**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-132/2023**

**Date of Registration : 09.10.2023**

**Date of Closing : 26.10.2023**

**Date of Final Order : 31.10.2023**

**In the Matter of:**

 **M/s Sangam Labels Pvt. Ltd.,**

**D-8 Textile Colony, Ludhiana.**

**A/c No.: 3002954116.**

**Through:**

Sh. Parvesh Chadha  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS CMC (spl.) Division,

PSPCL, Ludhiana. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-132/2023 has been filed directly in the Forum through Sh. Parvesh Chadha, in the matter related to A/c no. 3002954116, in the name of M/s Sangam Labels Pvt. Ltd. Petitioner is having MS connection with Sanctioned Load of 94.88 KW under DS CMC (spl.) Division, PSPCL, Ludhiana. Petitioner was issued O-code bill dated 20.07.2023 for the period from 10.06.2023 to 10.07.2023 (30 days) for a consumption of 95627 KVAH and MDI 76.249 KVA amounting to Rs. 645860/-. Petitioner did not agree to this bill and challenged his meter. Meter of the petitioner was checked by ASE/Enf. cum EA & MMTS-1 Ludhiana on 11.08.2023 and ECR no. 06/1025 dated 11.08.2023 was prepared. As per ECR, accuracy of the meter was checked on running load of 19.33 KW at pf 0.99 and the results were found within limits. DDL of the meter was done. Readings of the meter were recorded as 3025336 KWH/3167049 KVAH and MDI was recorded as 51.80 KVA. Further it was directed to get the meter checked in ME Lab. Meter of the petitioner, being challenged, was changed vide MCO no. 100022035239 dated 24.07.2023 effected on 26.09.2023. Removed meter was sent to ME Lab for checking vide challan no. 594 dated 20.10.2023, where accuracy of the meter was found within limits on both KWH and KVAH modes; DDL was taken on MRI. Not satisfied with the bill and results of the ME Lab, petitioner filed his case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 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: 10.10.2023***

*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. CMC Ludhiana (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 energy bill dated 20.07.2023 of Rs. 655548/-(including LPS) for a consumption of 95267KVAH for period 10.06.2023 to 10.07.2023, meter status O code.*
	3. *He will submit copy of ECR no. 6/1025 dated 11.08.2023 along with copy of speaking orders, if any.*
	4. *As per petition, it is observed that the meter had not yet been replaced as per direction of ASE Enf. cum EA & MMTS-1 Ludhiana in ECR 6/1025- Respondent shall submit comments on it and if meter had been replaced then submit copy of Job order clearly depicting date of effect thereof, ME lab report of meter in dispute alongwith its DDL.*
	5. *Consumption data depicting readings, dates of reading (in KWH & KVAH, MDI, PF e etc.) also indicating the meter status, MF etc. For previous 5 years along with SAP reading record.*
	6. *He will submit copy of current site checking report and further submit copies of reports of checking carried out by various authorities previously.*
	7. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
	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 17.10.2023.*

***Proceedings dated: 17.10.2023***

*Respondent submitted five sets of reply to the petitioner and DDL taken at site through email and the same is taken on record. One copy handed over to the petitioner and email forwarded to him. Petitioner requested some time for filing rejoinder.*

*Respondent stated that considering the MDI, the consumption recorded in the bill dated 20.07.2023 appears on the higher side.*

*Respondent is directed to submit ME Lab report and DDL taken in ME Lab on next date of hearing.*

*The case is adjourned to 26.10.2023 for filing rejoinder.*

***Proceedings dated: 17.10.2023***

*Respondent submitted the documents as directed in previous hearing and the same is taken on record, one set of documents 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. 3002954116, is having MS connection with Sanctioned Load of 94.88 KW, in the name of Sh. Parvesh Chadha, under DS CMC (spl.) Division, PSPCL, Ludhiana.
3. The Petitioner in his Petition prayed that: -

*With due respect, it is requested that the petitioner is a consumer of PSPCL and having a connection under MEDIUM SUPPLY category vice account no.3002954116. The connection is in the name M/S Sangam Labels (P) Ltd. at D-8, Textiles Colony Industrial Area -A Ludhiana & is used for General Category manufacturing Labels & Boxes as such is obtained under the MS category with SL-94.88 kw CD 100.00 kva Supply is on LT. The connection is running under C.M.C. Unit-II Spl Division Ludhiana under Op CMC spl. Division PSPCL Ludhiana, under OP East circle PSPCL Ludhiana. The detail history cum petition is as under for consideration:-*

