

**COURT OF THE LOK PAL (OMBUDSMAN),  
ELECTRICITY, PUNJAB,  
PLOT NO. A-2, INDUSTRIAL AREA, PHASE-1,  
S.A.S. NAGAR (MOHALI).**

**(Constituted under Sub Section (6) of Section 42 of  
Electricity Act, 2003)**

**APPEAL No. 10/2024**

**Date of Registration : 08.05.2024**  
**Date of Hearing : 24.05.2024, 06.06.2024,  
12.06.2024**  
**Date of Order : 20.06.2024**

**Before:**

**Er. Anjuli Chandra,  
Lokpal (Ombudsman), Electricity, Punjab.**

**In the Matter of:**

M/s Project Director,  
Regional Spinal Injuries Centre,  
Sector-70, Mohali.  
**Contract Account Number: 3000244169 (DS)**

...Appellant

Versus

Senior Executive Engineer,  
DS Division (Spl.),  
PSPCL, Mohali.

...Respondent

**Present For:**

Appellant: Smt. Madhu Puri,  
Appellant's Representative.

Respondent : 1- Er. Taranjeet Singh,  
Senior Executive Engineer,  
DS Division (Spl.),  
PSPCL, Mohali.  
2- Er. Ballam Singh, AE.  
3- Sh. Baljeet Singh, RA.

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 09.04.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana (Corporate Forum) in Case No. CF-058/2024, deciding that:

*“The bill dated 18.12.2023 for the period from 28.08.2023 to 23.09.2023 on ‘O’ code for a consumption of 85080 kVAh units amounting to Rs. 730720/- and bill dated 01.01.2024 for the period from 23.09.2023 to 24.09.2023 on ‘O’ code for a consumption of 0 kVAh units amounting to Rs. 1280/- are correct and recoverable.”*

## **2. Registration of the Appeal**

A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 08.05.2024 i.e. within the period of thirty days from the date of receipt of the decision dated 09.04.2024 by the Appellant in Case No. CF-058/2024 of the CCGRF, Ludhiana. The Appellant was not required to deposit the requisite 40% of the disputed amount as it was a refund case. Therefore, the Appeal was registered on 08.05.2024 and copy of the same was sent to the Sr. Xen, DS Division (Spl.), PSPCL, Mohali for sending written reply/parawise comments with a copy to the office of the CCGRF,

Ludhiana under intimation to the Appellant vide letter nos. 257-259/OEP/A-10/2024 dated 08.05.2024.

### **3. Proceedings**

With a view to adjudicate the dispute, a hearing was fixed in this Court on 24.05.2024 and intimation to this effect was sent to both the parties vide letter nos. 278-79/OEP/A-10/2024 dated 17.05.2024. As scheduled, the hearing was held in this Court on 24.05.2024. Both the parties were present in the Court. The Appellant's Representative requested for another date for the hearing of the case and the same was granted. This Court asked the Respondent to provide the DDL of the disputed meter for the disputed period alongwith the MSR showing reading taken on 24.09.2023 at the time of replacement of the disputed meter. The Respondent was also asked to explain the reason for issuing Ok Code bills to the Appellant when the CTPT unit was defective. The Respondent was directed to provide these details well before next date of hearing. The next date of hearing in this case was fixed for 06.06.2024 & intimation to this effect was sent to both the parties alongwith the copies of proceedings dated 24.05.2024 vide letter nos. 292-93/OEP/A-10/2024 dated 24.05.2024.

As scheduled, the hearing was held in this Court on 06.06.2024. Arguments of both the parties were heard. In the

last hearing on 24.05.2024, the Respondent was directed by this Court to provide the DDL of the disputed meter for the disputed period alongwith the MSR showing readings taken on 28.08.2023 & 23.09.2023. The Respondent was also asked to explain the reason for issuing Ok Code bills to the Appellant when the CT/PT unit was defective. The Respondent could not provide the same & requested for time of 2-3 days. This Court allowed the same & directed the Respondent to provide all these details within 3 days with a copy to the Appellant. The next date of hearing in this case was fixed for 12.06.2024 & intimation to this effect was sent to both the parties alongwith the copies of proceedings dated 06.06.2024 vide letter nos. 311-12/OEP/A-10/2024 dated 06.06.2024.

