**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-157/2023**

**Date of Registration : 06.12.2023**

**Date of Closing : 12.12.2023**

**Date of Final Order : 15.12.2023**

**In the Matter of:**

**Smt. Inderjit Pabla, A. S. Pabla,**

**Mahilpur Road, Hoshiarpur.**

**A/c No.: 3000798756.**

**Through:**

Sh. Harpreet Singh **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

PSPCL, Hoshiarpur. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-157/2023 has been filed directly in the Forum by the petitioner in the matter related to A/c no.3000798756. Petitioner is having DS category connection with sanctioned load of 5.510 KW under DS Division Hoshiarpur. Petitioner was issued bill dated 22.02.2023 for the period of 117 days from 28.10.2022 to 22.02.2023 for a consumption of 8867 KWH amounting to Rs. 49590/-. Petitioner did not agree to these bills and challenged his meter. Meter was changed vide MCO no. 100020884669 dated 09.03.2023 effected on 04.04.2023. Thereafter, bill dated 09.05.2023 was issued for the period of 40 days from 22.02.2023 to 03.04.2023 for a consumption of 94619 KWH amounting to Rs. 597870/- (including unpaid arrears of Rs. 51560/-). Removed meter was checked in ME Lab vide challan no. 10 dated 15.05.2023 wherein accuracy of the meter was found within limits, RTC of the meter was reported defective; DDL was done in CMRI and final reading of the meter was verified as 105135.8 KWH. Latest bill dated 02.09.2023 amounting to Rs. 610120/- (including unpaid arrear amounting to Rs. 610117/-) was issued to petitioner against which he filed a case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 07.12.2023 and finally on 12.12.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 07.12.2023***

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

1. *Respondent shall check/verify the bill dated 02.09.2023 amounting Rs. 610120/- (including unpaid arrears of Rs. 610117/-) for a consumption of 45 KWH for a period from 01.08.2023 to 01.09.2023 with meter status O code. Further he shall submit complete upto date billing statement starting from the date of the amount started accumulating.*
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 09/2023, 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.*
	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 report 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 12.12.2023.*

***Proceedings dated: 12.12.2023***

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

*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. 3000798756, is having DS category connection with sanctioned load of 5.510 KW, in the name of Smt. Inderjit Pabla, under DS Division, Hoshiarpur.
3. The Petitioner in his Petition prayed that: -

***ਨਿਮਰਤਾ ਸਿਹਤ ਬੇਨਤੀ ਹੈ ਕਿ ਮੈ ਇੰਦਰਜੀਤ ਪਾਵਲਾ ਵਾਸੀ ਮਕਾਨ ਨੰ: 31 ਬੁੱਧ ਰਾਮ ਕਲੋਨੀ ਹੁਸਿਆਰਪੁਰ ਦੇ ਰਹਿਣ ਵਾਲੇ ਹਾਂ। ਅਸੀਂ ਕਾਫੀ ਸਾਲਾਂ (2019 ਤੋ 8/2023 ਤੱਕ) ਤੋ ਵਿਦੇਸ ਵਿੱਚ ਰਹਿ ਰਹੇ ਹਾਂ ਅਤੇ ਸਾਡਾ ਘਰ ਖਾਲੀ ਹੈ। ਮੇਰਾ ਮੀਟਰ ਮਾਰਚ-ਅਪ੍ਰੈਲ 2023 ਵਿੱਚ ਜੰਪ ਕਰ ਗਿਆ ਸੀ। ਸਾਡੇ ਵੱਲੋ ਮੀਟਰ ਚੈਲਜ ਕੀਤਾ ਗਿਆ ਸੀ । ਚਲਾਨ ਵਿੱਚ ਮੀਟਰ OK ਚਲਦਾ ਪਾਇਆ ਗਿਆ ਪਰ ਡੀ.ਡੀ.ਐਲ. ਰਿਪੋਰਟ ਵਿੱਚ ਜੰਪ ਕੀਤਾ ਪਾਇਆ ਗਿਆ ਹੈ। ਸਾਨੂੰ ਇਸ ਮਸਲੇ ਵਿੱਚ ਕੋਈ ਨੋਟਿਸ ਵੀ ਨਹੀ ਆਇਆ, ਕੇਵਲ ਬਿਜਲੀ ਬਿੱਲ ਆਇਆ ਹੈ ਜੋ ਨਾਲ ਨੱਥੀ ਹੈ। ਇਸ ਲਈ ਮੇਰਾ ਕੇਸ ਝਗੜਾ ਨਿਵਾਰਣ ਕਮੇਟੀ ਵਿੱਚ ਵਿਚਾਰਾ ਜਾਵੇ ਜੀ। ਮੈ ਆਪ ਜੀ ਨੂੰ ਦੱਸਣਾ ਕਿ ਮੇਰੀ ਉਮਰ ਲਗਭਗ 79 ਸਾਲ ਦੀ ਹੈ, ਕਿਰਪਾ ਕਰਕੇ ਮੇਰੀ ਉਮਰ ਦਾ ਲਿਹਾਜ ਕਰਦੇ ਮੈਨੂੰ ਜਲਦੀ ਤੋਂ ਜਲਦੀ ਇਸ ਮਾਮਲੇ ਵਿੱਚੋਂ ਬਰੀ ਕੀਤਾ ਜਾਵੇ। ਮੈਂ ਆਪ ਜੀ ਦਾ ਅਤਿ ਧੰਨਵਾਦੀ ਹੋਵਾਗਾ।***

