IN THE COURT OF THE LOKPAL (OMBUDSMAN),

 ELECTRICITY, PUNJAB,

66 KV GRID SUB-STATION, PLOT NO. A-2,

 INDUSTRIAL AREA, PHASE-1, S.A.S NAGAR (MOHALI)

Appeal No. 56/2017

Alloys Forge,

E-143, Phase-IV,

Focal Point,

Ludhiana – 141 001.

 …….Petitioner

Account No. 3002808974

*Through:*

Shri Kanwarjit Singh, Petitioner’s Counsel (PC),

Shri Anoop Singh, Petitioner’s Representative (PR)

Versus

Punjab State Power Corporation Limited

 …..Respondent

*Through:*

Er. Kanwal Preet Singh Sidhu,

Additional Superintending Engineer,

DS Focal Point Division (Special),

PSPCL, Ludhiana.

Petition No. 56/2017 dated 04.09.2017 was filed against order dated 04.08.2017 in case No. CG-144 of 2017 of the Consumer Grievances Redressal Forum (Forum) deciding that:

“T*he amount of Rs. 8,70,455/- on account of difference in tariff from general to PIU and Rs. 3,30,660/- on account of difference of ACD from general to PIU charged to the Petitioner vide notice bearing memo no. 2003 dt. 11.5.2017 by ASE/OP, Focal Point Special Division, Ludhiana is correct and chargeable keeping in view Commercial Circular No. 27/2014 dated 29.5.2014.”*

2. Arguments, discussions and evidence on record were held on 01.02.2018.

3. Shri Kanwarjit Singh, Petitioner’s Counsel (PC) alongwith Shri Anoop Singh, Petitioner’s Representative (PR), attended the Court proceedings on behalf of the Petitioner. Er. Kanwal Preet Singh Sidhu, Addl. Superintending Engineer alongwith Shri Gursatinder Singh, AAO (Revenue), DS Focal Point Division (Special), PSPCL, Ludhiana, appeared on behalf of the Respondent Punjab State Power Corporation Limited (PSPCL).

4. Presenting the case on behalf of the Petitioner, Shri Kanwarjit Singh, Petitioner’s Counsel (PC) stated that the Petitioner is having a Large Supply connection bearing Account no. 3002808974) with Sanctioned Load of 800kW and Contract Demand of 800kVA. The Petitioner had deposited the consumption charges regularly as per the demand raised by the PSPCL.

 PC stated that the Respondent, vide memo no. 2003 dated 11.05.2017, intimated that on the basis of site checking report dated 10.05.2017, the account of the Petitioner had been overhauled and the Petitioner was charged Rs. 8,70,455/- being difference of the tariff for the period 13.02.2014 to 29.04.2017 and Rs. 3,30,660/- being difference in security amount.

 PC stated that the overhauling of the account of the Petitioner for such a long period was not correct and was against the norms of applicable provisions and provisions of the Law.

 PC also stated that the demand raised by the Respondent, vide memo no. 2003 dated 11.05.2017 amounting to Rs. 8,70,455/-, being difference in tariff and Rs. 3,30,660/-, being difference in security, was liable to be quashed due to following reasons:

