**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-079/2023**

**Date of Registration : 28.06.2023**

**Date of Closing : 05.09.2023**

**Date of Final Order : 14.09.2023**

**In the Matter of:**

 **Sh. Vineet Aggarwal S/o Sh. Gian Chand Aggarwal,**

**Plot No. 2-3, Sukhmani Enclave, Ludhiana.**

**A/c No.: 3015016446.**

**Through:**

Sh. Sukhminder Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

ASE/Op. Aggar Nagar (Spl.) Divn.,

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

1. **BRIEF HISTORY:**

Petition against Case No. CF-079/2023 has been filed directly in the Forum by the petitioner in the matter related to account no. 3015016446in the name of Sh. Vineet Aggarwal. The Petitioner is having DS connection with sanctioned load of 45.194 KW under DS Aggar Nagar (Spl.) Division, PSPCL, Ludhiana. Petitioner installed Rooftop SPV plant for his connection which was commissioned on 17.10.2017. Connection of the petitioner was checked by ASE/Enf. cum EA & MMTS-1, Ludhiana on request of AEE/T-1, Aggar Nagar that Import Reading of the meter of the petitioner was not increasing and ECR no. 36/1014 dated 11.01.2023 was prepared, wherein it was mentioned as under: -

“*ਮੌਕੇ ਤੇ Solar ਮੀਟਰ ਵਿੱਚ ਦਰਜ KWH-053948 ਹੈ (check ਮੀਟਰ) ਜਦੋਂ ਕੀ Bi-directional ਮੀਟਰ ਵਿੱਚ KWH (Import) = 167*

*(Export) = 214233 ਹੈ*

*Cn = 214064 (KWH)*

*ਜੋ ਕਿ ਮੇਲ ਨਹੀਂ ਖਾ ਰਹੀ ਹੈ। ਇਸ ਤੋਂ ਜਾਪਦਾ ਹੈ ਕਿ Solar ਮੀਟਰ ਦੇ ਕੁਨੈਕਸ਼ਨ Bi-directional ਮੀਟਰ ਦੇ ਨਾਲ ਸਹੀ ਤਰ੍ਹਾਂ ਨਾਲ ਨਹੀਂ ਕੀਤੇ ਗਏ। ਕੁਨੈਕਸ਼ਨ check ਕਰ ਲਏ ਜਾਣ। ਕੁਨੈਕਸ਼ਨ ਠੀਕ ਕਰਨ ਉਪਰੰਤ Import ਅਤੇ Export ਰੀਡੰਗਾਂ check ਕਰ ਲਈਆਂ ਜਾਣ। ਉਸ ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ Solar ਮੀਟਰ ਲੱਗਣ ਦੀ ਮਿਤੀ ਸੋਧਿਆ ਜਾਵੇ।*

*PSPCL ਦੀਆਂ ਹਦਾਇਤਾਂ ਮੁਤਾਬਕ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ। Accuracy ਲਈ ਮੀਟਰ ਨੂੰ ਸੀਲ ਪੈਕ ਕਰਕੇ ME Lab ਵਿਖੇ ਖਪਤਕਾਰ ਦੀ ਹਾਜਰੀ ਵਿੱਚ check ਕਰਵਾਇਆ ਜਾਵੇ।*”

After that with reference to the above ECR, connection of the petitioner was again checked by JE and AE/T Unit-2, Aggar Nagar Divn. on 02.02.2023 and LCR no. 8/2408 was prepared wherein it was mentioned as under: -

“*Enforcement-1 ਦੀ ECR no. 36/1014 ਮਿਤੀ-11/1/2023 ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ: Enf. -1, ਜੀ ਦੀ ਹਦਾਇਤ ਤੇ ਚੈਕ ਕੀਤਾ। Enforcement ਵੱਲੋਂ ਲਿਖੇ ਮੁਤਾਬਿਕ ਮੀਟਰ ਦੇ ਕੁਨੈਕਸ਼ਨ ਮਿਤੀ 17/1/2023 ਨੂੰ ਠੀਕ ਕਰ ਦਿੱਤੇ ਗਏ ਸਨ, ਹੁਣ ਜਦ ਚੈਕ ਕੀਤਾ ਗਿਆ ਤਾਂ ਮੀਟਰ ਦੀ Import ਰੀਡਿੰਗ ਪਹਿਲਾਂ ਨਾਲੋਂ ਵਧੀ ਹੋਈ ਹੈ। ਇਸ ਮੁਤਾਬਿਕ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ ਜੀ।*”

In accordance with above two checking, account of the petitioner was overhauled for the period from 17.10.2017 (i.e., date of installation of solar meter) to 02.02.2023 (i.e., date checking by JE). For overhauling, import consumption was calculated according to LDHF formula and Export consumption was taken as total solar generation and Net consumption worked out accordingly. Petitioner was issued notice no. 746 dated 28.03.2023 amounting to Rs. 1366605/- on account of this overhauling. 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 28.06.2023, 11.07.2023, 18.07.2023, 25.07.2023, 01.08.2023, 08.08.2023 and finally on 16.08.2023, when the case was closed for passing speaking orders. However, during preparation of the speaking order, it came to the notice of the Forum that Respondent had misled the Forum and had made incorrect submissions before the Forum due to which the case was re-opened. Proceedings dated 18.08.2023 were prepared, wherein, it was mentioned as under: -

*“On dated 16.08.2023, both respondent and petitioner completed their arguments and accordingly case was closed for passing speaking orders.*

*Independent Member while preparing the speaking order observed that the respondent has not placed true/factual position before the Forum stating that connections of the meters of the petitioner had been set right on dated 17.01.2023. Perusal of readings/consumption according to LCR no. 8/2408 dated 02.02.2023 and ECR no. 34/1024 dated 04.08.2023 as tabulated below indicate that connections in fact have not set right, as earlier pattern is continuing: -*

|  |  |  |
| --- | --- | --- |
| *Sr. No.* | *Date* | *KWH Readings* |
|  |  | *Import* | *Export* | *Net* | *Solar* |
| *1.* | *04.08.2023* | *1612* | *242962* | *241350* | *60053* |
| *2.* | *02.02.2023* | *314* | *216919* | *216604* | *54625* |
| *Difference* | *1298* | *26043* | *24746* | *5428* |

