**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-163/2023**

**Date of Registration : 07.12.2023**

**Date of Closing : 12.12.2023**

**Date of Final Order : 15.12.2023**

**In the Matter of:**

 **Sh. Ujjagar Ram**

 **Faqir Chand, Sammipur,**

 **Kalyan Pur, Distt. Jalandhar.**

**A/c No.: 3002087013.**

**Through:**

Sh. Ujjagar Ram **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/Op. Model Town Division,

PSPCL, Jalandhar **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-163/2023 has been filed directly in the Forum by Sh. Ujjagar Ram in the matter related to A/c no.3002087013 having DS category connection with sanctioned load of 5.51 KW under Op. Model Town Division, PSPCL, Jalandhar. Petitioner was issued bill dated 13.10.2023 for the period of 139 days from 06.02.2023 to 25.06.2023 for a consumption of (273812-38778) = 235034 units amounting to Rs. 1389880/- (Current bill amount of Rs. 1389452/- plus unpaid arrears 10560/- less adjustment of Rs. 10131/-). Petitioner did not agree to this bill and challenged his meter. Meter was replaced vide MCO no. 100021721958 dated 19.06.2023 effected on 26.06.2023. Replaced meter was sent to ME Lab vide challan no. 230 dated 18.07.2023 wherein final reading was verified as 273812 Kwh. As per Meter Challenge Register, the accuracy of the meter was found OK in dial test and it was found OK in creep test. Petitioner did not agree to this and filed his case in the 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: 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. Model Town, Jalandhar (Respondent) along with copy of petition as follows: -*

1. *Respondent shall check/verify the bill dated 13.10.2023 amounting to Rs. 1389450/- for a consumption of 235034 for a period from 06.02.2023 to 25.06.2023, with meter status code O.*
2. *Respondent shall submit five copies of the following record/documents to the Forum*
3. *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*
4. *screenshots of meter taken before 02/2023, 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.*
5. *copy of current site checking report and copies of reports of checking carried out by various authorities previously.*
6. *copies of related Job order(s) clearly depicting date of effect thereof, ME lab reports of meter in dispute(s) along with its DDL.*
7. *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.*
8. *Respondent shall further:-*
9. *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.*
10. *confirm the status of up to date payments and shall ensure that no bill other than the amount in dispute, is pending.*
11. *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 no. of 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. 3002087013, is having DS category connection with sanctioned load of 5.510 KW, in the name of Sh. Ujjagar Ram, under DS Division, Model Town, Jalandhar.
3. The Petitioner in his Petition prayed that: -

*ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਨੂੰ ਮਿਤੀ 13.10.2023 ਨੂੰ ਬਿਲ ਪ੍ਰਾਪਤ ਹੋਇਆ ਹੈ ਉਸ ਵਿੱਚ ਬਿੱਲ ਰਕਮ 13,89,850/- ਬਣਾਇਆ ਗਿਆ ਹੈ, ਜਿਸ ਅਨੁਸਾਰ ਪੁਰਾਣੀ ਰੀਡਿੰਗ 38778 ਤੇ ਨਵੀ ਰੀਡਿੰਗ 273812 = 235054 ਯੁਨਿਟਾਂ ਦਰਸਾਈ ਹੈ । ਮੈਂ ਪਿਛਲੇ ਬਿੱਲ ਲਗਾਤਾਰ ਅਦਾ ਕਰਦਾ ਰਿਹਾ ਹਾਂ ਅਤੇ ਕੋਈ ਵੀ ਬਕਾਇਆ ਨਹੀਂ ਹੈ । ਪਿਛਲੇ ਸਮੇਂ ਮੇਰਾ ਪਰਿਵਾਰ ਇਥੇ ਮਕਾਨ ਵਿਈਚ ਰਹਿੰਦਾ ਸੀ ਉਸ ਸਮੇ ਵੀ ਸਾਡੀ ਖਪਤ ਤਕਰੀਬਨ ਗਰਮੀਆਂ ਵਿੱਚ 2000 ਯੂਨਿਟਾਂ 2 ਮਹੀਨ ਤੱਕ ਵਰਤੀ ਜਾਂਦੀ ਸੀ । ਪਿਛਲੇ ਸਮੇਂ ਦੀ ਖਪਤ ਜੋ ਮੇਰੇ ਤੋਂ ਕੀਤੀ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ ।*