1. When the Petitioner got installed Billet Heater, the provisions then applicable prescribed that the concerned consumer, who opted to install Billet Heater, was required to be treated under General Category and the charges, as were applicable to the consumer of General Category at that time were to be charged. Hence, keeping in view the applicable Monthly Minimum Charges (MMC) and other expenses of General Category were required to be charged. The Petitioner got installed Billet Heaters, in place of Oil Furnace and deposited Rs. 4,67,200/- on dated 03.04.2013, being Security, and thereafter, Service Connection Charges amounting to Rs. 9,68,000/- on dated 06.01.2014 and also Rs. 1,32,000/- as variable charges, which were paid through installments. Thus, the Petitioner paid Rs. 11,00,000/- against demand notice issued vide no. 1461 dated 08.04.2013. Besides, about Rs. 30 to 40 lac were invested by the Petitioner in the installation of the said system and accordingly, filed an application for the extension in load by giving the detail of load required to be extended of Billet Heater and other required load, which was sanctioned and released on 31.01.2014 as per the provisions of CC no. 28/2012 dated 06.09.2012 by the PSPCL without any objection. Accordingly, the Petitioner deposited the consumption charges under General Category which the Respondent raised on its own and also had been accepting without any hindrance by treating the load of Billet Heater under General Category.
2. The Respondent – PSPCL, vide memo no. 2003 dated 11.05.2017, asked the Petitioner to deposit the difference of Tariff and difference of Security keeping in view the instructions contained in CC no. 27/2014 dated 29.05.2014 when the load of Billet Heater was sanctioned in the premises of the Petitioner w.e.f. 31.01.2014. It was crystal clear that the Petitioner could not be forced to make those payments which were not applicable at that relevant time when it applied for the sanction of Billet Heater and more so, the instructions circulated in May 2014 could not be made applicable retrospectively.
3. The Respondent had neither given any notice to the Petitioner nor published the matter in the newspapers to bring the matter to the knowledge of the General Public till the service of notice/memo no. 2003 dated 11.05.2017, which was clear violation of the principle of natural justice. As far as the Petitioner knew, PSPCL had given the notice in the newspapers on 16.05.2017 only. It was worth mentioning that in case, the consumer was given to understand that on the Sanctioned Load of 800kW (which it got sanctioned by taking the future plan also), such a heavy MMC tariff will be applied, then, it might have considered to apply for lesser load of Billet Heater and may not have deposited the service connection charges of such a huge amount, by taking the future requirement also. In case, this Court, considering the circumstances of the case, deemed fit to order to refund the already recovered service connection charges, of that portion which the Petitioner deposited, by keeping in mind the future expectations, then, the Petitioner was ready to get decreased its load to the extent of 600kW, which could easily meet its requirements.
4. Instruction no. 93.2 of Electricity Supply Instruction Manual 2010 provides that:

*“Under under Section 56 (2) of the Act, no sum due from any consumer shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied. PSPCL shall not cut off supply in all such cases, if the amount is debited after two years from the date when it became first due.”*

1. In case, if the Petitioner accepted the charged amount ( by the Respondent) then, it will not be possible for the Petitioner to pull on its livelihood and after the installation of Billet Heater, the purpose of installation of Billet Heater will be defeated.
2. Similarly, from the business point of view, the Petitioner, at

the relevant time, had fixed the prices of the products by calculating and including all the expenses borne by it at the relevant time and was now not be in a position to recover the additionally charged amount from its consumers.

g) The Respondent had not intimated or mentioned the instructions as per which it had the powers to charge any consumer retrospectively.

1. The plea taken by the Respondent, during the proceedings

held on 04.08.2017 in CGRF (Forum), regarding noting of the instructions from the website by the consumer itself, was neither legally valid nor based upon the instructions issued by the PSPCL. Rather, the plea so taken was inconsistent with the applicable provisions of the Law, and provisions of the principles of natural justice. Besides, when the change in instruction was effected in the year 2014 and that was in the knowledge of the officers of the PSPCL, then, they should not have allowed to continue the concerned consumers, of Billet Heater of PSPCL, to be charged under General Category of consumers till 2017.

5. Defending the case on behalf of the Respondent, Er. Kawal Preet Singh Sidhu, Addl. S.E/DS Focal Point Division (Special), PSPCL, Ludhiana stated that the Petitioner was having a Large Supply category connection under Unit-1 of Focal Point Division, Ludhiana in the name of Alloy Forge, bearing A/c no. 3002808974. The present Sanctioned load of the connection was 800.000kW with Contract Demand 800.000kVAh. The connection of the Petitioner was checked by the Addl. SE/MMTS-1, Ludhiana vide ECR no. 45/2958 dated 10.05.2017 and it was reported that:

*“ygseko d/ njks/ ftu j/m fby/ nB{;ko 2 no. Billet Heater bZr/ jB fJj induction billet heater jB .*

***Sr.no. Make Capacity Freq. No.***

*1. Indoctrotherm 275 Kw 10Khz 1406001*

*2. Electrotherm 150 Kw 24.8Hz EH/1HH/067/416*

*CC no. 39/2014 w[pskpe fJj PIU e?Nkroh nXhB nkT[Idk j? . gqzs{ ygseko dk e{B?eµB °Bob e?Nkroh nXhB j? . fJb?eNohf;Nh n?eN 2003 dh Xkok 126 nXhB UUE dh pDdh ekotkJh ehsh ikt/ .”*

The Respondent stated that a speaking order was, thereafter, issued by the Addl. SE/ MMTS-1 vide memo no. 297 dated 05.06.2017 stating that:

