**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-105/2023**

**Date of Registration : 17.08.2023**

**Date of Closing : 05.09.2023**

**Date of Final Order : 14.09.2023**

**In the Matter of:**

 **M/S Vachharaj Enterprises,**

**Uppli Road, Uppli,**

**Sangrur.**

**A/c No.: 3002802476.**

**Through:**

Sh. Sukhminder Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/Op. Division,

PSPCL, Sangrur. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-105/2023 has been filed as an appeal in Forum by Sh. Sukhminder Singh/PR, in the matter related to A/c no. 3002802476, in the name of M/S Vachharaj Enterprises. Petitioner is having MS connection with sanctioned Load of 81.430KW/90.480KVA under DS Division, PSPCL, Sangrur. CT/PT unit of the petitioner got damaged and on the request of respondent’s office site of the petitioner was checked by ASE/Enf. Cum EA & MMTS Sangrur, vide ECR no. 36/248 dated 04.02.2022 and it was reported that door of the CT/PT unit has swollen and CT/PT unit was found damaged, Scroll button of meter was also defective and DDL was taken. Accordingly, CT/PT was replaced vide SJO no. 1000167277181 dated 14.02.2022 effected on dated 13.03.2022. CT/PT unit was checked in ME Lab, Sangrur vide challan no. 288 dated 14.03.2022 and was found burnt. In the meanwhile, petitioner was issued bill dated 07.03.2022 for the period from 31.01.2022 to 28.02.2022 and bill dated 14.03.2022 for the period from 28.02.2022 to 13.03.2022 on ‘R’ codes (due to burnt CT/PT unit) on average basis. Petitioner did not agree to these bills & working of the meter and challenged his meter. Meter was checked by ASE/Enf. Cum EA & MMTS Sangrur vide ECR no. 17/246 dated 31.03.2022 and accordingly, Meter was replaced vide MCO no. 100017213159 dated 28.03.2022 effected on 28.04.2022. Meter was checked vide ME Challan No. 47 dated 16.06.2022 where its accuracy was found Ok, Dial test could not be done. Scroll buttons are defective. In the meanwhile, petitioner was issued bill dated 06.04.2022 for 18 days for consumption of 24066 units on ‘O’ code amounting to Rs. 337480/- (including arrears). Petitioner being unsatisfied with these bills, filed his case in the Zonal CGRF, Patiala. Zonal CGRF South Zone, PSPCL Patiala, decided on dated 24.05.2023 that energy bills issued to the consumer for the period 31.01.2022 to 14.03.2022 on ‘R’ code on average basis with LYSM formula are recoverable. Whereas the consumption for the period from 31.01.2022 to 13.03.2022 for 7076 units is not chargeable as for this period, the bills were issued on average basis. Petitioner is not satisfied with the decision of Zonal Forum and filed an appeal in Corporate CGRF, Ludhiana.

Forum heard the case in its proceeding dated 17.08.2023, 22.08.2022, 29.08.2023 and 05.09.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 17.08.2023***

*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. Sangrur (Respondent) along with copy of petition.*

*Respondent shall submit five copies of the following record/documents before the Forum*

1. *Respondent shall confirm that there is no case pending before any Court/Forum or any other authority between PSPCL and Petitioner.*
2. *Respondent shall confirm the status of up to date payments and shall ensure that no bill other than the amount in dispute, is pending.*
3. *Respondent shall 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.*
4. *Respondent shall also ensure the following action: -*
	1. *He will submit point-wise/para-wise reply to the petition be submitted in form of hard copy & soft copy (in word format) through email at* *secy.cgrfldh@gmail.com*
	2. *He will check/verify the energy bill dated 07.03.2022 of Rs. 144490/-for consumption of 22996 KVAH with meter status R, bill dated 14.03.2022 and bill dated 06.04.2022 amounting Rs. 337480/- for consumption of 24066 with meter status code ‘O’ for the period 13.03.2022 to 31.03.2022.*
	3. *He will submit copy of ECR no. 36/248 dated 04.02.2022 along with copy of request of AE/Op. Badhrukhan and ECR no. 17/246 dated 31.03.2022.*
	4. *He will submit copy of decision of Zonal CGRF along with its case file.*
	5. *He will submit 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.*
	6. *He will submit copy of current site checking report and further submit copies of reports of checking carried out by various authorities previously.*
	7. *Submit copies of related Job order clearly depicting date of effect thereof, ME lab reports of CT/PT unit and meter in dispute alongwith its DDL.*
	8. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
	9. *Ensure that all the documents have been checked/verified & signed by ASE/Sr. XEN and he will be responsible for the authenticity of the documents/information submitted to the Forum.*

*The case be put up on 22.08.2023.*

***Proceedings dated: 22.08.2023***

*Respondent submitted four copies of reply to the petition along with the record/documents and the same has been taken on record.*

*Petitioner came for attending hearing but did not appear before Forum. Petitioner telephonically informed that he will collect copy of reply from the O/O Secy. /Corporate CGRF, Ludhiana as he has to rush to Khanna due to some urgent work and further requested for some time for filing rejoinder.*

*The case is adjourned to 29.08.2023 for filing rejoinder.*

***Proceedings dated: 29.08.2023***

*Respondent telephonically requested another date and the same is admitted.*

*Petitioner submitted four copies of rejoinder and the same is taken on record. One copy of rejoinder is sent to Respondent vide email for submission of comments.*

*The case is adjourned to 05.09.2023 for oral discussion.*

***Proceedings dated: 05.09.2023***

*Petitioner stated that his factory runs for only 3-4 months in a year and remained closed during the disputed period. Forum asked him to submit documentary evidence in support of his statement but he could not submit any such documentary evidence.*

 *Petitioner/PR stated that the petition/rejoinder 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. 3002802476, is having MS connection with sanctioned Load of 81.430 KW/90.480 KVA, in the name of M/S Vachharaj Enterprises, under DS Division, Sangrur.
3. The Petitioner in his Petition prayed that: -

*Brief History*: -

 *It is submitted that the petitioner is having MS category connection with Sanctioned Load as 81.430KW/90.480KVA under Sub-Division Badrukhan of Op. Division Sangur PSPCL.*

*The reading of the meter is taken every month and amount of current bills (except disputed bills) as raised by the department on the basis of measured consumption have been paid. The factory of the petitioner remained closed most of the time since 12/2021 due to which use of electricity from the connection was very marginal/negligible. Accordingly, the energy bill for the period 31.12.2021 to 31.01.2022 was issued for 442 units only with status of the meter as 'O'. However, the energy bills issued on average basis (due to burning of CT/PT Unit) for the period 31.1.2022 to 31.3.2022 were wrong and on the higher side. The total amount of the bill as issued on 6.4.2022 including previous unpaid amount of Rs.191176/-, was Rs.337480/-. The petitioner filed case before Zonal CGRF South Zone. However, the Zonal Forum did not provide relief as admissible on merit. The Zonal CGRF in its meeting held on 24.5.2023 (copy enclosed) decided that* ***“energy bills issued to the consumer for the period 31.1.2022 to 28.2.2022 on 'R' code on average basis with LYSM formula for 22996 units and for the period 28.2.2022 to 14.3.2022 on 'R' code on average basis with LYSM formula for 6790 units are recoverable. Whereas, the consumption for the period 31.1.2022 to 13.3.2022 for 7076 units (78182-74644=3538x2) is not chargeable as for this period the bills were issued on average basis. Thus, the energy bill issued for the period 13.3.2022 to 31.3.2022 for 24060 units be revised for consumption of 16984 units by deducting consumption of 7076 units from 24060 units".***

*On the basis of decision of Zonal Forum, AE/Op Sub-Division Badrukhan vide notice bearing memo No 1128 dated 22.6.2023 (copy enclosed) intimated the petitioner that refund of Rs.42015/- has been posted in SC&A register*

*The above decision of Zonal Forum is not as per merit of the case and the same is wrong as biased. The petitioner is not satisfied with the decision of the Zonal Forum. Therefore, present appeal is being filed.*

*The following submissions are made before the kind consideration of Hon'ble Corporate Forum:*