*In a period of about six months, when the SPV plant has generated only 5428 units, 26043 units have been recorded in the Export Register of the meter which is impossible. Same anomaly had been pointed out vide enforcement ECR no. 36/1014 dated 11.01.2023 which is continuing upto 04.08.2023. The meter of the petitioner stands checked up in ME Lab on 12.08.2023 where it has been found OK. It is evident that respondent has misled the Forum stating that connections of the meter have been set right on 17.01.2023.*

*Forum considered the above observation and viewed it as serious lapse on part of the respondent and decided to re-open the case. Dy. CE/Enforcement, Ludhiana be directed to get the connections of the said meter, rechecked threadbare immediately.*

*Respondent is directed to coordinate with Dy. CE/Enforcement, Ludhiana immediately and submit his comments on fresh ECR before next date of hearing and is further directed to send one copy of the same to petitioner simultaneously. Petitioner may submit his comments to the same on or before the next date of hearing.*

*Sr. Xen must personally appear before Forum on next date of hearing.*”

After this case was reopened and was heard on 29.08.2023 and finally on 05.09.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 28.06.2023***

*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. Agar Nagar (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 in form 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. 1366605/- charged vide notice bearing memo no. 746 dated 28.03.2023 by overhauling the account for the period from 17.10.2017 to 02.02.2023 on account of overhauling of account on LDHF basis as per ECR 36/1014 dated 11.01.2023 and LCR no. 04/2408 dated 02.02.2023.*
	2. *He will submit copy ECR 36/1014 dated 11.01.2023 and LCR no. 04/2408 dated 02.02.2023.*
	3. *He will submit details of installed capacity of SPV.*
	4. *He will submit screenshots of the meter before 02/2023, consumption data depicting readings (import, export, solar meter along with net consumption), 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 and energy account.*
	5. *He will submit copy of current site checking report verifying connected load and further 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. *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 11.07.2023*

***Proceedings dated: 11.07.2023***

*Respondent submitted five copies of reply to petition alongwith other documents and the same is taken on record. One copy handed over to the petitioner. Petitioner requested another date for filing rejoinder.*

*Forum observed that the bills issued prior to 17.01.2023 were generated on reading recorded with meter status O-code. Respondent is directed to comment upon the grounds of overhauling the account on LDHF basis with supporting instructions when actual consumption prior to 17.01.2023 was available in record.*

*It is further observed that in reply of the Respondent, it is mentioned that the meter of the petitioner was Okay and it were only the connections which were wrong. Respondent is directed to submit the details of the action taken against the delinquent officials/officers for wrong connections.*

*The case is adjourned to 18.07.2023 for filing rejoinder.*

***Proceedings dated: 18.07.2023***

*Petitioner submitted four copies of rejoinder to the reply of respondent as directed by the Forum and the same has been taken on record. One copy thereof was handed over to the respondent for submission of comments.*

*Respondent submitted comments which is taken on record.*

*Forum observed that in previous hearing Respondent was very clearly directed to comment upon the grounds of overhauling the account on LDHF basis with supporting instructions when actual consumption prior to 17.01.2023 was available in record and submit action taken against the delinquent officials/officers for wrong connections however, neither proper comments nor action taken report is submitted instead an internal correspondence is submitted which is not relevant.*

*Sr. XEN must personally appear in next hearing along with proper comments and action taken report in next hearing.*

*The case is adjourned to 25.07.2023 for oral discussion.*

***Proceedings dated: 25.07.2023***

*Respondent submitted comments upon the grounds of overhauling the account on LDHF basis which is taken on record. Respondent further submitted that due to non-traceability of consumer case, it cannot be ascertained which employee is responsible.*

*Forum observed that on the excuse of non-availability of consumer case the responsible officer/official cannot escape from disciplinary action, when huge financial implication is involved. Respondent is again directed to take suitable action on delinquent official/officers on basis of relevant record of their office.*

*Respondent further stated that the Sr. XEN Enforcement Ludhiana mentioned in its checking report ECR no. 36/1014 dated 11.01.2023 that it cannot be ascertained for sure that the connections of bi-directional meter were wrongly connected to main supply. Therefore, only wrong connection may not be the problem but meter also needs to be replaced, to ascertain whether the bidirectional meter was healthy or not, so meter needs to be checked in ME lab.*

*Forum observed that if the checking authority and Respondent were not sure about the correctness of connections/health of meter, then the meter should have had been replaced by now.*

*Respondent is directed to get the Bi-Directional meter replaced and get it checked from ME lab and submit its DDL report along with ME lab challan in next hearing.*

*The case is adjourned to 01.08.2023 for oral discussion.*

***Proceedings dated: 01.08.2023***

*Respondent submitted comments that bi-directional meter is not available in ME Lab and the same was intimated to petitioner. Petitioner has purchased the bi-directional meter and the same is yet to be checked.*

*Respondent stated that the meter will be checked today and the ME Lab report and DDL report will be submitted on next date of hearing.*

*Forum observed that in previous hearing respondent had stated that only wrong connection might not be the problem but meter was also required to be replaced and got checked up in ME lab to ascertain whether the bi-directional meter was okay or not, accordingly it was recorded in the proceedings that if respondent was not sure about health of meter than the meter should have been replaced by then. However, in the comments submitted in today’s hearing respondent has mentioned that on the instruction of office of Hon’ble Chairman CGRF, bi-directional meter is to be replaced and the same is to be checked from ME Lab. Forum observed that no such instruction/direction was given in previous hearing and respondent was directed to be careful while making submissions before CCGRF.*

*The case is adjourned to 08.08.2023 for oral discussion.*

***Proceedings dated: 08.08.2023***

*Respondent submitted copy of ECR No. 34/1024 dated 04.08.2023 alongwith DDL report taken at site.*