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| --- | --- | --- | --- |
| ਮਹੀਨਾ | ਪੁਰਾਣੀ ਰਿਡਿੰਗ | ਨਵੀਂ ਰਿਡਿੰਗ | ਖਪਤ ਯੂਨਿਟਾਂ |
| ਜਨਵਰੀ 2022 | 32582 | 33991 | 1409/- |
| ਅਗਸਤ 2022 | 33991 | 35971 | 1980/- |
| ਅਕਤੂਬਰ 2022 | 35971 | 37842 | 1871/- |
| ਦਸੰਬਰ 2022 | 37842 | 38227 | 385/- |
| ਫਰਵਰੀ 2023 | 38227 | 38771 | 551/- |
| ਮਈ 2023 | 38771 | 38778 | 07/- |
| ਜੁਲਾਈ 2023 | 38778 | 273812 | 235034/- |

*ਇੱਥੋ ਇਹ ਜਾਪਦਾ ਹੈ ਕਿ ਇਹ ਮੀਟਰ ਕਿਸੇ ਟੈਕਨੀਕਲ ਫਾਲਟ /ਨੁਕਸ ਕਰਕੇ ਜੰਪ ਕਰ ਗਿਆ ਹੈ ਇੰਨੀ ਖਪਤ ਸੰਭਵ ਨਹੀ ਹੈ। ਇੱਥੇ ਇਹ ਵੀ ਵਰਨਣ ਯੋਗ ਹੈ ਕਿ ਪਿਛਲੇ ਕੁਝ ਮਹਿਨਿਆਂ ਤੋਂ ਮੇਰੀ ਨੂੰਹ, ਪੋਤਾ ਤੇ ਪੋਤੀ ਅਮਰੀਕਾਂ ਵਿਦੇਸ਼ ਚੱਲੇ ਗਏ ਹਨ ਸਬੂਤ ਵਜੋ ਪਾਸਪੋਰਟ ਦੀਆਂ ਫੋਟੋਕਾਪੀਆਂ ਜਿਹਨਾਂ ਤੇ ਵਿਦੇਸ਼ ਜਾਣ ਦਾ ਇੰਦਰਾਜ ਹੈ ਨੱਥੀ ਕਰ ਰਿਹਾ ਹਾਂ । ਹੁਣ ਮੈ ਘਰ ਵਿੱਚ ਇੱਕਲਾ ਹੋਣ ਕਾਰਨ ਆਪਣੀ ਬੇਟੀ ਜੋ ਫਗਵਾੜੇ ਵਿਆਹੀ ਹੈ ਦੇ ਕੋਲ ਹੀ ਅਕਸਰ ਰਹਿੰਦਾ ਹਾਂ ਤੇ ਕਦੇ ਕਦਾਈ ਇਸ ਘਰ ਵਿੱਚ ਦੇਖਭਾਲ ਕਰਨ ਲਈ ਆਉਂਦਾ ਜਾਂਦਾ ਰਹਿੰਦਾ ਹਾਂ। ਹੁਣ ਮੇਰੀ ਖਪਤ ਬਹੁਤ ਘੱਟ ਆਉਣੀ ਚਾਹੀਦੀ ਹੈ ਪਰ ਐਨੀ ਜਿਆਦਾ ਖਪਤ ਨਹੀ ਆਉਣੀ ਚਾਹੀਦੀ ਹੈ। ਇਸ ਖਪਤ ਦਾ ਐਨੀ ਵੱਡੀ ਰਕਮ ਦਾ ਬਿਲ ਦੇਖ ਕੇ ਮੈ ਹੈਰਾਨ ਅਤੇ ਪ੍ਰੇਸ਼ਾਨ ਹੋ ਗਿਆ ਹਾਂ । ਮੇਰੀ ਉਮਰ ਵੀ ਇਸ ਵੇਲੇ 79 ਸਾਲ ਦੀ ਹੈ । ਮੈ ਇਸ ਅਵਸਥਾ ਵਿੱਚ ਦਫਤਰ ਤੋਂ ਦਫਤਰਾਂ ਦੇ ਚੱਕਰ ਵੀ ਨਹੀਂ ਮਾਰ ਸਕਦਾ ਹਾਂ । ਮੈਂ ਬਹੁਤ ਪ੍ਰੇਸ਼ਾਨ ਹਾਂ ਮੇਰੀ ਹਾਲਤ ਸਰੀਰਕ ਵੱਲੋ ਵੀ ਕਮਜੋਰ ਹੈ ਅਤੇ ਮੇਰੇ ਨਾਲ ਹਰ ਵੇਲੇ ਵੀ ਏਧਰ ਉਧਰ ਜਾਣ ਵਾਲਾ ਕੋਈ ਵਿਅਕਤੀ ਉਪਲਭਦ ਨਹੀ ਹੁੰਦਾ ਹੈ । ਇਸ ਲਈ ਇਸ ਮਾਮਲੇ ਦਾ ਕੀ ਹੱਲ ਹੈ ਮੈਨੂੰ ਸਮਝ ਨਹੀਂ ਆ ਰਿਹਾ ਹੈ।*