* + - 1. *The CT/PT unit of the petitioner suddenly got damaged and ASE/Enf. cum-MMTS vide checking report No.36/248 dated 4.2.2022 reported the CT/PT unit as damaged and reported readings as 66857 KWH & 74644KVAH (copy enclosed). There was no work in the factory of the petitioner but energy bill for the period31.01.2022 to 28.2.2022 (copy enclosed) was issued for average consumption of 22996 units (86142 KVAH-74644 KVAHx2) for Rs 144490/-. As already submitted that there was no work in the factory, as such the bill so issued was wrong and not deposited by the petitioner.*
			2. *The damaged CT/PT unit was replaced on 13.3.2022 and energy bill for the period 28.2.2022 to 13.3.2022 was prepared for 6790 units (89537-86142 x2 KVAH) on 'R' code. Thus, total energy bills amount for the period 31.01.2022 to 13.3.2022 of Rs.191176/- has been shown as unpaid arrears in the bill issued on 6.4.2022 for the period 13.3.2022 to 31.3.2022 for Rs. 337480/-, disputed amount (copy enclosed).*
			3. *It is very interesting to point out here that energy bill for the period 13.3.2022 to 31.3.2022 has been issued on 6.4.2022 by taking old status/reading of KVAH as 74644 KVAH and new reading as 86677 KVAH for 24066 units (86677 KVAH-74644 KVAHx2), whereas the new reading as per previous bill issued for the period 31.01.2022 to 28.2.2022 and 28.2.2022 to 13.3.2022 was on average basis, with readings as 86142 KVAH-74644 KVAHX2-22996 units and 89537-86142 x2 KVAH=6790 respectively.*

*Thus, bill for the period 13.3.2022 to 31.3.2022 units was required to be issued with old reading as 89537 KVAH and new reading as 86677 KVAH i.e., for (-) minus 2860 units (86677 KVAH-89537 KVAH) instead of for 24066 units. Therefore, energy bill issued for the period 24066 units is apparently wrong.* *The total amount of the bill as issued on 6.4.2022 including previous unpaid amount of Rs.191176/-, is Rs.337480/- (disputed amount).*

1. *It was brought to the notice of Zonal Consumer Grievances Redressal Forum and reiterated for the kind consideration of Hon'ble Corporate Forum the that there was no work in the factory of the petitioner as such average consumption of 22996 units (86142 KVAH-74644 KVAHx2) as shown in the bill for the period 31.1.2022 to 28.2.2022 issued on 7.3.2022, average consumption of 6790 units (89537 KVAH- 86142 KVAH x2) taken in the bill for the period 28.2.2022 to 13.3.2022 was on the higher side. Thereafter, the energy bill for the period 13.3.2022 to 31.3.2022 (18 days) was issued on "O" code for consumption of 24066 units (86677 KVAH-74644 KVAH). It is again submitted for the consideration of Hon'ble Corporate Forum that when energy bill for the period 28.2.2022 to 13.3.2022 had been issued by taking old reading as 86142 KVAH x2 and new reading as 89537 KVAH x2, then again old reading has been taken as 74644 KVAH and new reading as 86677 KVAH as per bill issued on 6.4.2022 for the period 13.3.2022 to 31.3.2022, which is apparently wrong as average already charged i.e. 22996 units (86142 KVAH-74644 KVAHX2) against bill for the period 31.1.2022 to 28.2.2022 and 6790 units (89537 KVAH-86142 KVAH x2) taken in the bill for the period 28.2.2022 to 13.3.2022 was required to be adjusted in the bill issued on "O" code for consumption of 24066 units (86677 KVAH-74644) for the period 13.3.2022 to 31.3.2022 (as explained above).*
2. The meter of the petitioner was tested in ME Lab where vide as per report given on challan No 47 dated 16.6.2022 (copy enclosed), it is mentioned that dial best of the meter could not be done. However, it is brought out for the kind consideration of the Hon'ble Corporate Forum that Final Reading as per ME/lab report given on challan No.47 dated 16.6.2022 is 86678 KVAH It is also mentioned for the kind consideration of Corporate Forum that even ASE/Op Division Sangrur PSPCL vide memo No. 8956 dated 11.10.2022 (addressed to Dy CE/Op Sangrur) has intimated that average as charged for the period 14.2.2022 to 13.3.2022 was not required to be charged to the consumer and amount of average wrongly charged comes to Rs 178716/- (copy of memo dated 11.10.2022-enclosed).
3. It is again reiterated that the factory of the petitioner remained closed most of the time since 12.2021 to 3/2022 due to which use of electricity from the connection was very marginal/negligible, which is also evident from the report regarding "Daily Demand", (showing load between less than 1 KW to 3 KW) as per DDL Similarly as per 'Daily Details' there is some consumption only during 4-5 days and in other days it is almost Nil, during the period as per reports, accordingly, the energy bill for the period 31.12.2021 to 31.01.2022 was issued for 442 units (74644 KVAH- 74423 x2) with status of the meter as 'O'. Similarly, is the position of use of load/supply during 31.01.2022 to 28.2.2022 as per DDL but energy bill for the period 31.01.2022 to 28.2.2022 was issued for average consumption of 22996 units (86142 KVAH-74644 KVAHx2) for Rs.144490/- due to sudden damage of CT/PT unit as per checking report No.36/248 dated 4.2.2022 of ASE/Enf. cum-MMTS *when readings were observed as 66857 KWH & 74644KVAH Further, it is also pointed out here that there was no direct supply during this period of average bill.*
4. *The Final Reading as per ME/lab report given on challan No 47 dated 16.6.2022 is 86678 KVAH and this reading as also matching with cumulative energies as per DDL print out dated 31.3.2022. Thus total/actual consumption from 31.1.2022 to 31.3.2022 comes to 86678 KVAHX2 (final reading). 74644 KVAHX2-24068 units. The bills for the period 31.1.2022 to 31.3.2022 may kindly ordered to be revised by taking total consumption for this period as 24068 units and bills issued during this period may be revised accordingly.*
5. *The observations/remarks of the Zonal Forum are contradictory to its decision. The Zonal Forum has confirmed that when the CT/PT was burnt on 4.2.2022 then there was no direct supply. The Zonal Forum has also mentioned that no SJO was issued for direct supply and jumpers were removed from LT line. The CT/PT unit was replaced on 13.3.2022. Then why the Zonal Forum did not provide relief for the period 4.2.2022 to 13.3.2022. The Zonal Forum has also mentioned that the petitioner showed video from his mobile phone and as per video the pulse was running very fast. The Zonal Forum also confirmed that the consumption during 17.3.2022 to 20.3.2022 is more than the normal consumption. The Zonal Forum has also agreed that it appears that there was some fault in the machinery of the firm due to which, the energy bill for the period 31.3.2022 to 28.4.2022 was issued only for 2 units. It is fact that the factory of the petitioner remained closed most of the time especially from 12/2021 to 16.5.2022. The petitioner has paid huge amount as average charges even though there was negligible use of supply. It is very interesting to point out that the Zonal Forum did not consider the pleading of the petitioner for revision of bill for the period 13.3.2022 to 31.3.2022 issued on "0" code for consumption of 24066 units on the ground that working of the meter was declared Ok in ME/Lab as per its checking dated 16.6.2022. Although there was no/negligible use of supply especially from 12/2022 to 5/2022 but for the sake of arguments if it is presumed (as observed by Zonal Forum) that working of the meter was Okay then the Zonal Forum was required to consider the Final reading as per ME/lab report (challan No.47 dated 16.6.2022) ie: 86678 KVAH, as Okay especially when this reading is also matching with the final reading as per DDL report Thus at least by considering the final reading as 86687 KVAH, total/actual consumption from 31.1.2022 to 31.3.2022 comes to 86678 KVAHX2 (final reading), 74644 KVAHx2=24068 units. The bills for the period 31.1.2022 to 31.3.2022 were required to be revised at least by taking total consumption for this period as 24068 units. However, the Zonal Forum just provided relief to the extent of only 7076 units relating to the period 31.1.2022 to 13.3.2022 on unrealistic basis, which is itself evident from the observations of the Zonal Forum.*

