**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-123/2023**

**Date of Registration : 21.09.2023**

**Date of Closing : 03.10.2023**

**Date of Final Order : 06.10.2023**

**In the Matter of:**

 **Mr. Sunil Jain,**

**122, The Mall,**

**Ludhiana.**

**A/c No.: 3002862212.**

**Through:**

Sh. Sunil Jain  **...Petitioner**

**Versus**

**Punjab State Power Corporation Ltd**

**Through:**

Sr. Xen/Op. City West (Spl.) Divn.,

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

1. **BRIEF HISTORY:**

Petition against case No.: CF-123/2023 has been filed directly in the Forum by Sh. Sunil Jain in the matter related to A/c no. 3002862212. The Petitioner is having NRS category connection with the sanctioned load of 47.14 KW, under Op. City West (spl.) Division, PSPCL, Ludhiana. Connection of the Petitioner was checked by Sr. Xen/Enf. cum MMTS-4, Ludhiana and ECR no. 10-11/4051 dated 10.08.2023 was prepared. As per this report, it was found that CT of capacity 200/5 Amp and meter of capacity 100/5 Amp were installed at site and accordingly MF comes out to be 2, whereas MF as 1 was being applied in the bills till date. On the basis of the above checking, Respondent overhauled the account of the Petitioner from 31.07.2018 with MF as 2 instead of 1 and amount of Rs. 929408/- was charged to the petitioner and notice no. 1134 dated 11.08.2023 was issued. Petitioner did not agree to it and filed a case in the Corporate Forum. Forum heard the case in its proceedings dated 25.09.2023, and finally on 03.10.2023, when the case was closed for passing speaking orders.

1. ***PROCEEDINGS:***

***Proceedings dated: 25.09.2023***

*The petition has been placed before the Forum for admission. After considering the averments made in the petition, the petition is admitted Notice the issued to ASE/ST Xen/Op City West, Ludhiana Respondent) along with copy of petition.*

*Respondent shall submit five copies of the following record/documents before the Forum on*

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 to 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.sgrfidh@gmail.com**.*
5. *Respondent shall also ensure the following action:*
6. *He will check/verify the amount of Rs. 929408/-charged vide notice no. 1134 dated 11.08.2023 on account of wrong MF of 1 instead of 2 for the period 31.07.2018 onwards.*
7. *He will submit copies of checking carried out by various authorities previously.*
8. *He will explain reason & detail of how MF is changed from 2 to 1 in system from 31.07.2018.*
9. *He will submit consumption data from 2015 onwards.*
10. *Submit copies of related documents like SR(s)/Issue Note(s) vide which the meter and CT's had been drawn from ME lab, copies of related pages of ME-1 & ME-2 registers and related Job order vide which the meter and CT's were installed, clearly depicting date of effect thereof.*
11. *Intimate Regulation number of Supply Code, 2014 or any other relevant Rules/Regulations according to which the amount has been charged.*
12. *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 03.10.2023.*

***Proceedings dated: 03.10.2023***

*Respondent submitted five 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/PR.*

*Petitioner requested that 30 no. installments be made of the amount, if found recoverable.*

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

*Respondent stated that the reply to the petition and other documents 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. 3002862212, is having NRS connection with sanctioned load of 47.14 KW, in the name of Sh. Sunil Jain, under City West (Spl.) Division, Ludhiana.
3. The Petitioner in his Petition prayed that: -

*bynqI hY ik mYN**sunIl jYn kyAr AwP mkwn nMbr 122, id mwl, luiDAwxw ivKy myry nwm dw ibjlI mItr l`gw hoieAw hY, ijsdw AkwaUNt nMbr 3002862212 hY[ mYN smyN isr Awpxy ibjlI mItr dI AweI rkm mihkmw pws jmHW krvwauNdw Aw irhw hW[*

*A`j imqI 18.08.2023 nUM ie`k lYtr mImo nMbr 1134 imqI 11.08.2023 v`loN kw:kw:ieMjInIAr/ienPo:km:MMTS-4, luiDAwxw v`loN myry ibjlI AkwauNt sbMDI mYnUM mosUl hoieAw hY[ijs sbMDI myry Kwqy iv`coN 929408/- rupey cwrj krn sbMDI iliKAw hoieAw hY[*

*jo zurmwnw mYnUM pwieAw igAw hY glq hY, ikauNik rUlW muqwibk mYnUM 6 mhIny qoN v`D dw zurmwnw nhIN pwieAw jw skdw hY[*

*SRImwn jI, imhrbwnI krky myrw kys lgw ky mYnUM Byjy nzwiez zurmwny dw h`l kIqw jwvy jI[ Awp jI dI bVI mihrbwnI hovygI[*