*Respondent stated that the meter is yet to be checked in ME Lab, hence requested another date to submit ME Lab report.*

*The case is adjourned to 16.08.2023 for oral discussion.*

***Proceedings dated: 16.08.2023***

*Forum observed that as per LCR no. 8/2408 dated 02.02.2023 connections were set right on dated 17.01.2023. Respondent was asked about the readings dated 17.01.2023 i.e., date of setting the connections right regarding which respondent stated that the readings were not recorded on 17.01.2023.*

*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 the 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.*

***Proceedings dated: 18.08.2023***

*On dated 16.08.2023, both respondent and petitioner completed their arguments and accordingly case was closed for passing speaking orders.*

*Independent Member while preparing the speaking order observed that the respondent has not placed true/factual position before the Forum stating that connections of the meters of the petitioner had been set right on dated 17.01.2023. Perusal of readings/consumption according to LCR no. 8/2408 dated 02.02.2023 and ECR no. 34/1024 dated 04.08.2023 as tabulated below indicate that connections in fact have not set right, as earlier pattern is continuing: -*

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| *Sr. No.* | *Date* | *KWH Readings* |
|  |  | *Import* | *Export* | *Net* | *Solar* |
| *1.* | *04.08.2023* | *1612* | *242962* | *241350* | *60053* |
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| *Difference* | *1298* | *26043* | *24746* | *5428* |

*In a period of about six months, when the SPV plant has generated only 5428 units, 26043 units have been recorded in the Export Register of the meter which is impossible. Same anomaly had been pointed out vide enforcement ECR no. 36/1014 dated 11.01.2023 which is continuing upto 04.08.2023. The meter of the petitioner stands checked up in ME Lab on 12.08.2023 where it has been found OK. It is evident that respondent has misled the Forum stating that connections of the meter have been set right on 17.01.2023.*

*Forum considered the above observation and viewed it as serious lapse on part of the respondent and decided to re-open the case. Dy. CE/Enforcement, Ludhiana be directed to get the connections of the said meter, rechecked threadbare immediately.*

*Respondent is directed to coordinate with Dy. CE/Enforcement, Ludhiana immediately and submit his comments on fresh ECR before next date of hearing and is further directed to send one copy of the same to petitioner simultaneously. Petitioner may submit his comments to the same on or before the next date of hearing.*

*Sr. Xen must personally appear before Forum on next date of hearing.*

*The case is adjourned to 29.08.2023 for oral discussion.*

***Proceedings dated: 29.08.2023***

*Respondent submitted copy of ECR no. 33/1025 dated 22.08.2023 as directed in proceedings dated 18.08.2023 but did not furnish his comments on it. Copy of the ECR handed over to the petitioner.*

*Respondent is directed to submit his comments as per proceeding dated 18.08.2023. Further he is also directed to intimate that what was done on 17.01.2023 when the connections of the petitioner were set right as mentioned in LCR no. 8/2408 dated 02.02.2023. Further it also be intimated that why no site checking report was prepared when connections were set right on 17.01.2023.*

*Petitioner may file his comments, if any, on next date of hearing.*

*As the case is already delayed, no further time will be granted.*

*The case is adjourned to 05.09.2023 for oral discussion.*

***Proceedings dated: 05.09.2023***

*Respondent submitted comments which is taken on record. Copy given to Petitioner.*

*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 the 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. 3015016446 is having DS connection with Sanctioned Load 45.194 KW in the name of Sh. Vineet Aggarwal under DS Aggar Nagar (Spl.) Division, Ludhiana.
3. The Petitioner in his Petition prayed that: -
	* + 1. *It is submitted that the petitioner is having DS category connection with Sanctioned Load as 45.194 KW, under Sub-Division (T) Unit-1 of Aggar Nagar (Spl.) Division PSPCL.*
			2. *The petitioner has installed Solar Energy System/Plant, accordingly Bi- Directional meter has been installed in the premises of the consumer.*
			3. *The reading of the meter is taken every month and the bills as raised by the department from time to time, on the basis of net consumption (as shown in the bills) have been paid.*
			4. *However, AEE/Commercial Aggar Nagar (Spl.) Division vide memo No.746 dated 28.3.2023 has issued a notice to deposit an amount of Rs. 1366605/- within 7 days (copy enclosed). It is mentioned in the notice that connection was checked vide ECR No. 36/1014 dated 11.1.2023 (copy enclosed) and LCR No.4/2408 dated 2.2.2023 (copy enclosed) and account is overhauled due to non advancement of import reading.*
			5. *The petitioner visited the concerned office and it has been confirmed that A/c has been overhauled form 17.10.2017 to 2.2.2023 with LDHF Formula. The consumption (Import) has been considered as Nil and Export Conumption for this period has been adjusted. (copy of calculation sheet enclosed).*
			6. *As per calculation sheet, the Bi-Directional meter was installed on 17.10.2017. However, as per energy bill issued on 14.12.2017 (copy enclosed), Import Consuption is there. The fault in meter (Import) developed sometimes afterwards.*
			7. *It is brought to the notice of Hon'ble Corporate Forum that as per Regulation 21.5 of Supply Code-2014, the account against defective/in-accurate/dead stop/burnt meter can be overhauled for a maximum period of 6 months and there is no exception to this rule except where there is difference in MF. However, the respondent' office has overhauled the account with from 17.10.2017 to 2.2.2023 i.e. for more than 5 years and 3 months whereas there is no provision/regulation to overhaul the account defective/in-accurate/dead stop meter for more than 6 months.*
			8. *After the coming into force of EA-2003 & Supply Code 2007 (revised w.e.f. 1.1.2015), every penal action on the consumer should be supported by rules/regulations because it is the consumer who has to pay the difference due to less billing of previous period and he should be informed under which rule/regulation the consumer is being penalized. The Chief Engineer Commercial vide CC No. 53/2013 & CC No.59/2014 has issued instructions (on the basis of order dated 26.9.2013 passed by Hon'ble Punjab & Haryana High Court, in CWP10644 of 2010) that while initiating proceedings against any consumer, the competent authority of PSPCL must quote the relevant regulations of the Supply Code or any other regulations framed by the competent authority under the EA- 2003. These instructions have been again reiterated vide CC No.30/2015 dated 5.8.2015 for strict compliance as PSERC has taken serious view of non-compliance of these instructions.*