***History-cum-Petition***

1. *That the petitioner has received the Bill from PSPCL issued on dt.20- Jul-2023 payable on 31-Jul-2023 for the period 10.06.2023 to 10.07.2023 amounting to Rs.645860/-. The bill is of 30 days with consumption of Kwh-89377 units & Kvah-95627 unit and MDI-76.429 kva. Which never comes in the last 3 years?*
2. *That being abnormal consumption bill, the meter was challenged dt 24.07.2023 and SDO Tech-2 CMC spl Division Ludhiana write to Enforcement vide memo no.2944 dt.08-08-2023 to check the meter. Sr. Xen Enf.cumTA&MMTS-1 PSPCL Ludhiana checked the site vide ECR no.6/1025 dt.11.08.2023 and reported as below.*
3. *Accuracy of the meter checked at site on running load 19.33 kw. PF 0.99, MH3 on KVAH with LT ERS meter and found results are within limit (+2%).*
4. *DDL of the meter taken.*
5. *Meter is not yet changed and got tested from ME Lob. New meter be installed outside of premises at suitable place.*
6. *Readings are KWH-3025336, KVAH-3167049, MDI-51.80 kva.*
7. *The consumption data for the last two months is as under:*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | *KWH* | *KVAH* |  |
| *Date* | *days* | *Reading* | *Consp.* | *Reading* | *Consp.* | *.* |
| *10.06.2023* | *30* | *2909334* | *20951* | *3043576* | *21864* | *70.58* |
| *10.07.2023* | *30* | *2998711* | *89377* | *3139203* | *95627* | *76.249* |
| *10.08.2023* | *31* | *3022332* | *23621* | *3164009* | *24806* | *76.249* |
| *11.08.2023* | *1* | *3025336* | *3004* | *3167049* | *3040* | *51.8* |
| *month* | *30* |  | *90120* |  | *91200* |  |

1. *The meter is running fast but Enforcement declares "OK". The consumption Data of Last 2 years is attached. The one-day consumption is 3004kwh units & 3040 kvah. So then one month's consumptions come to 90120 kwh & 91200 kvah. The meter is giving abnormal consumptions. The Meter has yet not been replaced/checked as per the directions of Enforcement.*
2. *The average bill of the month worked out to Rs.105553/- which has been deposited vides R-196647074.dt 16.08.2023 as per CCHP instructions 35.1 to submit the case for review. We are ready to pay 10% of disputed balance amount, kindly allow to deposit.*
3. *Kindly review our case in the FORUM for justice.*
4. The Respondent in his reply stated that: -
5. *This Para is matter of record and admitted to the extent that petitioner was having a electric connection bearing CA No.3002954116 Legacy Account No. E12MS360715L under MS category with a Sanction load of 94.88 KW and SCD of 100 KVA installed at the premises D-8, Textile Colony. Ludhiana. As per records, the amount generated in the bill dated 20.07.2023 was Rs.645860- and the period of bill was 30 days (10.06.2023 to 10.07.2023) in which consumption is 89377 KWH, 95627 KVAH and MDI is 76.249. Bill dated 20 07.2023 attached as Anx-1.*
6. *That the meter was challenged and Meter was checked by Enforcement on SDO Tech-2 CMC Div. letter vide memo no.2944 dated 06.08.2023. Sr. Xen Enf. cum TA & MMTS-1 PSPCL checked the site vide ECR no.6/1025 dated 11.08.2023 and reported following points:*
7. *Accuracy of meter was checked at running load 19.33 KW, PF 0.99, when checked on 50Hz and KVAH mode with LTERS meter and found results were within limits (+2%).*
8. *Meter DDL is taken.*
9. *Meter to be changed and checked from ME lab and new meter be installed outside of premises at suitable place.*

*Readings are 3025336 KWH, 3167049 KVAH and MDI 51.80 KVA. (ECR 6/1025 dated 11.08.2023 is attached anx.2).*

1. *Consumption Data of Last 5 Years is attached (anx.3).*
2. *The meter having serial no.04241864(On Reading 3061059 KWH. 3206468 KVAH, 68.879 MDI) is changed vide MCO no. 100022035239 on dated 26.09.2023. New meter serial no. is 10101146 (MCO Attached Anx.4).*
3. *The average amount of Rs.105553/- has been deposited vide doc.no 275500101226 dated 16.08.2023 (payment details attached as Anx-5).*
4. *That the current site checking report LCR no. 5165/73 dated 13.10.2023 is also attached. (Anx-6)*

