**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-119/2023**

**Date of Registration : 12.09.2023**

**Date of Closing : 12.09.2023**

**Date of Final Order : 19.09.2023**

**In the Matter of:**

 **Mr. Janak Singh**

 **Maghar Singh,**

**A/c No.: G41GP180072Y.**

**Through:**

Sh. Joginder Singh  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/DS Division,

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

1. **BRIEF HISTORY:**

Petition against case No.: CF-119/2023 has been filed directly in the Forum by Sh. Joginder Singh (legal hear) S/o S. Janak Singh, in the matter related to A/c no. G41GP180072Y having SP category with sanctioned load of 8.06KW, in the name of Sh. Janak Singh under DS Divn. PSPCL, Gurdaspur. Petitioner was not satisfied with the working of meter and challenged his meter on dated 01.08.2023. Meter of the petitioner was checked vide LCR no. 33/2927 dated 01.08.2023. After that meter of the petitioner was changed vide MCO no. 85/1046 dated 01.08.2023 effected on 01.08.2023. Removed 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 verified as 107337 KWH/ 115622KVAH. On the basis of ME Lab report, notice no. 768 dated 17.08.2023 was issued for difference of final reading recorded in ME Lab and already billed reading (107337-25640) = 81697 units, amounting to Rs. 555866/-. Petitioner did not agree with the notice 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***

*During the hearing the Petitioner stated that he is not satisfied with the amount charged to him of Rs. 555866/- vide notice no. 768 dated 17.08.2023 on account of difference in reading billed and final reading in ME lab of 81697 units, Petitioner further stated that, he is depositing regular energy bills other than the amount of Rs. 555866/-, Respondent confirmed the same. Forum observed that since the Petitioner is depositing the current energy bills there's no need to deposit any further amount. Accordingly case is registered.*

*Petitioner during hearing stated that connection is in name of his father who had expired and he is using this connection for only an hour for chakki and for the rest of the time he does agriculture work.*

*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. G41GP180072Y, is having SP connection with sanctioned load of 8.060 KW, in the name of Sh. Janak Singh, under Gurdaspur Division.
3. The Petitioner in his Petition prayed that: -

*Awp jI nUM bynqI hY ik mYN zoigMdr isMG pu`qr jnk isMG ipMf bihrwmpur dw rihx vwlw hW Aqy myry ipqw jnk isMG p`qr m`Gr isMG dy nwm qy Awtw c`kI dw kunYkSn hY jo ik au`p mMfl dPqr bihrwmpur ADIn mMfl gurdwspur dy ADIn hY ijsdw lof 8.06 iklovwt hY myry Gr dw ib`l 555866 rupey Aw igAw hY[ ijs nUM TIk krvwaux 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 TIk pwieAw igAw mItr dy ie`k CotI ijhI Awtw c`kI hY Aqy mYnUM kdI vI AYnw ijAwdw 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[ ikrpw krky myrw kys Porm dy iv`c A`gy 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 25.07.2023 nUM nvIN rIifMg KVAH 25460 Aqy purwxI rIifMg KVAH 25267 ku`l 193 XUintW dw O Code dw bixAw sI[ Kpqkwr vloN imqI 01.08.2023 nUM Awpxw mItr rIifMg izAwdw Awaux krky cYlyNj krvwaux leI bynqI p`qr ies dPqr ivKy pyS kIqw igAw sI[ iPr ies dPqr vloN bxdI mItr cYlyNj dI rkm 826 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 107337 Aqy purwxI 25640 ku`l Prk 81697 XUintW dy pYsy rkm 555866 Kpqkwr nUM jmHW krvwaux leI noits nM 768 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[*