*The notice of Rs. 1366605/- issued by the respondent is without supported by any rule of Supply Code, as such liable to be withdrawn. The respondent is required to quote rule/regulation under which account from 17.10.2017 to 2.2.2023 i.e., for more than 5 years and 3 months has been overhauled so that appropriate objections/reply can be given.*

***Prayer:*** *In view of position explained above, it is humble request to register the case for adjudication by the Hon'ble Corporate CGRF. The demand raised vide memo No.746 dated 28.3.2023 of Rs. 1366605/- may kindly be quashed. Further, the respondent may also be directed to provide the following record/information after which further submission shall be made for the consideration of Hon'ble Forum.*

*1. Consumption data before and after installation of Bi-Directional meter till date with dates/reading of Bi-Directional meter viz Import (from PSPCL) and Export (to PSPCL).*

*2. Copy of relevant rule/regulation under which amount has been charged.*

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

*In this case, the consumer has a DS (Solar) category Connection. The approved/sanctioned load is 45.1964 kw. The connection of the consumer was checked by Enforcement vide ECR No. 36/1014 dt 11.01.2023 due to Import reading being stagnant and as As per ECR Report, the reading of solar meter was found to be 53948 Kwh and As per bidirectional meter, Import reading was found to be 167 Kwh whereas export reading was 214233 Kwh and Net Consumption reading was 214065 Kwh. After correcting the connections of the meter on dated 17.01.2023, the meter of the consumer was checked vide LCR No. 8/2408 dated 02.02.2023 and as per LCR, the Import reading of the consumer was found to be increasing from last recorded reading. As per comments of the ECR, the account of the consumer was overhauled from date of installation of solar meter i.e., 17.10.2017 till 02.02.2023. While overhauling the account of the consumer, the Import consumption was calculated vide LDHF Formula and Export consumption was taken as total solar consumption. The account was overhauled as per Net consumption (Import Consumption - Export consumption). The consumer was served notice vide Memo. No. 746 dated 26.03.2023 for amount of Rs 13,66,605/- and to correct future billing of the consumer MCO No. dated 100020687542 dated 14.02.2023 has been issued. The consumer did not agree with the charged amount and he filed the case before Corporate CGRF.*

1. The Petitioner submitted his rejoinder as under: -

*It is brought to the kind notice of Hon'ble Corporate CGRF that the respondent has not submitted para-wise reply to the petition and has just mentioned that the amount of Rs.1366605/- charged to the consumer is correct and recoverable. The respondent has not referred to any rule /regulation under which, the overhauling of account from 17.10.2017 to 2.2.2023 (more than 5 years) with LDHF Formula is justified and recoverable. Thus, all the submissions as per petition may kindly be considered by Hon'ble Corporate CGRF while arriving at any conclusion on the disputed case. Further, the respondent in the history/reply has mentioned that after correcting the connections (wrong connections), the import reading of the consumer was found to be increasing which is evident from the LCR dated 2.2.2023. The plea of the respondent is that due to wrong connections import reading was not advancing.*

*It is submitted here for the kind consideration of Hon'ble Corporate CGRF that in case of wrong connections/in-accurate/defective/dead stop/burnt meter, the account can be overhauled for a maximum period of 6 months* ***and there is no exception to this rule except where there is difference in Multiplying Factor.*** *As per SAP reading data/sheet submitted by the respondent, reading data is available for sufficient period from 22.7.2016 onwards (before the installation of Bi-Directional meter). Further, as per plea of the respondent, the wrong connections were corrected on 17.1.2023 and thereafter import reading was found to be increasing. The connection of the petitioner was checked again vide LCR No.38/2420 dated 10.7.2023 wherein Import Reading has been shown as 001574 KWH and 1701 KVAH. Thus, import consumption is available after correct connections, for a period of about 6 months i.e., from 17.1.2023 to 10.7.2023. Similarly, the consumption for a period of more than I year is available before the installation of Bi-Directional meter. The maximum period for overhauling of account cannot exceed 6 months as per Regulation 21.5 of Supply Code-2014, thus for overhauling of account for 6 months (before the checking dated 11.1.2023) either the basis of consumption can be taken from the recorded consumption of the year 2016, 2017 (after adjusting solar consumption) or the account for 6 months can be overhauled on the basis of import consumption available from 17.1.2023 to 10.7.2023 (as mentioned above). It is mentioned here that as per consumption data supplied by the respondent Import. Consumption has also been shown in some months of the year -2019 & year-2020.*

***Prayer:*** *In view of position explained above, it is again requested to Hon'ble Corporate CGRF to quash the demand raised vide memo No.746 dated 28.3.2023 of Rs. 1366605/- and may kindly order the overhauling of account for 6 months, as submitted above.*

1. The Respondent submitted reply to rejoinder as under: -
2. *It is brought to the kind notice of Hon'ble Corporate CGRF that overhauling of account from 17.10.2017 to 02.02.2023 (more than 5 years) is being done by this office as per the instructions given by Senior Executive Engineer, Enforcement Ludhiana vide ECR no.36/1014 dt.11.01.2023. it is also mentioned here that as per case details import reading was not increasing and has been recorded to be only 167kwh units as compared to export and solar readings which is 214233 kwh and 53948 kwh respectively. Therefore, this office overhauled the consumer account on LDHF basis as the previous year consumption record were of non-solar in nature.*
3. *The consumer case of the concerned account is untraceable in this division due to which it is not possible for the undersigned to ascertain as to which employee/officer is to be held responsible for the lapses occurred while releasing the connection of consumer. Also as mentioned in the ECR no.36/1014 dt.11.01.2023 by Senior executive Engineer enforcement Ludhiana, it cannot be ascertained for sure that the connections of the bi-directional meter were wrongly connected to the main supply as quoted " ਇਸ ਤੋਂ ਜਾਪਦਾ ਹੈ ਕਿ ਸੋਲਰ ਮੀਟਰ ਦੇ ਕੰਨੈਕਸ਼ੈਨ Bi-directional meter ਦੇ ਨਾਲ ਸਹੀ ਤਰ੍ਹਾਂ ਨਾਲ ਨਹੀ ਕੀਤੇ ਗਏ। As the accuracy of the meter could not be checked on the spot, after analyzing the readings of the meters still the production of solar units was from period dt.02.02.2023 to dt: 10.07.2023 is 4759 kwh but units exported by Bi-directional meter were 21303 kwh units which is checked by concerned JE vide LCR no. 38/2420 dt.10.07.2023 (copy attached) Therefore it is evident from the above data that the Bi-directional meter is not functioning properly and needs to be checked in ME LAB and replaced. That is the reason why it was advised to get the concerned meter checked from office of ME lab Ludhiana. This is for your information*

