**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-120/2023**

**Date of Registration : 12.09.2023**

**Date of Closing : 19.09.2023**

**Date of Final Order : 22.09.2023**

**In the Matter of:**

 **Mrs. Mohinderjit Kaur W/o Harjit Singh**

 **NA 266, Kishanpura,**

 **Jalandhar.**

**A/c No.: 3003026420.**

**Through:**

Smt. Mohinderjit Kaur  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS West Division,

PSPCL, Jalandhar. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-120/2023 has been filed directly in the Forum by Smt. Mohinderjit Kaur W/o Sh. Harjit Singh, in the matter related to A/c no. 3003026420having DS category with sanctioned load of 1.00 KW, in the name of Smt. Mohinderjit Kaur under DS West Divn. PSPCL, Jalandhar. As per consumption data supplied by the respondent, petitioner was issued bill for the period from 09.09.2022 to 27.10.2022 on average basis due to ‘P’ code. Petitioner was not satisfied with the working of meter and he challenged his meter on dated 17.11.2022. Thereafter as per respondent, Petitioner was issued bill dated 28.11.2022 for the consumption of 260903 KWH units for the period from 09.09.2022 to 28.11.2022 for 80 days amounting Rs. 1503400/-. Meter of the petitioner was changed vide MCO no. 100019861751 dated 17.11.2022 effected on 29.11.2022. Removed meter was sent to ME Lab for checking vide challan dated 18.05.2023, where meter was found OK and final reading was verified as 273843 KWH. On the basis of ME Lab report, notice no. 646 dated 24.08.2023 was issued to deposit outstanding amount of Rs. 1504306/-. Petitioner did not agree with the notice issued to him and filed his case in Corporate CGRF, Ludhiana. Forum heard the case in its proceeding dated 12.09.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 12.09.2023***

*During the hearing the Petitioner stated that he is not satisfied with the bill dated 24.06.2023 amounting Rs. 1504310/- and submitted copy of Petition in five sets.*

*Petitioner further stated that, he is depositing average energy bills, Respondent confirmed the same. Forum observed that since the Petitioner is depositing the average energy bills there's no need to deposit any further amount. Accordingly the case is registered.*

*Copy of Petition given to Respondent for submission of reply along with copy of MCO of meter in dispute depicting date of effect, ME lab report with DDL report, current site checking report and consumption data of previous 5 years depicting readings with date, meter status, consumption etc. in next date of hearing.*

*The case is adjourned to 19.09.2023 for submission of reply.*

***Proceedings dated: 19.09.2023***

*Respondent submitted five copies of reply to petition and the same has been taken on record.*

*Petitioner was exempted during the hearing at Jalandhar.*

*Respondent stated that the reply to the petition and other documents submitted may be considered as oral discussion.*

*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. 3003026420of DS category with sanctioned load of 1.00 KW, in the name of Smt. Mohinderjit Kaur under DS West Divn. PSPCL, Jalandhar
3. The Petitioner in his Petition prayed that: -

*bynqI ieh hY ik jI myry Gr dw mItr jI rIifMg jMp krky Awpxy Awp v`D geI hY jI ies dI Challenge report vI krvweI geI hY jo ik TIk qy bwd iv`c DDL report vI krweI hY jo ik error d`s rhI hY myrw Gr 3 mrly dw hY jI 2 kmry vwlw jI ienw ib`l kdy vI nhI AwieAw hY jI swrw Aglw ipClw record qusI check kr skdy ho jI ikRpw krky ies dw hl kr id`qw jwvy[ quhwfy vloN swnUM ByijAw igAw ib`l 1504310 dw Bill AwieAw hY jo ik mYnUM nhI mnjUr hY jI ikRpw krky ieh PYslw kIqw jwvy Aqy myrw ib`l TIk kIqw jwvy[*

1. The Respondent in his reply stated that: -

*Case History: -*

*The connection in dispute A/c no -3003026420 was running under DS category with a sanctioned load of 1.00 kw, Consumer meter no 8327480 on date 28/11/2022 generated reading 13108-273848-260903 units for 80 days (Le 09-09-2022-28/11/2022) amount 1504300/- The consumer was not satisfied with this high consumption bill and challenge his meter on 17/11/2022 .The report for challenged meter comes out to be OK as per ME LAB report dated 18/05/2023.The consumer was informed for his meter challenge report and high consumption bill via this office Memo no 518 dt 14/06/2023 and Memo no 546 dt 24/08/2023. DDL report for this challenged meter was not generated due to error in CMRI file.*