*ਸੋ ਮੈ ਆਪਣਾ ਕੇਸ ਆਪ ਜੀ ਦੇ ਸੰਨਮੁੱਖ ਝਗੜਾ ਨਿਪਟਾਊ ਕਮੇਟੀ ਵਿੱਚ ਲੱਗਵਾਉਣ ਲਈ ਬੇਨਤੀ ਕਰ ਰਿਹਾ ਹਾਂ ਆਪ ਜੀ ਨੂੰ ਇਹ ਬੇਨਤੀ ਕਰਦਾ ਹਾਂ ਕਿ ਮੇਰੀ ਦਰਖਾਸਤ ਤੇ ਨਿਜੀ ਧਿਆਨ ਦੇ ਕੇ ਮੇਰੇ ਪਿਛਲੇ ਰਿਕਾਰਡ ਨੂੰ ਘੋਖ ਪੜਤਾਲ ਕਰਕੇ ਮੇਰੀ ਪਿਛਲੀ ਖਪਤ ਜਦੋ ਮੇਰੇ ਪਰਿਵਾਰ ਇਸ ਮਕਾਨ ਵਿੱਚ ਰਹਿੰਦਾ ਸੀ ਤੇ ਹੁਣ ਜਦ ਮੈ ਇਕਲਾ ਇਸ ਮਕਾਨ ਵਿੱਚ ਰਹਿੰਦਾ ਹਾਂ ਦੀ ਖਪਤ ਨੂੰ ਵਾਚ ਕੇ ਮੇਰਾ ਅਸਲ ਖਪਤ ਦਾ ਬਿਲ ਬਣਾਇਆ ਜਾਵੇ ਤੇ ਇਹ ਵਾਧੂ ਤੇ ਫਜੂਲ ਰਕਮ ਨੂੰ ਖਤਮ ਕੀਤਾ ਜਾਵੇ ਤੇ ਮੈਨੂੰ ਇਸ ਸਮਸਿਆਂ ਤੋਂ ਨਿਜਾਤ ਦਿਵਾਈ ਜਾਵੇ । ਆਪ ਜੀ ਦਾ ਬਹੁਤ ਧੰਨਵਾਦੀ ਹੋਵਾਂਗਾ ਜੀ।*

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

*Comments on Proceeding Dated 07.12.2023*

1. *Consumer's Bill dated 13.10.2023 Amounting Rs 1389450/- for the Consumption 235034 units For the period of 06.02.2023 to 25.06.2023 With meter status code O was checked and found that as per LCR no 61/134A dated 14.06.2023 meter reading of meter serial no 4641486 was recorded 273630 and as per MCO no 100021721958 dated 19.06.2023 affected on 26.06.2023 reading recorded 273812 of meter serial no 4641486. Consumer challenged the meter (Serial no 4641486) and as per ME lab report meter was found OK and Meter Reading was 273814.9.*
2. *(a) It is correct that consumper paid bills on regular basis and it is correct that since 2018 consumer maximum consumption recorded was 2064 in Aug 2019.*

*(b) Consumption data attached for previous five years.*

*(c) LCR attached*

*(d) Copy of MCO, Challan, ME Lab Report along with DDL attached.*

1. *N/A*
2. *(a) There is no court case and this dispute is not pending before any court/ forum or any other authority.*

*(b) Consumer paid bills on regular basis and no bill othe than disputed amount along with surcharge on this amount is pending.*

*(c) The complainant is a competent person to file the case as connection is in his own name.*

***History of case***

*Contract Account 3002087013 is running under Lambra Subdivision under Model Town Division in the name of Ujjagar Ram S/O Faqir Chand VPO Sammipur having Sanctioned load 5.510 KW under DS category. On Request of Consumer the premises of Consumer was checked vide LCR no 61/134A and the reading was recorded 273630 and consumer challenge the meter. On 26.06.2023 meter was changed on 273812 reading and bill was generated for 235034 units amounting Rs 1389450/- for the period of 06.02.2023 to 25.06.2023 with meter status code O. As per ME Lab Report meter found ok and consumer not satisfied with bill and ME Lab report and put up the case Before H'nble Corporate Consumers Grievances Redressal Forum PSPCL, Ludhiana.*

