**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-121/2023**

**Date of Registration : 19.09.2023**

**Date of Closing : 10.10.2023**

**Date of Final Order : 17.10.2023**

**In the Matter of:**

 **Sh. Amrik Singh,**

**Hira Bagh, Gurudwara Sahib,**

**Patiala.**

**A/c No.: 3000059568.**

**Through:**

Sh. Gurmukh Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/Op. West Divn.,

PSPCL, Patiala. **...Respondent**

1. **BRIEF HISTORY:**

Petition against Case No. CF-121/2023 has been filed directly in the Forum by the petitioner in the matter related to account no. 3000059568in the name of Sh. Amrik Singh. The Petitioner is having DS connection with sanctioned Load/CD of 51.860KW/57.620KVA under DS West Division, PSPCL, Patiala. Meter of the petitioner was checked by ASE/Enf. cum EA & MMTS-2, Patiala on 08.05.2023 before installation of bi-directional meter for Solar Plant and ECR no. 48/5003 dated 08.05.2023 was prepared. As per report accuracy of meter was checked with MT-360 set and meter was found running 90.62% slow. Further, current on three phases was recorded as under: -

Rφ = 59.64 A Yφ = 46.7 A Bφ = 67.4 A

It was directed to charge the due amount to the petitioner and further directed to change the meter and CTs of the petitioner being very old.

Meanwhile, meter of the petitioner got burnt and direct supply was given to him vide DSO no. 60/339 dated 14.05.2023 and it was reported on the Direct Supply Order as under: -

“**ਮੀਟਰ ਬਿਲਕੁਲ ਸੜ੍ਹ ਗਿਆ ਜਿਸ ਨਾਲ ਪਾਰਟੀਕੁਲਰ ਪੜੇ ਨਹੀਂ ਜਾਂਦੇ।**”

Connection of the petitioner was again checked on 15.05.2023 by ASE/Enf. cum EA & MMTS-2, Patiala and ECR no. 16/5004 dated 15.05.2023 was prepared. As per report meter was totally burnt and none of the particulars of the meter was readable. Meter and CTs of the petitioner were changed vide MCO no. 100021457139 dated 17.05.2023 effected on 29.05.2023. Removed meter was checked in ME Lab vide challan no. 513 dated 17.08.2023 and it was reported as under: -

*“****ਮੀਟਰ ਪੂਰੀ ਤਰ੍ਹਾਂ ਸੜ ਕੇ ਸੁਆਹ ਹੋ ਚੁੱਕਾ ਹੈ। ਕੋਈ ਵੀ ਵੇਰਵੇ ਪੜਨਯੋਗ ਨਹੀਂ ਹਨ।*** *DDL* ***ਨਹੀਂ ਹੋ ਸਕਦਾ।****”*

Petitioner was issued notice vide Memo no. 1610 dated 18.05.2023 by AEE/Comm., West Sub-Division-2, PSPCL, Patiala charging an amount of Rs. 781080/- on account of 90.62% slowness. Petitioner did not agree to this amount charged to him and filed his case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 19.09.2023, 26.09.2023, 03.10.2023 and finally on 10.10.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 19.09.2023***

*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. West, Patiala (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. *Point-wise/Para-wise reply to the petition be submitted inform of hard copy & soft copy through email at* *secy.cgrfldh@gmail.com**.*
5. *Respondent shall also ensure the following action: -*
	1. *He will check/verify the amount of Rs. 781080/- charged vide notice no. 1610 dated 18.05.2023 on account of slowness of meter by 90.62% detected vide ECR no. 48/5003 dated 08.05.2023 and further directed to check/verify the notice issued vide memo no. 2150 dated 13.07.2023 amounting Rs. 811935/-.*
	2. *He will submit copy of ECR no. 48/5003 dated 08.05.2023 and speaking orders, if any.*
	3. *He will certify that while charging the amount, related features of the metering equipment as per its PO/Technical specification have been duly taken care of.*
	4. *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.*
	5. *He will submit copies of checking carried out by various authorities previously.*
	6. *Submit copies of related Job order clearly depicting date of effect thereof, ME lab report and DDL report of meter in dispute.*
	7. *Relevant instruction of Supply Code, 2014 under which the account is overhauled and amount is charged to Petitioner.*
	8. *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 26.09.2023*

***Proceedings dated: 26.09.2023***

*Respondent submitted five copies of reply to petition along-with other documents/record and the same has been taken on record. One copy handed over to petitioner for rejoinder.*

*The case is adjourned to 03.10.2023 for oral discussion.*

***Proceedings dated: 03.10.2023***

*Petitioner telephonically requested another date due to some urgent work. The same is admitted.*

*The case is adjourned to 10.10.2023 for oral discussion.*

***Proceedings dated: 10.10.2023***

*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. 3000059568 is having DS connection with Sanctioned Load/CD of 51.860 KW/57.620 KVA in the name of Sh. Amrik Singh, under DS West Division, Patiala.
3. The Petitioner in his Petition prayed that: -

