**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-118/2023**

**Date of Registration : 12.09.2023**

**Date of Closing : 12.09.2023**

**Date of Final Order : 19.09.2023**

**In the Matter of:**

 **Mr. Rakesh Kumar**

 **Ruldu Ram,**

**A/c No.: G41BF270728Y.**

**Through:**

Sh. Rakesh Kumar  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

PSPCL, Gurdaspur. **...Respondent**

1. **BRIEF HISTORY:**

Petition against case No.: CF-118/2023 has been filed directly in the Forum by Sh. Rakesh Kumar, in the matter related A/c no. G41BF27072BY having sanctioned load of 0.200KW under DS category, in the name of Sh. Rakesh Kumar under DS Divn. PSPCL, Gurdaspur. Petitioner was issued bill dated 04.05.2023 with IR as 21315Kwh and FR as 105215Kwh and again bill 12.07.2023 with IR as 21315Kwh and FR as 105787Kwh on ‘I’ code average basis. Petitioner was not satisfied with the reading recorded and working of meter and challenged his meter. Meter of the petitioner was checked and LCR no. 30/2927 dated 13.07.2023 was prepared, where in it was asked to replace the meter and get it checked from ME Lab. Meter of the petitioner was replaced vide MCO no. 79/1046 dated 14.07.2023 effected on dated 25.07.2023. Replaced meter was sent to ME Lab for checking vide challan no. 89/204 dated 10.08.2023 where meter was found OK and final reading was recorded as 105920 KVAH. Later on, DDL was also taken. Petitioner was asked to deposit amount of Rs. 523611/- due to difference of Final reading and billed reading (105925-21315) = 83773 units vide notice no. 767 dated 17.08.2023. Petitioner did not agree with the notice amount and bills issued to him and filed his case in Corporate CGRF, Ludhiana. Forum heard the case in its proceeding dated 12.09.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 12.09.2023***

*Petitioner vide email dated 04.09.2023 represented his grievance. Case was put up on today's hearing.*

*During the hearing Petitioner stated that he is not satisfied with the amount charged to him of Rs. 523611/- vide notice no. 767 dated 17.08.2023 on account of difference in reading billed and final reading in ME lab of 83773 units. Petitioner further stated that, usually bills of Rs. 0/- are received by him. Respondent confirmed the same. Forum observed that since the average bill is of Rs. 0/- so no further amount is required to be deposited for case registration. Accordingly, case is registered.*

*Respondent submitted four copies of reply to the petition along-with the record/documents and the same has been taken on record. One copy thereof was handed over to the petitioner.*

*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. G41BF27072BY, is having DS connection with sanctioned load of 0.200KW, in the name of Sh. Rakesh Kumar, under Gurdaspur Division.
3. The Petitioner in his Petition prayed that: -

*Awp jI nUM bynqI kIqI jWdI hY mY rkyS kumwr p`uqr SRI ruldU rwm ipMf mjITI dw rihx vwlw hW jo ik aup mMfl dPqr bihrwmpur mMfl gurdwspur ADIn AwauNdw hY myrw Kwqw nM. G41BF270728Y hY ijsdw lof 0.2 iklovwt hY[ myry Gr dw ib`l ru 523611/- Aw igAw hY[ ijs nUM TIk krvwaux leI mYN sbMDq aup mMfl dPqr ivKy igAw qW aunHW v`loN d`isAw igAw ik l`gdw hY ik quhwfw mItr jMp kr igAw hY Aqy mItr AY`m eI lYb qoN cY`k krvwaux qy mItr OK pwieAw igAw myry Gr dy isrP iqMn kmry Aqy iek rsoeI hY Aqy mYnUM kdy vI ienHw ib`l nhIN AwieAw, ieh pwieAw igAw ib`l iblkul glq hY Aqy nw hI mYN ieh ib`l Adw kr skdw hW ikauNik mYN ie`k grIb idhwVIdwr AwdmI hW Aqy myry kol Awp dy kol Awaux dy pYsy vI nhIN hn Aqy mY ienHw ibl Adw nhIN kr skdw[ ikrpw krky myrw kys Porm iv`c lgw ky ivcwirAw jwvy Aqy mYnUM pwey gey pYsy muAwP kr id`qy jwx jI[*