“fJ; dcso d/ ECR no. 45/2958 fwsh 10.05.2017 B{z connection check u?e ehsk frnk s/ gkfJnk frnk fe whNo dh display s/ segment cut e/ nk oj/ ;B . fJ; bJh ohfvzr B¦N Bjh ehsh ik ;edh ;h . fJ; ygskeko dk whNo BzL 14636631, ubkB BzL 50 fwsh 20.06.2017 B{z n?wHJhHb?p, b[fXnkDk fty/ u?e ehsk frnk ns/ whNo dh fv;gb/ fvc?efNt gkJh rJh . whNo dh fv;gb/ s/ ;?rw+N eZN e/ nk oj/ ;B . whNo dh accuracy mhe ;h .

fwsh 2H6H2017 B{z whNo dh final reading ;w/s Multiplying Factor (MF) j/m nB[;ko jBL

 kWH 1783140

kVAH 1818480

fJ; bJh T[es ekotkJh nkg d/ dcso tb¯ eo bJh ikt/ ih .

The Respondent stated that the record was consulted and it was found that during extension of load from 324.827kW to 800kW, the consumer had declared Billet Heater load. The extension of load was released on 31.01.2014. So, as per checking report of ECR 45/2958 dated 10.05.2017 of Addl. SE/ MMTS-1, Ludhiana, this was not a case of UUE.

Accordingly, on the basis of ECR no. 45/2958 dated 10.05.17, approved A & A form, CC no. 27/2014 and CC no. 39/2014, the consumer was issued a notice bearing no. 2003 dated 11.05.17 to deposit Rs.8,70,455/- as difference of PIU tariff and General Industry Tariff and Rs. 3,30,660/- for difference of security of PIU category and General category Industrial connection. The Consumer disagreed with the notice bearing no. 2003 dated 11.05.2017 and filed Petition no. CG-144 of 2017 before the Forum which decided on 04.08.2017 that the amount of Rs.8,70,455/- on account of difference in tariff from General to PIU and Rs.3,30,660/- on account of difference of ACD from General to PIU, charged to the Petitioner vide notice bearing memo no.2003 dated 11.05.2017 by ASE/DS, Focal Point Division (Special), PSPCL, Ludhiana was correct and chargeable, keeping in view commercial circular no. 27/2014 dated 29.05.2014.”

The Respondent contended that in compliance to the above decision dated 04.08.2017, notice no.1850 dated 14.08.2017 was issued to the Petitioner to deposit Rs. 9,60,892/- after adjusting the amount already deposited and interest charged. But the Petitioner, instead of depositing the amount, filed an Appeal before the Court of Ombudsman (LokPal).

The Respondent contested that the contention of the Petitioner for quashing the demand raised by referring to the Commercial Circular (CC) no. 27/2014 which provided that:

*“In view of PSERC order dated 28.10.2013 in Petition no. 3 of 2012, all LS consumers, where premises the induction Billet Heaters/Surface Hardening Machines are installed shall be treated under PIU category w.e.f. 01.01.2014. This circular supersedes commercial circular no. 28/2012 dated 06.09.2012. Meticulous compliance of the above instructions may please be ensured.”*

 The Respondent submitted that as the Petitioner itself had admitted in the present Petition that it had installed the Billet Heater in January 2014 and CC no. 27/2014 was also applicable w.e.f. 01.01.2014, so the PIU tariff levied to the consumer w.e.f. 01.01.2014 is correct and as per the rules and regulations of PSPCL.

 The Respondent added that the Petitioneri as having 800kW load /800kVA Contract Demand and, for various purposes related to electricity like Power Regulatory measures, the consumers having Large Supply connection regularly visited the website of PSPCL. Therefore, the Petitioner was very much aware of the instructions issued from time to time by PSPCL conveyed through its website.

The Respondent submitted that the amount charged to the Petitioner was as per rules and regulations of PSPCL and prayed that the Appeal be dismissed.