*ਨਿਮਰਤਾ ਸਹਿਤ ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਂ ਬਾਬਾ ਅਮਰੀਕ ਸਿੰਘ ਵਾਸੀ ਡੇਰਾ ਕਾਰਸੇਵਾ ਹੀਰਾ ਬਾਗ, ਪਟਿਆਲਾ ਦਾ ਵਾਸੀ ਹਾਂ। ਇਹ ਸੰਸਥਾ ਲੋਕ ਭਲਾਈ ਨਿਸ਼ਕਾਮ ਅਤੇ ਗੁਰਦੁਆਰਾ ਸਾਹਿਬ ਅਤੇ ਲੋਕ ਹਿੱਤ ਕਾਰਜ ਕਰਦੀ ਹੈ। ਇਸ ਪੱਤਰ ਰਾਹੀਂ ਅਸੀਂ ਬੇਨਤੀ ਕਰਦਾ ਹਾਂ ਕਿ ਪੀ.ਐਸ.ਪੀ.ਸੀ.ਐਲ ਵਿਭਾਗ ਵਲੋਂ ਪੱਤਰ ਨੰ. 1610 ਮਿਤੀ 18.05.2023 ਦੁਆਰਾ ਬਿਜਲੀ ਬਿੱਲ (ਖਾਤਾ ਨੰ. 3000059568) ਦਾ 7,81,080/- ਰੁਪਏ ਦਾ ਜੁਰਮਾਨਾ ਪਾਇਆ ਗਿਆ ਹੈ, ਪੱਤਰ ਦੀ ਫੋਟੋਕਾਪੀ ਨਾਲ ਨੱਥੀ ਹੈ। ਸਾਡੀ ਸੰਸਥਾ ਵਲੋਂ ਕਦੇ ਵੀ ਪੀ.ਐਸ.ਪੀ.ਸੀ.ਐਲ ਦੀ ਬਿਜਲੀ ਦੀ ਕਦੇ ਵੀ ਦੁਰਵਰਤੋਂ ਨਹੀਂ ਕੀਤੀ ਗਈ।*

*ਸੋ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਜੁਰਮਾਨੇ ਨੂੰ ਮੁਆਫ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ। ਸਾਰੀ ਸੰਸਥਾ ਆਪ ਜੀ ਦੀ ਅਤਿ ਧੰਨਵਾਦੀ ਹੋਵੇਗੀ।*

1. The Respondent in his reply to petition stated that: -

*Brief History: -*

*ਇਸ ਖਪਤਕਾਰ ਦੇ ਅਹਾਤੇ ਸੋਲਰ ਕੁਨੈਕਸ਼ਨ ਲਈ ਮਿਤੀ 08.05.2023 ਨੂੰ ਦ: ਸੀਨੀ, ਕਾ:ਕਾ:ਇੰਜੀ/ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ., ਇਨਫੋਰਸਮੈਂਟ ਕਮ-ਈ.ਏ. ਤੇ ਐਮ. ਐਮ. ਟੀ. ਐਸ.-2, ਪਟਿਆਲਾ ਵੱਲੋਂ ਚੈਕਿੰਗ ਕੀਤੀ ਗਈ ਅਤੇ ਇੰਨਫੋਰਸਮੈਂਟ ਚੈਕਿੰਗ ਰਿਪੋਰਟ (ECR) ਨੇ 48/5003 ਮਿਤੀ 08.05.2023 ਵਿੱਚ ਸੋਲਰ ਪੈਨਲ ਅਤੇ ਇਨਵਰਟਰ ਦੇ ਵੇਰਵੇ ਦੇ ਨਾਲ ਹੇਠ ਅਨੁਸਾਰ ਰਿਪੋਰਟ ਕੀਤੀ ਗਈ:-*

*“ਕਲੈਪ ਮੀਟਰ ਨਾਲ ਕਰੰਟ ਦਾ ਮਿਲਾਣ ਮੈਨ ਮੀਟਰ ਨਾਲ ਕੀਤਾ ਗਿਆ ਜਿਸ ਵਿੱਚ ਕਾਫੀ ਫਰਕ ਪਾਇਆ ਗਿਆ ਜੋ ਕਿ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ।*

*R Phase-59.64 A, Y Phase-46.7 A, B Phase-67.4 A*

*ਮੀਟਰ ਦੀ AYkursI MT-360 ਮਸ਼ੀਨ ਨਾਲ ਕੀਤੀ ਗਈ। ਜਿਸ ਵਿੱਚ ਮੀਟਰ ਤਕਰੀਬਨ -90.62% ਸਲੋਅ ਪਾਇਆ ਗਿਆ। ਮੀਟਰ ਅਤੇ ਸੀ.ਟੀ. ਬਹੁਤ ਪੁਰਾਣੇ ਹਨ, ਬਦਲੀ ਕਰਕੇ ਨਵੇਂ ਲਗਾਏ ਜਾਣ।”*