As scheduled, the hearing was held in this Court on 12.06.2024. Arguments of both the parties were heard. The case was closed for the pronouncement of the orders.

#### **4. Submissions made by the Appellant and the Respondent**

Before undertaking analysis of the case, it is necessary to go through written submissions made by the Appellant and reply of the Respondent as well as oral deliberations made by the Appellant and the Respondent along with material brought on record by both the parties.

**(A) Submissions of the Appellant**

**(a) Submissions made in the Appeal**

The Appellant made the following submissions in its Appeal for consideration of this Court:-

- (i) The Appellant was having a DS Category Connection, bearing Account No. 3000244169 with Sanctioned Load of 271.05 kW/301.167 kVA in the name of M/s. Project Director, RSIC, Mohali under DS Division, PSPCL, Mohali.
- (ii) The Appellant submitted that the Regional Spinal Injuries Centre (RSIC) is a Govt. Institution under the Dept. of Social Security Women & Child Development Punjab. RSIC is maintaining a Domestic Electricity Connection & regularly paying the bills on time.
- (iii) In the month of September, the meter was replaced with new one. After that the inflated bills started coming. All the bills were paid on time till now.
- (iv) In the span of 5 months period, the Appellant received Bill No. 1006447083 for ₹ 1,280/- & Bill No. 1006393418 for ₹ 7,30,720/-. Earlier, bill was issued for ₹ 14,23,780/- with due date on 16.10.2023. After making several requests, it was got reduced to ₹ 7,30,720/- by the Respondent, which was paid by



the Appellant. No communication was done for frequent & inflated bills from the PSPCL.

- (v) After few days, the Appellant got another bill No. 50023695035 of ₹ 7,99,820/-, which was also paid by the Appellant, fearing disconnection of electricity. The Appellant was clueless about this sudden inflation of bills.
- (vi) It is requested that the overcharging of bills without any information may kindly be addressed at the earliest possible & the overcharged bill amount may kindly be adjusted. This would be in the public interest being a hospital for disabled.

**(b) Submission during hearing**

During hearings on 24.05.2024, 06.06.2024 & 12.06.2024, the Appellant's Representative (AR) reiterated the submissions made in the Appeal and prayed to allow the same.

**(B) Submissions of the Respondent**

**(a) Submissions in written reply**

The Respondent submitted the following written reply for consideration of this Court:-

- (i) The Appellant was having DS Category Connection bearing Account No. 3000244169 with sanctioned load/CD as 271.050 kW/301.167 kVA. The Appellant was having CTPT Ratio as

10/5, Meter Ratio 10/5 and Multiplying Factor was 1 till 26.08.2023. The CTPT was replaced on 27.08.2023 with CTPT Ratio as 20/5. The Appellant was issued a bill for 85080 units of ₹ 7,29,961/- for 26 days from 28.08.2023 to 23.09.2023 and from 23.09.2023 to 24.09.2023 a bill of ₹ 1,377/- was issued for 1 day. The Appellant's meter with capacity 5/5 was replaced on 25.09.2023. Therefore, the Appellant was issued a bill for 82240 units of ₹ 7,98,540/- for 94 days from 24.09.2023 to 27.12.2023. The Appellant had deposited all these bills but was not satisfied with these bills.

- (ii) The Appellant had filed its petition in the Corporate Forum, Ludhiana. The Corporate Forum decided the case on 09.04.2024 & ordered that the bills issued from 28.08.2023 to 23.09.2023 were correct and recoverable. The Appellant was not satisfied with this decision of the Corporate Forum, Ludhiana and filed its Appeal in the Court of Ombudsman, Electricity, Punjab.
- (iii) The Appellant was issued a bill of ₹ 2,761/- from 26.08.2023 to 28.08.2023 and a bill for consumption of 85080 units of ₹ 7,29,961/- was issued for 26 days from 28.08.2023 to 23.09.2023.