*This office humbly submits this reply for your kind pursual and consideration.*

1. 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. The issue that requires adjudication in the present case is to decide the legitimacy of bill issued on 20.07.2023 on O-code for the period from 10.06.2023 to 10.07.2023 (30 days) for a consumption of 95627 KVAH amounting to Rs. 645860/-.
2. Forum observed that petitioner was issued O-code bill dated 20.07.2023 for the period from 10.06.2023 to 10.07.2023 (30 days) for a consumption of 95627 KVAH and MDI 76.249 KVA amounting to Rs. 645860/-. Petitioner did not agree to this bill and challenged his meter. Meter of the petitioner was checked by ASE/Enf. cum EA & MMTS-1 Ludhiana on 11.08.2023 and ECR no. 06/1025 dated 11.08.2023 was prepared. As per ECR, accuracy of the meter was checked on running load of 19.33 KW at pf 0.99 and the results were found within limits. DDL of the meter was done. Readings of the meter were recorded as 3025336 KWH/3167049 KVAH and MDI was recorded as 51.80 KVA. Further it was directed to get the meter checked in ME Lab. Meter of the petitioner, being challenged, was changed vide MCO no. 100022035239 dated 24.07.2023 effected on 26.09.2023. Removed meter was sent to ME Lab for checking vide challan no. 594 dated 20.10.2023, where accuracy of the meter was found within limits on both KWH and KVAH modes; DDL was taken on MRI. Not satisfied with the bill and results of the ME Lab, petitioner filed his case in Corporate CGRF, Ludhiana.

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

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Year | 2019 | 2020 | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan | 17356 | O | 12608 | O | 11650 | O | 17396 | O | 14793 | O |
| Feb | 13957 | O | 13776 | O | 13206 | O | 13746 | O | 13263 | O |
| Mar |  |  | 15889 | O | 13057 | O | 15106 | O | 17303 | O |
| April | 25204 | O | 12602 | N | 17916 | O | 28121 | O | 12775 | O |
| May | 17781 | O | 4211 | O | 14753 | O | 14834 | O | 16768 | O |
| June | 21056 | O | 8381 | O | 15700 | O | 24400 | O | 21864 | O |
| July | 16997 | O | 13079 | O | 22378 | O | 21029 | O | 95627 | O |
| Aug | 23516 | O | 24456 | O | 25044 | O | 20910 | O | 24806 | O |
| Sept | 17875 | O | 20959 | O | 21584 | O | 22681 | O | 20370 | O |
| Oct | 20314 | O | 23760 | O | 23524 | O | 21644 | O | 22089 | O |
| Nov | 15379 | O | 16883 | O | 22503 | O | 18414 | O | 4 | O |
| Dec | 16040 | O | 13940 | O | 14449 | O | 16262 | O |  |  |
| **Total** | **205475** |  | **180544** |  | **215764** |  | **234543** |  | **259658** |  |

Forum observed that the annual consumption of petitioner from 2019 to 2023 (upto Sept/2023) is 205475, 180544, 215764, 234543, and 259658 units (upto Sept/2023) respectively including exceptionally high consumption of 95627 KVAH for the period from 10.06.2023 to 10.07.2023. Consumption, as high as 95627 KVAH, has never been recorded in any month before and after the change of meter.

Site of the petitioner was checked on 11.08.2023 and ECR no. 6/1025 dated 11.08.2023 was prepared. Relevant part of the observations recorded in the ECR is reproduced below: -

*“ਮੌਕੇ ਤੇ ਮੀਟਰ ਦੀ ਐਕੁਰੇਸੀ ਚੱਲਦੇ ਲੋਡ 19.33 KW, PF-0.99, f=50 Hz ਤੇ KVAH ਮੋਡ ਤੇ LTERS ਮੀਟਰ ਨਾਲ ਚੈੱਕ ਕੀਤਾ ਤਾਂ ਨਤੀਜੇ ਸੀਮਾ ਅੰਦਰ ਪਾਏ ਗਏ (+2%) ।*