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

*ਪੈਰਾ ਨੰ. 1 ਖਪਤਕਾਰ ਦਾ ਘਰੇਲੂ ਕੁਨੈਕਸ਼ਨ ਚੱਲ ਰਿਹਾ ਸੀ । ਖਪਤਕਾਰ ਦਾ ਬਿੱਲ ਮਿਤੀ-02.09.2023 ਨੂੰ 6,10,120 ਰੁਪਏ ਨਾਲ ਬਿੱਲ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਸ ਵਿੱਚ 6,10,117/- ਰੁਪਏ ਏਰੀਅਰ ਪਿਛਲੇ ਬਿੱਲ ਦਾ ਲੱਗਾ ਸੀ। ਇਹ ਬਿੱਲ 45 ਯੂਨਿਟਾ ਦਾ ਬਣਿਆ ਸੀ।*

*ਪੈਰਾ ਨੰ. 2(a) ਖਪਤਕਾਰ ਦਾ ਮਿਤੀ-22.02.2023 ਨੂੰ 8867 ਯੂਨਿਟਾ ਤੇ 49,590/- ਰੁਪਏ ਦਾ ਬਿੱਲ ਬਣ ਗਿਆ ਸੀ। ਇਸ ਤੋਂ ਬਾਅਦ 04.03.2023 ਨੂੰ 94619 ਯੂਨਿਟਾ ਦੀ ਖਪਤ ਤੇ ਏਰੀਅਰ ਸਮੇਤ 5,97,870/- ਰੁਪਏ ਦਾ ਬਿੱਲ ਦੁਬਾਰਾ ਬਣ ਗਿਆ ਸੀ। ਇਹ ਮੀਟਰ ਖਪਤਕਾਰ ਵੱਲੋ 09.03.2023 ਨੂੰ ਚੈਲਿੰਜ ਕੀਤਾ ਗਿਆ ਸੀ। ਐਮ.ਈ. ਚਲਾਨ ਨੰ. 10 ਮਿਤੀ-15.05.2023 ਨੂੰ ਐਮ.ਈ. ਲੈਬ ਹੁਸ਼ਿਆਰਪੁਰ ਵਿਖੇ ਚੈੱਕ ਕੀਤਾ ਗਿਆ ਸੀ ਅਤੇ ਐਮ.ਈ.ਚਲਾਨ ਮੁਤਾਬਿਕ ਮੀਟਰ ਦੀ ਰਿਪੋਰਟ ਵਿੱਚ ਦੱਸਿਆ ਗਿਆ ਕਿ ਮੀਟਰ ਦਾ ਆਰ.ਟੀ.ਸੀ. ਖਰਾਬ ਹੈ ਅਤੇ ਆਖਰੀ ਪੜਤ ਚਲਾਨ ਮੁਤਾਬਿਕ 105131 KWH ਰਿਕਾਰਡ ਕੀਤੀ ਗਈ,ਜਿਸ ਨਾਲ ਖਪਤਕਾਰ ਸਹਿਮਤ ਨਹੀਂ ਹੋਇਆ, ਜਿਸ ਕਾਰਨ ਖਪਤਕਾਰ ਨੇ ਇਹ ਕੇਸ CGRF LUDHIANA ਕਮੇਟੀ ਵਿੱਚ ਲਗਾਇਆ ਗਿਆ ਹੈ ਜੀ।*