***Prayer****:*

*It is requested that decision of Zonal Consumer Grievances Redressal Forum may kindly be quashed. The amount of energy charges as per bills issued for the period 31.1.2022 to 31.3.2022 (out of total amount of bills for this period of Rs.337480/-) may be waived off as there was no use/very negligible use of supply during this period. The consumption recorded during this period was due to fast running of pulse. It is humble request that at least, the energy bills issued for the period 31.1.2022 to 31.3.2022 may kindly be ordered to be revised as per final reading of 86687 KVAH as per ME/lab report/DDL report and by taking this final reading total/actual consumption comes to 86678 KVAHx2 (final reading). 74644 KVAHX2-24068 units, as explained above. ASE/Op. Division Sangrur PSPCL vide memo No. 8956 dated 11.10.2022 has also confirmed that average as charged for the period 14.2.2022 to 13.3.2022 was not required to be charged to the consumer and amount of average wrongly charged comes to Rs 178716/-*

*Further, Hon'ble Corporate Forum may kindly direct the respondent to submit complete para-wise reply and to provide the following record/information so that further submission (if required) can be made for the kind consideration of Hon'ble Forum:*

*1.consumption data with old/new readings for the period 1/2020 till date.*

1. The Respondent in his reply stated that: -

 ***ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਖਪਤਕਾਰ ਵਲੋਂ ਦਿੱਤੀ ਪਟੀਸ਼ਨ ਦਾ ਪੈਰਾ ਵਾਈਜ ਜਵ****wb* ***ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ:-***

1. ***ਇਹ ਸਹੀ ਹੈ ਕਿ ਖਪਤਕਾਰ ਦਾ*** *sI* ***ਟੀ ਪੀ*** *tI* ***ਯੂਨਿਟ ਸੜ ਗਿਆ ਸੀ।******ਜਿਸ ਤੋਂ ਬਾਅਦ ਵਧੀਕ ਨਿਗਰਾਨ*** *ieMjInIAr ienPorsmYNt* ***ਸੰਗਰੂਰ ਵੱਲੋਂ ਖਪਤਕਾਰ ਦਾ ਕੂਨੈਕਸ਼ਨ ਈ ਸੀ******ਆ****r* ***ਨM*** *36/248* ***ਮਿਤੀ*** *04.02.2022* ***ਰਾਹੀਂ*** *cY`k* ***ਹੋਇਆ ਸੀ।******ਇਹ ਸਹੀ*** *hY ik K****ਪਤਕਾਰ ਦੇ ਮੀਟਰ ਦੀ ਚੈਕਿੰਗ ਸਮੇਂ ਰੀਡਿੰਗ*** *66857 kwh****ਤੇ*** *74644 kvah* ***ਸੀ। ਇਹ ਸਹੀ ਹੈ ਕਿ ਖਪਤਕਾਰ ਨੂੰ ਮਿਤ****I 31.01.2022* ***ਤੋਂ*** *21.02.2022* ***ਤੱਕ ਦਾ ਬਿਲ*** *22996* ***ਯੂਨਿਟਾਂ ਦਾ*** *144490* ***ਰੁਪਏ ਦਾ ਐਵਰੇਜ ਦੇ ਅਧਾਰ ਤੇ ਜਾਰੀ*** *hoieAw[* ***ਇਸ ਤੋਂ ਇਲਾਵਾ ਜੋ*** *K****ਪਤਕਾਰ ਵੱਲੋਂ ਕਿਹਾ ਗਿਆ ਹੈ ਕਿ ਇਸ ਸਮੇਂ ਦੌਰਾਨ ਇਸ ਫੈਕਟਰੀ ਵਿੱਚ ਕੰਮ ਨਹੀਂ ਸੀ। ਇਸ ਸੰਬੰਧੀ ਕੁਝ*** *vI* ***ਨਹੀਂ ਕਿਹਾ ਜਾ ਸਕਦਾ। ਇਹ ਸਹੀ ਹੈ ਕਿ ਖਪਤਕਾਰ ਵੱਲੋਂ ਇਹ ਬਿਲ ਨਹੀਂ ਭਰਿਆ ਗਿਆ ਹੈ।***
2. *pYrHw nM 2* ***ਅਨੁਸਾਰ ਜੋ ਖਪਤਕਾਰ ਵੱਲੋਂ ਕਿਹਾ ਗਿਆ ਹੈ ਕਿ ਉਸਦਾ ਸੀ*** *tI.****ਪੀ.ਟੀ.ਯੂਨਿਟ*** *13.03.2022* ***ਨੂੰ ਬਦਲੀ ਕੀਤਾ ਗਿਆ*** *hY* ***ਅਤੇ ਮਿਤੀ*** *28.02.2022* ***ਤੋਂ*** *13.03.2022* ***ਤੱਕ ਦਾ*** *6790* ***ਯੂਨਿਟਾਂ ਦਾ ਆਰ ਕੋਡ ਤੇ ਐਵਰੇਜ਼ ਅਧਾਰ ਤੇ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੈ ਬਿਲਕੁਲ ਸਹੀ ਹੈ। ਇਹ ਵੀ ਸਹੀ ਹੈ ਕਿ ਖਪਤਕਾਰ ਵੱਲੋਂ ਇਹ ਦੋਨੋਂ ਬਿਲ ਮਿਤੀ*** *31.01 2022* ***ਤੋਂ*** *13.03.2022* ***ਦੌਰਾਨ ਜਾ****rI kIqy* ***ਗਏ ਹਨ******ਭਰੇ ਨਹੀਂ ਗਏ ਹਨ।***
3. ***ਇਹ ਸਹੀ ਹੈ ਕਿ ਮਿਤੀ*** *13 03 2012* ***ਤੋਂ*** *31 03 2022* ***ਦੇ ਸਮੇਂ ਦਾ ਬਿਲ*** *06.04.2022* ***ਨੂੰ******ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ ਜਿਸ ਵਿਚ ਪੁਰਾਣੀ*** *rIifMg 74644 kvah* ***ਅਤੇ ਨਵੀਂ ਰੀਡਿੰਗ*** *86677 kvah* ***ਸੀ।******ਇਸ ਤਰਾਂ ਖਪਤਕਾਰ ਨੂੰ*** *(86677-74644)\*2=24066* ***ਯੂਨਿਟਾਂ ਦਾ ਬਿਲ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ। ਬਾਕੀ******ਦੀ ਜਾਣਕਾਰੀ ਜੋ ਖਪਤਕਾਰ ਵੱਲੋਂ ਪਟੀਸ਼ਨ ਵਿੱਚ ਲਿਖੀ ਗਈ ਹੈ ਤੇ*** *s****ਹੀ******ਹੈ।***
4. ***ਪੈ****rw* ***ਨM*** *4* ***ਵਿੱਚ*** *jo* ***ਖਪਤਕਾਰ******ਵੱਲੋਂ ਲਿਖਿਆ ਗਿਆ ਹੈ ਇਸ ਦੀ ਸਚਾਈ ਰਿਕਾਰਡ ਅਨੁਸਾਰ ਹੈ।***
5. ***ਇਹ ਸਹੀ ਹੈ ਕਿ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਸਟo****r* ***ਚਲਾਨ*** *nM 47* ***ਮਿਤੀ*** *16.06.2022* ***ਰਾਹੀਂ ਐਮ.ਈ. ਲੈਬ ਪਟਿਆਲਾ ਵਿਖੇ ਚY`ਕ ਹੋਇਆ ਸੀ। ਇਹ ਵੀ ਸਹੀ ਹੈ ਕਿ ਇਸ ਮੀਟਰ ਦਾ ਡਾਇਲ ਟੈਸਟ******ਨਹੀਂ ਹੋ ਸਕਿਆ ਸੀ। ਕਿਉਂਕਿ ਇਸ ਮੀਟਰ ਦਾ ਸਕਰੋਲ ਡਿ****PY****ਕਟ****v* ***ਸੀ।ਇਹ ਸਹੀ ਹੈ ਕਿ ਇਸ ਮੀਟਰ ਦੀ ਐਮ****.eI.* ***ਚਲਾਨ ਅਨੁਸਾਰ*** *rI****ਡਿੰਗ*** *kwh=78867* ***ਅਤੇ*** *kvah=86678* ***ਸੀ। ਇਸ ਪੈਰHy ਦੀ ਬਾਕੀ ਦੀ ਜਾਣਕਾਰੀ ਰਿਕਾਰਡ ਅਨੁਸਾਰ ਹੈ।***
6. ***ਪੈਰ੍ਹਾ*** *nM 6* ***ਵਿੱਚ ਜੋ ਖਪਤਕਾਰ ਵੱਲੋਂ ਲਿਖਿਆ ਗਿਆ ਹੈ ਇਸ ਸਬੰਧੀ ਇਸ ਦਫਤਰ ਨੂੰ ਕੋਈ ਜਾਣਕਾਰੀ ਨਹੀਂ ਹੈ।***
7. ***ਪੈਰ੍ਹਾ*** *nM 7* ***ਵਿੱਚ ਜੋ ਖਪਤਕਾਰ ਵੱਲੋਂ ਲਿਖਿਆ ਗਿਆ ਹੈ ਇਸ ਸਬੰਧੀ ਇਸ ਦਫਤਰ ਨੂੰ ਕੋਈ ਜਾਣਕਾਰੀ ਨਹੀਂ ਹੈ।***
8. *Zonal CGRF* ***ਵੱਲੋਂ ਕੀਤੇ ਗਏ ਫੈਸਲੇ ਦੀ ਕਾਪੀ ਨਾਲ ਹੈ।***
9. The Respondent stated in his comments that: -