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 13.10.2023 for consumption of 235034 units amounting to Rs. 1389880/- (consisting Current bill amount of Rs. 1389452/- plus Rs. 10560 as unpaid arrears less adjustment of Rs. 10131/-).
2. Forum observed that petitioner was issued bill dated 13.10.2023 for the period of 139 days from 06.02.2023 to 25.06.2023 for a consumption of (273812-38778) = 235034 units amounting to Rs. 1389880/- (Current bill amount of Rs. 1389452/- plus unpaid arrears 10560/- less adjustment of Rs. 10131/-). Petitioner did not agree to this bill and challenged his meter. Site was checked and LCR no. 61/134A dated 14.06.2023 was prepared wherein reading was recorded as 273630Kwh. Meter was replaced vide MCO no. 100021721958 dated 19.06.2023 effected on 26.06.2023. Replaced meter was sent to ME Lab vide challan no. 230 dated 18.07.2023 wherein final reading was verified as 273812 Kwh. As per Meter Challenge Register, the accuracy of the meter was found OK in dial test and it was found OK in creep test. Petitioner did not agree to this and filed his case in the Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent which is tabulated below:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Year | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code |
| Feb | 300 | O | 346 | O | 400 | O | 892 | O | 346 | O | 551 | O |
|  Apr | 164 | O | 295 | O | 364 | N | 378 | O | 582 | O | 503 | P |
| Jun  | 623 | O | 628 | O | 927 | O | 1217 | O | 1409 | O | 1834 | P |
|  |  |  |  |  |  |  |  |  |  |  | 232697 | O |
| Aug | 992 | O | 2064 | O | 1722 | O | 1629 | O | 1980 | O | 134 | C |
|  Oct | 586 | O | 1604 | O | 1622 | O | 1506 | O | 1871 | O | 173.37 | O |
| Nov |  |  |  |  |  |  |  |  |  |  | **100.93** |  |
| Dec | 309 | O | 379 | O | 449 | O | 239 | O | 385 | O | **145.68** | O |
| **Total** | **2974** |  | **5316** |  | **5120** |  | **5861** |  | **6573** |  | **236138** |  |

Forum observed that the annual consumption of petitioner from 2018 to 2023 has been recorded as 2974, 5316, 5120, 5861, 6573 & 236138 (including exponentially high consumption of 232697 units recorded in 06/2023) units respectively. Forum observed that the consumption of the petitioner from 2019 to 2022 is almost consistent. Forum observed that exponentially high consumption of the order of 235034 KWH as recorded during the period 06.02.2023 to 25.06.2023, has never been recorded before or after the replacement of the disputed meter. Site of the petitioner was checked and LCR no. 30/149 dated 11.12.2023 was prepared as per which connected load was found as 3.813Kw and reading was recorded as 575Kwh. As such, after replacement of meter, the consumption has been recorded as 575 units in about 5.5 months, meaning about 210 units bi-monthly.

Forum observed further 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 3.813KW. Hence, the exponentially high and disputed consumption of 235034 KWH is simply impossible in a period of 139 days.

Further meter was again sent to ME Lab vide challan no. 290 dated 08.12.2023 for getting its DDL done. As per ME lab report, DDL of meter was tried many times but could not be obtained as its communication link was not be established.

It emerges out from the above facts/discussion that the meter of the petitioner has gone erratic at some point of time after recording the reading on dated 06.02.2023. Therefore, in the absence of DDL report, the meter in dispute is required to be treated as defective despite the fact that it was found OK 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 all bills issued to the petitioner for the period from 06.02.2023 upto the date of replacement of meter i.e. 26.06.2023, are liable to be quashed. The account of the petitioner is required to be overhauled for the period from 06.02.2023 to 26.06.2023 on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation 21.5.2(a) of PSERC Supply Code-2014.

Keeping in view the above, Forum came to unanimous conclusion that all the bills issued to the petitioner for the period from 06.02.2023 to 26.06.2023 i.e., the date of change of the disputed meter, be quashed. His account be overhauled for the period from 06.02.2023 upto 26.06.2023 (date of replacement of meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation 21.5.2(a) of PSERC 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. **All bills issued to the petitioner for the period from 06.02.2023 to 26.06.2023 i.e., the date of change of the disputed meter, are quashed. Account be overhauled for the period from 06.02.2023 upto 26.06.2023 (date of replacement of meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation 21.5.2(a) of PSERC 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**