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

*auprokq ivSy ADIn Kpqkwr dw kunYkSn SRI sunIl jYn dy nW NRS kYtwgrI ADIn sYkSn lof 47.14 ik:vw: c`l irhw hY[ Kpqkwr dw Ahwqw vDIk ingrwn ieMjInIAr, ienPo:km: MMTS-4, luiDAwxw jI v`loN ECR no 10-11/4051 imqI 10.08.2023 rWhI cYk kIqw igAw[ mItr dw MF cYk kIqw igAw Aqy MF2 pwieAw jdik iblW iv`c MF1 Aw irhw hY[ aukq Kwqy dw irkwrf cYk kIqw igAw Aqy pwieAw igAw ik imqI 31.07.2018 qoN MF 1 ho igAw[ ies qoN pihlW bxy ib`lW iv`c MF 2 hI Aw irhw sI[ ies leI imqI 31.07.2018 qoN 10.08.2023 q`k dI MF dy Prk sbMDI bxdI rkm 929408/- ru. dw noits nM: 1134 imqI 11.08.2023 ByijAw igAw[ ieQy ieh vI d`sx Xog hY ik ies Kwqy dw jdoN qoN sYp isstm cwlU hoieAw aus smyN qoN hux q`k koeI vI MCO/mItr bdlI nhIN hoieAw[*

*Kpqkwr ies nwl sihmq nhI hoieAw Aqy aus v`lo kwrporyt Kpqkwr iSkwieq invwrn Porm luiDAwxw jI ivKy kys lgwaux leI bynqI p`qr id`qw igAw[ ijsdI mMnjUrI ahnW dy p`qr nM:994/ T-134/2023 imqI 29.08.2023 rWhI id`qI geI[ Kpqkwr ny JgVy vwlI rkm dw 20%, 135882/- rupeY Aqy 50,000/- rupeY = ku~l: 185882/- rupeY kRmvwr rsId nM: 253840308006 Aqy rsId nM: 253840318672 imqI 19.09.2023 rwhI jmHW krvw id`qy hn[*

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 amount of Rs. 929408/- charged vide notice no. 1134 dated 11.08.2023 for the period from 31.07.2018 to 10.08.2023 on account of rectification of wrong Multiplying Factor detected in ECR no. 10-11/4051 dated 10.08.2023 of Sr. Xen/Enf. cum MMTS 4, Ludhiana.
2. Forum observed that connection of the Petitioner was checked by Sr. Xen/Enf. cum MMTS-4, Ludhiana and ECR no. 10-11/4051 dated 10.08.2023 was prepared. As per this report, it was found that CT of capacity 200/5 Amp and meter of capacity 100/5 Amp were installed at site and accordingly MF comes out to be 2, whereas MF as 1 was being applied in the bills till date. On the basis of the above checking, Respondent overhauled the account of the Petitioner from 31.07.2018 with MF as 2 instead of 1 and amount of Rs. 929408/- was charged to the petitioner and notice no. 1134 dated 11.08.2023 was issued. Petitioner did not agree to it and filed a case in the Corporate Forum.

Forum observed the consumption data submitted by the Respondent is reproduced as under:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2017** | **2018** | **2019** | **2020** | **2021** | **2022** | **2023** |
| Month | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code | Cons. | Code |
| Jan | 2312 | O | 3138 | O | 1510 | O | 2118 | O | 970 | O | 934 | O | 466 | O |
| Feb | 2812 | O | 3668 | O | 2453 | O | 1791 | O | 719 | O | 1754 | O | 879 | O |
| Mar | 2420 | O | 2710 | O | 1796 | O | 1334 | O | 521 | O | 789 | O | 805 | O |
| Apr | 3220 | O | 4566 | O | 2247 | O |  |  | 719 | O | 789 | O | 712 | O |
| May | 6368 | O | 6828 | O | 3057 | O | 1272 | O | 881 | O | 3461 | O | 1442 | O |
| Jun | 7208 | O | 8798 | O | 4729 | O | 454 | O | 1032 | O | 2424 | O | 2315 | O |
| Jul | 9322 | O | 9122 | O | 4598 | O | 1759 | O | 2409 | O | 2555 | O | 3197 | O |
| Aug | 10242 | O | 10355 | O | 4045 | O | 1839 | O | 2709 | O | 2196 | O | 3923 | O |
| Sep | 10268 | O |  |  | 4116 | O | 2095 | O | 3048 | O | 2157 | O |  |  |
| Oct | 8122 | O | 3806 | O | 3010 | O | 1609 | O | 2963 | O | 1371 | O |  |  |
| Nov | 5090 | O | 2918 | O | 2153 | O | 1064 | O | 1550 | O | 1109 | O |  |  |
| Dec | 2926 | O | 1615 | O | 1260 | O | 638 | O | 824 | O | 652 | O |  |  |
| **TOTAL** | **70310** |  | **57524** |  | **34974** |  | **15973** |  | **18345** |  | **20191** |  | **13739** |  |