***kys*** *ਹਿਸਟਰੀ:*

***ਇਸ ਖਪਤਕਾਰ ਦਾ ਸੀਟੀਪੀਟੀ ਮਿਤੀ*** *04.02.2022* ***ਨੂੰ ਸੜ ਗਿਆ ਸੀ, ਖਪਤਕਾਰ ਦਾ******ਕੁਨੈਕਸ਼ਨ******ਵਧੀਕ*** *i****ਨ****grwn* ***ਇੰ****jI****ਨੀਅਰ******ਇਨਫੋਰਸਮੈਂਟ ਕਮ ਈ ਏ ਅਤੇ ਐਮ. ਐਮ.ਟੀ ਐਸ ਸੰਗਰੂਰ ਦੁਆਰਾ*** *eIsI****ਆਰ*** *nM 038/248* ***ਮਿਤੀ*** *04.02.2022* ***ਰ****whIN* ***ਚੈੱਕ ਕੀਤਾ ਗਿਆ ਸੀ ।******ਚੈਕਿੰਗ ਅਨੁਸਾਰ ਸੀਟੀਪੀਟੀ******ਦਾ ਦਰਵਾਜਾ*** *Pu`****ਲਿਆ ਹੋਇਆ ਸੀ । ਸੀਟੀਪੀਟੀ*** *bdlI* ***ਯੋਗ ਹੈ****[* ***ਖਪਤਕਾਰ ਦੁਆਰਾ ਸ****Vy* ***ਸੀਟੀਪੀਟੀ ਦੀ******ਕੀਮਤ*** *40220* ***ਰੁਪਏ******ਇਸ ਦਫਤਰ ਵਿਖੇ ਰਸੀਦ ਨੰ*** *252800297438* ***ਮਿਤੀ*** *14.02.2022* ***ਰਾਹੀ ਭਰ ਦਿੱਤੇ ਗਏ ਹਨ । ਖਪਤਕਾਰ ਨੂੰ ਮਿਤੀ*** *28.02.2022* ***ਨੂੰ*** *28* ***ਦਿਨਾਂ******ਦਾ*** *Awr kof* ***ਤੇ ਐਵਰੇਜ ਅਧਾਰ ਤੇ*** *22996* ***ਯੂਨਿਟਾਂ******ਦਾ*** *144490* ***ਰੁਪਏ ਦਾ ਬਿਲ ਜਾਰੀ ਹੋਇਆ ਸੀ ਜੋ ਕਿ ਖਪਤਕਾਰ*** *v`loN n****ਹੀ ਭਰਿਆ ਗਿਆ, ਇਸ ਤੋਂ ਬਾਅਦ ਖਪਤਕਾਰ ਦਾ ਸੀਟੀਪੀਟੀ ਐਮ ਸੀ*** *E* ***ਨੰ.*** *100016727181 imqI 14.02.2022 rwhI imqI 13.03.2022* ***ਨੂੰ ਬਦਲੀ ਕਰ ਦਿੱਤਾ ਗਿਆ ਸੀ****[* ***ਖਪਤਕਾਰ ਨੂੰ ਮਿਤੀ*** *13.03.2022* ***ਨੂੰ*** *13* ***ਦਿਨਾਂ ਦਾ ਆਰ ਕੋਡ ਤੇ ਐਵਰੇਜ ਅਧਾਰ ਤੇ*** *6790* ***ਯੂਨਿਟਾਂ ਦਾ*** *182090* ***ਰੁਪਏ*** *ib****ਲ ਆਇਆ ਸੀ ਇਸ******ਬਿਲ ਵਿਚ ਚਾਲੂ ਸਾਇਕਲ ਦੇ ਖਰਚੇ*** *43750* ***ਰੁਪਏ ਅਤੇ ਬਾਕੀ ਪਿਛਲy ਬਿਲ ਦੀ ਬਕਾਇਆ ਰਕਮ ਸੀ****[* ***ਖਪਤਕਾਰ ਦਾ ਸੀਟੀਪੀਟੀ ਸਟੋਰ ਚਲਾਨ ਨੰ****: 288* ***ਮਿਤੀ*** *14.03.2022* ***ਰਾਹੀਂ ਐਮ ਈ ਲੈਬ ਸੰਗਰੂਰ ਵਿਖੇ ਚੈਕ ਹੋਇਆ ਸੀ। ਇਸ ਤੋਂ ਬਾਅਦ ਖਪਤਕਾਰ ਨੂੰ*** *O* ***ਕੋਡ ਤੇ ਮਿਤੀ*** *31.03.2022* ***ਨੂੰ*** *18* ***ਦਿਨਾਂ ਦਾ*** *24066* ***ਯੂਨਿਟਾਂ ਦਾ*** *337480* ***ਰੁਪਏ ਬਿਲ ਜਾਰੀ ਹੋਇਆ ਸੀ ਇਸ ਬਿਲ ਵਿਚ ਚਾਲੂ ਸਾਇਕਲ ਦੇ ਮਰਦੇ*** *146303* ***ਰੁਪਏ ਅਤੇ ਬਾਕੀ ਪਿਛਲੇ ਬਿਲ ਦੀ ਬਕਾਇਆ ਰਕਮ ਸੀ ।*** *Kpqkwr* ***ਵਲੋਂ ਇਸ ਬਿਲ ਨਾਲ ਸਹਿਮਤ ਨਾ*** *huMdy* ***ਹੋਇਆ ਆਪਣਾ ਮੀਟਰ ਇਸ ਦਫਤਰ ਵਿਖੇ ਚੈਲਿੰਜ ਫੀਸ*** *2840* ***ਰੁਪਏ ਰਸੀਦ ਨੰ:*** *217700335603* ***ਮਿਤੀ*** *28.03.2022* ***ਰਾਹੀਂ ਚੈਲਿੰਜ ਕੀਤਾ ਗਿਆ ਸੀ । ਖਪਤਕਾਰ ਦਾ ਕੁਨੈਕਸ਼ਨ ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜਨੀਅਰ ਇੰਨਫੋਰਸਮੈਂਟ ਕਮ ਈਏ ਅਤੇ ਐਮਐਮਟੀਐਸ ਸੰਗਰੂਰ ਵੱਲੋਂ ਈਸੀਆਰ ਨੰ****: 17/246* ***ਮਿਤੀ*** *31.03.2022* ***ਰਾਹੀਂ ਚੈਕ ਕੀਤਾ ਗਿਆ ਸੀ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਐਮ ਸੀ ਓ ਨੰ****:100017213159* ***ਮਿਤੀ*** *28.03.2022* ***ਰਾਹੀ ਮਿਤੀ*** *28.04.2022* ***ਨੂੰ ਬਦਲੀ ਕੀਤਾ ਗਿਆ ਸੀ****[ Kpqkwr* ***ਦਾ ਮੀਟਰ ਸਟੋਰ ਚਲਾਨ ਨੰ:*** *47* ***ਮਿਤੀ*** *16.062022* ***ਰਾਹੀਂ ਐਮ ਈ ਲੈਬ ਪਟਿਆਲਾ ਵਿਖੇ ਚੈਕ ਹੋਇਆ ਸੀ****[ cYikMg Anuswr* ***ਮੀਟਰ ਦੀ ਐਕੁ****ry****ਸੀ*** *OK* ***ਹੈ ਅਤੇ ਮੀਟਰ ਦੇ ਸਕਰੋਲ ਬਟਨ*** *ifPYktv* ***ਹਨ। ਇਸਦਾ ਡਾਇਲ ਟੈਸਟ ਨਹੀਂ ਕੀਤਾ ਜਾ ਸਕਿਆ ਹੈ ।***

