**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-148/2023**

**Date of Registration : 15.11.2023**

**Date of Closing : 15.11.2023**

**Date of Final Order : 17.11.2023**

**In the Matter of:**

 **M/S Sihan Singh,**

 **Nathuram Jand Mangoly,**

 **Ghanaur.**

**A/c No.: 3007447131.**

**Through:**

Sh. Gamdoor Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Suburban Division,

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

1. **BRIEF HISTORY:**

Petition against case No.: CF-148/2023 has been filed directly in the Forum by Sh. Gamdoor Singh, in the matter related to A/c no. 3007447131 of SP category connection with sanctioned load of 9.590 KW/10.650 KVA, in the name of Sh. Sihan Singh (expired on 07.01.2008) under DS Suburban Division, PSPCL, Patiala. Bill dated 21.08.2023 was issued against this account number for a period of 28 days from 05.07.2023 to 02.08.2023 for a consumption of 869621 KVAH amounting to Rs. 5744510/-. Petitioner did not agree to the bill and challenged his meter on 04.08.2023 depositing Rs. 830/- as meter challenge fee. Meter of the petitioner was changed vide MCO no. 100022644352 dated 03.08.2023 effected on 07.08.2023. Removed meter was checked in ME Lab vide challan no. 01 dated 24.08.2023, where accuracy of the meter was found okay and final reading was verified as 218548 KWH/908173KVAH; its DDL could not be done. Petitioner, not satisfied with the results of ME Lab, filed his case in Corporate CGRF, Ludhiana. The present petition has been filed by one of his sons namely Sh. Gamdoor Singh. Respondent while deposing before CCGRF on 15.11.2023 stated that change of name is pending due to defaulting (disputed) amount only and Sh. Gamdoor Singh is competent to file/defend this case and accordingly case was registered. Forum heard the case in its proceeding dated 15.11.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 15.11.2023***

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

 *Petitioner stated that he went to the office of respondent for getting the change of name but he was denied by then SDO due to non-submission of registry.*

*Respondent replied that he has newly joined as AEE/Op. Suburban Division Ghanaur and he knows that there is no registry within the Lal Lakeer of Village and that change of name is pending due to defaulting (disputed) amount only and Sh. Gamdoor Singh is competent to defend/file this case in Corporate CGRF, Ludhiana. Further respondent stated that average amount of Rs. 2500/- against the bill in dispute had already been deposited by petitioner on 18.08.2023.*

*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. 3007447131, is having SP connection with sanctioned load of 9.590 KW/10.650 KVA, in the name of Sh. Sihan Singh, under DS Suburban Division, Patiala.
3. The Petitioner in his Petition prayed that: -

*ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਂ ਗਮਦੂਰ ਸਿੰਘ ਪੁੱਤਰ ਲੇਟ ਸ੍ਰੀ ਸੀਹਾਂ ਸਿੰਘ ਵਾਸੀ ਪਿੰਡ ਜੰਡ ਮੰਘੋਲੀ ਸਬ: ਤਹਿਸੀਲ ਘਨੌਰ ਤਹਿ: ਰਾਜਪੁਰਾ ਜਿਲਾ ਪਟਿਆਲਾ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹਾਂ। ਇਹ ਕਿ ਮੇਰੇ ਪਿਤਾ ਜੀ ਦੇ ਨਾਮ ਤੇ ਇੱਕ ਆਟਾ ਚੱਕੀ ਕੂਨੈਕਸ਼ਨ ਚੱਲ ਰਿਹਾ ਹੈ, ਜਿਸ ਦਾ ਖਾਤਾ ਨੰ: 3007447131 ਹੈ। ਇਹ ਕਿ ਮੇਰੇ ਵੱਲੋ ਇਸ ਮੀਟਰ ਦੀ ਰੀਡਿੰਗ ਵੱਧ ਹੋਣ ਕਰਕੇ ਚੈਲੇਂਜ ਕਰਵਾਇਆ ਗਿਆ ਸੀ। ਇਸ ਉਪਰੰਤ ਇਹ ਮੀਟਰ ਬਦਲ ਦਿੱਤਾ ਗਿਆ ਅਤੇ ਉਤਾਰੇ ਮੀਟਰ ਦਾ ਬਿਲ ਰਕਮ 57,44,510/- ਰੁਪਏ ਦਾ ਬਣ ਗਿਆ ਹੈ, ਜੋ ਕਿ ਸਹੀ ਨਹੀ ਹੈ। ਇਹ ਕਿ ਇਹ ਮੀਟਰ ਵਿੱਚ ਖਰਾਬੀ ਹੋਣ ਕਾਰਨ ਮੀਟਰ ਨੇ ਬਿਜਲੀ ਦੀਆਂ ਯੂਨਿਟਾਂ ਜਿਆਦਾ ਕੱਢ ਦਿੱਤੀਆਂ ਹਨ। ਜਿਸ ਕਾਰਨ ਇਹ ਬਿਲ ਲੋੜ ਤੋਂ ਵੀ ਜਿਆਦਾ ਆਇਆ ਹੈ। ਸੋ ਹੁਣ ਮੈ ਇੰਨਾ ਬਿਲ ਭਰਨ ਤੋ ਅਸਮਰਥ ਹਾਂ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਮੇਰਾ ਕੇਸ CCGDR ਵਿੱਚ ਲਗਾਇਆ ਜਾਵੇ ਤੇ ਜੋ ਕਿ ਇਹ ਮੀਟਰ ਖਰਾਬ ਹੋਣ ਕਾਰਨ ਬਿਜਲੀ ਦਾ ਬਿਲ ਬਹੁਤ ਜਿਆਦਾ ਆਇਆ ਹੈ, ਜਿਸ ਨੂੰ ਸਹੀ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਮੁੜ ਤੋ ਬਿਲ ਬਣਾਇਆ ਜਾਵੇ ਜੀ ਤਾਂ ਜੋ ਮੈਂ ਬਣਦਾ ਬਿੱਲ ਭਰ ਸਕਾਂ।*

