**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-113/2023**

**Date of Registration : 25.08.2023**

**Date of Closing : 05.09.2023**

**Date of Final Order : 14.09.2023**

**In the Matter of:**

 **Sh. Pawan Kumar,**

**GPF Area, Lehragaga.**

**A/c No.: S77GP730155Y**

**Through:**

Sh. Mohan Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

PSPCL, Lehragaga. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-113/2023 has been filed in the Forum as an appeal against the decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga, in the matter related to A/c no. S77GP730155Y, in the name of Sh. Pawan Kumar. The Petitioner is present user of this NRS connection under DS Division, PSPCL, Lehragaga which has sanctioned load of 0.26 KW. Bill dated 13.08.2020 was issued against this connection on O-code upto reading of 1460 KWH. Next two bills of months 10/2020 and 12/2020 were issued to him on I-code average basis for an average consumption of 26 & 13 KWH respectively. Connection of the petitioner was checked vide LCR no. 21/2014 dated 18.01.2021 when reading of the meter was recorded as 6475 KWH. AEE/City Sub-Division, PSPCL, Lehragaga issued notice to petitioner vide Memo no. 134 dated 28.01.2021 vide which amount of Rs. 45010/- was charged to him for unbilled consumption of 4976 units. Petitioner did not agree to this amount charged to him and challenged his meter and same was changed vide MCO no. 039/60013 dated 03.02.2021 effected on 03.02.2021. Removed meter was checked in ME Lab vide challan no. 227 dated 22.02.2021 where Dial Test and Creep Test of the meter were found OK, results of accuracy test were found within limits and reading was verified as 6874 KWH. Thereafter, bill dated 14.05.2021 was issued for the period of 2 days from 15.02.2021 to 17.02.2021 on O-code for a consumption of 5414 KWH amounting to Rs. 47360/-. Thereafter connection was permanently disconnected on 16.06.2021 vide PDCO no. 100013818916 dated 16.06.2021 due to outstanding defaulting amount. Petitioner, the present user of this connection, did not agree to bill dated 14.05.2021 and filed his case in Divisional CGRF, PSPCL, Lehragaga where case was decided on 07.06.2023 as under: -

*“ਕਿਉਂਕਿ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ PDCO ਹੋ ਚੁਕਿਆ ਹੈ ਅਤੇ ਖਪਤਕਾਰ ਵਿਰੁੱਧ ਡਿਫਾਲਟਿੰਗ ਰਕਮ ਬਕਾਇਆ ਹੈ। ਇਸ ਲਈ ਇਹ ਝਗੜੇ ਵਾਲੀ ਰਕਮ ਖਪਤਕਾਰ ਤੋਂ ਵਸੂਲਣਯੋਗ ਹੈ।”*

Petitioner, the present user of this connection, did not agree to the decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga and filed an appeal in the Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 30.08.2023 and finally on 05.09.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 30.08.2023***

*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. Suburban Sunam (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 notice memo no. 134 dated 28.01.2021 amounting to Rs. 45010/- being short assessment due to difference in reading billed and reading at site and further directed to check/verify the bill of 02/2021 of Rs. 47360/- for consumption of 5414 units.*
	3. *He will submit copies of bills issued to petitioner during 2021 to date of PDCO and copy of PDCO depicting date of effect.*
	4. *He will submit copy of decision of Divisional CGRF along with its case file.*
	5. *He will submit screenshots of the meter taken before 01/2021, 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 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 report of meter in dispute alongwith its DDL.*
	8. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations applicable to this case.*
	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.*

*Petitioner is directed to clarify about why the change of name of above account was not done after the said property was purchased till the date of PDCO.*

*The case be put up on 05.09.2023*

***Proceedings dated: 05.09.2023***

*Respondent submitted five copies of reply to petition and the same has been taken on record. One copy handed over to the petitioner.*

*Petitioner/PR stated that the petition and other documents already submitted may also be considered as part of oral discussion.*

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

*Both the parties have nothing more to say and submit.*

*The case is closed for passing speaking orders.*

1. **FACTS OF THE CASE AND OBSERVATIONS OF THE FORUM: -**
2. The Petitioner bearing A/c no. S77GP730155Y, is having NRS connection with sanctioned load of 0.26 KW, in the name of Sh. Pawan Kumar, under DS Division, Lehragaga.
3. The Petitioner in his Petition prayed that: -

*ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਂ ਲਹਿਰਾਗਾਗਾ ਜਿਲਾ ਸੰਗਰੂਰ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹਾਂ। ਮੈਂ ਲਹਿਰਾਗਾਗਾ ਵਿਖੇ ਪਵਨ ਕੁਮਾਰ ਪੁੱਤਰ ਤੋਤੀ ਰਾਮ ਪਾਸੋਂ ਜਗਾ ਮੁੱਲ ਲਈ ਸੀ ਜਿਸ ਵਿੱਚ ਬਿਜਲੀ ਮੀਟਰ ਪਵਨ ਕੁਮਾਰ ਪੁੱਤਰ ਤੋਤੀ ਰਾਮ ਦੇ ਨਾਂ ਤੇ ਹੈ। ਜਿਸ ਦਾ ਖਾਤਾ ਨੰ. S77GP730155Y ਹੈ। ਇਸ ਬਿਜਲੀ ਮੀਟਰ ਦਾ ਬਿਲ ਮੈਂ ਭਰਦਾ ਹੈ।*

*ਪ੍ਰੰਤੂ ਦਫਤਰ ਵਲੋਂ ਉਸ ਦੇ ਪਤਰ ਨੰ. 134 ਮਿਤੀ 28/1/2021 ਰਾਹੀਂ ਮੈਨੂੰ ਬਿਜਲੀ ਮੀਟਰ ਦੀ ਯੂਨਿਟਾ 4976 ਵਧ ਰਕਮ ਦਰਸਾਉਂਦੇ ਹੋਏ (45610) ਭਰਨ ਲਈ ਕਿਹਾ ਗਿਆ। ਜੋ ਕਿ ਬਹੁਤ ਜਿਆਦਾ ਹੈ ਫਿਰ ਮੈਨੂੰ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ. 1025 ਮਿਤੀ 27/5/21 ਰਾਹੀਂ M.E. ਲੈਬ ਦੀ ਚਲਾਨ ਨੰ. 227 ਮਿਤੀ 22/4/21 ਸਹੀ ਦਰਸਾਇਆ ਗਿਆ। ਅਤੇ ਰਕਮ ਭਰਨ ਲਈ ਕਿਹਾ ਗਿਆ। ਜਿਸ ਦੀ ਰਕਮ 20000/- ਵੀਹ ਹਜਾਰ ਰੁਪਏ ਦੋ ਰਸੀਦਾਂ ਨੰ. 216600294938 =10000/- ਅਤੇ 25/8/21 ਅਤੇ ਰਸੀਦ ਨੰ. 215700293509 = 10000/- ਮਿਤੀ 24/8/21 ਰਾਹੀਂ ਜਮਾਂ ਕਰਵਾਈ ਗਈ। ਪ੍ਰੰਤੂ ਉਸ ਤੋਂ ਬਾਅਦ ਕੇਸ D.S.C ਹੋਣ ਕਰਕੇ ਮੈਨੂੰ ਫੈਸਲੇ ਅਨੁਸਾਰ ਪੱਤਰ ਨੰ. 835 ਮਿਤੀ 28/2/23 ਰਾਹੀ ਰਕਮ ਭਰਨ ਦੀ ਹਦਾਇਤ ਕੀਤੀ ਗਈ।*

*ਉਪਰੋਕਤ ਦਰਸਾਈ ਰਕਮ ਬਹੁਤ ਜਿਆਦਾ ਹੈ ਕ੍ਰਿਪਾ ਕਰਕੇ ਮੈਨੂੰ ਇਨਸਾਫ ਦੇਣ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ।*