- (iv) The Appellant was issued a bill of ₹ 14,22,496/- for 28 days from 25.08.2023 to 23.09.2023 which was issued due to wrong entry of meter ratio entered by the technical team during the replacement of CTPT and the same bill was reversed/cancelled on 05.10.2023.
- (v) After the replacement of CTPT on 27.08.2023, the Appellant was issued a bill for 82240 units of ₹ 7,98,540/- for 94 days from 24.09.2023 to 27.12.2023 as per the CTPT ratio 20/5. All these bills were deposited by the Appellant.
- (vi) The Appellant was not satisfied with these bills. These bills were issued to the Appellant on 'O' code basis and these were recoverable from the Appellant as per the instructions of the PSPCL. The Corporate Forum, Ludhiana had given the decision dated 09.04.2024 in favour of the PSPCL and it was decided that bills issued from 28.08.2023 to 23.09.2023 were correct and recoverable from the Appellant.

**(b) Additional Submissions**

The Respondent submitted the following additional submissions vide Memo No. 4823 dated 11.06.2024 for consideration of this Court:-

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿਚ ਸਹਾ:ਕਾ:ਕਾ:ਇੰਜੀਨੀਅਰ ਉੱਪ ਮੰਡਲ ਤਕਨੀਕੀ-2  
ਮੋਹਾਲੀ ਵੱਲੋਂ ਪੱਤਰ ਨੰ:483 ਮਿਤੀ 11-06-2024 ਨਾਲ ਇਸ ਦਫਤਰ ਨੂੰ ਸੂਚਿਤ



ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ ਐਮ.ਈ.ਲੈਬ, ਪੰ:ਰਾ:ਪਾ:ਕਾ:ਲਿ:, ਰੋਪੜ ਵੱਲੋਂ ਸਟੋਰ ਚਲਾਨ ਨੰਬਰ 008 ਮਿਤੀ 01-04-2024 ਤੇ ਕੀਤੀ ਗਈ ਰਿਪੋਰਟ ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਦੇ ਐਚ.ਟੀ ਮੀਟਰ ਦੀ ਆਰ.ਟੀ.ਸੀ ਅਤੇ ਸਕਰੋਲ ਸਵਿੱਚ ਡਿਫੈਕਟਿਵ ਹੈ। ਜਿਸ ਕਾਰਨ ਮੀਟਰ ਦੇ ਡੀ.ਡੀ.ਐਲ ਅਨੁਸਾਰ ਮੀਟਰ ਦੀ ਬਿਲਿੰਗ ਰਿਪੋਰਟ ਦੀਆਂ ਤਾਰੀਖਾਂ ਠੀਕ ਨਹੀਂ ਹਨ ਅਤੇ ਡੀ.ਡੀ.ਐਲ ਦਾ ਡਾਟਾ corrupt ਸਮਝਿਆ ਜਾਵੇ। ਐਮ.ਈ.ਲੈਬ, ਪੰ:ਰਾ:ਪਾ:ਕਾ:ਲਿ:, ਰੋਪੜ ਦੀ ਰਿਪੋਰਟ ਅਨੁਸਾਰ ਮੀਟਰ ਤੇ ਅੰਤਿਮ ਪੜਤ 3859751 Kwh ਅਤੇ 4653570 Kvah ਪਾਈ ਗਈ ਹੈ। ਖਪਤਕਾਰ ਦੇ ਝਗੜੇ ਵਾਲੇ ਬਿੱਲ ਐਮ.ਐਸ.ਆਰ ਤੇ ਦਰਜ ਰੀਡਿੰਗਾਂ ਅਨੁਸਾਰ ok ਕੋਡ ਦੇ ਜਾਰੀ ਕੀਤੇ ਗਏ ਹਨ। ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਇਨਫੋਰਮੈਂਟ ਕਮ ਈ.ਏ. ਤੇ ਐਮ.ਐਮ.ਟੀ.ਐਸ, ਮੋਹਾਲੀ ਵੱਲੋਂ ECR 24/1278 ਮਿਤੀ 23-01-2023 ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਦਾ ਅਹਾਤਾ ਚੈੱਕ ਕੀਤਾ ਗਿਆ ਜਿਸ ਅਨੁਸਾਰ 21.01% slowness ਪਾਈ ਗਈ ਸੀ। ਇਸ ਸਬੰਧੀ slowness ਦੀ ਬਣਦੀ ਰਕਮ 3,59,552/- ਰੁ: ਸੰਡਰੀ ਰਾਹੀਂ ਖਪਤਕਾਰ ਦੇ ਖਾਤੇ ਵਿੱਚ ਚਾਰਜ ਕਰ ਲਈ ਗਈ ਹੈ।