*2( b) ਮੀਟਰ ਰੀਡਰ ਵੱਲੋ ਪੁਰਾਣੇ ਮੀਟਰ ਦਾ Screenshot ਨਹੀਂ ਲਿਆ ਗਿਆ ਅਤੇ ਇੰਟਰਨੈਟ ਤੇ ਇਸ ਸਬੰਧੀ ਡਾਟਾ ਉਪਲਬਧ ਨਹੀਂ ਹੈ। ਬਾਕੀ ਡਾਟਾ ਨਾਲ ਨੱਥੀ ਹੈ ਜੀ।*

*2(c) LCR ਦੀ ਕਾਪੀ ਨੱਥੀ ਹੈ ਜੀ।*

*2(d) Job Order ਦੀ ਕਾਪੀ ਅਤੇ ਐਮ. ਈ. ਦੀ ਡੀ.ਡੀ.ਐਲ. ਰਿਪੋਰਟ ਨੱਥੀ ਹੈ ਜੀ।*

*ਪੈਰਾ ਨੰ: 3 ਸਾਰੇ ਦਸਤਾਵੇਜ ਅਸਲ ਮੁਤਾਬਿਕ ਤਸਦੀਕ ਕੀਤੇ ਗਏ ਹੋਏ ਹਨ ਜੀ ।*

*ਪੈਰਾ ਨੰ:4(a) ਖਪਤਕਾਰ ਵੱਲੋ Undertaking ਦਿੱਤੀ ਗਈ ਹੈ ਕਿ ਉਸਨੇ ਪਹਿਲਾ ਆਪਣਾ ਕੇਸ ਕਿਸੇ ਵੀ ਕੋਰਟ/ਫੌਰਮ ਵਿੱਚ ਨਹੀਂ ਲਗਾਇਆ ਹੈ।*

*4(b) ਖਪਤਕਾਰ ਦਾ ਡਿਸਪਿਊਟਡ ਬਿੱਲ ਤੋ ਇਲਾਵਾ ਬਾਕੀ ਬਣੇ ਬਿੱਲ ਜਮ੍ਹਾ ਹੋਏ ਹਨ ਜੀ।*

*4(c) ਖਪਤਕਾਰ ਨੇ ਆਪਣਾ ਕੇਸ ਡਿਫੈਂਡ ਕਰਨ ਲਈ ਸ੍ਰੀ ਹਰਪ੍ਰੀਤ ਸਿੰਘ ਪੁੱਤਰ ਤਰਲੋਕ ਚੰਦ ਨੂੰ Affidavit Authority letter ਦਿੱਤਾ ਹੈ।*

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 amount of Rs. 610120/- charged to petitioner in bill dated 02.09.2023 including unpaid arrear amounting to Rs. 610117/-.
2. Forum observed that petitioner was issued bill dated 22.02.2023 for the period of 117 days from 28.10.2022 to 22.02.2023 for a consumption of 8867 KWH amounting to Rs. 49590/-. Petitioner did not agree to this bill and challenged his meter. Meter was changed vide MCO no. 100020884669 dated 09.03.2023 effected on 04.04.2023. Thereafter, bill dated 09.05.2023 was issued for the period of 40 days from 22.02.2023 to 03.04.2023 for a consumption of 94619 KWH amounting to Rs. 597870/- (including unpaid arrears of Rs. 51560/-). Removed meter was checked in ME Lab vide challan no. 10 dated 15.05.2023 wherein accuracy of the meter was found within limits, RTC of the meter was reported defective; DDL was done in CMRI and final reading of the meter was verified as 105135.8 KWH. Latest bill dated 02.09.2023 amounting to Rs. 610120/- (including unpaid arrear amounting to Rs. 610117/-) was issued to petitioner against which he filed a case in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent, as under: -