He further submitted as under:

1. *As per ECR no.36/1014 dt.11.01.2023 it was clearly instructed to overhaul the account of the consumer from the date of installation of the solar meter. Therefore, the account was overhauled by this office more than 5 years. The meter of the consumer is recording unrealistic readings both prior to and after the checking then vide ECR no.36/1014 dt.11.01.2023 by Senior Executive engineer enforcement Ludhiana.*
2. *The meter needs to be checked and the consumer was instructed vide letter no.746 Dt.28.03.2023 to gets his meter replaced. So that his billing can be done accurately. It is quite evident from the recorded data that the units produced by the solar installation as recorded by solar meter are 53948 kwh units from period dt.17.10.2017 (date of installation) to dt. 02.02.2023, but the units exported by the Bi-directional meter were 214233 kwh which is not logically possible. Even after the checking done by Senior Xen Enforcement vide above mentioned ECR, Still the production of solar units was from period dt.02.02.2023 to dt: 10.07.2023 is 4759 kwh but units exported by Bi-directional meter were 21303 kwh units Therefore it is evident from the above data that the Bi-directional meter is not functioning properly and needs to be checked in ME LAB and replaced. As, no record of solar consumption was accurately available in this subdivision. Therefore, LDHF was used to calculate Average consumption of the consumer. Moreover, the consumption of the year 2016/2017 was recorded on a normal/non-solar meter. So, it’s difficult for this office to calculate the consumption of solar meter and Bi-directional meter in non-solar/meter.*
3. The Respondent submitted his comments on proceeding dated 18.08.2023 as under: -

*In Context of the subject and reference cited above, it is again requested that as per the directions of higher authorities mentioned in the ECR, the connections of the Bi-directional meter with the solar meter were set right on dated 17.01.2023 by the Concerned SDO/JE vide LCR no. 8/2428 dt.02.02.2023 and Further, in their comments (copy already submitted), SDO/JE has clearly stated that they have corrected the Outgoing Connections of the check meter which was wrongly connected with the input side of the main Bi-directional meter, but due to the excess workload the site checking report on the that day i.e on dt. 17.01.2023 could not be prepared. However, after the verbal instructions of Senior Executive Engineer Enforcement-1, Ludhiana the concerned SDO/JE had again visited/checked the site and prepared the above mentioned LCR dt.02.02.2023 in which import reading was found to be increasing.*

*So, as per above it has been cleared that the site of the consumer was checked by the SDO/JE on dt.17.01.2023 and the connections of Bi-directional meter were corrected. However, as far as reading pattern is concerned, i.e.* ***(export consumption being much more than the Solar consumption)*** *even after setting right the connections of Bi-directional meter was due to wrong polarity of CT's which was found later and was corrected on the spot as per ECR no.33/1025 dt.22.08.2023 under the supervision of Sr. Xen/Enforcement-1. Ludhiana.*

1. The Respondent submitted his comments on proceeding dated 18.08.2023 as under: -

*With reference to subject and reference cited above, it is requested that as mentioned in the ECR no.36/1014 dt.11.01.2023 by Senior Executive Engineer Enforcement-1, Ludhiana, the connections of the bi-directional meter with the solar meter may be wrong and was not fully ascertained. Further, As per the directions of higher authorities mentioned in the ECR, the connections of the Bi-directional meter with the solar meter were set right on dated 17.01.2023 (as per LCR no. 8/2428 dt.02.02.2023) and there was no anything mentioned regarding the wrong polarities of the CT's in the above mentioned ECR neither it was mentioned in the ECR no. 34/1024 dt.04.08.2023 issued with regard to Change of meter.*

*The connection of the consumer was again checked vide ECR no.33/1025 dt.22.08.2023 upon the directions of Corporate CGRF Ludhiana and As per ECR, It was found wrong polarity of CT's i.e. P1 and P2 were in wrong direction and those were set right on the spot under the supervision of Sr. Xen/Enforcement-1, Ludhiana. This is for your kind information please.*

1. The Forum have gone through written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder and its replies along with the relevant material brought in the record. The issue that requires adjudication in the present dispute is to decide the legitimacy of notice no. 746 dated 28.03.2023 issued to petitioner by AEE/Comm., Aggar Nagar asking him to deposit amount of Rs. 1366605/-.
2. Forum observed that Petitioner installed Rooftop SPV plant for his connection which was commissioned on 17.10.2017. Connection of the petitioner was checked by ASE/Enf. cum EA & MMTS-1, Ludhiana on request of AEE/T-1, Aggar Nagar that Import Reading of the meter of the petitioner was not increasing and ECR no. 36/1014 dated 11.01.2023 was prepared, wherein it was mentioned as under: -

“*ਮੌਕੇ ਤੇ Solar ਮੀਟਰ ਵਿੱਚ ਦਰਜ KWH-053948 ਹੈ (check ਮੀਟਰ) ਜਦੋਂ ਕੀ Bi-directional ਮੀਟਰ ਵਿੱਚ KWH (Import) = 167*