*inmhnhsqwKr ਵੱਲੋਂ ਟਿੱਪਣੀ:*

*ਸਹਾਇਕ ਵੰਡ ਉਪ ਮੰਡਲ ਬਡਰੁਖਾ ਵੱਲੋਂ ਭੇਜੀ ਰਿਪੋਰਟ ਅਨੁਸਾਰ ਇਸ ਖਪਤਕਾਰ dw : ਸੀ.ਟੀ.ਪੀ.ਪੀ. ਮਿਤੀ 04.02.2022 nUM sV ਗਿਆ ਸੀ। Kpqkwr ਦਾ kunYkSn ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਇਨਪੋਰਸਮੈਂਟ ਕਮ ਈ.ਐNf.ਐਮ. ਸੰਗਰੂਰ ਦੁਆਰਾ eI.ਸੀ.ਆਰ ਨM 38/248 ਮਿਤੀ 04.02.2022 ਰਾਹੀਂ ਚੈੱਕ ਕੀਤਾ ਗਿਆ ਸੀ। ਚੈਕਿੰਗ ਅਨੁਸਾਰ ਸੀ.ਟੀ.ਪੀ.ਟੀ. ਦਾ ਦਰਵਾਜw Puਲਿਆ ਹੋਇਆ ਸੀ, ਸੀ.ਟੀ.ਪੀ.ਟੀ. ਬਦਲੀ ਯੋਗ ਸੀ। ਖਪqਕਾਰ ਦੁਆਰਾ ਸੜੇ ਸੀ.ਟੀ.ਪੀ.ਟੀ. ਦੀ ਕੀਮਤ 40220 ਰੁਪਏ ਮਿਤI 14.02.2022 ਨੂੰ Bਰ ਦਿੱਤੇ ਗਏ ਸਨ। ਖਪਤਕਾਰ ਦਾ ਸੀ.ਟੀ.ਪੀ.ਟੀ. ਐਮ.ਸੀ.ਓ ਨM 100016727181 ਮਿਤੀ 14.02.2022 ਰਹੀਂ ਮਿਤੀ 13.03.2022 ਨੂੰ ਬਦਲਿਆ ਗਿਆ ਸੀ। ਡੀ.ਟੀ.ਐਲ ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਦੇ ਮੀਟਰ ਦੇ ਵਿੱਚ VOLTAGE Aqy CURRENT dI MEASUREMENT TIk ਹੋਈ ਹੈ।*

|  |
| --- |
| *Calculation Sheet Of bill issued on 28.02.2022 On Average Basis (lysm) (A1)* |
| *PARTICULARS* | *CONSUMPTION* |
| *Consumption of bill issued from 01.02.2021 to 03.03.2021 (30days) On O code* | *26438* |
| *Consumption of bill issued from 31.01.2022 to 28.02.2022 On Average (lysm basis)*  | *22996* |
| *24638\*28/30=22996* |  |

|  |
| --- |
| *Calculation Sheet Of bill issued on 31.03.2022 On Average Basis (lysm) And Actual Comsumption basis (A2)* |
| *PARTICULARS* | *CONSUMPTION* |
| *Consumption of bill issued from 03.03.2021 to 01.04.2021 (29 days) On O code* | *15146* |
| *Consumption of bill issued from 28.02.2022 to 13.03.2022 On Average (lysm basis)(A)*  | *6790* |
| *15146\*13/29=6790* |  |
| *Consumption from 13.03.2022 to 31.03.2022 (actual consumption) (B)*  | *24066* |
| *(86677-74644)\*2=24066* |  |
| *Total Consumption of bill on 31.03.2022 (A+B)* | *30856* |

*ਖਪਤਕਾਰ ਵੱਲੋਂ ਜਨਵਰੀ 2022 ਦਾ ਬਿਲ ਭਰਿਆ ਹੋਇਆ ਸੀ, ਫਰਵਰੀ 2022 ਦੇ 28 ਦਿਨ ਅਤੇ ਮਾਰਚ 2022 dy 13 ਦਿਨਾਂ ਦੇ ਬਿਲ ਐਲ.ਵਾਈ. ਐਸ.ਐਸ ਦੇ ਆਧਾਰ ਤੇ ਕੁੱਲ 182090 ਰੁਪਏ ਆਇਆ, fI.fI.AYl ਮੁਤਾਬਿਕ ਮਿਤੀ 13.02.2022 ਤੋਂ 20.02.2022 ਤੱਕ n`QI ਲਿਸਟ-ਏ 1 ਮੁਤਾਬਿਕ Kਪਤ ਆਉਂਦੀ ਰਹੀ ਹੈ ਜਿਸ ਤੋਂ jwhr ਹੁੰਦਾ ਹੈ ਕਿ ਸI.ਟੀ.ਪੀ.ਟੀ. ਦੇ ਡੈਮੇਜ ਹੋਣ ਤੋਂ ਬਾਅਦ ਵੀ ਸੀ.ਟੀ.ਪੀ.ਟੀ. ਰਾਹੀਂ ਸਪਲਾਈ ਦਿੱਤੀ ਗਈ ਸੀ ਅਤੇ ਇਸ ਸਮੇਂ average ਦਾ ਬਿਲ ਵੀ ਲਿਆ ਗਿਆ ਸੀ। ਇਸ ਲਈ ਹੇਠ ਲਿਖੇ ਮੁਤਾਬਿਕ ਬਿਲ rectify ਹੋਣਾ ਬਣਦਾ ਹੈ।*

*CALCULATION SHEET OF DISPUTED AMOUNT*

|  |  |
| --- | --- |
| *PARTICULARS* | *AMOUNT* |
| *BILL ISSUED FROM 31.01.2022 TO 28.02.2022 (22996 UNITS)* | *138340* |
| *BILL ISSUED FROM 28.02.2022 TO 14.03.2022 (6790 UNITS)* | *43750* |
| *BILL ISSUED FROM 14.03.2022 TO 31.03.2022 (24066 UNITS)* | *146304* |
| *SURCHARGE AND INTEREST ON UNPAID BILL AMOUNT* | *17917* |
| *TOTAL DISPUTED BILL AMOUNT* | *346310* |
|  |  |

*CALCULATION SHEET OF RECOVERABLE AMOUNT FROM THE CONSUMER FROM THE BILL 14.03.2022 TO 31.03.2022*

*TABLE-A*

|  |  |
| --- | --- |
| *PARTICULARS* | *UNITS* |
| *BILL ISSUED FROM 14.03.2022 TO 31.03.2022* | *24066* |
| *CONSUMPTION FROM 31.01.2022 TO 13.03.2022 BECAUSE SUPPLY IS NOT DISCONNECTED FROM THE MAIN 11 KV TO CT PT UNIT SO METER IS RUNNING DURING THE TIME FROM 04.02.2022 (CT PT DAMAGE DATE) TO 13.03.2022 (CT PT REPLACE DATE) BUT WHEN CT PT INSTALLED IN SAP SYSTEM METER INSTALLED ON READING 74644 BY CONSIDERING THE SUPPLY OF CT PT UNIT IS DISCONECTED.*  | *=(78182-74644)\*2=7076* |
| *RECOVERABLE UNITS FROM THE BILL ISSUED FROM 14.03.2022 TO 31.03.2022* | *=24066-7076=16990 UNITS* |