1. The Respondent in his reply stated that: -

*ies Kpqkwr dw ib`l imqI 09.03.2023 nUM nvIN rIifMg KVAH 21315 Aqy purwxI rIifMg KVAH 20774 ku`l 541 XUintW dw O Code dw bixAw sI[ iPr imqI 04.05.2023 nUM nvIN rIifMg KVAH 105215 Aqy purwxI rIifMg KVAH 21315 ku`l 369 XUintW dw I Code dw ib`l bixAw sI[ Aqy iPr qIjw ib`l 12.07.2023 nUM nvIN rIifMg KVAH 105787 Aqy purwxI rIifMg KVAH 21315 ku`l 468 XUintW dw dubwrw I Code dw ib`l bixAw sI[ qIjy ib`l iv`c rIifMg ijAwdw hox krky Kpqkwr vloN Awpxw mItr cYlyNj krvwaux leI bynqI p`qr imqI 13.07.2023 nUM ies dPqr ivKy pyS kIqw igAw sI[ iPr ies dPqr vloN bxdI mItr cYlyNj dI rkm 236 rupey Kpqkwr v`loN jmHW krvw id`qy gey Aqy sbMDq jy eI v`loN imqI 10.08.2023 nUM Kpqkwr dw mItr AY`m eI lYb gurdwspur ivKy cY`k krvwieAw igAw qW AY`m eI lYb v`loN AwpxI irport iv`c ieh d`isAw igAw ik mItr tYst bYNc qy lgw ky cY``k kIqw Aqy mItr fwiel tYst dOrwn TIk cldw pwieAw igAw Aqy bwr bwr fI fI AYl krn qy kimaUinkySn AYrr Aw irhw hY dI irport kIqI geI[ AY`m eI lYb dI irport Anuswr ies dPqr vloN bxdI kwrvweI krky rIifMg 105925 Aqy purwxI 21315 ku`l Prk 83773 XUintW dy pYsy rkm 523611 Kpqkwr nUM jmHW krvwaux leI noits nM 767 imqI 17.08.2023 nUM Byz id`qw igAw[ noits imlx qy Kpqkwr v`loN Awp jI dy dPqr Awpxw kys lgvw id`qw igAw hY[ ies dPqr v`loN AY`m eI lYb gurdwspur nUM p`qr nM 853 imqI 08.09.2023 nwl dubwrw mItr fI fI AYl krn leI ikhw igAw sI[ AY`m eI gurdwspur v`loN mItr dubwrw fI fI AYl kIqw igAw qy irport ies dPqr ivKy eI myl rwhI ByjI geI ijs iv`c Kpqkwr dy mItr dI rIifMg imqI 12.02.2023 nUM KWH 22131 Aqy KVAH 27680 pweI geI, imqI 20.03.2023 nUM KWH 105049 Aqy KVAH 27838 pweI geI Aqy imqI 15.04.2023 nUM KWH 105233 Aqy KVAH 28052 pweI geI hY[ fI fI AYl dI irport Anuswr Kpqkwr dw mItr jMp hoieAw lgdw hY[*

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 the notice issued vide Memo no. 767 dated 17.08.2023 on account of difference in Final reading and billed reading (105925-21315) = 83773 units, amounting to Rs. 523611/-.
2. Forum observed that Petitioner was issued bill dated 04.05.2023 with IR as 21315Kwh and FR as 105215Kwh and again bill 12.07.2023 with IR as 21315Kwh and FR as 105787Kwh on ‘I’ code average basis. Petitioner was not satisfied with the reading recorded and working of meter and challenged his meter. Meter of the petitioner was checked and LCR no. 30/2927 dated 13.07.2023 was prepared, where it was asked to replace the meter and get it checked from ME Lab. Meter of the petitioner was replaced vide MCO no. 79/1046 dated 14.07.2023 effected on dated 25.07.2023. Replaced meter was sent to ME Lab for checking vide challan no. 89/204 dated 10.08.2023 where accuracy of the meter was found OK and final reading was recorded as 105925 KVAH. Later on, DDL was also taken. Petitioner vide notice no. 767 dated 17.08.2023 was asked to deposit amount of Rs. 523611/- due to difference of Final reading and billed reading (105925-21315) = 83773 units. Petitioner did not agree with the notice amount and bills issued to him and filed his case in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent as under:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2020 | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code | Cons | Code |
| Jan |  |  | 395 | O | 550 | O | 520 | O |
| Mar |  |  | 395 | O | 365 | O | 541 | O |
| May | 600 | O | 320 | O | 388 | O | 369 | I |
| Jul | 490 | O | 420 | O | 380 | O | 468 | I |
| Aug |  |  |  |  |  |  | 83773 |  |
| Sep | 390 | O | 470 | O | 643 | O |  |  |
| Nov | 330 | O |  |  | 568 | O |  |  |
| **TOTAL** | **1810** |  | **2000** |  | **2894** |  | **85671** |  |