*ECR ਮੁਤਾਬਿਕ ਡੀ.ਡੀ.ਐਲ ਨਹੀਂ ਹੋਇਆ ਸੀ।*

*ਉਪਰੋਕਤ ECR ਮੁਤਾਬਿਕ ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ ਸਪਲਾਈ ਕੋਡ ਰੈਗੂਲੇਸ਼ਨ 21.5.1 ਮੁਤਾਬਿਕ 6 ਮਹੀਨੇ ਲਈ ਅਵਰਹਾਲ ਕਰਦੇ ਹੋਏ ਖਪਤਕਾਰ ਨੂੰ 6 ਮਹੀਨੇ ਲਈ ਮੀਟਰ ਨੂੰ 90.62% ਸਲੋਅ ਮੰਨਦੇ ਹੋਏ 90.62% ਦੀ ਅਨੁਪਾਤਨ ਖਪਤ ਚਾਰਜ ਕਰ ਦਿਤੀ ਗਈ ਜੀ। ਖਪਤਕਾਰ ਨੂੰ ਮਿਤੀ 10.10.22 ਤੋਂ 10.04.23 ਤੱਕ ਦੇ 90.62% ਸਲੋਅਨੈਸ ਦੇ ਬਣਦੇ 100967 ਯੂਨਿਟਾਂ ਦਾ 781080 ਰੁਪਏ ਦਾ ਬਿਲ ਨੋਟਿਸ ਨੰ 1610 ਮਿਤੀ 18.05.2023 ਨਾਲ ਚਾਰਜ ਕੀਤਾ ਗਿਆ।*

*ਇਸ ਖਪਤਕਾਰ ਦਾ ਸੀ.ਟੀ., ਪੀ.ਟੀ, ਮੀਟਰ ਸੜ ਜਾਣ ਕਾਰਨ ਖਪਤਕਾਰ ਦੀ ਸਪਲਾਈ DSO ਨੰ 31/673 ਮਿਤੀ 14.05.2023 ਨਾਲ ਸਿੱਧੀ ਕਰ ਦਿੱਤੀ ਗਈ। DSO ਮੁਤਾਬਿਕ ਮੀਟਰ ਬਿਲਕੁਲ ਸੜ ਗਿਆ ਜਿਸ ਨਾਲ ਪਰਟੀਕੁਲਰ ਪੜੇ ਨਹੀਂ ਜਾਣੇ।*

*ਖਪਤਕਾਰ ਦੇ ਅਹਾਤੇ ਮਿਤੀ 15.05.2023 ਨੂੰ ਦ: ਸੀਨੀ: ਕਾ:ਕਾ:ਇੰਜੀ/ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ., ਇਨਫੋਰਸਮੈਂਟ ਕਮ-ਈ.ਏ. ਤੇ ਐਮ. ਐਮ. ਟੀ. ਐਸ.-2, ਪਟਿਆਲਾ ਵੱਲੋਂ ਚੈਕਿੰਗ ਕੀਤੀ ਗਈ ECR ਨੰ 16/5004 ਮਿਤੀ 15.05.2023 ਮੁਤਾਬਿਕ ਰਿਪੋਰਟ ਕੀਤੀ ਗਈ ਕਿ ਮੀਟਰ ਸੜ ਕੇ ਪੂਰੀ ਤਰਾਂ ਸੁਆਹ ਹੋ ਗਿਆ। ਕੋਈ ਵੀ ਪਰਟੀਕੁਲਰ ਪੜਨਯੋਗ ਨਹੀਂ ਹੈ। ਸੜਿਆ ਮੀਟਰ ਸਮੇਤ ਸੀ.ਟੀ ਸੀਲ ਪੈਕ ਹਾਲਤ ਵਿੱਚ ਅਗਲੇਰੀ ਜਾਂਚ ਲਈ ਐਮ.ਈ. ਲੈਬ ਲਿਆਂਦਾ ਜਾਵੇ।*

*ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਮਿਤੀ 29.05.2023 ਨੂੰ 855833 Kvah ਆਰ ਕੋਡ ਐਵਰੇਜ ਰੀਡਿੰਗ ਤੇ ਬਦਲੀ ਕੀਤਾ ਗਿਆ।*

*ਖਪਤਕਾਰ ਦਾ ਮਿਤੀ 01.06.2023 ਦਾ ਬਿਲ ਮਿਤੀ 10.05.23 ਤੋਂ 29.05.2023 ਤੱਕ ਦਾ 19 ਦਿਨਾਂ 3241 ਯੂਨਿਟ ਆਰ ਕੋਡ ਐਵਰੇਜ ਖਪਤ ਦਾ 30400 ਰੁਪਏ ਜਾਰੀ ਹੋਇਆ ਸੀ ਜੀ। ਖਪਤਕਾਰ ਤੋਂ ਸਮੇਤ ਉਪਰੋਕਤ ਨੋਟਿਸ ਦੀ ਰਕਮ ਕੁੱਲ ਵਸੂਲਣਯੋਗ ਰਕਮ 811480 ਰੁਪਏ ਸੀ ਜੀ ਜੋ ਕਿ ਸਮੇਤ ਲੇਟ ਫਾਈਨ 811935 ਰੁਪਏ ਮਿਤੀ 12.06.23 ਨੂੰ ਬਣਦੀ ਸੀ ਜਿਸ ਸੰਬੰਧੀ ਖਪਤਕਾਰ ਵੱਲੋਂ ਕੇਸ ਲਗਾਇਆ ਗਿਆ ਹੈ ਜੀ।*