*TABLE-B*

|  |  |
| --- | --- |
| *PARTICULARS*  | *AMOUNT* |
| *BILL ISSUED FROM 14.03.2022 TO 31.03.2022* | *146304* |
| *RECOVERABLE FROM CONSUMER ON THE BASIS OF TABLE NO. (A)* | *106110* |
| *NET AMOUNT REFUNDABLE TO THE CONSUMER FROM THE BILL ISSUED 14.03.2022 TO 31.03.2022* | *=146304-106110=40194* |

*CALCULATION SHEET OF AMOUNT RECOVERABLE FROM THE CONSUMER FROM THE DISPUTED AMOUNT*

*TABLE-C*

|  |  |
| --- | --- |
| *PARTICULARS*  | *AMOUNT* |
| *BILLS ISSUED FROM 31.01.2022 TO 28.02.2022 (22996 UNITS) IS ENTIRE RECOVERABLE FROM THE CONSUMER BECAUSE SUPPLY OF CT PT UNIT NOT DISCONNECTED AT SITE SO IT IS ASSUMED THAT SUPPLY OF THE CONSUMER IS DIRECTLY CONNECTED* | *138340* |
| *BILL ISSUED FROM 28.02.2022 TO 14.03.2022 (6790 UNITS) IS ALSO ENTIRE RECOVERABLE FROM THE CONSUMER BECAUSE SUPPLY OF CT PT UNIT NOT DISCONNECTED AT SITE SO IT IS ASSUMED THAT SUPPLY OF THE CONSUMER IS DIRECTLY CONNECTED* | *43750* |
| *BILL ISSUED FROM 14.03.2022 TO 31.03.2022 IS RECOVERABLE FROM THE CONSUMER TO THE EXTENT CALCULATED AS PER TABLE-B ABOVE* | *106110* |
| *SURCHARGE AND INTEREST ON UNPAID BILL AMOUNT* | *15724* |
| *TOTAL AMOUNT RECOVERABLE FROM THE CONSUMER FROM THE DISPUTED AMOUNT* | *303924* |

*ਇਸ ਤੋਂ ਇਲਾਵਾ ਮਿਤੀ 13.03.20 ਤੋਂ 2022.03.-ਤੱਕ ਵੀ n`QI ਲਿਸਟ ey 2022 ਮੁਤਾਬਿਕ ਖਪਤ ਆਉਂਦੀ ਰਹੀ ਹੈ। - ਜਿਸ ਵਿੱਚ ਇਹ ਜਰੂਰ ਵਰਨਣਯੋਗ ਹੈ ਕਿ ਮਿਤੀ 03.20 ਤੋਂ 2022.03. ਦੀ ਖਪਤ ਇਸ ਫਰਮ ਦੀ 2022 ਰੋਜਾਨਾ ਖਪq ਨਾਲੋ bhuq ijAwdw hY[*

*ਉਪਰ ਦਿੱਤੇ ਟੇਬਲ ਸੀ ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਤੋਂ 303924 ਰੁਪਏ ਰਕਮ ਉਗਰਾਹੁਣ ਯੋਗ ਹੈ ਇਸ ਤੋਂ ਇਲਾਵਾ ਇਸ ਕੇਸ ਵਿੱਚ ijMmyvwr ਕਰਮਚਾਰੀਆਂ ਜੇ.ਈ. ਅਤੇ ਐਸ.ਡੀ.ਓ. ਜਿਨ੍ਹਾਂ ਦੀ ਅਣਗਹਿਲੀ ਕਾਰਨ ਸੀ.ਟੀ.ਪੀ.ਟੀ ਯੂਨਿਟ ਦੀ ਸਪਲਾਈ ਬੰਦ ਨਹੀਂ ਕੀਤੀ ਗਈ sI dI ਜਵਾਬਤਲਬੀ ਲੈ ਲਈ ਗਈ ਹੈ ਅਤੇ ਉਹਨਾਂ ਖਿਲਾਫ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਕਾਰਵਾਈ ਆਰੰਭ ਕਰ ਦਿੱਤੀ ਗਈ ਹੈ[*

1. *Petitioner submitted his Rejoinder as under: -*

 *The respondent has not submitted complete reply against all the para (6) of the petition, however the respondent has almost admitted the position/submission as made in the petition. Thus, the points raised as per petition may kindly be considered white arriving at any conclusion on the case. All the submissions as per various paras of the petition (even where no reply as per petition has been given) are not repeated for the sake of brevity.*

1. *The respondent has admitted and confirmed that position as explained in para-4 of the petition is correct as per record. The position of the disputed case is almost clear from para-No. 4 of the petition and confirmed as correct by the respondent, the same is reiterated for the kind consideration of Hon'ble Corporate Forum. There was no work in the factory of the petitioner as such average consumption of 22996 units (86142 KVAH-74644 KVAHx2) as shown in the bill for the period 31.1.2022 to 28.2.2022 issued on 7.3 2022, average consumption of 6790 units (89537 KVAH- 86142 KVAH x2) taken in the bill for the period 28.2.2022 to 13.3.2022 was on the higher side. Thereafter, the energy bill for the period 13.3.2022 to 31.3.2022 (18* *days) was issued on "O" code for consumption of 24066 units (86677 KVAH-74644 KVAH). It is again submitted for the consideration of Hon'ble Corporate Forum that when energy bill for the period 28.2.2022 to 13.3.2022 had been issued by taking old reading as 86142 KVAH x2 and new reading as 89537 KVAH x2. then again old reading has been taken as 74644 KVAH and new reading as 86677 KVAH as per bill issued on 6.4.2022 for the period 13.3.2022 to 31.3.2022, which is apparently wrong as average already charged Le. 22996 units (86142 KVAH-74644 KVAHx2) against bill for the period 31.1.2022 to 28.2.2022 and 6790 units (89537 KVAH-86142 KVAH x2) taken in the bill for the period 28.2.2022 to 13.3.2022 was required to be adjusted in the bill issued on "O" code for consumption of 24066 units (86677 KVAH-74644) for the period 13.3.2022 to 31.3.2022 (as explained in para no.3 of the petition).*
2. *It is also brought out for kind consideration of Hon'ble Corporate Forum that the meter of the petitioner was tested in ME/lab and "meter reactive accuracy' was observed okay. The Final Reading as per ME/lab report given on challan No.47 dated 16.6.2022 is 86678 KVAH. It is again mentioned for the kind consideration of Corporate Forum that even ASE/Op. Division Sangrur PSPCL vide memo No. 8956 dated 11.10.2022 (addressed to Dy CE/Op Sangrur) has intimated that average as charged for the period 14.2.2022 to 13.3.2022 was not required to be charged to the consumer and amount of average wrongly charged comes to Rs 178716/- The position has been confirmed as correct 'as per record by the respondent'. The Final Reading as per ME/lab report is 86678 KVAH and this reading as also matching with cumulative energies as per DDL print out dated 31.3.2022. It is also place to mention here that due to LATCH features of the meter, the measurement of voltage/current and resultant consumption from the meter was in order. The final reading as per DDL/ME lab report can be considered as correct to settle the disputed case (although the petitioner feels that pulse of the meter was running fast but accuracy was observed okay in ME/lab). The total/actual consumption from 31:1.2022 to 31.3.2022 comes to 86678 KVAHx2 (final reading)- 74644 KVAHx2 = 24068 units. The bills for the period 31.1.2022 to 31.3.2022 may kindly ordered to be revised by taking total consumption for this period as 24068 units and bills issued during this period may be revised accordingly. It is again mentioned here that work in the factory especially from 12/2021 is very less and not consistent as compared to previous years. The consumption of only 442 units was recorded for the period 31.12.2021 to 31.01.2022 with status of the meter as 'O'. The voltage/current of the meter were - being recorded properly due to LATCH features of the meter and the use of very little load is evident from the DDL report (as explained in para-6 of the petition). Further, the fact of very less and inconsistent work in the factory is also evident from the consumption recorded from 7/2022 to 1/2023, which is in the range of only 400-600 units per month, as such the consumption as recorded before the period 12/2021 cannot be taken as the basis to justify the average charged. Moreover, the working of the meter can be considered as in order, as explained above, as such atleast final reading as per ME/lab report/DDL can be taken for overhauling the account for the period 31.1.2022 to 31.3.2022. It is also mentioned here that the respondent has not submitted any reply against para no. 6, 7 and 8 of the petition, as such the facts given/submission made as per e para (s) of the petition may kindly be considered by the Hon'ble Corporate Forum while taking decision on the appeal case.*

