**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-161/2023**

**Date of Registration : 06.12.2023**

**Date of Closing : 19.12.2023**

**Date of Final Order : 22.12.2023**

**In the Matter of:**

**Mega Food Park,**

**Punjab Agro Ind Seed Farm,**

**Ladhowal, Ludhiana.**

**A/c No.: U12GT120192P.**

**Through:**

Sh. Siddarth Kapila **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

PSPCL, Adda Dakha. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-161/2023 has been filed directly in the Forum by the petitioner in the matter related to A/c no.U12GT120192P, in the name of Mega Food Park. Petitioner is having NRS category connection with sanctioned load of 10.00 KW under DS Division, PSPCL, Adda Dakha. Connection of the petitioner was released in June/2020 but master file was not updated by Computer Centre, Chandigarh. Respective Sub-Division resent the master file in month June/2021 and after that billing of the petitioner was started. Due to late billing, the consumption was accumulated and all the bills issued after 30.07.2021 till date of change of meter were either wrong or inflated due to system issues. Not satisfied with the working of the meter, petitioner challenged the meter. Meter of the petitioner was changed vide MCO no. 01/46490 dated 10.10.2022 effected on 17.10.2022. Removed meter was checked in ME Lab vide challan no. 212 dated 14.11.2022 wherein it was reported that accuracy of the meter is within limits in KWH mode. DDL has been done on MRI. Although the meter is burnt but it is fit for installing in on bench (for testing). Its readings were verified as 188525 KWH/188881 KVAH. An amount of Rs. 1501781/- was charged in bill dated 12.09.2023 as previous unpaid arrears against the period from 06/2020 to date of change of meter i.e. 17.10.2022. Petitioner, not satisfied with the bill issued to him, filed a case in Corporate CGRF, Ludhiana. Forum heard the case in its proceedings dated 07.12.2023, 12.12.2023 and finally on 19.12.2023 when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 07.12.2023***

*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. Adda Dakha, Ludhiana (Respondent) along with copy of petition as follows: -*

1. *Respondent shall check/verify the bill dated 24.08.2022 of Rs. 1558110/- for consumption 165764 KWH for a period from 24.03.2022 to 24.08.2022 with Meter status O code.*
2. *Respondent shall submit five copies of the following record/documents to the Forum*
	1. *point-wise/para-wise reply to the petition in form of hard copy & soft copy (in word format) through email at* *secy.cgrfldh@gmail.com*
	2. *screenshots of meter taken before 03/2022, 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.*
	3. *copy of current site checking report and copies of reports of checking carried out by various authorities previously.*
	4. *copies of related Job order clearly depicting date of effect thereof, ME lab reports of meter in dispute along with its DDL.*
3. *Respondent shall ensure that all the documents have been checked/verified & signed by him (ASE/Sr. XEN) and he will be responsible for the authenticity of the documents/information submitted to the Forum.*
4. *Respondent shall further: -*
	1. *confirm that the dispute between Petitioner and PSPCL as filed in this Forum has not been decided earlier by any Court/Forum or any other authority and no case pertaining to this dispute is pending before any Court/Forum or any other authority.*
	2. *confirm the status of up to date payments and shall ensure that no bill other than the amount in dispute, is pending.*
	3. *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.*

*The case be put up on 12.12.2023.*

***Proceedings dated: 12.12.2023***

*Respondent submitted reply in five sets which is taken on record. One copy thereof was handed over to the petitioner/PR.*

*Respondent is directed to submit copy of consumer case and ddl of meter in dispute in next hearing.*

*The case is adjourned to 19.12.2023 for filing rejoinder/oral discussion.*

***Proceedings dated: 19.12.2023***

*Representative of PSPCL submitted authority letter vide Memo no. 5842 dated 15.12.2023 duly signed by ASE/Op. Adda Dakha Divn. PSPCL, Ludhiana and the same has been taken on record.*

*Respondent submitted ME lab report as per which DDL of the meter is not possible.*

