ ਲਈ ਖਪਤਕਾਰ ਨੂੰ ਜਾਰੀ ਹੋਇਆ ਬਿੱਲ ਸਹੀ ਹੈ । ਆਪ ਜੀ ਦੀ ਸੂਚਨਾ ਹਿੱਤ ਹੈ ਜੀ ।*

*Reply to Petition: -*

* + - 1. *ਖਪਤਕਾਰ ਦਾ ਫੈਸਲਾ ਇਸ ਦਫਤਰ ਨੂੰ ਮਿਤੀ 12.09.2023 ਨੂੰ ਪ੍ਰਾਪਤ ਹੋਇਆ ਅਤੇ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਖਪਤਕਾਰ ਨੂੰ ਪੱਤਰ ਨੰ 2639 ਮਿਤੀ 15.09.2023 ਨਾਲ ਜਾਣਕਾਰੀ ਦਿੱਤੀ ਗਈ ਜੋ ਕਿ ਖਪਤਕਾਰ ਵੱਲੋਂ ਮਿਤੀ 18.09.2023 ਨੂੰ ਪ੍ਰਾਪਤ ਕੀਤੀ ਗਈ।*
      2. *ਖਪਤਕਾਰ ਦੀ ਬਿਜਲੀ ਸਪਲਾਈ DSO ਨੰ. 311/09 ਮਿਤੀ 01.07.2023 ਮੁਤਾਬਿਕ Direct ਕਰ ਦਿੱਤੀ ਗਈ ਸੀ। ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਮਿਤੀ 22.07.2023 ਨੂੰ ਬਦਲੀ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ ਜੀ।*

*ਇਸ ਸੰਬੰਧੀ ਇਹ ਵੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਐਮ. ਈ. ਲੈਬ, ਪਟਿਆਲਾ ਦੀ ਪਿਛਲੀ ਮੀਟਰਾਂ ਦੀ ਸ਼ੋਰਟੇਜ ਕਾਰਨ ਇਸ ਦਫਤਰ ਦੀ Pendency ਬਹੁਤ ਜਿਆਦਾ ਸੀ ਅਤੇ ਉਸ ਸਮੇਂ ਲਗਭਗ 4000 ਮੀਟਰਾਂ ਦੀ ਸੀ ਜੀ । ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਕੇਸ ਕਾਰਨ ਪਹਿਲਤਾ ਤੇ ਅਧਾਰ ਤੇ ਬਦਲੀ ਕੀਤਾ ਗਿਆ ਸੀ ਜੀ। ਇਸ ਵਿੱਚ ਸ਼੍ਰੀ ਅਕਾਸ਼ਦੀਪ ਜੇ.ਈ. ਵੱਲੋਂ ਕੋਈ ਕੁਤਾਹੀ ਨਹੀਂ ਵਰਤੀ ਗਈ ਜੀ।*

* + - 1. *ਇਸ ਖਪਤਕਾਰ ਨੂੰ ਮਿਤੀ 21.07.2023 ਦੇ ਬਿਲ ਵਿੱਚ ਐਵਰੇਜ ਸਪਲਾਈ ਕੋਡ ਰੈਗੁਲੇਸ਼ਨ 21.5.2(ਏ) ਮੁਤਾਬਿਕ ਚਾਰਜ ਕੀਤੀ ਗਈ ਹੈ ਜੀ ਜੋ ਕਿ 62 ਦਿਨਾਂ ਦੀ 715 ਯੂਨਿਟ (11.53 ਯੂਨਿਟ ਪ੍ਰਤੀ ਦਿਨ) ਯੂਨਿਟ ਚਾਰਜ ਹੋਈ। ਖਪਤਕਾਰ ਦੀ ਮੀਟਰ ਬਦਲੀ ਤੋਂ ਬਾਅਦ ਦੀ ਖਪਤ 60 ਦਿਨਾਂ ਦੀ 1013 ਯੂਨਿਟ (16.88 ਯੂਨਿਟ ਪ੍ਰਤੀ ਦਿਨ) OK ਕੋਡ ਤੇ ਦਰਜ ਹੋਈ ਜੀ।*