*Para wise reply of proceedings date 12.09.2023*

* + - 1. *The new meter installed at site was on 29.11.2022 and the bills generated from 29.11.2022 were generated with zero amount under 600 units subsidy. The current bill 24.06.2023 to 24.08.2023=61 days with reading 801-1505-704 units of amount 3179/- was generated and is paid by the consumer.*
			2. *Copy of MCO of meter ME LAB report, ME LAB report regarding DDL, current site checking report and consumption data of previous 5 years are attached.*
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 issued on for 80 days for the period 09.09.2022 to 28.11.2022 for the consumption of 260903 units amounting to Rs. 1503400/- alongwith notice no. 646 dated 24.08.2023 was issued to deposit outstanding amount of Rs. 1504306/-.
2. Forum observed that as per consumption data supplied by the respondent, petitioner was issued bill for the period from 09.09.2022 to 27.10.2022 on average basis due to ‘P’ code. Petitioner was not satisfied with the working of meter and he challenged his meter on dated 17.11.2022. Thereafter as per respondent, Petitioner was issued bill dated 28.11.2022 for the consumption of 260903 KWH units for the period from 09.09.2022 to 28.11.2022 for 80 days amounting Rs. 1503400/-. Meter of the petitioner was changed vide MCO no. 100019861751 dated 17.11.2022 effected on 29.11.2022. Removed meter was sent to ME Lab for checking vide challan dated 18.05.2023, where meter was found OK and final reading was verified as 273843 KWH. On the basis of ME Lab report, notice no. 646 dated 24.08.2023 was issued to deposit outstanding amount of Rs. 1504306/-. Petitioner did not agree with the notice issued to him and filed his case in Corporate CGRF, Ludhiana.

Forum observed the consumption data supplied by the Respondent as under:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Feb | 192 | O | 148 | O | 167 | O | 150 | O | 135 | O | 92 | O |
| Apr | 332 | O | 249 | O | 312 | N | 113 | O | 320 | O | 207 | C |
| Jun | 488 | O | 460 | O | 665 | O | 248 | O | 431 | O | 444 | C |
| Aug | 470 | O | 417 | O | 371 | O | 233 | O | 358 | O | 704 | C |
| Oct | 447 | O | 261 | O | 232 | O | 238 | O | 163 | P |  |  |
| Nov |  |  |  |  |  |  |  |  | 260903 | O |  |  |
| Dec | 209 | O | 153 | O | 171 | O | 188 | O | 58 | O |  |  |
| **TOTAL** | **2138** |  | **1688** |  | **1918** |  | **1170** |  | **262368** |  | **1447** |  |

Forum observed that the annual consumption of petitioner from 2018 to 2023 (upto 08/2023) is 2138, 1688, 1918, 1170, 262368 (including exponentially high consumption of 260903 units recorded in 11/2022) and 1447 units respectively. Forum observed that the consumption of the petitioner remained consistent from 2018 to 2023 except for the disputed billing cycle of 11/2022. Further, site of the Petitioner was checked by respondent vide LCR no. 41/2107 dated 13.09.2023 as per which the reading was recorded as 1697KWH i.e., consumption after change of meter is 1697 units from 29.11.2022 to 13.09.2023 i.e., average of 189 units per month. Forum observed that exponentially high consumption of the order of 260903 Kwh for the period 09.09.2022 to 28.11.2022, was never recorded before or after the replacement of meter. Meter of the petitioner was checked in ME Lab vide challan dated 18.05.2023, where accuracy of the meter was found OK, but regarding DDL, it has been reported vide challan no. 443 dated 31.08.2023, as under: -

 *“auprokq mItr dw DDL kIqw igAw CMRI duAwrw pRwpq download file iv`c Error hY ijsnUM Avon Company nUM Byjx qy auhnw duAwrw GoiSq kIqw igAw ik iesdI pRwpq fwtw iv`c error hox kwrn irport nhI iqAwr kIqI jw skdI[”*

From the above, Forum observed that meter misbehaved somewhere after 09.09.2022, therefore, although accuracy of the meter was found OK in ME Lab but in the absence of DDL report and in view of exponentially high consumption recorded by the meter, the same is required to be treated as defective and hence reading recorded by it cannot be relied upon. 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”.*

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 as the meter had become defective, therefore, the final reading recorded by it in ME Lab cannot be relied upon, as such, the bill issued to the petitioner amounting to Rs. 1504300/- is not justified and liable to be quashed. The account of the petitioner is required to be overhauled for the period from 09.09.2022 to 29.11.2022 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014.

Keeping in view the above, Forum came to the unanimous conclusion that the bill issued to the petitioner for the period from 09.09.2022 to 28.11.2022 for the consumption of 260903 units amounting to Rs. 1503400/- alongwith notice no. 646 dated 24.08.2023 to deposit outstanding amount of Rs. 1504306/-, be quashed. The account of the petitioner be overhauled for the period from 09.09.2022 to 29.11.2022 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014.

1. **DECISION:**

Keeping in view the petition, reply, oral discussion, after hearing both the parties, perusal of the record produced by them & observations of Forum,

Forum decides that: -

1. **The bill issued to the petitioner for the period from 09.09.2022 to 28.11.2022 for the consumption of 260903 units amounting to Rs. 1503400/- alongwith notice no. 646 dated 24.08.2023 issued to deposit outstanding amount of Rs. 1504306/-, are quashed. The account of the petitioner be overhauled for the period from 09.09.2022 to 29.11.2022 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014.**
2. **As required under Regulation 2.33 of the Punjab State Electricity Regulatory Commission (Forum & Ombudsman) (2nd Amendment) Regulations, 2021 the compliance of this decision shall be made within 21 days from the date of receipt of this order.**
3. **If the Petitioner is not satisfied with the decision of Corporate CGRF, he is at liberty to file a representation before the Ombudsman appointed / designated by the Punjab State Electricity Regulatory Commission within 30 days from the date of receipt of the order of the Forum, as required under Regulation 2.39 read with Regulation 2.37 of the Punjab State Electricity Regulatory Commission (Forum & Ombudsman) (2nd Amendment) Regulations, 2021.**

**(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: 22.09.2023**