*Respondent stated that consumer case of the petitioner is not traceable.*

*Respondent stated that only ground floor of the building is being used and 1st floor and 2nd floor are vacant.*

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

*Respondent stated that the reply to the petition/reply to rejoinder 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. U12GT120192P, is having NRS category connection with sanctioned load of 10.00 KW, in the name of Mega Food Park, under DS Division, Adda Dakha, Ludhiana.
3. The Petitioner in his Petition prayed that: -

*Kindly Refer to our earlier letter no. PAIC/MFP/2022-23/PSPCL7/ dt. 22-09-2022, PAIC/MFP/2022-23/PSPCL6/71 dt. 24-08-2022, email dt. 08-07-2022 (no. PAIC/ MFP2022-23/PSPCL5/49) & letter no PAIC/MFP/2021-22/PSPCL4/62 Date: 25-10-2021 vide which we had raised our objection for exorbitant bill for account no. U12GT120192P for the meter installed at admin section of Mega Food Park, Ladhowal, Ludhiana at Admin Section of Mega Food Park, we have connection Load of 10 kilo watt installed at Admin section and the details of the bills received at our office is mentioned as under: -*

|  |
| --- |
| Admin Office Electricity Bill (A/c No. U12GT120192P) |
| Sr. No. | Bill No. | Bill Date | New Reading | Old Reading | New Reading Date | Old Reading Date | Amount | Remarks |
| 1 | 0 | 1-Jun-21 | 1 | 1 | 1-Jun-21 | 28-Feb-21 | 2160/- | Bill did not receive at Admin Office of Mega Food Park & Meter No. on online bill is 549869 but Meter i.e. installed at Mega Food Park is different, actual meter no. is 170433. |
| 2 | 0 | 23-Jun-21 | 123280 | 1 | 23-Jun-21 | 1-Jun-21 | 10340/- | Bill did not receive at Admin Office of Mega Food Park & Meter No. on online bill is 549869 but Meter i.e. installed at Mega Food Park is different, actual meter no. is 170433. |
| 3 | 64 | 30-Jul-21 | 7693 | 1 | 30-Jul-21 | 1-Jun-21 | 70860/- | Bill Received at Admin Office but did not deposit because Meter No. is not Matching. |
| 4 | 80 | 29-Aug-21 | 131123 | 7693 | 29-Aug-21 | 30-Jul-21 | 83170/- | Bill Received at Admin Office but did not deposit because Meter No. is not Matching. & already informed through letter vide receipt no. 410 dt. 11-8-2021. |
| 5 | 7 | 18-Sep-21 | 132684 | 7693 | 18-Sep-21 | 30-Jul-21 | 90520/- | Meter no. matched so bill is deposited by Accounts Department. |
| 6 | 100 | 19-Oct-21 | 136484 | 7693 | 19-Oct-21 | 30-Jul-21 | 1111250/- | New Meter Reading of Bill no. 7 dt. 18-September-21 is 132684 which is become old reading for bill no. 100 dt. 19-October-2021 but they again take old Reading of 7693 of dt. 30-July-2021. |
| 7 | 27 | 21/11/21 | 141990 | Not mentioned in bill | 21/11/21 | Not mentioned in bill | 25340/- | Bill paid. |
| 8 | 10 | 20/12/21 | 145925 | Not mentioned in bill | 20/12/21 | Not mentioned in bill | 10410/- | Bill paid. |
| 9 | 72 | 20/1/22 | 150556 | 7693 | 20/1/22 | 30/7/21 | 1202100/- | Bill generated again on the basis old Reading of 7693 of dt. 30-July-2021. |
| 10 | 5832 | 11/2/22 | 1120 | Not mentioned in bill | 02/3/22 | 30/7/21 | 11980/- | Bill paid. |
| 11 | 44 | 24/03/22 | 15908 | 7693 | 24/03/22 | 30/7/21 | 25480/- | Bill paid and Bill generated again on the basis old Reading of 7693 of dt. 30-July-2021. |
| 12 | 500099075164 | 25/04/22 | 164043 | 15908 | 25/04/22 | 24/3/22 | -690/- | Bill amount in negative. |
| 13 | 5000107949025 | 20/5/22 | 167840 | 15908 | 20/5/22 | 24/3/22 | 8560/- | Bill paid & Bill generated again on the basis old Reading of 15908 of dt. 24-Mar-2022. |
| 14 | 500115362328 | 19/06/22 | 172093 | 15908 | 19/6/22 | 24/3/22 | 1368180/- | Bill generated again on the basis old Reading of 15908 of dt. 24-Mar-2022. |
| 15 | 500126260865 | 22/07/22 | 176935 | 15908 | 22/7/22 | 24/3/22 | 1449530 | Bill generated again on the basis old Reading of 15908 of dt. 24-Mar-2022. |
| 16 | 500134303454 | 24/08/22 | 181672 | 15908 | 24/8/22 | 24/3/22 | 1558110 | Bill generated again on the basis old Reading of 15908 of dt. 24-Mar-2022. |
| 17 | 500145470305 | 20/09/22 | 185501 | 181672 | 20/9/22 | 24/8/22 | 551450 |  |
| 18 | 500153843856 | 20/10/22 | 1051 | 185501 | 20/10/22 | 20/9/22 | 563390 | Mismatch in Readings |
| 19 | 500162364348 | 22/11/22 | 4932 | 1051 | 22/11/22 | 20/9/22 | 597020 | Mismatch in Date of Readings |
| 20 | 500169972682 | 20/12/22 | 8977 | 9 | 20/12/22 | 17/10/22 | 629550 | Bill paid along with surcharge vide receipt no. 190754920 dt. 20/01/2023 |
| 21 | 500178436295 | 25/01/23 | 15576 | 8977 | 25/01/23 | 20/12/22 | 712010 |  |
| 22 | 500186464042 | 22/02/23 | 20288 | 15576 | 22/02/23 | 25/01/23 | 1226730 |  |
| 23 | 500193466924 | 22/03/23 | 24050 | 20288 | 22/03/23 | 22/02/23 | 1277660 |  |
| 24 | 500201190273 | 22/04/23 | 27305 | 24050 | 22/04/23 | 22/03/23 | 324030 |  |
| 25 | 500210370164 | 28/05/23 | 30665 | 27305 | 28/05/23 | 22/04/23 | 374100 |  |
| 26 | 500218429743 | 29/06/23 | 34628 | 30665 | 29/06/23 | 28/05/23 | 432060 |  |
| 27 | 500227789954 | 05/08/23 | 39086 | 34628 | 05/08/23 | 29/06/23 | 1499970 |  |
| 28 | 500236391119 | 12/09/23 | 44019 | 39086 | 12/09/23 | 05/08/23 | 1548550 |  |