1. The Respondent in his reply to petition stated that: -
	* + 1. *ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਵਿਸ਼ਾ ਚਰਚਿਤ ਖਪਤਕਾਰ ਦਾ ਪਾਵਰਕਾਮ ਨਾਲ ਕੋਈ ਕੋਰਟ ਕੇਸ ਕੰਜਿਊਮਰ/ ਹਿਊਮਨ ਰਾਈਟਸ ਕਮਿਸ਼ਨ ਆਦਿ ਵਿੱਚ ਕਿਸੇ ਕਿਸਮ ਦਾ ਕੋਈ ਕੇਸ ਨਹੀਂ ਚੱਲਦਾ।*
			2. *ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਉਕਤ ਖਪਤਕਾਰ ਵੱਲ ਇਸ ਤੋਂ ਬਿਨਾਂ ਕੋਈ ਵੀ ਹੋਰ ਡਿਸਊਟਡ ਰਕਮ ਨਹੀਂ ਹੈ।*
			3. *ਖਾਤਾ ਨੰ: S77GP73/0155Y (3006637912) ਉਪ ਮੰਡਲ ਸ਼ਹਿਰੀ ਲਹਿਰਾਗਾਗਾ ਦੇ ਰਿਕਾਰਡ ਅਨੁਸਾਰ ਪਵਨ ਕੁਮਾਰ ਪੁੱਤਰ ਸ਼੍ਰੀ ਤੋਤੀ ਰਾਮ ਵਾਸੀ ਲਹਿਰਾਗਾਗਾ ਦੇ ਨਾਮ ਤੇ ਚੱਲ ਰਿਹਾ ਹੈ।*
			4. *a. ਖਾਤਾ ਨੰ: S77GP73/0155Y (3006637912) ਪਵਨ ਕੁਮਾਰ ਪੁੱਤਰ ਤੋਤੀ ਰਾਮ ਦੇ ਨਾਮ ਤੇ ਚੱਲ ਰਿਹਾ ਸੀ। ਇਸ ਖਪਤਕਾਰ ਦੀ ਮਿਤੀ 18-01-2021 ਨੂੰ ਚੈਕਿੰਗ ਰਿਪੋਰਟ ਨੰ: 21/2014 ਮੁਤਾਬਿਕ ਯੂਨਿਟਾਂ ਦੀ ਖਪਤ ਦੇ ਫਰਕ ਦੀ ਰਕਮ ਪੱਤਰ ਨੰ: 134 ਮਿਤੀ 28-01-2023 ਰਾਹੀਂ ਬਾਬਤ ਰਕਮ 45,010/- ਰੁਪੈ ਭਰਨ ਲਈ ਕਿਹਾ ਗਿਆ। ਖਪਤਕਾਰ ਦੇ ਆਪਣਾ ਮੀਟਰ ਚੈਲੇਂਜ ਕਰਵਾਇਆ, ਜੋ ਕਿ MCO ਨੰ: 39/60013 ਮਿਤੀ 03-02-2021 ਰਾਹੀਂ ਬਦਲੀ ਕੀਤਾ ਗਿਆ। ਐਮ.ਈ. ਲੈਬ ਦੇ ਚਲਾਣ ਨੰ: 227 ਮਿਤੀ 22-02-2021 ਰਾਹੀਂ ਮੀਟਰ ਦੇ ਰਿਜਲਟ ਸਹੀ ਪਾਏ ਗਏ ਅਤੇ ਖਪਤਕਾਰ ਨੂੰ ਪੱਤਰ ਨੰ: 1025 ਮਿਤੀ 27-05-2021 ਰਾਹੀਂ ਇਸ ਸਬੰਧੀ ਜਾਣੂ ਕਰਵਾਇਆ ਗਿਆ। ਖਪਤਕਾਰ ਦੁਆਰਾ ਮਿਤੀ 24-08-2021 ਅਤੇ 25-08-2021 ਨੂੰ ਕ੍ਰਮਵਾਰ ਰਸੀਦ ਨੰ: 215700293509 ਰਕਮ 10,000 ਅਤੇ 216600294938 ਰਕਮ 10,000 ਰਾਹੀਂ ਕੁੱਲ ਰਕਮ 20,000/- ਰੁਪੈ ਭਰੀ ਗਈ।*