*(Export) = 214233 ਹੈ*

*Cn = 214064 (KWH)*

*ਜੋ ਕਿ ਮੇਲ ਨਹੀਂ ਖਾ ਰਹੀ ਹੈ। ਇਸ ਤੋਂ ਜਾਪਦਾ ਹੈ ਕਿ Solar ਮੀਟਰ ਦੇ ਕੁਨੈਕਸ਼ਨ Bi-directional ਮੀਟਰ ਦੇ ਨਾਲ ਸਹੀ ਤਰ੍ਹਾਂ ਨਾਲ ਨਹੀਂ ਕੀਤੇ ਗਏ। ਕੁਨੈਕਸ਼ਨ check ਕਰ ਲਏ ਜਾਣ। ਕੁਨੈਕਸ਼ਨ ਠੀਕ ਕਰਨ ਉਪਰੰਤ Import ਅਤੇ Export ਰੀਡੰਗਾਂ check ਕਰ ਲਈਆਂ ਜਾਣ। ਉਸ ਅਨੁਸਾਰ ਖਪਤਕਾਰ ਦਾ ਖਾਤਾ Solar ਮੀਟਰ ਲੱਗਣ ਦੀ ਮਿਤੀ ਸੋਧਿਆ ਜਾਵੇ।*

*PSPCL ਦੀਆਂ ਹਦਾਇਤਾਂ ਮੁਤਾਬਕ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ। Accuracy ਲਈ ਮੀਟਰ ਨੂੰ ਸੀਲ ਪੈਕ ਕਰਕੇ ME Lab ਵਿਖੇ ਖਪਤਕਾਰ ਦੀ ਹਾਜਰੀ ਵਿੱਚ check ਕਰਵਾਇਆ ਜਾਵੇ।*”

After that with reference to the above ECR, connection of the petitioner was again checked by JE and AE/T Unit-2, Aggar Nagar Divn. on 02.02.2023 and LCR no. 8/2408 was prepared wherein it was mentioned as under: -

“*Enforcement-1 ਦੀ ECR no. 36/1014 ਮਿਤੀ-11/1/2023 ਦੇ ਸੰਬੰਧ ਵਿੱਚ ਵਧੀਕ ਨਿਗਰਾਨ ਇੰਜੀ: Enf. -1, ਜੀ ਦੀ ਹਦਾਇਤ ਤੇ ਚੈਕ ਕੀਤਾ। Enforcement ਵੱਲੋਂ ਲਿਖੇ ਮੁਤਾਬਿਕ ਮੀਟਰ ਦੇ ਕੁਨੈਕਸ਼ਨ ਮਿਤੀ 17/1/2023 ਨੂੰ ਠੀਕ ਕਰ ਦਿੱਤੇ ਗਏ ਸਨ, ਹੁਣ ਜਦ ਚੈਕ ਕੀਤਾ ਗਿਆ ਤਾਂ ਮੀਟਰ ਦੀ Import ਰੀਡਿੰਗ ਪਹਿਲਾਂ ਨਾਲੋਂ ਵਧੀ ਹੋਈ ਹੈ। ਇਸ ਮੁਤਾਬਿਕ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ ਜੀ।*”

In accordance with above two checking, account of the petitioner was overhauled for the period from 17.10.2017 (i.e., date of installation of solar meter) to 02.02.2023 (i.e., date checking by JE). For overhauling, import consumption was calculated according to LDHF formula and Export consumption was taken as total solar generation and Net consumption worked out accordingly. Petitioner was issued notice no. 746 dated 28.03.2023 amounting to Rs. 1366605/- on account of this overhauling. 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 28.06.2023, 11.07.2023, 18.07.2023, 25.07.2023, 01.08.2023, 08.08.2023 and finally on 16.08.2023, when the case was closed for passing speaking orders. However, during preparation of the speaking order, it came to the notice of the Forum that Respondent had misled the Forum and had made incorrect submissions before the Forum due to which the case was re-opened. Proceedings dated 18.08.2023 were prepared, wherein, it was mentioned as under: -

*“On dated 16.08.2023, both respondent and petitioner completed their arguments and accordingly case was closed for passing speaking orders.*

*Independent Member while preparing the speaking order observed that the respondent has not placed true/factual position before the Forum stating that connections of the meters of the petitioner had been set right on dated 17.01.2023. Perusal of readings/consumption according to LCR no. 8/2408 dated 02.02.2023 and ECR no. 34/1024 dated 04.08.2023 as tabulated below indicate that connections in fact have not set right, as earlier pattern is continuing: -*

|  |  |  |
| --- | --- | --- |
| *Sr. No.* | *Date* | *KWH Readings* |
|  |  | *Import* | *Export* | *Net* | *Solar* |
| *1.* | *04.08.2023* | *1612* | *242962* | *241350* | *60053* |
| *2.* | *02.02.2023* | *314* | *216919* | *216604* | *54625* |
| *Difference* | *1298* | *26043* | *24746* | *5428* |

*In a period of about six months, when the SPV plant has generated only 5428 units, 26043 units have been recorded in the Export Register of the meter which is impossible. Same anomaly had been pointed out vide enforcement ECR no. 36/1014 dated 11.01.2023 which is continuing upto 04.08.2023. The meter of the petitioner stands checked up in ME Lab on 12.08.2023 where it has been found OK. It is evident that respondent has misled the Forum stating that connections of the meter have been set right on 17.01.2023.*

*Forum considered the above observation and viewed it as serious lapse on part of the respondent and decided to re-open the case. Dy. CE/Enforcement, Ludhiana be directed to get the connections of the said meter, rechecked threadbare immediately.*

*Respondent is directed to coordinate with Dy. CE/Enforcement, Ludhiana immediately and submit his comments on fresh ECR before next date of hearing and is further directed to send one copy of the same to petitioner simultaneously. Petitioner may submit his comments to the same on or before the next date of hearing.*

*Sr. Xen must personally appear before Forum on next date of hearing.*”

After this case was reopened and was heard on 29.08.2023 and finally on 05.09.2023, when the case was closed for passing speaking orders.