*ਖਪਤਕਾਰ ਵੱਲੋਂ ਮਿਤੀ 26.09.22 ਤੋਂ 19.05.2023 ਤੱਕ ਦੀ ਖਪਤ ਦੀ Simple Average ਨਾਲ ਬਿਲ ਬਣਾਇਆ ਗਿਆ ਹੈ ਜੋ ਜਿ PSPCL ਦੀਆਂ ਹਦਾਇਤਾਂ ਮੁਤਾਬਿਕ ਨਹੀਂ ਹੈ ਜੀ ਅਤੇ ਇਸ ਸਮੇਂ ਵਿੱਚ ਵਾਧੂ ਸਮਾਂ ਸਰਦੀਆਂ ਦਾ ਹੈ ਜਦੋਂ ਕਿ ਖਪਤਕਾਰ ਦਾ ਝਗੜਾਂ ਗਰਮੀ ਦੇ ਸਮੇਂ ਦਾ ਹੈ ਜੀ।*

* + - 1. *ਇਸ ਖਪਤਕਾਰ ਵੱਲੋਂ ਡਿਵਿਜਨ ਝਗੜਾ ਨਿਪਟਾਊ ਫੋਰਮ ਵਿੱਚ ਕੇਸ ਲਗਾਇਆ ਗਿਆ ਸੀ ਜੀ ਜਿਸ ਦੇ ਮਿਤੀ 22.08.2023 ਦੇ ਫੈਸਲੇ ਮੁਤਾਬਿਕ ਝਗੜੇ ਦੀ ਰਕਮ ਖਪਤਕਾਰ ਤੋਂ ਵਸੂਲਣਯੋਗ ਹੈ ਜੀ।*

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 bill dated 20.07.2023 for period of 62 days from 19.05.2023 to 20.07.2023 issued on R-code on average basis for 715 KWH, amounting to Rs. 3910/-, held as correct and recoverable by Divisional CGRF West Division, PSPCL, Patiala in its decision dated 22.08.2023.
2. Forum observed that meter of the petitioner got burnt on 01.07.2023 and his supply was directly connected from the PSPCL main on 01.07.2023 vide DSO no. 09/311 dated 01.07.2023. Meter of petitioner was replaced vide MCO no. 100022029796 dated 24.07.2023 effected on 22.07.2023. Replaced meter was checked in ME Lab vide challan no. 613 dated 17.08.2023 wherein meter was reported completely burnt; accuracy could not be done and reading of the meter was reported ‘Not Visible’. Petitioner was issued bill dated 20.07.2023 for the period of 62 days from 19.05.2023 to 20.07.2023 on R-code for average consumption of 715 KWH amounting to Rs. 3910/-. Petitioner did not agree to this bill and filed his case in Divisional CGRF West Division, PSPCL, Patiala where the case was decided on 22.08.2023 as under:

***“ਖਪਤਕਾਰ ਦਾ ਰਿਕਾਰਡ ਘੋਖਿਆ ਅਤੇ ਪਾਇਆ ਕਿ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ 22.07.2023 ਨੂੰ ਬਦਲੀ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ ਅਤੇ ਐਲ.ਸੀ.ਆਰ. ਨੰ. 60/777 ਮਿਤੀ 21.08.2023 ਅਨੁਸਾਰ ਨਵੇਂ ਮੀਟਰ ਦੀ 30 ਦਿਨਾਂ ਦੀ ਖਪਤ 511 ਯੂਨਿਟ ਆਈ ਹੋਈ ਹੈ। ਜਿਸ ਅਨੁਸਾਰ ਕਮੇਟੀ ਨੇ ਫੈਸਲਾ ਕੀਤਾ ਕਿ ਖਪਤਕਾਰ ਨੂੰ ਜਾਰੀ ਹੋਇਆ ਬਿੱਲ ਸਹੀ ਅਤੇ ਵਸੂਲਣਯੋਗ ਹੈ।”***

Petitioner did not agree to this decision of Divisional CGRF West Division and filed appeal in Corporate CGRF, Ludhiana.

Respondent during hearing dated 21.11.2023, clarified that meter was actually replaced on 22.07.2023 on verbal orders of ASE/DS Division West Patiala as the petitioner approached him for filing case in Divisional CGRF and MCO was later issued on 24.07.2023. He further clarified that the equipment issue date mentioned as 02.08.2023 on MCO is actually the date on which details of MCO were punched in SAP which has no relevance with actual replacement of meter.