*While going through the bills received there is mismatch between the old reading and new reading. This means that bills are generated without proper readings causing harassment to Punjab Agro Industries Coronation. Further in admin section of Mega Food Park, there is no Machinery /Equipment's which can consume so much units. It is worth to mention that connection at admin is of 10KW only which caters to only tube lights, fans, ACs, and LED Street lights etc.*

*So, in view of above-mentioned facts, bills worth lakhs of rupees for Administrative Complex of Mega Food Park, PAIC, Ladhowal, Ludhiana is beyond our understanding. So, it is hereby requested that our case may be considered t CGRF Forum.*

*Submitted for kind consideration necessary action at your end.*

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

*Brief History:*

*The subject cited connection has been running in the name of M/s Mega Food Park, Laddowal under NRS Category for the sanctioned load of 10 KW. The petitioner had complained about irregular bills being issued to them. Being Government department, the petitioner prayed to Hon'ble Forum for resolution of enormous bill amount pending toward them. As per letter no. 1257 dated 26/10/2023 from Hon'ble Forum, the petitioner has deposited its pending undisputed bill from 01/2023 amounting Rs. 272290/- via receipt no. 200476172 as on 22/11/2023. The required amount for bills during disputed period of the petitioner was already deposited by them vide receipt no. 190754920 dated 20.01.2023 amounting Rs. 629730/-. The reply to the petition submitted by the petitioner is as follows-*