Forum observed that Bi-directional meter was installed for the connection of the petitioner on 17.10.2017 as he had installed Rooftop SPV plant. AEE/Tech Unit-1, Aggar Nagar requested ASE/Enf. cum EA & MMTS-1, Ludhiana vide Memo no. 11 dated 10.01.2023 to check up connection of the petitioner because Import Reading was not increasing in his bill. Checking was carried out by ASE/Enf. cum EA & MMTS-1, Ludhiana and ECR no. 36/1014 dated 10.01.2023 was prepared and it was mentioned in it that it appears that connections of the Solar Meter with the bi-directional meter have not been done correctly and connection be checked up. It was astonishing for the Forum to read this ECR that ASE/Enforcement, instead of getting the connection set right in his presence during checking, ordered those connections be checked up. AE/Tech, Unit-1 claimed in his LCR no. 8/408 dated 02.02.2023 that the connections had been set-right on 17.01.2023 following the direction of ASE/Enf. cum EA & MMTS-1, Ludhiana. This again was astonishing that no LCR or any other site report was prepared on 17.01.2023 when connections were set right as claimed by the Respondent. Further reading of Import Register of the meter (actually Export, because the meter had been recording energy in reverse order/direction upto 22.08.2023 due to wrong polarity as declared by Sr. Xen/MMTS-1, Ludhiana during checking on 22.08.2023) remained static at 167 KWH till December 2022 (reading on 01.01.2023 at 00:00 Hrs is 167.66 KWH as depicted in DDL report). However, it increased to 292.66 KWH on 01.02.2023 at 00:00 Hrs as per DDL, confirming the claim of the Respondent that the output of the solar system was connected to the input terminals of the meter i.e., directly to the PSPCL mains and it was connected to the output terminals of the meter on 17.01.2023; is correct as per the information available in the DDL. However, AAE/Tech, Unit-1, Aggar Nagar did not prepare any LCR or Site Report on 17.01.2023 for the reasons best known to him, which was a blunder because description of infirmity in connections and readings of 17.01.2023 when this infirmity was removed, of course partially, are not available.

Connection was again checked by ASE/Enf. cum EA & MMTS-1, Ludhiana on 04.08.2023 and ECR no. 34/1024 dated 04.08.2023 was prepared and it was duly mentioned in it that reading of Export is very high whereas that of Import is less. This may be looked into. It is again astonishing that everybody is expecting somebody else to do something about such a serious issue. Although Respondent had claimed that the connections of the meter had been set right on 17.01.2023, Forum apprehended during the course of preparing the speaking order that something was still wrong with the connections and decided to re-open the case. While re-opening the case on 18.08.2023, Forum specifically directed Dy. CE/Enforcement, Ludhiana to get the connection of the meter of the petitioner checked threadbare and finally ASE/Enf. cum EA & MMTS-1, Ludhiana declared in ECR no. 33/1025 dated 22.08.2023 that polarity of the CT’s was reverse i.e., P1P2 are in reverse direction and connections have been set right at the following readings: -

 Imp Exp Net

KWH 10.76 162.12 151.35

It was directed by ASE/Enf. cum EA & MMTS-1, Ludhiana to look into the billing data of the petitioner accordingly.

Hence, Forum observed that since connections of the CT’s were in reverse direction, it meant that the Bi-directional meter had been recording Import Energy in Export Register and vice-versa and this mistake continued from date of installation of the Bi-directional meter i.e., 17.10.2017 up to 22.08.2023 i.e., date of checking vide ECR no. 33/1025 up to the following readings: -

 Imp Exp Net

KWH 10.76 162.12 151.35

Forum observed further that effect of these wrong connections is visible in DDL as reading of Reverse KWH i.e., Export Energy on 11.01.2023 at 00:00 Hrs was 214145 KWH whereas Solar Plant had generated just 53948 KWH only upto 11.01.2023 as per ECR no. 36/1014 dated 17.01.2023. Also, Reverse KWH i.e., export of energy has been recorded during night hours on all days, entries of which have been depicted in DDL Report.

In addition to the above infirmity, all energy generated by the Solar System of the petitioner was fed into the Distribution System of PSPCL directly, without being recorded in the Bi-directional meter upto 17.01.2023 and from 17.01.2023 onwards, it was recorded in the Import Register of the meter upto 22.08.2023 when connections were set right finally. Hence, the entire generation of the Solar Plant from the date of its commissioning upto 17.01.2023 is to be treated as energy exported and energy recorded in the Import Register from 17.01.2023 to 22.08.2023 is also to be treated as energy exported as CTs remained installed in reverse direction during this period. So far as reading(s)/consumption(s) of Import are concerned these are those which have been recorded in the Export Register of the meter during the period from date of its installation i.e., 10.10.2017 upto 22.08.2023 when the connections of CT’s were set right. Further, the instructions regarding settlement period are required to be kept in view while overhauling the account of the petitioner. The readings of a particular date, wherever not available, are required to be obtained on pro-rata basis.

From the above facts and discussion, Forum came to the conclusion that connections of the bi-directional meter were wrong from its installation i.e., from 17.10.2017. Forum during its proceedings dated 18.08.2023 had directed Dy. CE/Enforcement, Ludhiana to get the connection of the meters of the petitioner checked threadbare. Consequently, ASE/Enf. cum EA & MMTS-1, Ludhiana rechecked the connection on 22.08.2023 and declared in ECR no. 33/1025 dated 22.08.2023 that CTs were installed in reverse direction and got these installed correctly. In addition to this, output cable of the SPV plant was connected to the Input terminals of the bi-directional meter i.e., directly to the supply mains of PSPCL which was set right on 17.01.2023. Hence, all readings of Import and resultant consumptions are to be treated as readings/consumptions of Export for the period from 17.10.2017 to 22.08.2023 with rider that Export was zero from 17.10.2017 to 17.01.2023.