*b. ਉਪ ਮੰਡਲ ਦਫਤਰ ਸ਼ਹਿਰੀ ਲਹਿਰਾਗਾਗਾ ਦੁਆਰਾ ਖਪਤਕਾਰ ਨੂੰ ਨੋਟਿਸ ਮੀਮੋ ਨੰ: 134 ਮਿਤੀ 28-01-2021 ਬਾਬਤ ਰਕਮ 45,010/- ਰੁਪੈ (ਨੱਥੀ ਅਨੈਕਸਚਰ−1) ਯੂਨਿਟਾਂ ਦੀ ਘੱਟ ਦਰਜ ਹੋਈ ਖਪਤ ਕਾਰਨ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਸੀ। ਖਪਤਕਾਰ ਦਾ ਮਹੀਨਾ 02/2021 (ਨੱਥੀ ਅਨੈਕਸਚਰ-2) ਦਾ ਬਿਲ ਬਾਬਤ ਰਕਮ 47,360/- ਰੁਪੈ ਦਾ ਅਸਲ ਖਪਤ ਤੇ ਬਣਿਆ ਸੀ, ਜੋ ਕਿ ਸਹੀ ਹੈ।*

*c. ਖਪਤਕਾਰ ਸਾਲ 2020 ਤੋਂ 2021 ਤੱਕ ਦੇ ਜਾਰੀ ਬਿਲਾਂ ਦੀਆਂ 7 ਨੰ: ਕਾਪੀਆਂ (ਨੱਥੀ ਅਨੈਕਸਚਰ-3) ਅਤੇ PDCO ਦੀ ਕਾਪੀ (ਨੱਥੀ ਅਨੈਕਸਚਰ−4) ਨੱਥੀ ਹੈ।*

*d. ਡਵੀਜਨਲ CGRF ਦੇ ਫੈਸਲੇ ਦੀ ਕਾਪੀ ਨੱਥੀ ਹੈ (ਨੱਥੀ ਅਨੌਕਸਚਰ-5)।*

*e. ਇਸ ਖਪਤਕਾਰ ਦੇ ਮੀਟਰ ਦੇ ਸਕ੍ਰੀਨ ਸ਼ਾਟ ਬਿਲਿੰਗ ਕੰਪਨੀ ਬਦਲ ਜਾਣ ਕਾਰਨ ਅਤੇ ਰਿਕਾਰਡ ਪੁਰਾਣਾ ਹੋਣ ਕਾਰਨ ਉਪਲੱਬਧ ਨਹੀਂ ਹੈ। ਖਪਤ ਡਾਟਾ Along with SAP reading (ਨੱਥੀ ਅਨੈਕਸਚਰ-6) ।*

*f. ਚੈਕਿੰਗ ਰਿਪੋਰਟ ਨੰ: 21/2014 ਮਿਤੀ 18-01-2021 ਦੀ ਕਾਪੀ ਨੱਥੀ ਹੈ (ਨੱਥੀ ਅਨੈਕਸਚਰ=7)।*

*g. MCO ਜਾਬ ਆਰਡਰ (ਨੱਥੀ ਅਨੈਕਸਚਰ-8), ਸਟੋਰ ਚਲਾਣ (ਨੱਥੀ ਅਨੈਕਸਚਰ-9) ਅਤੇ DDL ਦੀ ਕਾਪੀ (ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਨੂੰ ਈਮੇਲ ਕਰ ਦਿੱਤੀ ਗਈ ਹੈ) ।*

*h. ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ ਪਾਵਰਕਾਮ ਦੀਆਂ ਹਦਾਇਤਾਂ ਤਹਿਤ ਘੱਟ ਖਪਤ ਦਰਜ ਹੋਣ ਕਾਰਨ ਓਵਰਹਾਲ ਕੀਤਾ ਗਿਆ ਸੀ।*

*i. ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਨਿਮਨ-ਹਸਤਾਖਰ ਵੱਲੋਂ ਕੇਸ ਨਾਲ ਸਬੰਧਤ ਦਸਤਾਵੇਜ਼ ਚੌਂਕ ਕਰ ਲਏ ਗਏ ਹਨ, ਜੋ ਕਿ ਸਹੀ ਅਤੇ ਦਰੁਸਤ ਹਨ।*