Forum observed the consumption data supplied by the Respondent tabulated below: -

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Year | 2019 | | 2020 | | 2021 | | 2022 | | 2023 | |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan | 430 | O | 381 | O | 449 | O | 375 | O | 401 | O |
| Mar | 304 | O | 381 | O | 341 | O | 308 | O | 452 | O |
| May | 434 | O | 412 | O | 367 | O | 411 | O | 512 | O |
| July | 1018 | O | 787 | O | 738 | O | 715 | O | 715  15 | R  R |
| Sept | 1074 | O | 1139 | O | 769 | O | 823 | X |  |  |
| Nov | 397 | O | 611 | O | 569 | O | 247 | O |  |  |
| **Total** | **3657** |  | **3711** |  | **3233** |  | **2879** |  | **2095** |  |

Forum observed that the annual consumption of petitioner from 2019 to 2023 (upto 07/2023) is 3657, 3711, 3233, 2879 and 2095 (up to 07/2023) units respectively. It is observed that the consumption is almost consistent throughout this period.

Petitioner in his petition contended that his bill be adjusted with average consumption of 403 units. Forum observed that the disputed bill was issued for 62 days on ‘R’ code for average consumption of 715 units. Further it is observed that after the change of the disputed meter, the consumption has been recorded as 1013 units in 60 days (also stated by the Respondent in his reply), which is more than the average consumption charged to petitioner in bill dated 20.07.2023. Therefore, the contention of the petitioner that his bill be adjusted with average consumption of 403 units has no merits & it is not in accordance with the instructions of the PSPCL hence it is not acceptable. Site of the petitioner was checked on 17.11.2023 and LCR no. 83/777 dated 17.11.2023 was prepared when readings of the meter were recorded as 1358 KWH/1535 KVAH and connected load was found as 4.38 KW against sanctioned load of 4.96 KW. Petitioner in his petition also contended that JE of the respondent did not replace the meter in weeks’ time. Had he replaced the meter in time the problem would not have arisen. Forum agrees to this contention of the petitioner. Respondent must look into the matter that why the meter was not replaced within the time frame specified by the PSERC in Standard of Performance and initiate suitable disciplinary action against the delinquent official. Forum also observed that as per ME challan no. 613 dated 17.08.2023, meter was accepted as burnt and reading was not visible. Relevant regulation of Supply Code 2014 dealing with dead stop, burnt, defective meters is as under:

*Regulation 21.5.2 of Supply Code 2014 dealing with Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters is as under: -*

*“The accounts of a consumer shall be overhauled/billed for the period meter remained defective/dead stop and in case of burnt/stolen meter for the period of direct supply subject to maximum period of six months as per procedure given below:*

*a) On the basis of energy consumption of corresponding period of previous year.*

*b) In case the consumption of corresponding period of the previous year as referred in para (a) above is not available, the average monthly consumption of previous six (6) months during which the meter was functional, shall be adopted for overhauling of accounts.*

*c) If neither the consumption of corresponding period of previous year (para-a) nor for the last six months (para-b) is available then average of the consumption for the period the meter worked correctly during the last 6 months shall be taken for overhauling the account of the consumer.*

*d) Where the consumption for the previous months/period as referred in para (a) to para (c) is not available, the consumer shall be tentatively billed on the basis of consumption assessed as per para -4 of Annexure-8 and subsequently adjusted on the basis of actual consumption recorded in the corresponding period of the succeeding year.*

*e) The energy consumption determined as per para (a) to (d) above shall be adjusted for the change of load/demand, if any, during the period of overhauling of accounts”.*

Forum 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. Keeping in view the above discussion, Forum is of the opinion that though the average is required to be charged for the period of direct supply i.e., from 01.07.2023 to 22.07.2023 but as the meter burnt on 01.07.2023 and last correct reading was recorded on 19.05.2023, therefore the consumption for the period from 19.05.2023 to 20.07.2023 (62 days) has been charged rightly on the basis of actual consumption of the corresponding period of the previous year as per regulation 21.5.2 of Supply Code-2014 dealing with dead stop, burnt, defective meters. Therefore, bill dated 20.07.2023 issued for the period from 19.05.2023 to 20.07.2023 for an average consumption of 715 KWH amounting to Rs. 3910/-, is justified. Hence, decision dated 22.08.2023 of Divisional CGRF West Division, PSPCL, Patiala is required to be upheld.

Keeping in view the above, Forum came to unanimous conclusion that this Forum is not inclined to interfere with the decision dated 22.08.2023 of Divisional CGRF West Division, PSPCL, Patiala.

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 22.08.2023 of Divisional CGRF West Division, PSPCL, Patiala is upheld.**
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: 24.11.2023**