**Decision**

6. The relevant facts of the case are that the Petitioner is having a Large Supply category connection bearing Account No. 3002808974. The Petitioner applied for extension in load from 324.827kW to 800kW and Contract Demand from 360kVA to 800kVA and the same was approved by the Deputy Chief Engineer, DS East Circle, PSPCL, Ludhiana as conveyed vide letter dated 08.10.2012. Thereafter, a Demand Notice no. 1461 dated 08.04.2013 was issued by the AEE, Commercial, PSPCL, Ludhiana and extension in load/contract demand was released on 31.01.2014. The connection of the Petitioner was checked by the Addl. SE/MMTS-1, Ludhiana vide ECR no. 45/2958 dated 10.05.2017 and it was reported that:

*“ygseko d/ njks/ ftu j/m fby/ nB{;ko 2 no. Billet Heater bZr/ jB fJj induction billet heater jB .*

***Sr.no. Make Capacity Freq. No.***

*1. Indoctrothrem 275 Kw 10Khz 1406001*

*2. Electrotherm 150 Kw 24.8Hz EH/1HH/067/416*

*CC no. 39/2014 wpskpe fJj PIU e?Nkroh nXhB nkT[Idk j? . gqzs{ ygseko dk e{B?eµB °Bob e?Nkroh nXhB j? . fJb?eNohf;Nh n?eN 2003 dh Xkok 126 nXhB UUE dh pDdh ekotkJh ehsh ikt/ .”*

A speaking order was, thereafter, issued by Addl. SE/ MMTS-1 vide memo no. 297 dated 05.06.2017 stating that:

“fJ; dcso d/ ECR no. 45/2958 fwsh 10.05.2017 B{z connection check u?e ehsk frnk s/ gkfJnk frnk fe whNo dh display s/ segment cut e/ nk oj/ ;B . fJ; bJh ohfvzr B¦N Bjh ehsh ik ;edh ;h . fJ; ygskeko dk whNo BzL 14636631 ubkB BzL 50 fwsh 20.06.2017 B{z n?wHJhHb?p, b[fXnkDk fty/ u?e ehsk frnk ns/ whNo dh fv;gb/ fvc?efNt gkJh rJh . whNo dh fv;gb/ s/ ;?rw+N eZN e/ nk oj/ ;B . whNo dh accuracy mhe ;h .

fwsh 2.6.2017 B{z whNo dh final reading ;w/s Multiplying Factor (MF) j/m nB[;ko jBL

 kWh 1783140

kVAh 1818480

fJ; bJh T[es ekotkJh nkg d/ dcso tb¯ eo bJh ikt/ ih . "

The Respondent then consulted the records and noticed that during extension of load from 324.827kW to 800kW which was released on 31.01.2014, the Petitioner had declared Billet Heater load. So, the checking report vide ECR 45/2958 dated 10.05.2017 of Addl. SE/ MMTS-1, Ludhiana, was not in order and thus it was not a case of UUE. Accordingly, on the basis of the ECR no. 45/2958 dated 10.05.2017, approved A & A Form, CC no. 27/2014 and CC no. 39/2014, the consumer was issued a notice bearing no. 2003 dated 11.05.17 by the Respondent to deposit Rs.8,70,455/- as difference of Power Intensive Unit PIU tariff and General Industry Tariff and Rs. 3,30,660/- for difference of security of PIU category and General Industry category.

The Consumer disagreed with the demand raised vide notice bearing no. 2003 dated 11.05.2017 and filed Petition no. CG-144 of 2017 before the Forum which decided on 04.08.2017 that the amount of Rs.8,70,455/- on account of difference in tariff from General industry to PIU and Rs.3,30,660/- on account of difference of ACD from General Industry to PIU charged to the Petitioner, vide notice bearing memo no.2003 dated 11.05.2017 by Addl. S.E/DS, Focal Point Division (Special), PSPCL, Ludhiana was correct and chargeable, keeping in view Commercial Circular no. 27/2014 dated 29.05.2014.

In compliance to the above decision dated 04.08.2017 the Respondent issued a notice bearing no.1850 dated 14.08.2017 to deposit Rs. 9,60,892/- after adjusting the amount already deposited and interest charged. But the Petitioner, instead of depositing the amount, filed an Appeal before this Court.

I have gone through the written submissions made in the Petition by the Petitioner and written reply of the Respondent as well as the oral submissions made by the Petitioner and Respondent alongwith the material brought on record by both the sides.