*ਹਿਸਟਰੀ*

*ਖਪਤਕਾਰ ਪਵਨ ਕੁਮਾਰ ਪੁੱਤਰ ਸ਼੍ਰੀ ਤੋਤੀ ਰਾਮ ਵਾਸੀ ਲਹਿਰਾਗਾਗਾ ਦਾ ਕੁਨੈਕਸ਼ਨ ਵੰਡ ਉਪ ਮੰਡਲ ਸ਼ਹਿਰੀ ਲਹਿਰਾਗਾਗਾ ਅਧੀਨ ਵਪਾਰਕ ਸ਼੍ਰੇਣੀ ਤਹਿਤ ਚੱਲ ਰਿਹਾ ਸੀ। ਇਸ ਖਪਤਕਾਰ ਦਾ ਮਨਜੂਰ ਸ਼ੁਦਾ ਲੋਡ 0.26 ਕਿ.ਵਾ. ਸੀ। ਇਸ ਖਪਤਕਾਰ ਦਾ ਸਾਇਕਲ 06 ਮਹੀਨਾਂ 02/2021 ਵਿੱਚ 5414 ਯੂਨਿਟ ਦਾ 47360/- ਰੁਪਏ ਦਾ ਬਿਲ ਬਣਿਆ । ਇਸ ਉਪਰੰਤ ਉਕਤ ਖਪਤਕਾਰ ਨੇ ਆਪਣਾ ਮੀਟਰ ਚੈਲਿੰਜ ਕਰਵਾਇਆ, ਜੋ ਕਿ MCO NO. 39/60013 ਮਿਤੀ 03.02.2021 ਰਾਹੀਂ ਬਦਲੀ ਕੀਤਾ ਗਿਆ। ਜਿਸ ਵਿੱਚ ਐੱਮ.ਈ. ਲੈਬ ਦੇ ਚਲਾਨ ਨੰ. 227 ਮਿਤੀ 22/02/2021 ਰਾਹੀਂ ਮੀਟਰ ਦੇ ਰਿਜਲਟ ਠੀਕ ਪਾਏ ਗਏ । ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਪੀ.ਡੀ.ਸੀ.ਓ. ਨੰ. 100013818916 ਮਿਤੀ 16.06.2021 ਨੂੰ ਪੀ.ਡੀ.ਸੀ.ਓ. ਕਰ ਦਿੱਤਾ ਗਿਆ ਜੋ ਕਿ ਐਮ.ਈ. ਲੈਬ ਦੇ ਚਲਾਨ ਨੰ. 44 ਮਿਤੀ 29.06.2021 ਰਾਹੀਂ ਐੱਮ.ਈ. ਲੈਬ ਵਿਖੇ ਵਾਪਿਸ ਹੋ ਚੁੱਕਾ ਹੈ। ਖਪਤਕਾਰ ਐੱਮ.ਈ. ਲੈਬ ਦੇ ਰਿਜਲਟ ਤੋਂ ਸੰਤੁਸ਼ਟ ਨਹੀਂ ਸੀ। ਇਸ ਲਈ ਉਕਤ ਖਪਤਕਾਰ ਨੇ ਡੀ.ਐੱਸ.ਸੀ. ਵਿੱਚ ਕੇਸ ਲਗਾਉਣ ਲਈ ਆਪਣੀ ਪ੍ਰਤੀਵੇਦਨਾ ਦਿੱਤੀ ਸੀ। ਮਿਤੀ 07.06.2023 ਨੂੰ ਵੰਡ ਮੰਡਲ, ਲਹਿਰਾਗਾਗਾ ਵਿਖੇ ਹੋਈ ਡੀ.ਐਸ.ਸੀ. ਮਿਟਿੰਗ ਵਿੱਚ ਫੋਰਮ ਵੱਲੋਂ ਖਪਤਕਾਰ ਦੇ ਦਸਤਾਵੇਜ ਘੋਖਣ ਉਪਰੰਤ ਝਗੜੇ ਵਾਲੀ ਰਕਮ ਭਰਨ ਲਈ ਹਿਦਾਇਤ ਕੀਤੀ ਗਈ। ਪਰ ਖਪਤਕਾਰ ਦੁਆਰਾ ਇਹ ਰਕਮ ਭਰਨ ਦੀ ਬਜਾਏ ਆਪਣਾ ਕੇਸ CGRF ਵਿੱਚ ਵਿਚਾਰਨ ਦੀ ਪ੍ਰਤੀਵੇਦਨਾ ਦਿੱਤੀ ਗਈ ਹੈ। ਇਹ ਆਪ ਜੀ ਦੀ ਜਾਣਕਾਰੀ ਹਿੱਤ ਹੈ ਜੀ।*