*Facts*

*The said connection was released by department as on 06/2020 but due to non updation of master file by Computer center, Chandigarh the billing of same was delayed by one year when the master file was resent via subdivision office as on 06/2021. Due to late billing, the consumption of the petitioner started accumulating so when the first bill of reading was issued, it led to the bills being issued on I code basis. After the same was cleared by sending numerous advices, the same was finally updated in the bill of 03/2022. But due to software issues at the end of Computer Centre Chandigarh, bills above 10 lakhs are not properly updated on online system as only figure above 10 Lakh is shown in online system and remaining 10 Lakh figure gets hidden in the system. So, because of that irregular bills were being issued to the consumer from 08/2022 to 07/2023. The same was informed to petitioner via letter no. 1021 Dated 04/07/2023 from s/d office. Connection of the petitioner was checked by Area JE vide LCR no. 27/1287 where it was reported that the petitioner had installed load of 53.1 KW against sanctioned load of 10 KW Moreover, consumption data after change of meter resembles the consumption recorded by old meter after billing started for subject cited connection. Consumption data along with all checkings and meter change order and ME Lab report is annexed along this reply. DDL of the meter is awaited from ME Lab Ludhiana and the same will be provided in next hearing before the Hon'ble Forum.*

*So, the above facts are for further necessary action of Hon'ble Forum.*

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 all the bills issued to the petitioner for the period from the date of release of connection till the date of removal of meter in dispute amounting to Rs. 1558110/-.
2. Forum observed that connection of the petitioner was released in June/2020 but master file was not updated by Computer Centre, Chandigarh. Respective Sub-Division resent the master file in month June/2021 and after that billing of the petitioner was started. Due to late billing, the consumption was accumulated and all the bills issued after 30.07.2021 till date of change of meter were either wrong or inflated due to system issues. Not satisfied with the working of the meter, petitioner challenged the meter. Site of the petitioner was checked and LCR no. 91/1241 dated 23.09.2022 was prepared where readings were verified as 185917Kwh/186261Kvah. Meter of the petitioner was changed vide MCO no. 01/46490 dated 10.10.2022 effected on 17.10.2022. Removed meter was checked in ME Lab vide challan no. 212 dated 14.11.2022 wherein it was reported that accuracy of the meter is within limits in KWH mode. DDL has been done on MRI. Although the meter is burnt but it is fit for installing in on bench (for testing). Its readings were verified as 188525 KWH/188881 KVAH. An amount of Rs. 1501781/- was charged in bill dated 12.09.2023 as previous unpaid arrears against the period from 06/2020 to date of change of meter i.e. 17.10.2022. Petitioner, not satisfied with the bill issued to him, filed a case in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent, as under: -

|  |  |  |  |
| --- | --- | --- | --- |
| Year | 2021 | 2022 | 2023 |
| Month | Cons. | Code | Cons. | Code | Cons. | Code |
| Jan |  |  |  | N | 6599 | O |
| Feb |  |  | 1120 | N | 4712 | O |
| Mar |  |  | 8524 | O | 3162 | O |
| Apr |  |  | 4963 | O | 3255 | O |
| May |  |  | 3797 | O | 3360 | O |
| Jun | 119 | N | 4253 | O | 3963 | O |
| Jul | 7692 | O | 4842 | O |  |  |
| Aug | 1200 | I | 4737 | O | 4458 | O |
| Sep | 800 | I | 3829 | O | 4933 | O |
| Oct | 128791 | O | 1040 | F | 3050 | O |
| Nov | 1800 | N | 1141 | Code | 2435 | O |
| Dec | 1160 | I | 4045 | O |  |  |
| **Total** | **139643** |  | **41171** |  | **39927** |  |

Forum observed that the annual consumption of petitioner for the year 2021, 2022 and 2023 is 139643, 41171 and 39927 units. Forum observed that consumption of 128791 KWH charged to petitioner in the bill dated 19.10.2021 for a period of 81 days from 30.07.2021 to 19.10.2021 is exponentially high and consumption of such a high magnitude has never been recorded after replacement of the meter in 11/2022. It is pertinent to mention here that the petitioner in hearing dated 19.12.2023 stated that only ground floor of the building is being used and 1st floor and 2nd floor are vacant.