The issue requiring adjudication is the legitimacy of the demand of Rs. 8,70,455/- on account of difference in Tariff from General Industry to PIU and Rs.. 3,30,660/- on account of difference of ACD from General Industry to PIU, charged to the Petitioner vide notice dated 11.05.2017

*My findings on the points emerged and deliberated are as under:-*

1. PC argued that when the Petitioner installed Billet Heater Load then applicable rules prescribed that the consumers, who opted to install Billet Heater, was required to be treated under General Industry Category. Also, as per the provisions then existing, the least MMC as applicable to the consumer of General Industry Category at that time were to be charged. Hence, keeping in view the applicable MMC charges and other expenses of General Industry Category applicable at that time, the Petitioner installed Billet Heater, in place of Oil Furnace and to achieve the benefit of Billet Heater. Accordingly, the Petitioner deposited Rs. 4,67,200/- on dated 03.04.2013 being Security and thereafter, Service Connection Charges amounting to Rs. 9,68,000/- on dated 06.01.2014 and also Rs. 1,32,000/- being variable charges, which were paid in installments. Thus, the Petitioner paid Rs. 11,00,000/- against the demand notice no. 1461 dated 08.04.2013. Besides, about Rs. 30 to 40 lac were borne by the Petitioner in the installation of the said system and accordingly, filed an application for the extension in load by giving the detail of load required to be extended as Billet Heater and other required load, which was sanctioned and released on 31.01.2014 as per the provisions of CC no. 28/2012 dated 06.09.2012 issued by the PSPCL without any objection. Thereafter, the Petitioner deposited the consumption charges under General Industry Category which the Respondent raised on its own and also had been accepting without any hindrance by treating the load of Billet Heater under General Category. The Respondent – PSPCL, vide memo no. 2003 dated 11.05.2017, asked the Petitioner to deposit the difference of Tariff and difference of Security keeping in view the instructions contained in CC no. 27/2014 dated 29.05.2014 when the Petitioner of the Billet Heater and release of the load of Billet Heater in the premises on 31.01.2014. Thus, it was crystal clear that the Petitioner could not be forced to make those payments which were not applicable at that relevant time when it applied for the sanction of Billet Heater and more so, the instructions released in May 2014 could not be made applicable retrospectively.

The Respondent contested that the contention of the Petitioner for quashing the demand raised by referring to the Commercial Circular (CC) no. 27/2014 which provided that:

*“In view of PSERC order dated 28.10.2013 in Petition no. 3 of 2012, all Large Supply consumers, on whose premises the induction Billet Heaters/Surface Hardening Machines are installed shall be treated under PIU category w.e.f. 01.01.2014. This circular supersedes commercial circular no. 28/2012 dated 06.09.2012.”*

 The Respondent, in its defence, submitted that as the Petitioner itself had admitted in the present Petition that it had installed the billet heater in January 2014 and CC no. 27/2014 was also applicable w.e.f. 01.01.2014, so the PIU tariff levied to the consumer w.e.f. 01.01.2014 is correct and as per the rules and regulations of PSPCL.

 I observe that in compliance to order dated 21.03.2012 of the Hon’ble PSERC, PR Circular No. 03/2012 dated 09.04.2012 was issued by the PSPCL stating that:

 *“In accordance with Honourable PSERC orders dated 21.03.2012 it may be noted that for the purpose of Power Regulatory measures, the industrial consumers, who are using/having billet heater in their industry, shall be subjected to PR measures, as are applicable to general industries, fed from Category II, till the disposal of Petition No. 03/2012. This comes into force with immediate effect”.*

 I also find that the PSPCL subsequently issued CC no. 27/2014 dated 29.05.2014 providing that:

 *“In view of Hon’ble PSERC order dated 28.10.2013 in petition no. 3of 2012, all LS consumers where the induction Billet Heaters/Surface Hardening Machines are installed shall be treated under PIU category with effect from 1.1.2014. This circular supersedes CC no.28/2012 dated 06.09.2012.”*