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 decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga vide which amount of Rs. 47360/- charged to petitioner by AEE/DS Division, Lehragaga vide his notice no. 134 dated 28.01.2021, which was later charged in bill dated 14.05.2021, was held correct and recoverable.
2. Forum observed that bill dated 13.08.2020 was issued against this connection on O-code upto reading of 1460 KWH. Next two bills of months 10/2020 and 12/2020 were issued to him on I-code average basis for an average consumption of 26 & 13 KWH respectively. Connection of the petitioner was checked vide LCR no. 21/2014 dated 18.01.2021 when reading of the meter was recorded as 6475 KWH. AEE/City Sub-Division, PSPCL, Lehragaga issued notice to petitioner vide Memo no. 134 dated 28.01.2021 vide which amount of Rs. 45010/- was charged to him for unbilled consumption of 4976 units. Petitioner did not agree to this amount charged to him and challenged his meter and same was changed vide MCO no. 039/60013 dated 03.02.2021 effected on 03.02.2021. Removed meter was checked in ME Lab vide challan no. 227 dated 22.02.2021 where Dial Test and Creep Test of the meter were found OK, results of accuracy test were found within limits and reading was verified as 6874 KWH. Thereafter, bill dated 14.05.2021 was issued for the period of 2 days from 15.02.2021 to 17.02.2021 on O-code for a consumption of 5414 KWH amounting to Rs. 47360/-. Thereafter connection was permanently disconnected on 16.06.2021 vide PDCO no. 100013818916 dated 16.06.2021 due to outstanding defaulting amount. Petitioner, the present user of this connection, did not agree to bill dated 14.05.2021 and filed his case in Divisional CGRF, PSPCL, Lehragaga where case was decided on 07.06.2023 as under: -

*“ਕਿਉਂਕਿ ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ PDCO ਹੋ ਚੁਕਿਆ ਹੈ ਅਤੇ ਖਪਤਕਾਰ ਵਿਰੁੱਧ ਡਿਫਾਲਟਿੰਗ ਰਕਮ ਬਕਾਇਆ ਹੈ। ਇਸ ਲਈ ਇਹ ਝਗੜੇ ਵਾਲੀ ਰਕਮ ਖਪਤਕਾਰ ਤੋਂ ਵਸੂਲਣਯੋਗ ਹੈ।”*

Petitioner, the present user of this connection, did not agree to the decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga and filed an appeal in the Corporate CGRF, Ludhiana. Forum observed the consumption data of petitioner supplied by the Respondent, which is tabulated under: -

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2018 | 2019 | 2020 | 2021 |
| Month | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code |
| Feb | 35 |  | 104 | O | 59 | O | 58 | F |
| Apr | 30 |  | 167 | O | 78 | N | 28 | O |
| June | 43 |  | 27 | O | 97 | O | 5 | O |
| Aug | 62 | O | 33 | O | 59 | O |  |  |
| Oct | 26 | O | 29 | O | 26 | I |  |  |
| Dec | 71 | O | 11 | O | 13 | I |  |  |
| **TOTAL** | **267** |  | **371** |  | **254** |  | **91** |  |

As per the data, the annual consumption of the Petitioner from 2018 to 2021 (Upto June) is 267, 371, 254 and 91 (for 6 months) units respectively. Consumption as high as 5414 units, against which amount of Rs. 47360/- has been charged in bill dated 14.05.2021, has never been recorded in any bi-monthly bill before and after the change of meter.

Respondent submitted site checking report of the petitioner vide LCR no. 21/2014 dated 18.01.2021 as per which load of 0.580 KW was found connected against the sanctioned load of 0.260 KW. Petitioner was issued bills dated 13.10.2020 and 17.12.2020 on I-code, and 4976 KWH units were charged to him vide notice no. 134 dated 28.01.2021 adjusting these two I-code bills and amount of Rs. 47304/- was charged to him. Forum observed that consumption of 4976 KWH is not possible by a connected load of 0.580 KW (10 lamps, 2 plugs & 2 fans) in 126 days and it seems meter got erratic at some point of time after the reading recorded on 13.08.2020 and recorded exceptionally high consumption.