*ਮੀਟਰ ਦੀ ਐਮ.ਈ.ਚਲਾਨ ਰਿਪੋਰਟ ਨੂੰ 513 ਮਿਤੀ 17.08.2023 ਮੁਤਾਬਿਕ ਮੀਟਰ ਪੂਰੀ ਤਰਾਂ ਸੜ ਕੇ ਸੁਆਹ ਹੋ ਚੁੱਕਾ ਹੈ। ਕੋਈ ਹੋ ਵੀ ਵੇਰਵਾਂ ਪੜਨਯੋਗ ਨਹੀਂ ਹਨ। ਡੀ.ਡੀ.ਐਲ ਨਹੀਂ ਹੋ ਸਕਦਾ।*

***OBJECTIONS RAISED BY THE CONSUMER: -***

*ਖਪਤਕਾਰ ਮੁਤਾਬਿਕ ਉਹਨਾਂ ਦੀ ਸੰਸਥਾ ਲੋਕ ਭਲਾਈ ਕਰਦੀ ਹੈ ਅਤੇ ਉਹਨਾਂ ਵੱਲੋਂ ਬਿਜਲੀ ਦੀ ਕਦੇ ਦੁਰਵਰਤੋਂ ਨਹੀਂ ਕੀਤੀ ਗਈ ਅਤੇ ਉਹਨਾਂ ਨੂੰ ਪਾਇਆ ਜੁਰਮਾਨਾ ਮੁਆਫ ਕੀਤਾ ਜਾਵੇ ।*

***OBSERVATIONS/ RECOMMENTATIONS BY AEE/COMMERCIAL, WEST SUBDIVISION, PSPCL PATIALA.***

*ਪੀ.ਐਸ.ਪੀ.ਸੀ.ਐਲ ਦੀਆਂ ਹਦਾਇਤਾਂ ਮੁਤਾਬਿਕ.*

*Reply to Petition*

*ਇਸ ਖਪਤਕਾਰ ਦੇ ਅਹਾਤੇ ਸੋਲਰ ਕੁਨੈਕਸ਼ਨ ਲਈ ਮਿਤੀ 08.05.2023 ਨੂੰ ਦ: ਸੀਨੀ: ਕਾ:ਕਾ:ਇੰਜੀ/ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ., ਇਨਫੋਰਸਮੈਂਟ ਕਮ-ਈ.ਏ. ਤੇ ਐਮ. ਐਮ. ਟੀ. ਐਸ.-2, ਪਟਿਆਲਾ ਵੱਲੋਂ ਚੈਕਿੰਗ ਕੀਤੀ ਗਈ ਅਤੇ ਇੰਨਫੋਰਸਮੈਂਟ ਚੈਕਿੰਗ ਰਿਪੋਰਟ (ECR) ਨੂੰ 48/5003 ਮਿਤੀ 08.05.2023 ਵਿੱਚ ਸੋਲਰ ਪੈਨਲ ਅਤੇ ਇਨਵਰਟਰ ਦੇ ਵੇਰਵੇ ਦੇ ਨਾਲ ਹੇਠ ਅਨੁਸਾਰ ਰਿਪੋਰਟ ਕੀਤੀ ਗਈ:-*

*“ਕਲਪ ਮੀਟਰ ਨਾਲ ਕਰੰਟ ਦਾ ਮਿਲਾਣ ਮੈਨ ਮੀਟਰ ਨਾਲ ਕੀਤਾ ਗਿਆ ਜਿਸ ਵਿੱਚ ਕਾਫੀ ਫਰਕ ਪਾਇਆ ਗਿਆ ਜੋ ਕਿ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਹੈ।*

*R Phase-59.64 A, Y Phase-46.7 A, B Phase-67.4 A*

*ਮੀਟਰ ਦੀ ਐਕਰੇਸੀ MT-360 ਮਸ਼ੀਨ ਨਾਲ ਕੀਤੀ ਗਈ। ਜਿਸ ਵਿੱਚ ਮੀਟਰ ਤਕਰੀਬਨ -90.62% ਸਲੋਅ ਪਾਇਆ ਗਿਆ। ਮੀਟਰ ਅਤੇ ਸੀ.ਟੀ. ਬਹੁਤ ਪੁਰਾਣੇ ਹਨ, ਬਦਲੀ ਕਰਕੇ ਨਵੇਂ ਲਗਾਏ ਜਾਣ।”*