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019 | 2020 | 2021 | 2022 | 2023 |
|  | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan |  |  |  |  |  |  | 1 | O |  |  |
| Feb | 0 | O | 6 | O | 0 | O | 7 | O | 8867 | O |
| Apr | 10 | O |  |  | 13 | O | 11 | I | 94619 | O |
| May |  |  | 11 | N |  |  |  |  | 0.77 | O |
| Jun | 11 | O | 20 | O | 32 | O | 3 | O | 4.07 | O |
| July |  |  |  |  |  |  |  |  | 0.43 | O |
| Aug | 2 | O | 18 | O | 139 | O | 1 | O | 0.01 | O |
| Sep |  |  |  |  |  |  |  |  | 45.44 | O |
| Oct | 203 | O |  |  |  |  | 1 | O | 228.26 | O |
| Nov |  |  |  |  | 139 | O |  |  | 147.73 | O |
| Dec | 32 | O | 1 | O |  |  | 1 | P | 15 | O |
| TOTAL | 258 |  | 45 |  | 323 |  | 25 |  | 103927 |  |

Forum observed that the annual consumption of petitioner from 2019 to 2023 is 258, 45, 323, 25 and 103927 units. Forum observed that exponentially high consumption of the order of 8867 and 94619 KWH charged to petitioner in bill dated 22.02.2023 and 09.05.2023 respectively has never been recorded before or after the replacement of the disputed meter.

Site of the petitioner was checked vide LCR no. 40/391 dated 11.12.2023 when load of 3.813 KW was found connected against the sanctioned load of 5.510 KW. Forum observed that estimated monthly consumption as per LDHF formula specified by Honorable PSERC comes out to be 275 KWH (3.813x30x8x0.3) for his connected load of 3.813 KW. Hence, the exponentially high and disputed consumption of 8867 KWH and 94619 KWH is simply impossible in a period of 117 days and 40 days respectively. DDL of the meter was done in ME Lab and relevant KWH and KVAH readings from DDL report are tabulated below: -

|  |  |  |
| --- | --- | --- |
| Sr. No. | Date and Time |  Readings |
|  |  | KWH | KVAH | MD |
| 1. | 08/09/22 15:00 | 1645.43 | 2031.02 | 0.14 |
| 2. | 00/00/00 00:00 | 1645.43 | 2031.02 | 0.00 |
| 3. | 00/00/00 00:00 | 105120.96 | 2031.02 | 0.00 |
| 4. | 00/00/00 00:00 | 105120.96 | 2031.02 | 0.00 |
| 5. | 29/01/23 12:30 | 105121.14 | 2031.36 | 0.24 |

From the above table, it is evident that meter of the petitioner jumped somewhere between 08.09.2022 and 29.01.2023 and recorded exponentially high KWH consumption (105120.26) whereas KVAH reading remained constant. Further the meter failed to record date, time and MDI against three readings recorded by it during the period between 08.09.2022 to 29.01.2023. Further the reading recorded as 1645 Kwh on 28.10.2022 also seems to be correct. It emerges out from these facts/discussions that the meter had become defective at some point of time after 28.10.2022 and thus it is required to be treated as defective. 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 bills dated 22.02.2023 and 09.05.2023 issued to the petitioner for the period from 28.10.2022 to 03.04.2023 are liable to be quashed. Account of the petitioner is required to be overhauled for the period from 28.10.2022 to 04.04.2023 (i.e. date of change of meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation no. 21.5.2(a) of Electricity Supply Code-2014.

Keeping in view the above, Forum came to unanimous conclusion that bills dated 22.02.2023 and 09.05.2023 issued to the petitioner for the period from 28.10.2022 to 03.04.2023 be quashed. Account of the petitioner be overhauled for the period from 28.10.2022 to 04.04.2023 (i.e. date of change of meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation no. 21.5.2(a) of Electricity 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. **Bills dated 22.02.2023 and 09.05.2023 issued to the petitioner for the period from 28.10.2022 to 03.04.2023 are quashed. Account of the petitioner be overhauled for the period from 28.10.2022 to 04.04.2023 (i.e. date of change of meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation no. 21.5.2(a) of Electricity 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.**

 **(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: 15.12.2023**