Further, Respondent submitted two bills of the petitioner for the period after change of meter dated 22.05.2021 and 21.06.2021. In both these bills consumption of the petitioner has been recorded as 28 KWH in 94 days & 5 KWH in 24 days respectively which shows that consumption of the petitioner cannot be as huge as the consumption of 4976 KWH charged to him after adjusting I-code bills. In addition to it, meter installed at petitioner’s site on 03.02.2021 with initial reading 000452 KWH was permanently removed vide PDCO no. 100013818916 dated 16.06.2021 effected on 16.06.2021 wherein final reading was mentioned as 000485 KWH. Hence, petitioner used only 33 KWH in 134 days which also indicates that he cannot consume 4976 KWH energy in 126 days. All these facts clearly indicate that meter behaved erratically at some point of time after 13.08.2020 and recorded exceptionally high consumption and thus the meter is required to be treated as defective despite the fact that its results in ME Lab were found OK. The relevant regulation of Supply Code 2014 dealing with dead stop, burnt, defective meters is as under:

*Regulation 21.5.2 of Supply Code 2014 dealing with Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters is as under: -*

*“The accounts of a consumer shall be overhauled/billed for the period meter remained defective/dead stop and in case of burnt/stolen meter for the period of direct supply subject to maximum period of six months as per procedure given below:*

*a) On the basis of energy consumption of corresponding period of previous year.*

*b) In case the consumption of corresponding period of the previous year as referred in para (a) above is not available, the average monthly consumption of previous six (6) months during which the meter was functional, shall be adopted for overhauling of accounts.*

*c) If neither the consumption of corresponding period of previous year (para-a) nor for the last six months (para-b) is available then average of the consumption for the period the meter worked correctly during the last 6 months shall be taken for overhauling the account of the consumer.*

*d) Where the consumption for the previous months/period as referred in para (a) to para (c) is not available, the consumer shall be tentatively billed on the basis of consumption assessed as per para -4 of Annexure-8 and subsequently adjusted on the basis of actual consumption recorded in the corresponding period of the succeeding year.*

*e) The energy consumption determined as per para (a) to (d) above shall be adjusted for the change of load/demand, if any, during the period of overhauling of accounts”.*

Forum have gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, oral discussions made by Petitioner along with material brought on record. Keeping in view the above, Forum is of the opinion that consumption of 4976 KWH charged to petitioner vide memo no. 134 dated 28.01.201 on the basis of reading recorded vide LCR no. 21/2014 dated 18.01.2021 after adjustment of I-code bills dated 13.10.2020 and 17.12.2020, is not justified. Hence, decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga vide which amount of Rs. 47360/- charged to petitioner vide his notice no. 134 dated 28.01.2021 (later charged in bill dated 14.05.2021) was held correct and recoverable, is liable to be set-aside and notice no. 134 dated 28.01.2021 of AEE/DS Division, Lehragaga is liable to be quashed. Account of the petitioner is required to be overhauled for the period from 13.08.2020 to 03.02.2021 (date of replacement of disputed meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation 21.5.2(a) of Electricity Supply Code and Related Matters Regulations-2018.

Keeping in view the above, Forum came to unanimous conclusion that decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga be set-aside and notice no. 134 dated 28.01.2021 of AEE/DS Division, Lehragaga be quashed. Account of the petitioner be overhauled for the period from 13.08.2020 to 03.02.2021 (date of replacement of disputed meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation 21.5.2(a) of Electricity Supply Code and Related Matters Regulations-2018.

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. **Decision dated 07.06.2023 of Divisional CGRF, PSPCL, Lehragaga is set-aside and notice no. 134 dated 28.01.2021 of AEE/DS Division, Lehragaga is quashed. Account of the petitioner be overhauled for the period from 13.08.2020 to 03.02.2021 (date of replacement of disputed meter) on the basis of actual consumption recorded in the corresponding period of previous year as per Regulation 21.5.2(a) of Electricity Supply Code and Related Matters Regulations-2018.**
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**