**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-131/2023**

**Date of Registration : 03.10.2023**

**Date of Closing : 26.10.2023**

**Date of Final Order : 26.10.2023**

**In the Matter of:**

 **Sh. Kashmir Singh,**

**Kartar Singh.**

**A/c No.: F21BH620110H.**

**Through:**

Sh. Kashmir Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/Op. Division,

PSPCL, City Moga. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-131/2023 has been filed in this Forum by Sh. Kashmir Singh as an appeal in the matter related to A/c no. F21BH620110H, in the name of Sh. Kashmir Singh. Petitioner is having DS connection with Sanctioned Load of 0.800KW under Op., City Division, PSPCL, Moga. Petitioner received bill dated 08.02.2023 issued on ‘O’ code for 174 days for the period from 18.08.2022 to 08.02.2023 for a consumption of 3349 units amounting to Rs. 14780/-. Petitioner did not agree to this bill and filed his case in the Divisional CGRF, PSPCL City Moga. Divisional CGRF, PSPCL City Moga in its meeting held on dated 20.07.2023 decided that the amount charged is correct and recoverable. Petitioner did not agree to the decision of Divisional Forum and filed his case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 03.10.2023, 10.10.2023, 17.10.2023 and finally on 26.10.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 03.10.2023***

*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. City Moga (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 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: -*
5. *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**.*
6. *He will check/verity energy bills from 10/2022 onwards and bill dated 08.02.2023 of Rs. 14780 for consumption of 3349 KWH for period 18.08.2022 to 08.02.2023 with Meter status O code.*
7. *He will submit screenshots of meter taken before 10/2022, 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.*
8. *He will submit copy of current site checking report and further submit copies of reports of checking carried out by various authorities previously.*
9. *As per the decision of Divisional Forum, it is observed that the meter had not been challenged by petitioner upto 20.07.2023, Now If, the meter had been challenged then Respondent shall submit copy of Job order clearly depicting date of effect thereof, ME lab report of meter in dispute alongwith its DDL and if not yet challenged then the petitioner may be asked to challenge the meter first.*
10. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
11. *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 10.10.2023.*

***Proceedings dated: 10.10.2023***

*Respondent submitted four copies of reply to the petition along with the record/documents and the same has been taken on record. Petitioner will collect copy from office of respondent.*

*Respondent stated that the petitioner had not challenged the meter yet even after the directions of the Forum in proceeding dated 03.10.2023 and that when the petitioner was asked to challenge the meter, he said that he resides in Mohali and that the premises remains vacant and his meter was working properly but the reading jumped due to some short circuit inside his premises Petitioner is directed to comment upon the same.*

*Petitioner telephonically requested another date. The same is admitted.*

*The case is adjourned to 17.10.2023 for filing rejoinder/oral discussion.*

***Proceedings dated: 17.10.2023***

 *Petitioner’s Representatives stated that due to some unavoidable circumstances Petitioner could not appear in today’s hearing and requested for another date. The same is admitted.*

 *Forum observed that already two opportunities had been given to the petitioner. Last opportunity is being given to petitioner failing which case will be closed and decided accordingly.*

*The case is adjourned to 26.10.2023 for oral discussion.*

***Proceedings dated: 26.10.2023***

*Petitioner visited Corporate CGRF on 25.10.2023 to intimate that he cannot appear in the Forum tomorrow i.e., 26.10.2023. He was asked by the staff to appear before Chairperson and Independent Member when he stated that the electricity consumption during the disputed period has occurred due to some fault in the equipment installed at his premises and that his meter is working correctly. He stated further that as he did not consume this electricity, he should not be charged for this accidental consumption as per the principal of natural justice.*

*Respondent stated that the reply to the petition and other documents already 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. F21BH620110H, is having DS connection with Sanctioned Load of 0.800 KW, in the name of Sh. Kashmir Singh, under Op., City Division, PSPCL, Moga.
3. The Petitioner in his Petition prayed that: -

*auprokq ivSy dy sMbMD iv`c mhInw AkqUbr 2022 dw ib`l (i) kof dw AwieAw sI[ ies ib`l dI AYfjYsmYNt iv`c mYnUM 14780/- rupY cwrj kIqy gey[ ies ib`l nwl sihmq nW huMdy hoey mYN Awpxw kys mMfl p`DrI Kpqkwr Skwieq invwrn Porm mogw ivKy lgwieAw igAw[ ijQy ieh rkm vsUlxXog d`sI geI[ ieQy vrnxXog hY ik myrI prmwnYNt rhwieS mohwlI ivKy hY Aqy mYN smyq pirvwr mohwlI ivKy rihMdw hW[ Aqy j`dI ipMf iBMfr Kurd ivKy kdy-2 mhIny 02 mhIny bwd AwauNdw hW Aqy Aksr myrw mkwn bMd hI rihMdw hY[ so ikRpw krky myrw ipCly irkwrf dI Kpq nUM vyKdy hoey PYslw kIqw jwvy jI[ AwpjI dI bhuq mihrbwnI hovygI[*

1. The Respondent in his reply stated that: -

*Kpqkwr vyrvw drj GrylU Kwqw ipMf iBMfr Kurd ivc cl irhw hY[ Kpqkwr ƒ mhInw 9/22 Aqy 11/22 ivc I code dw ib`l jwrI hoey sn, jo ik 60 Aqy 40 XUint dy sn[ ies qoN bwAd 1/2023 ivc 3349 XUint dw O code dw ib~l jwrI hoieAw[ Kpqkwr dw kihxw hY ik ausdI irhwies ieQy nhIN hY, ausdI ieMnI Kpq nhI Aw skdI[ Kpqkwr ny Awpxw kys Divisional Dispute Settlement Committee ivc lgwieAw, ijsdI mIitMg imqI 20-7-2023 hoeI, ijs ivc kmytI ny PYslw kIqw ik Kpqkwr dw ib~l rIifMg Anuswr hI jwrI hoieAw hY Aqy vsUlxXog hY[*