**(c) Submission during hearing**

During hearings on 24.05.2024, 06.06.2024 & 12.06.2024, the Respondent reiterated the submissions made in the written reply to the Appeal & additional submissions and prayed for the dismissal of the Appeal.

**5. Analysis and Findings**

The issue requiring adjudication is the legitimacy of the bill dated 18.12.2023 for the period from 28.08.2023 to 23.09.2023 issued to the Appellant on 'O' code for a consumption of 85,080 kVAh units amounting to ₹ 7,30,720/- and bill dated 01.01.2024 for the period from 23.09.2023 to

24.09.2023 issued on 'O' code for a consumption of 0 kVAh units amounting to ₹ 1,280/-.

*My findings on the points that emerged and my analysis is as under:*

- (i) The Corporate Forum in its order dated 09.04.2024 observed as under:-

“Forum observed that Connection of the Petitioner was checked on 23.01.2023 by ASE/Enf. Cum EA&MMTS, Mohali and ECR no. 024/278 was prepared as per which meter was found running slow by 21.01% and it was interalia reported/directed to replace the CT/PT unit alongwith meter being non-DLMS & its scroll button being defective and get it checked from ME lab. Accordingly, existing CT/PT unit of capacity 10/5A was replaced vide Job order no. 100020571144 dated 30.01.2023 effected on 27.08.2023 and new CT/PT unit of capacity 20/5 was installed. Similarly old meter of the petitioner having capacity 10/5A was replaced with new meter having capacity -/5A on 25.09.2023, but due to system constraint job order could not be effected in SAP and it was closed/regularized vide dummy MCO no. 1000204136948 dated 20.12.2023. Replaced meter was sent to ME lab vide challan no. 008/8018 dated 01.04.2024 wherein it was reported that active/reactive accuracy of meter was within limits and reading was verified as 3859751KWH/ 4653570KVAH. Meanwhile Petitioner was issued bill dated 18.12.2023 for the period from 28.08.2023 to 23.09.2023 on 'O' code for a consumption of 85080 KVAH units amounting to Rs. 730720/- and another bill dated 01.01.2024 for the period from 23.09.2023 to 24.09.2023 on 'O' code for a consumption of 0 KVAH units amounting to Rs. 1280/-.

Petitioner did not agree to the above bills and filed his case in Corporate CGRF, Ludhiana. Forum observed the consumption data, supplied by the Respondent as under:

