**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-172/2023**

**Date of Registration : 19.12.2023**

**Date of Closing : 26.12.2023**

**Date of Final Order : 29.12.2023**

**In the Matter of:**

**Sh. Harsher Singh, Saroop Singh,**

**Vill. -Tahli, Begowal.**

**A/c No.: 3005736854.**

**Through:**

Sh. Sarup Singh **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

PSPCL, Kartarpur. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-172/2023 has been filed directly in the Forum by the petitioner in the matter related to A/c no.3005736854, in the name of Sh. Harsher Singh. Petitioner is having DS category connection with sanctioned load of 0.910 KW under DS Division, PSPCL, Kartarpur. Petitioner was issued bill dated 22.09.2021 for the period from 25.07.2021 to 22.09.2021 on average basis due to P-code with old reading 25927 KWH and new reading 276147 KWH. Petitioner did not agree to the new reading and challenged his meter on 11.10.2021. On the request of the petitioner, site was checked vide LCR no. 49/013 dated Nil wherein it was reported that meter is running fast and reading was verified as 276817 KWH. Meter of the petitioner was changed vide challan no. 100015522702 dated 12.10.2021 effected on 19.01.2022. Meter was checked in ME Lab vide challan no. 75/1 dated ‘Not available’ where Creep Test and Dial Test results of meter were reported OK. Petitioner was issued bill dated 19.01.2022 for the period from 10.12.2021 to 19.01.2022 for a consumption of 246893 KWH amounting to Rs. 1448870/-. This consumption of 246893 KHW was then again charged to him in bill dated 18.07.2023 and bill amounting to Rs. 1478310/- was issued with adjustment amounting to Rs. (-)1417344.70/-. Petitioner did not agree to consumption recorded by his meter and filed a case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 19.12.2023 and finally on 26.12.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 19.12.2023***

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

1. *Respondent shall check/verify the bill dated 18.07.2023 of Rs. 1478310/- for a consumption of 247337 units for period 10.12.2021 to 04.10.2022 with meter status code O.*
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 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.*
	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(s) clearly depicting date of effect thereof, ME lab reports of meter in dispute(s) 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 dispute filed in this Forum has not been decided earlier by any Court/Forum or any other authority between PSPCL and Petitioner and no case pertaining to this dispute is pending before any Court/Forum or any other authority. In case of non-confirmation, it will be presumed that dispute filed in this Forum has not been decided earlier by any Court/Forum or any other authority between PSPCL and Petitioner 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. In case of non-confirmation, it will be presumed that 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 26.12.2023.*

***Proceedings dated: 19.12.2023***

*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. 3005736854, is having DS category connection with sanctioned load of 0.910 KW, in the name of Sh. Harsher Singh, under DS Division, Kartarpur.
3. The Petitioner in his Petition prayed that: -

*ਬੇਨਤੀ ਹੈ ਕਿ ਮੈ ਸਰੂਪ ਸਿੰਘ ਪੁੱਤਰ ਦਰਸ਼ਨ ਸਿੰਘ ਵਾਸੀ ਟਾਹਲੀ ਤਹਿਸੀਲ ਦਸੂਹਾ ਜ਼ਿਲਾ ਹੁਸ਼ਿਆਰਪੁਰ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹਾ ਅਤੇ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਬੇਨਤੀ ਕਰਦਾ ਹਾ :-*