From the consumption table, Forum observed that reading of meter on 29.08.2021 was recorded as 131132 KWH. Before this, reading as 7693 KWH was recorded on 30.07.2021 with O-code which meant that the meter was Okay up till 30.07.2021. So, a consumption of 123439 KWH was recorded in a period of just 30 days which is simply impossible hence the bill dated 29.08.2021 was issued on I-code average basis for 1200 KWH. Thereafter another bill dated 18.09.2021 was issued for 800 KWH for a period of 20 days and ultimately bill dated 19.10.2021 was issued for a consumption of 128791 units for a period of 81 days from 30.07.2021 to 19.10.2021 on O-code basis i.e. actual reading recorded by the meter. It is obvious from this discussion that the meter became erratic at some point of time after recording of reading on 30.07.2021. Site of the petitioner was checked and LCR no. 27/1287 dated 08.12.2023 was prepared where readings were recorded as 052321Kwh/052420Kvah and connected load was found as 53.1 Kw. It is also observed that the average consumption before the replacement of the disputed meter has been recorded as about 6640 units per month whereas the same after the change of the meter is recorded as about 3800 units per month. As per ME challan, DDL of the meter was taken on MRI in ME Lab on 14.11.2022 but now respondent had intimated that the DDL was found corrupt after dumping into PC, as such DDL report is corrupt. Hence in the absence of DDL & in view of the above discussion, the disputed meter is to be treated as defective w.e.f. 30.07.2021 although its accuracy was found within limits in ME Lab. It is worthwhile to mention here that terminal block of the meter was found burnt 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 observed that consumption of previous period cannot be relied upon for overhauling the account of the petitioner as it appears to be on the lower side because operations of a newly established unit take quite some time to reach its normal level and also the monthly split up of consumption is not available for using it as the corresponding period for overhauling. Therefore, consumption of successive period recorded after replacement of the disputed meter is required to be taken for overhauling the accounts of the petitioner.

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 all the bills issued to the petitioner for the period from 30.07.2021 upto 17.10.2022 i.e. date of change of the disputed meter are required to be quashed. Account of the petitioner is required to be overhauled for the period from 30.07.2021 upto 17.10.2022 i.e. date of change of the disputed meter on the basis of the average consumption recorded by the new meter during the period from 17.10.2022 to 11.10.2023 in view of Regulation no. 21.5.2(d) of Electricity Supply Code and Related Matters Regulations-2014.

Keeping in view the above, Forum came to unanimous conclusion that all the bills issued to the petitioner for the period from 30.07.2021 upto 17.10.2022 i.e. date of change of the disputed meter be quashed. Account of the petitioner be overhauled for the period from 30.07.2021 upto 17.10.2022 i.e. date of change of the disputed meter on the basis of the average consumption recorded by the new meter during the period from 17.10.2022 to 11.10.2023 in view of Regulation no. 21.5.2(d) 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 30.07.2021 upto 17.10.2022 i.e. date of change of the disputed meter are quashed. Account of the petitioner be overhauled for the period from 30.07.2021 upto 17.10.2022 i.e. date of change of the disputed meter, on the basis of the average consumption recorded by the new meter during the period from 17.10.2022 to 11.10.2023, in view of Regulation no. 21.5.2(d) 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**

 **-On Leave-**

**(Er. Navdeep Singh Chahal) (Er. Kuldeep Singh)**

**Permanent Invitee Chairperson**

**O/o CE/Commercial, PSPCL**

**Place: Ludhiana**

**Date: 22.12.2023**