Forum observed that annual consumption of the petitioner from 2017 to 2023 (upto 08/23) has been recorded as 70310, 57524, 34974, 15973, 18345, 20191 and 13739 units respectively. Forum observed that the consumption has reduced considerably from the year 2018 and particularly from Sep/2018 when it reduced upto the extent of 50%. Respondent in his reply submitted that no meter/CT of the petitioner was changed since the introduction of SAP billing system. Earlier before 31.07.2018 MF 2 was applied. Forum observed from the records that when billing of petitioner was shifted from KWH to KVAH base tariff w.e.f. 31.07.2018, MF as 1 was erroneously applied instead of MF as 2. This mistake come to the notice at the time of checking of the petitioner by Sr. Xen/Enf. cum MMTS 4, Ludhiana vide ECR no. 10-11/4051 dated 10.08.2023 that wrong MF as 1 was being applied to petitioner instead of MF 2. Relevant part of ECR is reproduced as under: -

*“kunYkSn dI cYikMg AigAwq ivAkqI v`loN kIqI iSkwieq dy ADwr qy kIqI geI[*

*mOky qy l`gy hoey mItr Aqy CT’s dy vyrvy auprMq Anuswr hn Aqy clip on meter nwl cY`k kIqy[*

*mItr dw MF mOky qy 2 hY pRMqU ib`l iv`c MF=1 l`g irhw hY Bwv Kpqkwr dI c`l rhI ibjlI Kpq A`DI irkwrf ho rhI hY (MF is different at site as compared to bill)*

*mItr dI ifsply qy Aw rhy krMt Aqy voltyj dw imlwx clip on meter nwl cY`k kIqy voltyj Aqy krMt nwl kIqw[ Clip on meter nwl RႴ 20.80A, YႴ 11.31*A, *Aqy* BႴ *29.4 Amp cYk kIqw igAw jdik mItr dI ifsply qy RႴ 10.40A, YႴ 5.65A Aqy* BႴ *14.65A c`l irhw sI Bwv A`DI ibjlI Kpq mItr dI ifsply qy Aw rhI sI[*

*ESIM dI Dwrw 21.5.1 Anuswr Wrong Multiplication Factor dw kys hY[ PSPCL dIAW hdwieqW Anuswr bxdI kwrvweI kIqI jwvy[ mOky qy Xen/City West Div., AE/City West/Tech u-1 Aqy sbMDq JE SRI p`lv jYn nUM bulw ky cY`k krvw id`qw igAw hY[*

Accordingly, account of the petitioner was overhauled by the respondent from 31.07.2018 to 10.08.2023 and amount of Rs. 929408/- was charged.

Forum observed that Regulation No. 21.5.1 of Supply Code-2014 deals with the cases of application of wrong Multiplying Factor. The note of Regulation 21.5.1 of Supply Code-2014 dealing with inaccurate meters is reproduced as under:

***21.5.1 Inaccurate Meters***

*…….*

*…….*

***Note: Where accuracy of meter is not involved and it is a case of application of wrong multiplication factor, the accounts shall be overhauled for the period this mistake continued.***

As mentioned in the Note of above appended to Regulation no. 21.5.1 of Supply Code-2014, the account of the petitioner is required to be overhauled for the period mistake of wrong MF continued. Petitioner during the hearing requested that if the amount is found recoverable then the same may be recovered in 30 monthly installments without LPI/LPS.

Forum has gone through the written submissions made by the Petitioner in the petition, written reply of the Respondent, oral discussions made by petitioner along with material brought on record. Forum is of the opinion that the amount of Rs. 929408/- charged vide notice no. 1134 dated 11.08.2023 for the period from 31.07.2018 to 10.08.2023 is justified and recoverable. However, request of the petitioner that this amount may be recovered in 30 equal installments without LPS/LPI is worth considering keeping in view the fact that the amount is related to a long period of about 5.5 years.

Keeping in view the above, Forum came to unanimous conclusion that the amount of Rs. 929408/- charged vide notice no. 1134 dated 11.08.2023 on account of rectification of wrong MF is correct and recoverable. This amount may be recovered in 15 equal installments without LPS/LPI.

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 amount of Rs. 929408/- charged on account of rectification of wrong multiplier factor vide notice no. 1134 dated 11.08.2023 is correct and recoverable. This amount be recovered in 15 equal installments without LPS/LPI.**
2. **In case petitioner defaults in making payment of any of the above installments, action be taken as per relevant rules/regulations.**
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: 06.10.2023**