*ECR ਮੁਤਾਬਿਕ ਡੀ.ਡੀ.ਐਲ ਨਹੀਂ ਹੋਇਆ ਸੀ।*

*ਉਪਰੋਕਤ ECR ਮੁਤਾਬਿਕ ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ ਸਪਲਾਈ ਕੋਡ ਰੈਗੂਲੇਸ਼ਨ 21.5.1 ਮੁਤਾਬਿਕ 6 ਮਹੀਨੇ ਲਈ ਅੋਵਰਹਾਲ ਕਰਦੇ ਹੋਏ ਖਪਤਕਾਰ ਨੂੰ 6 ਮਹੀਨੇ ਲਈ ਮੀਟਰ ਨੂੰ 90.62% ਸਲੋਅ ਮੰਨਦੇ ਹੋਏ 90.62% ਦੀ ਅਨੁਪਾਤਨ ਖਪਤ ਚਾਰਜ ਕਰ ਦਿਤੀ ਗਈ ਜੀ। ਖਪਤਕਾਰ ਨੂੰ ਮਿਤੀ 10.10.22 ਤੋਂ 10.04.23 ਤੱਕ ਦੇ 90.62% ਸਲੋਅਨੈਸ ਦੇ ਬਣਦੇ 100967 ਯੂਨਿਟਾਂ ਦਾ 781080 ਰੁਪਏ ਦਾ ਬਿਲ ਨੋਟਿਸ ਨੰ 1610 ਮਿਤੀ 18.05.2023 ਨਾਲ ਚਾਰਜ ਕੀਤਾ ਗਿਆ।*

*ਇਸ ਖਪਤਕਾਰ ਦਾ ਸੀ.ਟੀ., ਪੀ.ਟੀ, ਮੀਟਰ ਸੜ ਜਾਣ ਕਾਰਨ ਖਪਤਕਾਰ ਦੀ ਸਪਲਾਈ DSO ਨੰ 31/673 ਮਿਤੀ 14.05.2023 ਨਾਲ ਸਿੱਧੀ ਕਰ ਦਿੱਤੀ ਗਈ। DSO ਮੁਤਾਬਿਕ ਮੀਟਰ ਬਿਲਕੁਲ ਸੜ ਗਿਆ ਜਿਸ ਨਾਲ ਪਰਟੀਕੁਲਰ ਪੜੇ ਨਹੀਂ ਜਾਣੇ।*

*ਖਪਤਕਾਰ ਦੇ ਅਹਾਤੇ ਮਿਤੀ 15.05.2023 ਨੂੰ ਦ: ਸੀਨੀ: ਕਾ:ਕਾ:ਇੰਜੀ/ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ., ਇਨਫੋਰਸਮੈਂਟ ਕਮ-ਈ.ਏ. ਤੇ ਐਮ. ਐਮ. ਟੀ. ਐਸ.-2, ਪਟਿਆਲਾ ਵੱਲੋਂ ਚੈਕਿੰਗ ਕੀਤੀ ਗਈ ECR ਨੰ 16/5004 ਮਿਤੀ 15.05.2023 ਮੁਤਾਬਿਕ ਰਿਪੋਰਟ ਕੀਤੀ ਗਈ ਕਿ ਮੀਟਰ ਸੜ ਕੇ ਪੂਰੀ ਤਰਾਂ ਸੁਆਹ ਹੋ ਗਿਆ। ਕੋਈ ਵੀ ਪਰਟੀਕੁਲਰ ਪੜਨਯੋਗ ਨਹੀਂ ਹੈ। ਸੜਿਆ ਮੀਟਰ ਸਮੇਤ ਸੀ.ਟੀ ਸੀਲ ਪੈਕ ਹਾਲਤ ਵਿੱਚ ਅਗਲੇਰੀ ਜਾਂਚ ਲਈ ਐਮ.ਈ. ਲੈਬ ਲਿਆਂਦਾ ਜਾਵੇ।*

*ਖਪਤਕਾਰ ਦਾ ਮੀਟਰ ਮਿਤੀ 29.05.2023 ਨੂੰ 855833 Kvah ਆਰ ਕੋਡ ਐਵਰੇਜ ਰੀਡਿੰਗ ਤੇ ਬਦਲੀ ਕੀਤਾ ਗਿਆ।*

*ਖਪਤਕਾਰ ਦਾ ਮਿਤੀ 01.06.2023 ਦਾ ਬਿਲ ਮਿਤੀ 10.05.23 ਤੋਂ 29.05.2023 ਤੱਕ ਦਾ 19 ਦਿਨਾਂ 3241 ਯੂਨਿਟ ਆਰ ਕੋਡ ਐਵਰੇਜ ਖਪਤ ਦਾ 30400 ਰੁਪਏ ਜਾਰੀ ਹੋਇਆ ਸੀ ਜੀ। ਖਪਤਕਾਰ ਤੋਂ ਸਮੇਤ ਉਪਰੋਕਤ ਨੋਟਿਸ ਦੀ ਰਕਮ ਕੁੱਲ ਵਸੂਲਣਯੋਗ ਰਕਮ 811480 ਰੁਪਏ ਸੀ ਜੀ ਜੋ ਕਿ ਸਮੇਤ ਲੇਟ ਫਾਈਨ 811935 ਰੁਪਏ ਮਿਤੀ 12.06.23 ਨੂੰ ਬਣਦੀ ਸੀ ਜਿਸ ਸੰਬੰਧੀ ਖਪਤਕਾਰ ਵੱਲੋਂ ਕੇਸ ਲਗਾਇਆ ਗਿਆ ਹੈ ਜੀ।*