1. *ਇਹ ਕਿ ਮੈ ਆਪਣੇ ਬੇਟੇ ਹਰਸ਼ੇਰ ਸਿੰਘ ਵਲੋ ਜਿਮੇਵਾਰ ਹਾਂ ਅਤੇ ਉਸ ਵਲੋ ਅਥਾਰਟੀ ਹਾਂ ਮੇਰੇ ਬੇਟੇ ਹਰਸ਼ੇਰ ਸਿੰਘ ਦੇ ਨਾਮ ਤੇ ਇੱਕ ਘਰੇਲੂ ਬਿਜਲੀ ਮੀਟਰ ਕੁਨੈਕਸ਼ਨ ਜਿਸ ਦਾ ਖਾਤਾ ਨੰਬਰ 3005736854 ਵਾਕਿਆ ਟਾਹਲੀ ਵਿਚ ਲੱਗਾ ਹੈ ਇਹ ਮੀਟਰ ਖਰਾਬ ਹੋਣ ਕਰਕੇ ਪੁਟਵਾ ਦਿੱਤਾ ਸੀ ਇਸ ਦੀ ਜਗਾ ਨਵਾ ਮੀਟਰ ਲਗਾ ਲਿਆ ਸੀ ਅਤੇ ਲੈਬਾਰਟਰੀ ਵਿਚ ਉਕਤ ਮੀਟਰ ਚੈਕ ਹੋਣ ਤੇ ਇਸ ਮੀਟਰ ਦਾ ਜੋ ਖਰਚਾ ਪਾਇਆ ਗਿਆ ਹੈ ਉਹ 1478315/ਰੁ ਹੈ ਜਦ ਕਿ ਉਕਤ ਮੀਟਰ ਦੀ ਇੱਨੀ ਖਪਤ ਨਹੀ ਹੈ ਅਤੇ ਨਾਂ ਹੀ ਸਾਡੇ ਘਰ ਦੀ ਇੱਨੀ ਖਪਤ ਹੈ ਹੁਣ ਜੋ ਮੀਟਰ ਲੱਗਾ ਹੈ ਇਸ ਦੀ ਬਿਲ ਜੀਰੋ ਆ ਰਿਹਾ ਹੈ।*

*ਇਸ ਲਈ ਮੇਹਰਬਾਨੀ ਕਰਕੇ ਮੈਨੂੰ ਪਾਈ ਗਈ ਉਕਤ ਰਕਮ 14,78,315/ਰੁ ਕੈਸਲ ਕੀਤੀ ਜਾਵੇ ਜੀ ਅਤੇ ਜੋ ਨਿਯਮਾਂ ਤਹਿਤ ਬਣਦੀ ਫੀਸ ਉਹ ਸਾਡੀ ਜਮਾਂ ਕੀਤੀ ਜਾਵੇ ਜੀ ਆਪ ਜੀ ਦੀ ਬੜੀ ਮੇਹਰਬਾਨੀ ਹੋਵੇਗੀ।*

1. The Respondent in his reply to petition stated that: -
2. *Consumer bill dated 19.01.22 was issued for final reading up to 276817, amounting to Rs. 1478370. It can also be seen as per DDL report that reading on 15.03.21 was 25436 KWH and 27858 KVAH and after that on 02.04.21 reading is 272949 KWH and 28114KVAH, which depicted the abnormal functionality of the meter. DDL report is attached here with.*
3. *(a) Point wise/Para wise reply was submitted on pre hearing dt: 12.12.23. As desired by forum copy of revised case history is attached here with*

*(b) Screen short of meter taken before 07.2023 is not available in record, but screen shot of meter dated:17.09.23 and 19.11.23 is attached. 5 year data is attached.*

*(c) LCR NO: 73/005 Dated: 20.12.23 is attached.*

*(d) DDL report is attached herewith.*

1. *All the documents have been checked and verified by the under signed.*
2. *(a) It is certified that this case has not been filed or decided by any other court/forum.*

*(b) Upto date payment data is attached but the consumer is not able to pay the current bill amount.*

*(c) The complainant, Sh. Harsher Singh is personally appearing to defend the case.*

*Respectfully, this is for your kind information and further necessary action please.*