*Kpqkwr dw Gr izAwdwqr bMd hox krn cYikMg nhI kIqI jw skI[*

*qsdIk kIqw jWdw hY ik Kpqkwr dw PSPCL ivru~D koeI kys kort /Porm /DSC ADIn pending nhIN hY[*

*qsdIk kIqw jWdw hY ik Kpqkwr dI JgVy vwlI rkm qoN ielwvw hor koeI bkwieAw nhIN hY[*

*qsdIk kIqw jWdw hY ik Kpqkwr ny JgVy vwlI rkm dw 1/3 ih~sw jmW krvw id~qw hY[*

*qsdIk kIqw jWdw hY ik Kpqkwr ny imqI 6-10-2023 qk mItr cYlyj nhIN kIqw hY[*

*Kpqkwr dw 5 swl dw Consumpiton data n~QI hY[*

1. Forum has gone through the written submissions made by the Petitioner in the petition and written reply of the Respondent along with material brought on record. The issue that requires adjudication in the present case is to decide the legitimacy of bill dated 08.02.2023 issued on ‘O’ code for the period of 174 days from 18.08.2022 to 08.02.2023 for a consumption of 3349 units amounting to Rs. 14780/- alongwith the decision dated 20.07.2023 of Divisional CGRF, City Moga vide which amount was held correct & recoverable.
2. Forum observed that Petitioner received bill dated 08.02.2023 issued on ‘O’ code for 174 days for the period from 18.08.2022 to 08.02.2023 for a consumption of 3349 units amounting to Rs. 14780/-. Petitioner did not agree to this bill and filed his case in the Divisional CGRF, PSPCL City Moga. Divisional CGRF, in its meeting held on dated 20.07.2023 decided as under: -

*“Kpqkwr ny Awpxw kys Divisional Dispute Settlement Committee* *ivc lgwieAw, ijsdI mIitMg imqI 20-07-2023 nUM hoeI, ijs ivc kmytI ny PYslw kIqw ik Kpqkwr dw ib`l rIifMg Anuswr hI jwrI hoieAw hY Aqy vsUlxXog hY[”*

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

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 |
|  | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan |  |  | 93 | O | 86 | O | 91 | O | 45 | O | 3349 | O |
| Mar |  |  | 88 | O | 88 | N | 101 | O | 59 | O | 215 | O |
| May |  |  | 115 | O | 124 | O | 64 | O | 92 | O | 160 | O |
| July |  |  | 125 | O | 172 | O | 76 | O | 384 | O | 617 | O |
| Sept | 472 | O | 180 | O | 402 | O | 74 | O | 60 | I |  |  |
| Nov | 84 | O | 52 | O | 39 | O | 48 | O | 40 | I |  |  |
| **Total** | **556** |  | **653** |  | **911** |  | **454** |  | **680** |  | **4341** |  |

From the above consumption data, Forum observed that annual consumption of the petitioner from 2018 to 2023 (upto 08/2023) is 556, 653, 911, 454, 680 and 4341 units (including disputed abnormal consumption of 3349 units) respectively. Consumption during 2018 to 2022 is almost consistent. Forum observed that during 10/2022 and 12/2022 bills were issued on ‘I’ code on average basis meaning thereby that the reading was inconsistent during these billing- cycles. Thereafter bill dated 08.02.2023 was issued on ‘O’ code for 174 days for a consumption of 3349 units amounting to Rs. 14780/-. During the hearing dated 10.10.2023 respondent stated that the petitioner had not challenged the meter yet even after the directions of the Forum in proceeding dated 03.10.2023 and that when the petitioner was asked to challenge the meter, he said that he resides in Mohali and that the premises remains vacant and his meter was working properly but the reading jumped due to some short circuit in his premises. Petitioner was given opportunity to comment upon the above. Petitioner visited Corporate CGRF on 25.10.2023 to intimate that he cannot appear in the Forum tomorrow i.e., 26.10.2023. He was asked by the staff to appear before Chairperson and Independent Member when he stated that the electricity consumption during the disputed period has occurred due to some fault in the equipment installed at his premises and that his meter is working correctly. He stated further that as he did not consume this electricity, he should not be charged for this accidental consumption as per the principal of natural justice.

Forum observed that the petitioner himself agreed that excessive consumption occurred due to some internal fault in the equipment installed at his premises and his meter is working correctly. However, he further pleaded that as he did not consume this electricity, he should not be charged for this accidental consumption as per the principal of natural justice. Forum observed that there is no provision to overhaul the account of any consumer as per Reg. 21.5.2 of Supply Code-2014 when the working of meter is not challenged and the working is acceptable to the petitioner.

Forum has gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent as well as other material brought on record. Keeping in view the above facts and above discussion, Forum is of the opinion that, bill dated 08.02.2023 issued on ‘O’ code for the period 18.08.2022 to 08.02.2023 (174 days) for a consumption of 3349 units amounting to Rs. 14780/- is justified. Hence, the decision dated 20.07.2023 of Divisional CGRF, City Moga is required to be upheld.

Keeping in view the above, Forum came to the unanimous conclusion that, bill dated 08.02.2023 issued on ‘O’ code for the period 18.08.2022 to 08.02.2023 (174 days) for a consumption of 3349 units amounting to Rs. 14780/- is correct and recoverable. Hence, the decision dated 20.07.2023 of Divisional CGRF, City Moga be upheld.

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 20.07.2023 of Divisional CGRF, City Moga, is upheld.**
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: 26.10.2023**