***Prayer:*** *It is requested that decision of Zonal Consumer Grievances Redressal Forum may kindly be quashed. The petitioner feels that the consumption recorded during period 31.1.2022 to 31.3.2022 was higher due to fast running of pulse (as explained in the petition and as above). Anyhow, it is humble request that at least, the energy bills issued for the period 31.1.2022 to 31.3.2022 may kindly be ordered to be revised as per final reading of 86687 KVAH as per ME/lab report/DDL report and by taking this final reading total/actual recorded consumption for this period comes to 86678 KVAHX2 (final reading). 74644 KVAHX2=24068 units, as explained above.*

1. Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder by Petitioner, comments 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 bills issued for the period from 31.01.2022 to 13.03.2022 on ‘R’ code (due to burnt of CT/PT unit) on average basis and bills issued on dated 06.04.2022 for the period 14.03.2022 to 31.03.2022 on actual consumption basis on ‘O’ code amounting to Rs. 3,37,480/- (including arrears) which was revised by adjusting Rs. 42,015/- as refund as per decision of Zonal CGRF as intimated vide notice no. 1128 dated 22.06.2023.
2. Forum observed that CT/PT unit of the petitioner got damaged and on the request of respondent’s office site of the petitioner was checked by ASE/Enf. Cum EA & MMTS Sangrur, vide ECR no. 36/248 dated 04.02.2022 was prepared. Relevant part of the observations recorded in ECR is reproduced under: -

*“AE/op. ਬਡਰੁੱਖਾਂ ਦੀ ਬੇਨਤੀ ਉੱਪਰ ਚੈਕਿੰਗ ਕੀਤੀ ਗਈ। ਚੈਕਿੰਗ ਸਮੇਂ ਪਾਇਆ ਗਿਆ ਕਿ ਸੀ.ਟੀ/ਪੀ.ਟੀ ਯੂਨਿਟ ਦਾ ਦਰਵਾਜਾ ਫੁੱਲਿਆ ਹੋਇਆ ਹੈ। ਖੋਲਕੇ ਚੈੱਕ ਕੀਤਾ ਗਿਆ ਤਾਂ ਪਾਇਆ ਗਿਆ ਕਿ ਸੀ.ਟੀ./ਪੀ.ਟੀ ਯੂਨਿਟ ਦੀਆਂ wires ਲਿMbW ਨਾਲੋਂ ਟੁੱਟਕੇ ਅਲੱਗ ਹੋ ਗਈਆਂ ਹਨ। ਸੀ.ਟੀ./ਪੀ.ਟੀ. ਯੂਨਿਟ ਵਿੱਚ ਸਲਾਭ ਹੈ (ਸਿ`ਲ ਹੈ)[ ਸੀ.ਟੀ. ਸੈਂਟ ਦੀਆਂ ਸੀਲਾਂ ਵੀ ਸਿੱਲ ਕਾਰਨ ਝੜ੍ਹ ਗਈਆਂ ਹਨ। ਭਾਵ ਸੀ.ਟੀ./ਪੀ.ਟੀ ਯੂਨਿਟ ਡੈਮੇਜ ਹੋ ਗਿਆ ਹੈ। ਨਿਗਮ ਦੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਬਦਲੀ ਯੋਗ ਹੈ। ਮੀਟਰ ਦਾ ਡੀ.ਡੀ.ਐਲ ਕਰ ਦਿੱਤਾ ਗਿਆ ਹੈ। ਮੀਟਰ ਦੇ ਸਕਰol ਬਟਨ vI ਖਰਾਬ ਹਨ। ਮੀਟਰ ਵੀ ਬਦਲੀ ਯੋਗ ਹੈ। ਨੋਟ-ਮੀਟਰਿੰਗ ਰੂਮ ਨੂੰ ਨਿਗਮ ਦੇ ਸਟੈਂਡਰਡ ਡਿਜਾਇਨ ਦਾ ਬਣਾਇਆ ਜਾਵੇ।”*

Accordingly, CT/PT unit of the petitioner was changed on 12.03.2022 vide Job Order no. 100016727181 dated 14.02.2022. Removed CT/PT was checked in ME Lab vide challan no. 288 dated 14.03.2022 wherein it was reported as under: -

*“11 KV CT/PT ਯੂਨਿਟ ਸiVAw ਹੋਇਆ ਹੈ Aqy CT/PT ਯੂਨਿਟ vwrMtI smyN qoN bwhr hY।”*

Further meter of the petitioner being challenged was replaced vide MCO no. 100017213159 dated 28.03.2022 effected on 28.04.2022. Meter was checked in ME Lab vide ME Challan No. 47 dated 16.06.2022 where it was reported as under: -

*“Meter Reactive accuracy is Ok, Meter is out of class at load point 100% IB UPF, (UPF= Unity Power Factor) 120% IB UPF, 100% IB 0.5 lag, 120% IB 0.5 lag at active power. Meter scroll is defective, so dial test can’t be done.”*

In the meanwhile, petitioner was issued bill dated 07.03.2022 for the period from 31.01.2022 to 28.02.2022 and bill dated 14.03.2022 for the period from 28.02.2022 to 13.03.2022 on ‘R’ codes (due to burnt CT/PT unit) on average basis.Petitioner being unsatisfied with these bills, filed his case in the Zonal CGRF Patiala. Zonal CGRF, South Zone, PSPCL Patiala decided on dated 24.05.2023 as under: -

***“ਇਸ ਲਈ ਉਪਰੋਕਤ ਸਮੁੱਚੇ ਤੱਥਾਂ ਦੇ ਧਿਆਨ ਵਿੱਚ ਰੱਖਦੇ ਹੋਏ ਫੋਰਮ ਵੱਲੋਂ ਫੈਸਲਾ ਕੀਤਾ ਜਾਂਦਾ ਹੈ*** *ik* ***ਖਪਤਕਾਰ ਨੂੰ ਮਿਤੀ*** *31.01.2022* ***ਤੋਂ*** *28.02.2022* ***ਤੱਕ*** *R-Code* ***ਤੇ*** *LYSM* ***ਫਾਰਮੂਲੇ ਅਨੁਸਾਰ ਐਵਰੇਜ ਅਧਾਰ ਤੇ*** *22996* ***ਯੂਨਿਟਸ ਖਪਤ ਦਾ ਬਿਲ ਅਤੇ ਮਿਤੀ*** *28.02.2022* ***ਤੋਂ*** *14.03.2022* ***ਤੱਕ*** *R-Code LYSM* ***ਫਾਰਮੂਲੇ ਅਨੁਸਾਰ ਐਵਰੇਜ ਦੇ ਅਧਾਰ ਤੇ ਜਾਰੀ ਹੋਇਆ*** *6790* ***ਯੂਨਿਟਸ ਦੇ ਬਿਲ ਵਸੂਲਣਯੋਗ ਹਨ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਮਿਤੀ*** *31.01.2022* ***ਤੋਂ*** *13.03.2022* ***ਤੱਕ ਦੇ ਪੀਰੀਅਡ ਦੀ ਖਪਤ*** *7076* ***ਯੂਨਿਟਸ*** *(78182-74644=3538\*2=7076* ***ਯੂਨਿਟ****s)* ***ਖਪਤ ਚਾਰਜ ਕਰਨਯੋਗ ਨਹੀਂ ਕਿਉਂਕਿ ਇਸ ਪੀਰੀਅਡ ਦੇ ਬਿਲ ਐਵਰੇਜ ਦੇ ਅਧਾਰ ਤੇ ਜਾਰੀ ਕੀਤੇ ਗਏ ਸਨ। ਇਸ ਲਈ ਮਿਤੀ*** *13.03.2022* ***ਤੋਂ*** *31.03.2022* ***ਦੇ ਪੀਰੀਅਡ ਲਈ ਜਾਰੀ ਕੀਤੇ ਬਿਲ ਦੀ ਖਪਤ*** *24060* ***ਯੂਨਿਟਸ ਵਿੱਚੋਂ*** *7076* ***ਯੂਨਿਟਸ*** *dI**Kpq Gtwky 16984 XUints Kpq cwrj krdy hoey ieh ibl soD ky jwrI kIqw jwvy[”*

Petitioner did not agree to these bills and decision of Zonal CGRF, South Zone, PSPCL Patiala dated 24.05.2023 and filed his case in Corporate CGRF, Ludhiana.