*ਮੀਟਰ ਦੀ ਐਮ.ਈ.ਚਲਾਨ ਰਿਪੋਰਟ ਨੂੰ 513 ਮਿਤੀ 17.08.2023 ਮੁਤਾਬਿਕ ਮੀਟਰ ਪੂਰੀ ਤਰਾਂ ਸੜ ਕੇ ਸੁਆਹ ਹੋ ਚੁੱਕਾ ਹੈ। ਕੋਈ ਵੀ ਵੇਰਵਾਂ ਪੜਨਯੋਗ ਨਹੀਂ ਹਨ। ਡੀ.ਡੀ.ਐਲ ਨਹੀਂ ਹੋ ਸਕਦਾ।*

1. The Forum has gone through written submissions made by the Petitioner in the petition, written reply of the Respondent, its rejoinder along with the relevant material brought on record. The issue that requires adjudication in the present dispute is to decide the legitimacy of amount of Rs. 811935/- charged to petitioner on account of 90.62% slowness of his meter vide notice no. 2150 dated 13.07.2023.
2. Forum observed that meter of the petitioner was checked by ASE/Enf. cum EA & MMTS-2, Patiala on 08.05.2023 before installation of bi-directional meter for Solar Plant and ECR no. 48/5003 dated 08.05.2023 was prepared. As per report accuracy of meter was checked with MT-360 set and meter was found running slow by 90.62%. Further, current on three phases was recorded as under: -

Rφ = 59.64 A Yφ = 46.7 A Bφ = 67.4 A

It was directed to charge the due amount to the petitioner and further directed to change the meter and CTs of the petitioner being very old.

But before the replacement of meter of the petitioner, the same got burnt and direct supply was given to him vide DSO no. 60/339 dated 14.05.2023 and it was reported on the Direct Supply Order as under: -

“**ਮੀਟਰ ਬਿਲਕੁਲ ਸੜ੍ਹ ਗਿਆ ਜਿਸ ਨਾਲ ਪਾਰਟੀਕੁਲਰ ਪੜੇ ਨਹੀਂ ਜਾਂਦੇ।**”

On meter being burnt, connection of the petitioner was again checked on 15.05.2023 by ASE/Enf. cum EA & MMTS-2, Patiala and ECR no. 16/5004 dated 15.05.2023 was prepared. As per report meter was totally burnt and none of the particulars of the meter was readable. Meter and CTs of the petitioner were changed vide MCO no. 100021457139 dated 17.05.2023 effected on 29.05.2023. Removed meter was checked in ME Lab vide challan no. 513 dated 17.08.2023 and it was reported as under: -

*“****ਮੀਟਰ ਪੂਰੀ ਤਰ੍ਹਾਂ ਸੜ ਕੇ ਸੁਆਹ ਹੋ ਚੁੱਕਾ ਹੈ। ਕੋਈ ਵੀ ਵੇਰਵੇ ਪੜਨਯੋਗ ਨਹੀਂ ਹਨ।*** *DDL* ***ਨਹੀਂ ਹੋ ਸਕਦਾ।****”*

On the report of ASE/Enf. cum EA & MMTS-2, Patiala vide ECR no. 48/5003 dated 08.05.2023, Petitioner was issued notice vide Memo no. 1610 dated 18.05.2023 by AEE/Comm., West Sub-Division-2, PSPCL, Patiala charging an amount of Rs. 781080/- on account of slowness of 90.62%. Petitioner did not agree to this amount charged to him and filed his case in Corporate CGRF, Ludhiana.