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. 768 dated 17.08.2023 on account of difference of final reading recorded in ME lab and already billed reading (107337-25640) 81697 units amounting to Rs. 555866/-.
2. Forum observed Petitioner was not satisfied with the working of meter and challenged his meter on dated 01.08.2023. Meter of the petitioner was checked vide LCR no. 33/2927 dated 01.08.2023. After that meter of the petitioner was changed vide MCO no. 85/1046 dated 01.08.2023 effected on 01.08.2023. Removed 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 verified as 107337 KWH/ 115622KVAH. On the basis of ME Lab report, notice no. 768 dated 17.08.2023 was issued for difference of final reading recorded in ME Lab and already billed reading (107337-25640) = 81697 units, amounting to Rs. 555866/-. Petitioner did not agree with the notice issued to him and filed his case in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent as under:

|  |  |  |  |
| --- | --- | --- | --- |
|  | 2021 | 2022 | 2023 |
| Month | Cons | Code | Cons | Code | Cons | Code |
| Jan | 211 | O | 220 | O | 181 | O |
| Feb | 215 | O | 205 | O | 158 | O |
| Mar | 302 | O | 204 | O | 169 | O |
| April | 109 | O | 174 | O | 187 | O |
| May | 253 | O | 202 | O | 181 | O |
| June | 297 | O | 199 | O | 147 | O |
| Jul | 529 | O | 142 | O | 193 | O |
| Aug | 201 | O | 158 | O | 81697 | O |
| Sep | 511 | O | 142 | O |  |  |
| Oct | 30 | O | 165 | O |  |  |
| Nov | 655 | O | 354 | O |  |  |
| Dec | 433 | O | 243 | O |  |  |
| **TOTAL** | **3746** |  | **2408** |  | **82913** |  |

Forum observed that the annual consumption of petitioner from 2021 to 2023 (upto 08/2023) is 3746, 2408 and 82913 units (including exponentially high consumption of 81697 units) respectively. Forum observed that exponentially high consumption of the order of 81697 KVAH units for the period 30.06.2023 to 01.08.2023 (on the basis of reading recorded in ME lab) was never recorded before or after the replacement of meter. Meter of the petitioner was checked vide LCR no. 26/2927 dated 10.07.2023 where reading was recorded as 107218KWH/25528 KVAH and it was reported that:-

*“Kpqkwr dw mItr cYk kIqw mItr aupr mItr dI KWH rIifMg KVAH qoN bhuq ijAwdw Aw rhI hY mihkmy dIAW hdwieqW muqwibk bxdI kwrvweI kIqI jwvy MCO k`t id`qw jwvy[”*

Again, meter of the petitioner was checked vide LCR no. 33/2927 dated 01.08.2023, in which it was reported as under: -

*auprokq Kpqkwr dw mItr bdlI kIqw igAw sI LCR no. 26/2927 imqI 10.07.2023 Anuswr Kpq KWH 107218 Aqy KVAH 25528 Aw rhI sI jo ik KWH nwloN bhuq G`t Aw rhI sI[ pr jdoN ieh mItr MCO no. 61/1046 nwl bdlI kIqw qW iesdI rIifMg 107330 KWH Aqy KVAH 115605 Aw geI hY jo ik bhuq ijAwdw Aw geI hY ieh mItr pYk krky ME lab iv`c cY``k krvwieAw jwvy jI Aqy mihkmyN dIAW hdwieqW muqwibk bxdI kwrvweI kIqI 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[”*

Forum observed that had the meter recorded readings correctly, KVAH and KWH readings would have been nearly equal (there cannot be such a huge difference between KVAH and KWH readings at different occasions). This clearly shows that meter had behaved erratically during the disputed period as the reading which was 25528Kvah on dated 10.07.2023 rose to 115605Kvah on 01.08.2023 in just 20 days. Even there was huge difference between Kwh and Kvah readings on 10.07.2023 (107318Kwh & 25528Kvah). 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 KVAH/KWH at different occasions, 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. 768 dated 17.08.2023 amounting to Rs. 555866/- is not justified and liable to be quashed. The account of the petitioner is required to be overhauled for the period from 30.06.2023 to 01.08.2023 (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. 768 dated 17.08.2023 amounting to Rs. 555866/- be quashed. The account of the petitioner be overhauled for the period from 30.06.2023 to 01.08.2023 (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. 768 dated 17.08.2023 amounting to Rs. 555866/-, is quashed. The account of the petitioner be overhauled for the period from 30.06.2023 to 01.08.2023 (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**