Forum observed further that the petitioner has been subjected to unmeasurable harassment for no fault on his part. In this case, the following developments are worth noting with concern: -

1. DS staff installs CTs in reverse direction and connects solar output cable to the input terminals of the bi-directional meter at the time of its installation on 17.10.2017.
2. It comes to the notice of AEE/Tech Unit-1 that something is wrong with the connections and he writes to Enforcement on 10.01.2023 to check up the connections.
3. ASE/Enf. cum EA & MMTS-1, Ludhiana checks the connection on 11.01.2023 and records that connections appear to be wrong and these should be checked.
4. AEE/Tech. Unit-1, Aggar Nagar prepares LCR on 02.02.2023 and states in it that the connection had been set right on 17.01.2023 but Respondent has no answers why no LCR/Site Report was prepared on 17.01.2023 which was a basic document and was utmost necessary.
5. AEE/Comm., Aggar Nagar overhauls the accounts of the petitioner using LDHF formula and charges an amount of Rs. 1366605/- to the petitioner whereas no such provision exists in the Supply Code.
6. ASE/Enf. cum EA & MMTS-1, Ludhiana again checks site on 04.08.2023 and does not make any effort to detect and correct the infirmity in connections. He again asks to look into the matter of unexpected Import/Export readings.
7. Prosumer approaches the Forum and Respondent makes a false submission before Forum that connections of the petitioner had been set right on 17.01.2023. During proceedings of the case when directions are issued by the Forum to take action against officials responsible for making wrong connections, he states that it is not possible because consumer case is untraceable. When pressed further, he writes a letter to AEE/Tech Unit-1, Aggar Nagar vide which he asks for details of action taken by him against responsible officials as CCGRF is asking for the same. This shows that he feels that he had no responsibility to take such action.

The above narration is sufficient to exhibit a state of total abdication of responsibility by officers/officials of DS as well as Enforcement Officers. Forum during preparation of speaking order apprehended that connections of the meter of the petitioner were not set-right contrary to the false submissions of the Respondent and was thus compelled to re-open a closed case. Apprehension of the Forum came out to be true when ASE/Enf. cum EA & MMTS-1, Ludhiana on the directions of the Forum dated 18.08.2023 rechecked the connection vide ECR no. 33/1025 dated 22.08.2023 and declared in it that CT’s have been installed in reverse direction.

From above listed facts and discussion, Forum feels that a detailed enquiry is required to be conducted by Chief Engineer/Technical Audit to identify all officials/officers involved in the acts of omission and commission listed under para 1 to 7 above and responsibility is required to be fixed.

Forum observed that there were the following two infirmities in the connections of the meter of the petitioner: -

1. The output of the Solar Plant of the petitioner was connected to the input terminals of the Bi-directional meter i.e., to the PSPCL mains by-passing the Bi-directional meter. This mistake was corrected on 17.01.2023 as submitted by the Respondent.
2. The service cable was inserted through the CT Box in reverse direction as a result of which P2 sides of all the CT’s faced Supply side instead of Load side and current flew in reverse direction in all the CT’s. Consequently, the readings/consumptions which were supposed to be recorded in the Import register of the bi-directional meter of the petitioner, were recorded in the Export Register and vice-versa with rider that Zero Export energy was recorded from date of installation of the Bi-directional meter i.e., 17.10.2017 as this type of mistake in connections, in all probability occurs at the time of initial installation. From 17.01.2023 to 22.08.2023 the Export Energy was recorded in the Import Register of the Bi-directional meter. This discrepancy in connections was got set-right by ASE/Enf. cum EA & MMTS-1, Ludhiana on 22.08.2023 while rechecking the connections of the meter on instructions of the Forum.

The Forum have gone through written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder and its replies along with the relevant material brought in the record. Keeping in view the above, Forum is of the opinion that account of the petitioner is required to be overhauled for the period from 17.10.2017 to 22.08.2023 as under: -

1. Import Energy: All consumption recorded in the Export Register of the bi-directional meter of the petitioner from its installation on 17.10.2017 to 22.08.2023 when CTs were got installed in correct direction, is required to be taken as Import energy during this period.
2. Export Energy: Entire energy generated by the SPV plant of the petitioner as recorded by the Solar/Check meter of petitioner during the period from 17.10.2017 to 17.01.2023 is to be treated as Export Energy. Further, energy recorded in the Import Register from 17.01.2023 to 22.08.2023 is also to be treated as Export Energy.

Wherever the reading of any parameter at a particular date is not available, it is to be worked out on pro-rata basis. Notice no. 746 dated 28.03.2023 amounting to Rs. 1366605/-, is liable to be quashed. Account of the petitioner is required to be overhauled for the period from 17.10.2017 to 22.08.2023 on the basis of Import and Export energies worked out as above. Settlement period ending September every year is required to be kept in view while overhauling the account.

1. Keeping in view the above, Forum came to unanimous conclusion that: -
2. Import Energy: All consumption recorded in the Export Register of the bi-directional meter of the petitioner from its installation on 17.10.2017 to 22.08.2023 when CTs were got installed in correct direction, be taken as Import consumption of this period.
3. Export Energy: Entire energy generated by the SPV plant of the petitioner as recorded by the Solar/Check meter of petitioner during the period from 17.10.2017 to 17.01.2023 be treated as Solar Energy. Further, energy recorded in the Import Register from 17.01.2023 to 22.08.2023 also treated as Export Energy.

Wherever the readings of any parameter at a particular date are not available these are to be worked out on pro-rata basis.

Notice no. 746 dated 28.03.2023 amounting to Rs. 1366605/- be quashed. Account of the petitioner be overhauled for the period from 17.10.2017 to 22.08.2023 on the basis of Import and Export energies worked out as above. Settlement period ending September every year be kept in view while overhauling the account.

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. **Action be taken as per conclusion arrived at point no. (x) above.**
2. **Chief Engineer/Technical Audit & Inspection, PSPCL, Patiala, is directed to conduct a detailed enquiry to identify all officials/officers of DS & Enforcement organisation involved in the acts of omission and commission listed under para 1 to 7 above and to take disciplinary action against all such officials/officers for their respective roles.**
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: 14.09.2023**