 *Thus, there is merit in the contention of the Respondent that since the extension in load having Billet Heater Load of the Petitioner was released on 31.01.2014 and as per CC no. 27/2014 dated 29.05.2014, the Petitioner is liable to be charged on the said account from the date of release of extension in load i.e. 31.01.2014 ( instead of from 01.01.2014 as charged by the Respondent) till the date, the Petitioner was charged accordingly in the regular bill.*

ii) PC further argued that the Respondent had neither given any notice to the Petitioner nor published the matter in the newspapers to bring the matter to the knowledge of the General Public till the service of notice/memo no. 2003 dated 11.05.2017, which was clear violation of the principle of natural justice. As far as the Petitioner knew, PSPCL had given the notice in the News Papers on 16.05.2017 only. It was worth mentioning that in case, the consumer was given to understand that on the sanctioned load of 800kW (which it got sanctioned by taking the future plan also) such a heavy MMC tariff will be applied, then, it might have considered to apply for lesser load of Billet Heater and might not have deposited the service connection charges of such a huge amount, by taking the future requirement also. In case, this Court, considering the circumstances of the case, deemed fit to order to refund the already recovered service connection charges, of that portion which the Petitioner deposited by keeping in mind the future expectations, then, the Petitioner was ready to get decreased its load to the extent of 600kW, which could easily meet its requirements.

 I find that the PSPCL had not implemented, for more than six months, the order dated 28.10.2013 of the Hon’ble PSERC which, in turn, held the PSPCL responsible for the inordinate delay in implementation and imposed a penalty of Rs. 25,000/- on the PSPCL, vide order dated 09.06.2014, under Section 142 of Electricity Act-2003.

 *I agree with the PC that the Respondent did not take any action in the matter from the date of issuance of CC no. 27/2014 dated 29.05.2014 till service of notice vide no. 2003 dated 11.05.2017 pursuant to the checking of connection by the MMTS and is thus responsible for the delay of about three years in raising the demand.*

 *At the same time, I agree with the contention of the Respondent that the Petitioner is a Large Supply consumer having Sanctioned Load of 800kW and Contract Demand of 800kVA, could not feign ignorance about the knowledge/availability of instructions issued and uploaded by the PSPCL from time to time, particularly of CC no. 27/2014 dated 29.05.2014 uploaded on the website of PSPCL immediately after its issuance. Hon’ble PSERC decision dated 28.10.2013 in Petition No. 3 of 2012 filed by Ludhiana Hand Tools Association, regarding treatment to be meted to Billet/Induction Heating load by PSPCL, was also up-loaded on Hon’ble PSERC website.*

 *I am also of the view that ignorance of Law is no excuse and merely laying the onus on the PSPCL, for not getting its instructions implemented expeditiously, is not in good taste as has been done by the Petitioner in the present case. The consumers, on their part, ought to act responsibly/sincerely and also discharge their respective obligations in true spirit.*

1. PC also objected to the raising of demand at a belated stage by referring to Instruction no. 93.2 of Electricity Supply Instruction Manual 2010 providing that:

*“Under Section 56 (2) of the Act no sum due from any consumer shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for electricity supplied. PSPCL shall not cut off supply in all such cases, if the amount is debited after two years from the date when it became first due.”*

*I observe that the above contention of the PC is not tenable in view of instructions contained in CC no.05/2012 issued by the PSPCL pursuant to the order of Hon’ble Punjab and Haryana High Court in LPA No. 605 of 2009 decided on 09.09.2011.*

1. PR also argued that the Respondent had not intimated or mentioned the instructions under which, it had the powers to charge any consumer retrospectively.

*I observe that the Petitioner, at the time of signing Application and Agreement (A&A) Form for sanction of extension in Load/Contract Demand undertook to abide by the rules and regulations governing to the connection and was, thus, bound by the instructions applicable at the relevant point of time. Accordingly, the contention of the PC questioning the validity of the demand raised is not in order.*

 **As a sequel of above discussions, it is held that difference in Tariff and ACD, on account of release of extension in Load/Contract Demand due to change of category of connection from General Industry to Power Intensive Unit (PIU), is recoverable from the Petitioner with effect from 31.01.2014 (date of release of extension of Load/Contract Demand till the date, when the same has been charged in the regular bill in terms of provisions contained in CC no. 27/2014 dated 29.05.2014. However, no interest/surcharge should be charged as the Respondent also defaulted in ensuring implementation of its own instructions. Accordingly, the Respondent is directed to recalculate the demand and refund/recover the amount found excess/short, if any.**

7. The Appeal is disposed off accordingly.

8. In case, the Petitioner or the Respondent (Licensee) is not satisfied with the above decision, they are at liberty to seek appropriate remedy against this order from the appropriate Bodies in accordance with Regulation 3.28 of Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations – 2016.

 (VIRINDER SINGH)

Date: 08.02.2018 LokPal (Ombudsman)

Place: S.A.S. Nagar (Mohali) Electricity, Punjab.