Forum observed the consumption data submitted by the Respondent on record reproduced below in tabular form:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| KVAH | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons. | Code | Cons. | Code | Cons. | Code | Month | Cons. | Code | Cons. | Code | Cons. |
| Jan | 1180 | O | 1040 | O | 840 | O | 934 | O | 1666 | O | 1804 | O |
| Feb | 1230 | O | 1603 | O | 1068 | O | 1284 | O | 1606 | O | 1757 | O |
| Mar | 1394 | O | 1058 | O | 1083 | O | 917 | O | 1691 | O | 1681 | O |
| Apr | 1833 | O | 1188 | O | 1022 | O | 1339 | O | 2471 | O | 1827 | O |
| May | 2156 | O | 2201 | O | 1302 | O | 1576 | O | 3977 | O | 25383241 | OR |
| Jun | 3108 | O | 2933 | O | 1732 | O | 2163 | O | 5459 | O | 9680 | C |
| Jul | 2667 | O | 2679 | O | 2676 | O | 2361 | O | 5460 | O | 15320 | O |
| Aug | 3016 | O | 2954 | O | 2386 | O | 2670 | O | 4543 | O | 16820560 | OE |
| Sept | 2499 | O | 2606 | O | 2661 | O | 3844 | O | 5062 | O |  |  |
| Oct | 1976 | O | 2255 | O | 2630 | O | 2543 | O | 4121 | O |  |  |
| Nov | 1459 | O | 1179 | O | 1319 | O | 2068 | O | 1901 | O |  |  |
| Dec | 1187 | O | 861 | O | 976 | O | 1158 | O | 1481 | O |  |  |
| **TOTAL** | **23705** |  | **22557** |  | **19695** |  | **22857** |  | **39438** |  | **55228** |  |

From the above data the consumption of the petitioner seems as consistent from 2018 to 2022 however the same (just about 20000 units per annum) is not commensurate with his sanctioned load of 51.860KW/ 57.620KVA and also, the consumption after the change of the meter which has increased many folds.

Upon scrutiny of the documents related to this case submitted by the Respondent, it came to the notice of the Forum that the copy of ECR no. 48/5003 dated 08.05.2023 submitted by the respondent with his reply is having signature of JE/AAE Enforcement only and signatures of all the others (officers & consumer) are missing including those of Sr. Xen/Enforcement. Being doubtful, office of Respondent was asked to send a photograph of the ECR which when received surprised the Forum as it was having signatures of Sr. Xen/ASE, Enf. cum EA & MMTS-2, Patiala which were not there on the copy submitted to the Forum in his reply by Respondent earlier. Respondent was then directed to produce ECR no. 48/5003 dated 08.05.2023 as received in this office along-with the original copy kept in the office of Sr. Xen/Enf. cum EA & MMTS-2, Patiala in ECR book. Respondent produced the original record as directed by the Forum. Forum observed from perusal of original ECR that the same has been tempered with. The original ECR page of white color i.e., the office copy of the enforcement office has been signed by Sr. Xen/Enforcement with black pen after placing a carbon paper beneath it as a result of which sharp dark colored signatures have appeared upon yellow colored copy of the ECR meant for consumer but lying retained with the office copy in the ECR book which was not handed over to the consumer at the time of checking. Comparison of signatures of JE/AAE, Enforcement on yellow colored copy amply indicate that signatures of Sr. Xen/Enf. cum EA & MMTS-2, Patiala have been done on a later stage, not at the time of checking. Further, pink colored ECR which was in the custody of Respondent has now been signed by Sr. Xen/Enf. cum EA & MMTS-2, Patiala with a blue pen. Signatures of officers/officials of concerned sub-division and that of consumer have also been got done on this copy. Also, numbers of the seals affixed on MCB and CTC after checking, have also been entered on pink colored copy which have not been written yet on the other copies i.e., office copy of Enforcement and copy meant for the consumer. The above tempering of ECR might have been done in a bid to conceal something wrong done by the checking agency.

The above discussion exhibits the level of grave irresponsibility of the concerned officers/officials of PSPCL that they care too hoots regarding the sanctity of the original records like ECR of Enforcement, prepare such documents with utter carelessness and when they come to know that certain deficiency has come into the notice of someone, they temper it. As can be gathered from the above discussion, in all probability, Sr. Xen/Enf. cum EA & MMTS-2, Patiala did not visit the site of this connection personally and the ECR was prepared by the JE/AAE Enforcement. This aspect is required to be investigated and if apprehension of the Forum is true, it is a grave lapse on the part of the concerned checking officer.

Forum further observed that in ECR no. 48/5003 dated 08.05.2023, ASE/Enf. cum EA & MMTS-2, Patiala, it is mentioned that meter of the petitioner is 90.62% slow. ASE/Enforcement was supposed to find the reasons of such an alarming slowness, record all these findings in the ECR and to make efforts to remove such reason to the possible extent and if nothing could have been found at site then to get the meter seal packed in his presence in as found condition for further analysis in ME Lab. He even did not download the data of the meter at site which was absolutely necessary this case. Instead of following a proper procedure as per prevailing practice, ASE/Enforcement (if he was present at site at that time) left the case open ended without investigating the cause of slowness and for how long it was in effect. Further, within just a week of the checking of Enforcement on 08.05.2023, the same meter was reported badly burnt on 15.05.2023. The site was again checked by ASE/Enf. cum EA & MMTS-2, Patiala on 15.05.2023 and ECR no. 16/5004 dated 15.05.2023 was prepared, the meter was found burnt badly. Relevant part of the observations recorded in the ECR is reproduced under: -