Forum observed the consumption pattern of the petitioner submitted by the Respondent, reproduced below: -

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan | 9191 | O | 5126 | O | 5020 | O | 20302 | O | 442 | O | 596 | O |
| Feb | 19207 | O | 8640 | O | 20552 | O | 24638 | O | 22996 | R | 16588 | O |
| Mar | 18895 | O | 19796 | O | 11620 | O | 15146 | O | 30856 | O | 16312 | O |
| Apr | 20452 | O | 20594 | O | 284 | O | 234 | O | 2 | O |  |  |
| May | 6994 | O | 9754 | O | 18990 | O | 6676 | O | 11788 | O |  |  |
| Jun | 5804 | O | 18958 | O | 24226 | O | 18534 | O | 14698 | O |  |  |
| Jul | 19088 | O | 15922 | O | 27504 | O | 9226 | O | 474 | O |  |  |
| Aug | 16664 | O | 20158 | O | 27258 | O | 234 | O | 426 | O |  |  |
| Sep | 11648 | O | 21134 | O | 24406 | O | 1120 | O | 548 | O |  |  |
| Oct | 16254 | O | 9482 | O | 6084 | O | 12292 | O | 572 | O |  |  |
| Nov | 18750 | O | 320 | O | 26288 | O | 11532 | O | 588 | O |  |  |
| Dec | 20498 | O | 274 | O | 24380 | O | 4444 | O | 886 | O |  |  |
| **TOTAL** | **183445** |  | **150158** |  | **216612** |  | **124378** |  | **84276** |  | **33496** |  |

On analyzing the annual consumption of petitioner from 2018 to 2023 (upto 03/2023), and it was observed that consumption during 12/2021 onwards is quite less as compared to other month/year of previous years. The consumption during 2022 and 2023 has decreased considerably. Forum observed that petitioner was issued bill dated 07.03.2022 for the period from 31.01.2022 to 28.02.2022 amounting to Rs. 144490/- and bill dated 14.03.2022 for the period from 28.02.2022 to 13.03.2022 amounting to Rs. 182090/- (including arrear) on ‘R’ code (due to burnt CT/PT unit) on average basis of 22996 and 6790 units respectively. After replacement of CT/PT unit petitioner was issued bill dated 06.04.2022 for 18 days for consumption of 24066 units on ‘O’ code amounting to Rs. 337480/- (including arrears).

Forum observed that petitioner in his petition prayed that the energy bills issued for the period from 31.01.2022 to 31.03.2022 may kindly be ordered to be revised as per final reading of 86687 KVAH as per ME Lab report/DDL report as ASE/Op. Division Sangrur PSPCL vide memo No. 8956 dated 11.10.2022 had also confirmed that average charged for the period 14.02.2022 to 13.03.2022 was not required to be charged to the consumer and amount of average wrongly charged comes to Rs 178716/-.

Forum observed that above contention of the petitioner is not acceptable as real accuracy test i.e., Dial test could not be done in ME lab because scroll buttons were defective and test results were based upon pulse test only, although within limits, do not establish conclusively that the readings recorded by the meter were accurate/genuine and hence these cannot be relied upon for billing. Moreover CT/PT unit of the petitioner was also found burnt as per ME lab report. The Relevant Regulation 21.5.2 of Supply Code 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”.*

Hence it is clear from the above regulation that in case meter of the petitioner is defective/dead stop/burnt, the consumer is required to be charged on the basis of the average consumption recorded in the corresponding period of the previous year. Same thing has been done in this case. However, Forum further observed that petitioner in his petition submitted that there was no work in the factory, as such average consumption of 22996 units as charged in the bill for the period from 31.01.2022 to 28.02.2022 issued on 07.03.2022 and average consumption of 6790 units charged in the bill for the period 28.02.2022 to 13.03.2022 was on the higher side as such the bills so issued were wrong and not deposited by the petitioner. In this regard respondent submitted as under: -

***“ਇਸ ਤੋਂ ਇਲਾਵਾ ਜੋ*** *K****ਪਤਕਾਰ ਵੱਲੋਂ ਕਿਹਾ ਗਿਆ ਹੈ ਕਿ ਇਸ ਸਮੇਂ ਦੌਰਾਨ ਇਸ ਫੈਕਟਰੀ ਵਿੱਚ ਕੰਮ ਨਹੀਂ ਸੀ। ਇਸ ਸੰਬੰਧੀ ਕੁਝ*** *vI* ***ਨਹੀਂ ਕਿਹਾ ਜਾ ਸਕਦਾ। ਇਹ ਸਹੀ ਹੈ ਕਿ ਖਪਤਕਾਰ ਵੱਲੋਂ ਇਹ ਬਿਲ ਨਹੀਂ ਭਰਿਆ ਗਿਆ ਹੈ।”***

Forum observed that the petitioner did not intimate the Respondent about no or less work in his factory and also was not able to submit any conclusive evidence regarding his claim of no or less work in his factory during the disputed period. The Respondent also did not take necessary action in time regarding replacement of CT/PT unit/Meter because the meter was not replaced within 10 working days as per standards of performance. Also, the energy bill for the period 31.12.2021 to 31.01.2022 was issued for 442 units with status of the meter as 'O' and consumption recorded by new meter installed on 28.04.2022 clearly indicate that production was still not at same level as of previous years. Accordingly claim of the petitioner that the average charged is on very higher side as his factory did not function normally during the disputed period i.e., from 31.01.2022 to 28.04.2022, seems to be justified. Hence, charging the average on LYSM basis and actual consumption for the period from 14.03.2022 to 28.04.2022, (when the meter was found out of class and its Dial test could not be carried out due to defective scroll button in ME Lab) does not seem to be justified. Accordingly, the decision of Zonal CGRF Patiala dated 24.05.2023 also does not seem to be justified.

Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder by Petitioner, comments of the respondent, oral discussions made by Petitioner along with material brought on record. From the above discussion, keeping in view all the circumstances, Forum is of the opinion that the decision of Zonal CGRF Patiala dated 24.05.2023 is liable to be set aside and bills issued to the petitioner for the period from 31.01.2022 to 28.04.2022 (i.e., date of change of meter) are liable to be quashed. As there is considerable fall in the consumption during 2021 & 2022, which confirms that his factory was not running as per previous year and further there is very less consumption after the change of the meter therefore, the account of the petitioner is required to be overhauled for the period from 31.01.2022 to 28.04.2022 on the basis of the consumption recorded during the corresponding period of the succeeding year as per 21.5.2 (d) of Electricity Supply Code and Related Matters Regulations 2014.

Keeping in view of the above, Forum came to the unanimous conclusion that the decision of Zonal CGRF Patiala dated 24.05.2023 be set aside and bills issued to the petitioner for the period from 31.01.2022 to 28.04.2022 (i.e., date of change of meter) are to be quashed. The account of the petitioner be overhauled for the period from 31.01.2022 to 28.04.2022 on the basis of the consumption recorded during the corresponding period of the succeeding year as per 21.5.2 (d) and in view of Regulation no. 21.5.3 Electricity Supply Code and Related Matters Regulations 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. **The decision of Zonal CGRF Patiala dated 24.05.2023 is set aside and bills issued to the petitioner for the period from 31.01.2022 to 28.04.2022 (i.e., date of change of meter) are quashed. The account of the petitioner be overhauled for the period from 31.01.2022 to 28.04.2022 on the basis of the consumption recorded during the corresponding period of the succeeding year as per 21.5.2 (d) of Electricity Supply Code and Related Matters Regulations 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: 14.09.2023**