1. The Respondent in his reply stated that: -

*ਇਹ ਕੁਨੈਕਸ਼ਨ SP ਕੈਟਾਗਿਰੀ ਅਧੀਨ ਉਪ ਮੰਡਲ ਘਨੌਰ-1 ਵਿਖੇ ਚੱਲ ਰਿਹਾ ਹੈ। ਖਪਤਕਾਰ ਵੱਲੋਂ ਮੀਟਰ ਤੇਜ ਚਲਣ ਕਾਰਨ ਮਿਤੀ 04.08.2023 ਨੂੰ ਮੀਟਰ ਚੈਲੇਂਜ ਫੀਸ ਰਕਮ 830/- ਰੁਪਏ ਭਰ ਕੇ ਮੀਟਰ ਚੈਲੇਂਜ ਕਰਵਾਇਆ ਗਿਆ ਸੀ। ਅਤੇ ਇਸ ਮਹੀਨੇ (08-2023) ਦਾ ਖਪਤਕਾਰ ਦਾ ਬਿਲ ਰਕਮ 5744510/- ਰੁਪਏ ਦਾ ਬਣਿਆ ਸੀ। ਜਿਸ ਮੁਤਾਬਿਕ ਖਪਤਕਾਰ ਦੇ ਅਹਾਤੇ ਦਾ ਮੀਟਰ ਐਮ.ਸੀ.ਓ. ਨੰ. 100022644352 ਮਿਤੀ 04.08.2023 ਮੁਤਾਬਿਕ ਮਿਤੀ 07.08.2023 ਨੂੰ ਬਦਲ ਦਿੱਤਾ ਗਿਆ। ਅਤੇ ਇਸ ਉਪਰੰਤ ਇਹ ਮੀਟਰ ਚਲਾਨ ਨੰ. 01 ਮਿਤੀ 24.08.2023 ਰਾਹੀ ਐਮ.ਈ. ਲੈਬ ਵਿਚ ਭੇਜਿਆ ਗਿਆ ਅਤੇ ਐਮ.ਈ. ਲੈਬ ਦੀ ਇੰਪੋਰਟ ਮੁਤਾਬਿਕ ਮੀਟਰ ਦੀ ਐਕੁਰੇਸੀ ਠੀਕ ਪਾਈ ਗਈ ਅਤੇ ਲਿਖਿਆ ਗਿਆ ਕਿ ਮੀਟਰ ਦਾ DDL ਨਹੀ ਹੋ ਸਕਦਾ।*