Year	2019		2020		2021		2022		2023		2024	
Month	Cons	Code	Cons	Code	Cons	Code	Cons	Code	Cons	Code	Cons	Code
Jan	29540	O	46041	O	44603	O	29640	O	37782	O	28624	O
Feb	29277	O	37109	O	34754	O	24935	O	30557	O	23628	O
March	18506	O	15682	O	14548	O	10509	O	6272	O		
Apr	22552	O	11594	O	21065	O	21878	O	20832	O		
May	40834	O	8934	O	20017	O	30100	O	20892	O		
					7222	O			O			
Jun	51416	O	28166	O	24763	O	31613	O	19532	O		
Jul	50490	O	51662	O	51964	O	33168	O	32815	O		
Aug	36857	O	47761	O	43014	O	29767	O	33510	O		
Sept	55742	O	24154	O	46267	O	68589	O	85080	O		
					7909	O						
Oct	27991	O	26527	O	16144	O	24819	O		O		
Nov	15609	O	15367	O	11969	O	11807	O				
Dec	24145	O	21907	O	15653	O	12651	O	82240			
<b>Total</b>	<b>402959</b>		<b>334904</b>		<b>359892</b>		<b>329476</b>		<b>369512</b>		<b>52252</b>	

As per the above data, the annual consumption of the petitioner from 2019 to 2023 has been recorded as 402959, 334904, 359892, 329476 & 369512 units respectively. Forum observed that consumption of the Petitioner remained almost consistent on year to year basis. Forum directed the Respondent to submit ME lab report of the meter replaced on 25.09.2023 alongwith its DDL report on next date of hearing. Respondent submitted ME challan no. 008/8018 dated 01.04.2024 wherein it was reported that accuracy of meter on active/reactive mode is within limits and reading was verified as 3859751 KWH/4653570 KVAH and DDL was also done. Forum observed from the consumption data that in every year from 2021 onwards, highest monthly consumption of the year is being recorded during the month of September and this consumption is increasing year by year which indicates that this period might be the peak season/period for this institution. Forum observed that as accuracy of the meter was found within limit, therefore consumption recorded by it is correct and reliable (except for the slowness of 21.01% as observed by

ASE/Enf. Cum EA&MMTS, Mohali vide ECR no. 024/278 dated 23.01.2023 due to some problem in CT/PT unit and which has not been challenged by the petitioner). Further, Forum also observed the DDL report of the meter submitted by the Respondent, in which no abnormality or jump in reading/consumption is seen final KVAH reading as verified in the ME lab is matching with the reading recorded on MCO on the date of replacement of the meter which further supports the fact that meter was functioning properly and had recorded the actual consumption of the petitioner.

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 facts/discussion, Forum observed that the yearly consumption of the petitioner is almost consistent, there is no abnormality seen in the DDL report, further same metering equipment is working till now to which petitioner has no objection (other than the disputed period). At the same time petitioner did not appear before the Forum to justify his claim in spite of numbers of opportunities given to him. Therefore, keeping in view the above fact & discussion, Forum is of the opinion that the contention of the petitioner is not justified and hence petition is liable to be rejected. The bill dated 18.12.2023 for the period from 28.08.2023 to 23.09.2023 on 'O' code for a consumption of 85080 KVAH units amounting to Rs. 730720/- and bill dated 01.01.2024 for the period from 23.09.2023 to 24.09.2023 on 'O' code for a consumption of 0 KVAH units amounting to Rs. 1280/- are justified and hence recoverable.”

- (ii) I have gone through the written submissions made by the Appellant in the Appeal, written reply & additional submissions of the Respondent as well as oral arguments of both the parties during the hearings on 24.05.2024, 06.06.2024



& 12.06.2024. It is observed by this Court that the connection of the Appellant was checked on 23.01.2023 by ASE/Enforcement-cum-EA&MMTS, Mohali vide ECR No. 024/278 as per which the meter was found running slow by 21.01% and it was interalia reported/directed to replace the CT/PT unit alongwith meter being non-DLMS & its scroll button being defective and get it checked from ME Lab. Accordingly, existing CT/PT unit of capacity 10/5A was replaced vide Job order no. 100020571144 dated 30.01.2023 effected on 27.08.2023 and new CT/PT unit of capacity 20/5 was installed. CT/PT unit was replaced seven months after the date of checking. During this period, the Respondent continued to issue bills on Ok Code to the Appellant. During the hearing on 24.05.2024, the Respondent was asked by this Court to explain the reason for issuing Ok Code bills to the Appellant when the CT/PT unit was defective, but the Respondent could not offer any reasonable explanation in this regard.