*ਖਪਤਕਾਰ ਵੱਲੋਂ ਮਿਤੀ 11/10/2021 ਨੂੰ ਬਿੱਲ ਵੱਧ ਆਉਣ ਕਰਕੇ ਰੀਡਿੰਗ ਚੈੱਕ ਕਰਵਾਉਣ ਲਈ ਬੇਨਤੀ ਪੱਤਰ ਦਿੱਤਾ ਗਿਆ। ਇਸ ਸਬੰਧੀ ਜੇ.ਈ. ਰੀਡਿੰਗ ਵੈਰੀਫਾਈ ਕਰਕੇ ਆਪਣੀ ਐਲ.ਸੀ.ਆਰ ਨੰ. 49/13 ਰਾਹੀਂ ਰੀਡਿੰਗ 276817 ਵੈਰੀਫਾਈ ਕੀਤੀ ਗਈ ਅਤੇ "ਮੀਟਰ ਜਿਆਦਾ ਤੇਜ ਚੱਲਦਾ ਹੈ" ਰਿਪੋਰਟ ਕੀਤੀ ਗਈ, ਜਿਸ ਤੇ ਮਿਤੀ 12/10/2021 ਨੂੰ ਐਮ.ਸੀ.ਓ ਨੰ. 100015522702 "ਮੀਟਰ ਫਾਸਟ" ਜਾਰੀ ਕਰ ਦਿੱਤਾ ਗਿਆ ਅਤੇ ਸਿਸਟਮ ਵਿੱਚ ਮੀਟਰ ਉੱਤਰੇ ਦੀ ਰੀਡਿੰਗ 276817 ਮਿਤੀ 19/01/2022 ਨੂੰ ਪਾਈ ਗਈ ਜਿਸ ਤੇ ਫਾਈਨਲ ਬਿੱਲ 1478560/- ਰਕਮ ਦਾ ਬਣਿਆ। ਇਸ ਖਪਤਕਾਰ ਦਾ ਨਵਾਂ ਮੀਟਰ ਸੀਰੀਅਲ ਨੰ. 503762 ਮਿਤੀ 20/01/2022 ਨੂੰ ਸਿਸਟਮ ਵਿੱਚ ਲਗਾ ਦਿੱਤਾ ਗਿਆ। ਇਸਦਾ ਚੈਲੰਜ ਮੀਟਰ ਜਦੋਂ ਐਮ.ਈ ਵਿੱਚ ਚੈੱਕ ਕਰਵਾਇਆ ਗਿਆ ਤਾਂ ਐਮ.ਈ ਵੱਲੋਂ ਮੀਟਰ ਚੈਲੰਜ ਰਜਿਸਟਰ ਦੇ ਬੁੱਕ ਨੰ. 75/1 ਦੇ ਲੜੀ ਨੰ. 7 ਤੇ ਰਿਪੋਰਟ OK ਕੀਤੀ ਗਈ। ਖਪਤਕਾਰ ਵੱਲੋਂ ਮਿਤੀ 22/09/2023 ਨੂੰ ਐਮ.ਈ. ਦੀ ਇਸ ਰਿਪੋਰਟ ਨੂੰ ਚੈਲੰਜ ਕਰਦੇ ਹੋਏ ਕੇਸ CGRF ਵਿੱਚ ਲਗਾਉਣ ਲਈ ਬੇਨਤੀ ਪੱਤਰ ਦਿੱਤਾ ਗਿਆ[*

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 consumption of 246893 KWH recorded by meter in dispute during the period from 25.07.2021 to 22.09.2021 initially charged in bill dated 19.01.2022 and again charged in bill dated 18.07.2023 with some adjustment.
2. Forum observed that petitioner was issued bill dated 22.09.2021 for the period from 25.07.2021 to 22.09.2021 on average basis due to P-code with old reading 25927 KWH and new reading 276147 KWH. Petitioner did not agree to the new reading and challenged his meter on 11.10.2021. On the request of the petitioner, site was checked vide LCR no. 49/013 dated Nil wherein it was reported that meter is running fast and reading was verified as 276817 KWH. Meter of the petitioner was changed vide challan no. 100015522702 dated 12.10.2021 effected on 19.01.2022. Meter was checked in ME Lab vide challan no. 75/1 dated ‘Not available’ where Creep Test and Dial Test results of meter were reported OK. Petitioner was issued bill dated 19.01.2022 for the period from 10.12.2021 to 19.01.2022 for a consumption of 246893 KWH amounting to Rs. 1448870/-. This consumption of 246893 KHW was then again charged to him in bill dated 18.07.2023 and bill amounting to Rs. 1478310/- was issued with adjustment amounting to Rs. (-) 1417344.70/-. Petitioner did not agree to consumption recorded by his meter and filed a case in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent, as under: -

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|  | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan | 526 | O |  |  | 331 | O | 388 | O | 246893 | O | 882 | P |
| Mar | 543 | O | 209 |  | 280 | O | 375 | O |  |  |  |  |
| May | 531 | O | 412 |  | 1247 | O | 504 | P |  |  | 831 | O |
| Jul | 656 | O | 785 | O |  |  | 22 | O |  |  | 1461 | O |
| Sep | 1542 | O | 1174 |  | 2334 | O | 1565 | P | 1 | P |  |  |
| Oct | 672 | O |  |  |  |  | 2432 | O | 445 | O |  |  |
| Nov | 331 | O | 586 | O | 820 | O |  |  |  |  | 1318 | O |
| **TOTAL** | **4801** |  | **3166** |  | **5012** |  | **5286** |  | **247339** |  | **4492** |  |

Forum observed that the annual consumption of petitioner from 2018 to 2023 is 4801, 3166, 5012, 5286, 247339 and 4492 units. Forum observed that consumption of 246893 KWH recorded during 01/2022 (charged to petitioner in the bill dated 18.07.2023) is exponentially high and consumption of such a high magnitude has never been recorded before & after replacement of the disputed meter in 19.01.2022.