***Office Version:***

*ਖਪਤਕਾਰ ਵੱਲੋਂ ਮੀਟਰ ਤੇਜ ਚਲਣ ਕਾਰਨ ਮਿਤੀ 04.08.2023 ਨੂੰ ਮੀਟਰ ਚੈਲੇਂਜ ਫੀਸ ਰਕਮ 830/- ਰੁਪਏ ਭਰ ਕੇ ਮੀਟਰ ਚੈਲੇਂਜ ਕਰਵਾਇਆ ਗਿਆ ਸੀ। ਅਤੇ ਇਸ ਮਹੀਨੇ (08-2023) ਦਾ ਖਪਤਕਾਰ ਦਾ ਬਿਲ ਰਕਮ 5744510/- ਰੁਪਏ ਦਾ ਬਣਿਆ ਸੀ। ਜਿਸ ਮੁਤਾਬਿਕ ਖਪਤਕਾਰ ਦੇ ਅਹਾਤੇ ਦਾ ਮੀਟਰ ਐਮ.ਸੀ.ਓ. ਨੰ. 100022644352 ਮਿਤੀ 04.08.2023 ਮੁਤਾਬਿਕ ਮਿਤੀ 07.08.2023 ਨੂੰ ਬਦਲ ਦਿੱਤਾ ਗਿਆ।ਅਤੇ ਇਸ ਉਪਰੰਤ ਇਹ ਮੀਟਰ ਚਲਾਨ ਨੰ. 01 ਮਿਤੀ 24.08.2023 ਰਾਹੀ ਐਮ.ਈ. ਲੈਬ ਵਿਚ ਭੇਜਿਆ ਗਿਆ ਅਤੇ ਐਮ.ਈ. ਲੈਬ ਦੀ ਰਿਪੋਰਟ ਮੁਤਾਬਿਕ ਮੀਟਰ ਦੀ ਐਕੂਰੇਸੀ ਠੀਕ ਪਾਈ ਗਈ ਅਤੇ ਲਿਖਿਆ ਗਿਆ ਕਿ ਮੀਟਰ ਦਾ DDL ਨਹੀਂ ਹੋ ਸਕਦਾ। ਜਿਸ ਕਾਰਨ ਇਹ ਬਿਲ ਇਸ ਦਫਤਰ ਵੱਲੋਂ ਠੀਕ ਨਹੀਂ ਕੀਤਾ ਜਾ ਸਕਿਆ।*

***Consumer Version:***

*ਖਪਤਕਾਰ ਵੱਲੋਂ ਮੀਟਰ ਤੇਜ ਚਲਣ ਕਾਰਨ ਮਿਤੀ 04.08.2023 ਨੂੰ ਮੀਟਰ ਚੈਲੇਂਜ ਫੀਸ ਰਕਮ 830/- ਰੁਪਏ ਭਰ ਕੇ ਮੀਟਰ ਚੈਲੇਂਜ ਕਰਵਾਇਆ ਗਿਆ ਸੀ। ਅਤੇ ਇਸ ਮਹੀਨੇ (08-2023) ਦਾ ਖਪਤਕਾਰ ਦਾ ਬਿਲ ਰਕਮ 5744510/- ਰੁਪਏ ਦਾ ਬਣਿਆ ਜੋ ਕਿ ਗਲਤ ਹੈ ਇਸ ਤੋਂ ਪਹਿਲਾ ਉਸ ਦਾ ਕਦੇ ਵੀ ਇੰਨੀ ਰਕਮ ਦਾ ਬਿਲ ਨਹੀਂ ਬਣਿਆ।ਅਤੇ ਉਹ ਇੰਨੀ ਜ਼ਿਆਦਾ ਰਕਮ ਭਰਨ ਤੋਂ ਅਸਮਰਥ ਹੈ।ਉਸ ਦਾ ਕੇਸ ਜ਼ੋਨਲ ਡਿਸਪਿਊਟ ਸੈਟਲਮੈਂਟ ਕਮੇਟੀ ਵਿਚ ਵਿਚਾਰਿਆ ਜਾਵੇ।*

1. Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, oral discussions made by Petitioner along with material brought on record. The issue that requires adjudication in the present case is to decide the legitimacy of the bill dated 21.08.2023 issued for the period of 28 days from 05.07.2023 to 02.08.2023 for a consumption of 869621 KVAH, amounting to Rs. 5744510/-.
2. Forum observed that Bill dated 21.08.2023 was issued against this account number for a period of 28 days from 05.07.2023 to 02.08.2023 for a consumption of 869621 KVAH amounting to Rs. 5744510/-. Petitioner did not agree to the bill and challenged his meter on 04.08.2023 depositing Rs. 830/- as meter challenge fee. Meter of the petitioner was changed vide MCO no. 100022644352 dated 03.08.2023 effected on 07.08.2023. Removed meter was checked in ME Lab vide challan no. 01 dated 24.08.2023, where accuracy of the meter was found okay and final reading was verified as 218548 KWH/908173KVAH; its DDL could not be done. Petitioner, not satisfied with the results of ME Lab, filed his case in Corporate CGRF, Ludhiana. 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 |  |  | 238 | O | 243 | O | 267 | O | 300 | O |
| Feb |  |  | 278 | O | 241 | O | 242 | O | 241 | O |
| Mar |  |  | 172 | O | 189 | O | 211 | O | 297 | O |
| Apr |  |  | 248 | O | 198 | O | 294 | O | 284 | O |
| May |  |  | 261 | O | 243 | O | 444 | O | 341 | O |
| Jun |  |  | 404 | O | 247 | O | 559 | O | 306 | O |
| July |  |  | 451 | O | 475 | O | 627 | O | 361 | O |
| Aug |  |  | 477 | O | 490 | O | 559 | O | 86962129 | OO |
| Sept |  |  | 513 | O | 475 | O | 518 | O | 424 | O |
| Oct | 320 | O | 406 | O | 369 | O | 461 | O | 388 | O |
| Nov | 226 | O | 240 | O | 288 | O | 343 | O | 191 | O |
| Dec | 212 | O | 285 | O | 223 | O | 187 | O |  |  |
| **Total** | **758** |  | **3973** |  | **3681** |  | **4712** |  | **872783** |  |

Forum observed that the annual consumption of petitioner from 2020 to 2023 (upto 11/2023) is 3973, 3681, 4712 and 872783 units (including exponentially high disputed consumption of 869621 units) respectively. Forum observed that exponentially high consumption of the order of 872783 KVAH units as recorded during the period of 28 days from 05.07.2023 to 02.08.2023 has never been recorded in any monthly bill before or after the replacement of the meter in dispute. Further connected load of the petitioner was found 7.620 KW against his sanctioned load of 9.590 KW as per LCR no. 32/827 dated 10.11.2023 and MDI has been recorded as 3.80 KVA (units missing on LCR). It is observed that his estimated monthly consumption as per LDHF formula specified by Hon’ble PSERC comes out to be 1097 KWH (7.620x30x8x0.6) for his connected load of 7.620 KW and 492 KWH (3.8x0.9x30x8x0.6) in view of his recorded maximum demand of 3.80 KVA. Hence, the exponentially high and disputed consumption of 872783 KVAH is simply impossible in a period of 28 days. Forum further observed that consumption of 869621KVAH/182585KWH has been recorded during the disputed period and with these consumptions power factor of the meter comes out to be 0.21 only which is also an abnormal figure as his normal power factor has always been recorded as more than 0.90. It emerges out from these facts/discussion that the meter must have gone erratic at some point of time after the recording of reading on 05.07.2023. Hence, reading recorded on 02.08.2023 by this meter cannot be relied upon and it is required to be treated as defective during the period in spite of the fact that its accuracy was found okay in ME Lab. The 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 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 21.08.2023 issued for the period of 28 days from 05.07.2023 to 02.08.2023 for a consumption of 869621 KVAH amounting to Rs. 5744510/- is not justified and required to be quashed. The account of the petitioner is required to be overhauled for the period from 05.07.2023 to 07.08.2023 (i.e., date of replacement of meter in dispute) on the basis of consumption recorded in the corresponding period of previous year as per Regulation no. 21.5.2(a) of Supply Code-2014.

Keeping in view the above, Forum came to the unanimous conclusion that bill dated 21.08.2023 issued for the period of 28 days from 05.07.2023 to 02.08.2023 for a consumption of 869621 KVAH amounting to Rs. 5744510/- be quashed. The account of the petitioner be overhauled for the period from 05.07.2023 to 07.08.2023 (i.e., date of replacement of meter in dispute) on the basis of consumption recorded in the corresponding period of previous year as per Regulation no. 21.5.2(a) of Supply Code-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. **Bill dated 21.08.2023 issued for the period of 28 days from 05.07.2023 to 02.08.2023 for a consumption of 869621 KVAH amounting to Rs. 5744510/- is quashed. The account of the petitioner be overhauled for the period from 05.07.2023 to 07.08.2023 (i.e., date of replacement of meter in dispute) on the basis of consumption recorded in the corresponding period of previous year as per Regulation no. 21.5.2(a) of Supply Code-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.**

**(Er. Navdeep Singh Chahal) (Er. Himat Singh Dhillon)**

**Permanent Invitee Independent Member**

**O/o CE/Commercial, PSPCL**

 **(Er. Kuldeep Singh)**

 **Chairperson**

**Place: Ludhiana**

**Date: 17.11.2023**