Forum observed that the annual consumption of petitioner from 2020 to 2023 (upto 08/2023) is 1810, 2000, 2894 and 85671 units respectively. Forum observed that the consumption of the petitioner is consistent except for the exponentially high consumption of the order of 83773 KVAH units for the period from 09.03.2023 to 25.07.2023 (on the basis of reading recorded in ME lab) which has never been recorded before or after the replacement of meter. Forum observed that Petitioner was issued bills for the month of 05/2023 and 07/2023 on I code on average basis. In the bill dated 12.07.2023 initial reading of dated 09.03.2023 was 21315Kwh whereas final reading on dated 12.07.2023 has been recorded as 105787Kwh. Being of a huge consumption the bill was issued on ‘I’ code This means that readings were inconsistent during these billing cycles. On challenging the meter, site of the petitioner was checked vide LCR no. 30/2927 dated 13.07.2023 where reading was recorded as 105797 KWH and it was reported that: -

*“Kpqkwr dw Ahwqw cY`k kIqw igAw Kpqkwr dI ipCly ib`l dI rIifMg 21315 q`k dw ib`l bxwieAw hY[ jd ik mOky qy rIifMg 105797 lgBg 84482 XUint dI Kpq Aw geI hY jo ik bhuq ijAwdw hY[ mItr pYk krky ME lab iv`c cYk krvwieAw jwvy[”*

Meter of the petitioner was checked in ME Lab vide challan no. 89/204 dated 10.08.2023, According to ME Lab report, it was reported as: -

*“mItr tYst bYNc qy lgw ky cY`k kIqw mItr Dial test dOrwn TIk cldw pwieAw igAw[ bwr bwr DDL krn qy Communication Error Aw irhw hY[”*

Respondent in his reply further stated as under: -

*“ies dPqr v`loN AY`m eI lYb gurdwspur nUM p`qr nM 853 imqI 08.09.2023 nwl dubwrw mItr fI fI AYl krn leI ikhw igAw sI[ AY`m eI gurdwspur v`loN mItr dubwrw fI fI AYl kIqw igAw qy irport ies dPqr ivKy eI myl rwhI ByjI geI ijs iv`c Kpqkwr dy mItr dI rIifMg imqI 12.02.2023 nUM KWH 22131 Aqy KVAH 27680 pweI geI, imqI 20.03.2023 nUM KWH 105049 Aqy KVAH 27838 pweI geI Aqy imqI 15.04.2023 nUM KWH 105233 Aqy KVAH 28052 pweI geI hY[ fI fI AYl dI irport Anuswr Kpqkwr dw mItr jMp hoieAw lgdw hY[”*

Forum observed from the ‘History Data’ of DDL report that the reading which was 22131.36Kwh on dated 12.02.2023 suddenly rose to 105049.34Kwh on 20.03.2023 in just 36 days. Even there was huge difference between Kwh and Kvah readings on 20.03.2023 (105049.34Kwh & 27838.85Kvah). This clearly shows that meter had behaved erratically during this period. The site of the petitioner was checked on dated 12.09.2023, when reading was recorded as 483Kwh, meaning thereby consumption of 482 units in about 50 days. Therefore, although accuracy of the meter on dial test was found within limits in ME Lab, but the huge difference between KWH and KVAH and sudden jump in KWH reading on 20.03.2023 clearly indicate that the meter misbehaved and it became defective, hence reading recorded by it cannot be relied upon. Therefore, the meter is required to be treated as defective. Relevant Regulation 21.5.2 of Supply Code 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 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 as the meter become defective, therefore, the final reading recorded in ME lab cannot be relied upon as such, the notice issued to the petitioner vide Memo no. 767 dated 17.08.2023 amounting to Rs. 523611/-, is not justified and liable to be quashed. The account of the petitioner is required to be overhauled for the period from 09.03.2023 to 25.07.2023 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-2014.

Keeping in view the above, Forum came to the unanimous conclusion that the notice issued to the petitioner vide Memo no. 767 dated 17.08.2023 amounting to Rs. 523611/-, be quashed. The account of the petitioner be overhauled for the period from 09.03.2023 to 25.07.2023 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-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. **The notice issued to the petitioner vide Memo no. 767 dated 17.08.2023 amounting to Rs. 523611/-, is quashed. The account of the petitioner be overhauled for the period from 09.03.2023 to 25.07.2023 (i.e., date of change of meter) on the basis of consumption recorded during the corresponding period of the previous year as per Regulation no. 21.5.2(a) of Supply Code-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: 19.09.2023**