Forum observed that bill dated 22.09.2021 was issued to the petitioner for the period from 25.07.2021 to 22.09.2021 for 1565 KWH on average basis with P-code wherein old reading as 25927Kwh and new reading as 276147Kwh were recorded. Petitioner submitted application on 11.10.2021 pointing out this huge new reading requesting for checking and changing of the meter stating that he is ready to deposit challenge fee. Meter was checked and LCR no. 49/013 dated Nil was prepared, wherein, it was reported that the meter was running fast. MCO no. 100015522702 dated 12.10.2021 was issued with Activity Type ‘Meter Jump’ mentioned on it. The meter was replaced on 19.01.2022. As per page 75/1 of Meter Challenge Register the meter was found OK in ME Lab.

Respondent was directed to get the DDL report of the meter from ME Lab, which he submitted the same during the proceeding dated 26.12.2023. Forum scrutinized the DDL report where it is clearly depicted in the History data of the DDL that in March/2021, the reading of cumulative KWH was 25436.45 but it jumped to 272949.04 KWH in next month i.e. April/2021 which means a consumption of 247512.59 KWH just in a month during which the MDI was recorded as 3.10 KW only. Even if this demand of 3.10 KW had remained constant thorough out the month that would have resulted into a consumption of only 2232 KWH, but the disputed meter recorded an exorbitant consumption of 247512.59 KWH during this month. Forum also observed that there is huge gap in KWH and KVAH readings depicted in DDL report. These facts and discussion show that the meter behaved in erratic manner and it is to be treated as defective w.e.f. 27.03.2021 in spite of the fact that it was found OK in ME Lab. The relevant 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”.*

Further, Hon'ble PSERC vide its order dated 22.04.2021 circulated by PSPCL vide CC no. 20/2021 dated 30.04.2021, has decided to modify the procedure for overhauling of accounts under Regulation 21.5.2 of the Supply Code as under:

1. *The modified procedure for overhauling of accounts shall be applied to meters becoming defective/dead stop/burnt/stolen from 23.03.2021 to 30.09.2021.*
2. *The words "previous year" appearing in clause (a) to (c) of Regulation 21.5.2 of the Supply Code, 2014 shall be read as "FY 2019-20" while overhauling the consumer account due to meters becoming defective/dead stop/burnt/stolen during the period 23.03.2021 to 30.09.2021 only under Regulation 21.5.2 of the Supply Code-2014.*

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 Forum is of the opinion that all bills issued to the petitioner for the period from 27.03.2021 to 19.01.2022 i.e. upto date of change of meter are required to be quashed. Account of the petitioner is required to be overhauled for this period as per clause 21.5.2(a) of PSERC Supply Code-2014, temporarily modified vide CC no. 20/2021 dated 30.04.2021. Forum further observed that consequences of exponentially high consumption of 246893 KWH charged to petitioner in month of 01/2022 are seen in the future bills issued during the month of 07/2023 onwards. All such bills are also required to be rectified according to the above observation. LPS/LPI is required to be revised accordingly.

Keeping in view the above, Forum came to unanimous conclusion that all bills issued to the petitioner for the period from 27.03.2021 to 19.01.2022 i.e. upto date of change of meter be quashed. Account of the petitioner be overhauled from 27.03.2021 to 19.01.2022 i.e. upto date of change, as per Reg. 21.5.2(a) of PSERC Supply Code-2014, temporarily modified vide CC no. 20/2021 dated 30.04.2021. Further, the bills issued after 07/2023 be also rectified according to the above observation.LPS/LPI be revised accordingly.

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 27.03.2021 to 19.01.2022 i.e. upto date of change of meter, are quashed. Account of the petitioner be overhauled from 27.03.2021 to 19.01.2022 as per Reg. 21.5.2(a) of PSERC Supply Code-2014, temporarily modified vide CC no. 20/2021 dated 30.04.2021. Further, the bills issued after 07/2023 be also rectified according to the above observation. LPS/LPI be revised accordingly.**
		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. Kuldeep Singh)**

 **Chairperson**

 **Place: Ludhiana**

 **Date: 29.12.2023**