*“ਚੈਕਿੰਗ ਦੌਰਾਨ ਪਾਇਆ ਗਿਆ ਕਿ ਮੀਟਰ ਸੜ੍ਹ ਕੇ ਪੂਰੀ ਤਰ੍ਹਾਂ ਸਆਹ ਹੋ ਗਿਆ। ਕੋਈ ਵੀ ਪਾਰਟੀਕੁਲਰ ਪੜ੍ਹਣ ਯੋਗ ਨਹੀਂ ਹੈ।*

*ਸੜ੍ਹਿਆ ਮੀਟਰ ਸਮੇਤ CT ਸੀਲ ਪੈਕ ਹਾਲਤ ਵਿੱਚ ਅਗਲੇਰੀ ਜਾਂਚ ਲਈ ME Lab ਲਿਆਂਦਾ ਜਾਵੇ।”*

Here again ASE/Enf. cum EA & MMTS-2, Patiala failed to discharge his duty to investigate the cause of the meter having burnt so badly as possibilities of such occurrence in case of a CT meter are almost negligible. ME seals and remnants of the meter should have been got seal packed at the spot carefully by him in his presence as the ME seals might have revealed the some reason behind this incidence. The burning of a CT meter so badly to ashes just after a few days when it was found running slow by 90.62% (the reasons of which were not investigated) indicates some foul play.

CE/DS, South Zone, Patiala must get this case investigated thoroughly and fix responsibilities of concerned officers/officials of DS and Enforcement organizations for their various acts of omission and commission.

Forum observed that the checking agency failed to find the reason of slowness of 90.62% at site and also it did not download its data. Hence, this instant slowness of 90.62% as mentioned in ECR no. 48/5003 dated 08.05.2023 cannot be applied for the entire period of overhauling of the account. In the absence of DDL, there is no documentary evidence which could help in ascertaining the duration of this slowness of 90.62%. Thus, overhauling the account of the petitioner by simply enhancing the consumption with a slowness factor of 90.62% does not seem to be justified. Under the above detailed discussion & circumstances, the meter of the petitioner is required to be treated as defective. Further the meter of the petitioner could not be checked in ME Lab as the same got completely burnt as confirmed by ME Lab vide challan no. 513 dated 17.08.2023, in doubtful manner just after seven days of checking.

Further on scrutinizing the consumption data, Forum observed that there is abrupt rise in consumption (even with the solar generation of petitioner himself) after the change of the disputed meter. This clearly confirms that there was definitely something wrong with the metering equipment. Further DDL report of the meter is not available, as such there is no evidence to indicate that for how long the meter remained defective/slow, therefore consumption of previous year cannot be used for overhauling the account of the petitioner. Hence, average consumption recorded by the new meter is required to be taken as basis for overhauling of the account of the petitioner. As the period of overhauling is a period during which solar plant had not been installed, hence, this aspect is required to be kept in view while overhauling the account of the petitioner.

Forum has gone through written submissions made by the Petitioner in the petition, written reply of the Respondent along with the relevant material brought in the record. Forum is of the opinion that amount of Rs. 781080/- charged to petitioner vide notice no. 1610 dated 18.05.2023 which was later revised to Rs. 811935/- vide notice no. 2150 dated 13.07.2023, is not justified and hence it is liable to be annulled. Account of the petitioner is required to be overhauled on the basis of his average gross consumption i.e., Import + (Solar generation - Export); recorded by the new metering equipment installed on 29.05.2023 upto the new readings recorded in bill issued on 06.10.2023, for a period of six months prior to the date of change of disputed meter i.e., 29.05.2023.

Keeping in view the above, Forum came to unanimous conclusion that amount of Rs. 781080/- charged to petitioner vide notice no. 1610 dated 18.05.2023 which was later revised to Rs. 811935/- vide notice no. 2150 dated 13.07.2023, be annulled. Account of the petitioner be overhauled for a period of six months prior to the date of change of disputed meter i.e., 29.05.2023, on the basis of his average gross consumption i.e., Import + (Solar generation – Export) recorded by the new meter installed on 29.05.2023 upto the new readings recorded in bill issued on 06.10.2023. Further, a detailed investigation regarding the action of concerned officers/officials of the checking agency as well as DS organization as discussed above, is required to be carried out by CE/DS South Zone, Patiala.

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. **Amount of Rs. 781080/- charged to petitioner vide notice no. 1610 dated 18.05.2023 which was later revised to Rs. 811935/- vide notice no. 2150 dated 13.07.2023, is annulled. Account of the petitioner be overhauled for a period of six months prior to the date of change of disputed meter i.e., 29.05.2023, on the basis of his average gross consumption i.e., Import + (Solar generation – Export) recorded by the new meter installed on 29.05.2023 upto the new readings recorded in bill issued on 06.10.2023.**
2. **CE/DS, South Zone, PSPCL, Patiala is directed to constitute a committee of two officers of the rank of Dy. CE/SE, one each from the DS organization and Enforcement organization, in co-ordination with CE/Enforcement to enquire the actions of checking officer/official and DS organization** **as discussed above and fix responsibilities of the concerned officials/officers for their respective lapses.**
3. **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.**
4. **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: 17.10.2023**