*ਮੀਟਰ ਦਾ DDL ਲੈ ਲਿਆ ਹੈ।”*

Forum observed that consumption of 95627 KVAH recorded during the period of 30 days from 10.06.2023 to 10.07.2023 as per the disputed bill dated 20.07.2023 is not commensurate with the MDI of 76.249 KVA recorded during the same period. Even if this maximum demand had been availed constantly for the entire period of this bill i.e., 24 hours on all of the 30 days, which is nearly impossible, even then consumption would have been 54900 KVAH, whereas, the meter has recorded 95627 KVAH in this duration. This shows that meter might have mis-behaved in this duration. Further, if we assess consumption for the entire sanctioned load of 94.880 KW for a period of 30 days as per LDHF formula given in Annexure-8 to PSERC Electricity Supply Code and Related Matters Regulations-2014, it comes out to be 94.88x25x8x0.6=11386 KVAH for a single shift industry and =28464 KVAH for day night industry, which is also far below the disputed consumption.

Further Respondent also submitted a statement depicting daily/monthly consumption of the petitioner worked out on the basis of DDL of the same/disputed meter as per which his KVAH consumption for 32 days from 01.06.2023 to 03.07.2023 is 22766.25 and that for 35 days from 03.07.2023 to 07.08.2023 is 24501.61 KVAH. Consumption during the period of the disputed bill i.e., from 10.06.2023 to 10.07.2023 on the basis of the same chart works out as under: -

|  |  |  |  |
| --- | --- | --- | --- |
| DATE | CONSP (KVAH) | DATE | CONSP (KVAH) |
| 10.06.2023 | 746 | 26.06.2023 | 828 |
| 11.06.2023 | 528 | 27.06.2023 | 815 |
| 12.06.2023 | 722 | 28.06.2023 | 721 |
| 13.06.2023 | 767 | 29.06.2023 | 706 |
| 14.06.2023 | 649 | 30.06.2023 | 693 |
| 15.06.2023 | 611 | 01.07.2023 | 734 |
| 16.06.2023 | 802 | 02.07.2023 | 663 |
| 17.06.2023 | 808 | 03.07.2023 | 867 |
| 18.06.2023 | 351 | 04.07.2023 | 812 |
| 19.06.2023 | 631 | 05.07.2023 | 466 |
| 20.06.2023 | 512 | 06.07.2023 | 541 |
| 21.06.2023 | 624 | 07.07.2023 | 777 |
| 22.06.2023 | 884 | 08.07.2023 | 614 |
| 23.06.2023 | 927 | 09.07.2023 | 431 |
| 24.06.2023 | 885 | 10.07.2023 | 659 |
| 25.06.2023 | 599 | **TOTAL** | **21373** |

 So, it is obvious from these figures that the consumption of 95627 KVAH charged in the disputed bill is unrealistic and does not reflect actual consumption of the petitioner. Further on scrutinizing the tamper report of DDL submitted by the respondent, it has been observed that phase to phase voltages has been recorded in the range of 450-490 volts, which cannot be possible as normal phase to phase voltage of the system is 415 Volts. Hence, the meter of the petitioner has definitely malfunctioned sometime after 10.06.2023. Therefore, it has to be treated as defective for the period from 10.06.2023 till its replacement on 26.09.2023 in spite of the fact that its accuracy had been found within limits during checking as per ECR no. 6/1025 dated 11.08.2023 and in ME Lab. 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 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, Forum is of the opinion that all the bills issued to the petitioner for the period from 10.06.2023 to 26.09.2023 i.e., date of change of meter, are required to be quashed. The account of the petitioner is required to be overhauled treating the meter as defective for the period from 10.06.2023 to 26.09.2023 (i.e., date of change of meter) on the basis of consumption recorded in the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Electricity Supply Code and Related Matters Regulations-2014.

Keeping in view the above, Forum came to the unanimous conclusion that all the bills issued to the petitioner for the period from 10.06.2023 to 26.09.2023 i.e., date of change of meter be quashed. The account of the petitioner be overhauled treating the meter as defective for the period from 10.06.2023 to 26.09.2023 (i.e., date of change of meter) on the basis of consumption recorded in the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Electricity Supply Code and Related Matters Regulations-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. **All the bills issued to the petitioner for the period from 10.06.2023 to 26.09.2023 i.e., date of change of meter are quashed. The account of the petitioner be overhauled treating the meter as defective for the period from 10.06.2023 to 26.09.2023 (i.e., date of change of meter) on the basis of consumption recorded in the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Electricity Supply Code and Related Matters Regulations-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: 31.10.2023**