- (iii) Further, this Court asked the Respondent vide letter no. 282/OEP/A-10/2024 dated 20.05.2024 to provide Data Download (DDL) of the disputed meter for the disputed period alongwith the Meter Sealing Record (MSR) showing the



readings recorded by the Meter Reader for the disputed period as the Respondent had informed that the readings were being taken manually by the meter reader on MSR. The Respondent failed to provide the DDL as well as MSR showing the reading taken on 28.08.2023 & 23.09.2023. So, during hearings on 24.05.2024 & 06.06.2024, the Respondent was again instructed to provide the same well before the next date of hearing. DDL provided by the Respondent vide Memo No. 4823 dated 11.06.2024 was not complete as it did not provide the readings for the disputed period. Further, the reading taken on 26.08.2023 on MSR & reading on ME Lab challan dated 25.09.2023 was used to issue the disputed bill from 28.08.2023 to 23.09.2023. Since the CT/PT unit installed at the Appellant's premises on 26.08.2023 was defective, so the reading of the meter cannot be considered as reliable. Since the defective CT/PT unit was replaced on 27.08.2023, so the readings forwarded in the meter upto 27.08.2023 were defective. After replacement of CT/PT unit on 27.08.2023, the multiplication factor also changed to 2 from earlier 1. The reading taken on 26.08.2023 was incorrectly used for preparing the bill from 28.08.2023 to 23.09.2023. No reading was taken by the Respondent on 28.08.2023 after

changing the CT/PT unit, which ought to have been taken for preparing the bill. Also, no reading was taken on 23.09.2023. The Respondent could neither provide the MSR nor the DDL to show the readings of the meter as on 28.08.2023 & 23.09.2023. The Respondent also admitted in his additional submissions submitted vide Memo No. 4823 dated 11.06.2024 that the DDL data was corrupt. Since the software of the meter got corrupted, therefore the meter was defective & the reading recorded in the ME Lab cannot be considered as reliable. Therefore, the disputed bill dated 18.12.2023 for the period from 28.08.2023 to 23.09.2023 issued to the Appellant for a consumption of 85,080 kVAh units amounting to ₹ 7,30,720/- is quashed. Also the bill dated 01.01.2024 for the period from 23.09.2023 to 24.09.2023 for 0 consumption is also quashed as the consumption of the hospital cannot be 0 for 2 days.

- (iv) During hearing on 12.06.2024, both the Appellant's Representative & the Respondent agreed that the account of the Appellant should be overhauled for the disputed period from 26.08.2023 to 24.09.2023 on the basis of consumption of corresponding period of previous year.

- (v) In view of above, this Court is not inclined to agree with the order dated 09.04.2024 of the CCGRF, Ludhiana in Case No. CF-058/2024. Therefore, the account of the Appellant be overhauled for the disputed period from 26.08.2023 to 24.09.2023 on the basis of Regulation 21.5.2 (a) & (e) of Supply Code-2014.

**6. Decision**

As a sequel of above discussions, the order dated 09.04.2024 of the CCGRF, Ludhiana in Case No. CF-058/2024 is hereby quashed. The account of the Appellant be overhauled for the disputed period from 26.08.2023 to 24.09.2023 on the basis of Regulation 21.5.2 (a) & (e) of Supply Code-2014.

7. The Appeal is disposed of accordingly.
8. As per provisions contained in Regulation 3.26 of Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations-2016, the Licensee will comply with the award/order within 21 days of the date of its receipt.
9. In case, the Appellant or the Respondent is not satisfied with the above decision, he is at liberty to seek appropriate remedy against this order from the Appropriate Bodies in accordance with Regulation 3.28 of the Punjab State Electricity

Regulatory Commission (Forum and Ombudsman)

Regulations, 2016.

June 20, 2024  
S.A.S. Nagar (Mohali).

(ANJULI CHANDRA)  
Lokpal (Ombudsman)  
Electricity, Punjab.

