

**COURT OF THE LOK PAL (OMBUDSMAN),  
ELECTRICITY, PUNJAB,  
PLOT NO. A-2, INDUSTRIAL AREA, PHASE-1,  
S.A.S. NAGAR (MOHALI).**

(Constituted under Sub Section (6) of Section 42 of  
Electricity Act, 2003)

**APPEAL No. 01/2025**

**Date of Registration : 10.01.2025**  
**Date of Hearing : 24.01.2025, 31.01.2025**  
**14.02.2025**  
**Date of Order : 27.02.2025**

**Before:**

**Er. Anjuli Chandra,  
Lokpal (Ombudsman), Electricity, Punjab.**

**In the Matter of:**

M/s. G.M. Pepsu Road Transport Corporation,  
Chandigarh Depot, Bus Stand,  
Chandigarh Road, Zirakpur.

**Contract Account Number: 3007362906 (NRS)**

...Appellant

Versus

Addl. Superintending Engineer,  
DS Division, PSPCL,  
Zirakpur.

...Respondent

**Present For:**

**Appellant:** Adv. Tarranum Madan,  
Appellant's Counsel.

**Respondent :** Er. Hemant Kumar,  
AEE/Commercial, DS Division,  
PSPCL, Zirakpur.

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 03.12.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana (Corporate Forum) in Case No. T-222/2024, deciding that:

*“The present petition is dismissed being non-maintainable in view of Regulation 2.9.1(i) of PSERC (Forum & Ombudsman) 2nd Amendment, Regulation 2021.”*

## **2. Registration of the Appeal**

A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 10.01.2025 i.e. beyond the period of thirty days of receipt of the decision dated 03.12.2024 of the CCGRF, Ludhiana in Case No. T-222/2024 by the Appellant. The Appellant had deposited the requisite 40% of the disputed amount. Therefore, the Appeal was registered on 10.01.2025 and copy of the same was sent to the Addl. SE/ DS Division, PSPCL, Zirakpur for sending written reply/ parawise comments with a copy to the office of the CCGRF, Ludhiana under intimation to the Appellant vide letter nos. 28-30/OEP/A-01/2025 dated 10.01.2025.

## **3. Proceedings**

With a view to adjudicate the dispute, a hearing was fixed in this Court on 24.01.2025 and intimation to this effect was sent to

both the parties vide letter nos. 52-53/OEP/A-01/2025 dated 17.01.2025. As scheduled, the hearing was held in this Court on 24.01.2025 and arguments of both the parties were heard. The next date of hearing was fixed for 31.01.2025. An intimation to this effect alongwith the copies of the proceedings dated 24.01.2025 was sent to both the parties vide letter nos. 78-79/OEP/A-01/2025 dated 24.01.2025. As scheduled, the hearing was held in this Court on 31.01.2025 and arguments of both the parties were heard. The next date of hearing was fixed for 14.02.2025. An intimation to this effect alongwith the copies of the proceedings dated 31.01.2025 was sent to both the parties vide letter nos. 102-103/OEP/A-01/2025 dated 31.01.2025. As scheduled, the hearing was held in this Court on 14.02.2025 and arguments of both the parties were heard. The case was closed for the pronouncement of the speaking orders.

#### **4. Condonation of Delay**

At the start of hearing on 24.01.2025, the issue of condoning of delay in filing the Appeal beyond the stipulated period was taken up. The Appellant's Counsel submitted that the Appellant was regularly requesting the Respondent office to rectify their bills, but their grievance was not resolved. When the Appellant approached the CCGRF, Ludhiana, their case was not heard on

merits & was dismissed as non-maintainable in view of Regulation 2.9.1(1) of PSERC (Forum & Ombudsman) (2<sup>nd</sup> Amendment) Regulations, 2021. She further submitted that there was delay by the Appellant in depositing the requisite 40% of the disputed amount as the Appellant being a Transport Corporation was required to take necessary approvals from higher authorities before depositing a huge amount. The Appellant's Counsel requested for the condonation of delay in filing the Appeal & prayed that Appeal be heard on merits in the interest of justice. I find that the Respondent did not object to the condoning of the delay in filing the Appeal in this Court either in its written reply or during hearing in this Court.

In this connection, I have gone through Regulation 3.18 of PSERC (Forum and Ombudsman) Regulations, 2016 which reads as under: -

*“No representation to the Ombudsman shall lie unless:*

- (ii) The representation is made within 30 days from the date of receipt of the order of the Forum.*

*Provided that the Ombudsman may entertain a representation beyond 30 days on sufficient cause being shown by the complainant that he/she had reasons for not*

*filing the representation within the aforesaid period of 30 days.”*

It was observed that refusal to condone the delay in filing the Appeal would deprive the Appellant of the opportunity required to be afforded to defend the case on merits. Therefore, with a view to meet the ends of ultimate justice, the delay in filing the Appeal in this Court beyond the stipulated period was condoned and the Appellant's Counsel was allowed to present the case.

**5. Submissions made by the Appellant and the Respondent**

Before undertaking analysis of the case, it is necessary to go through written submissions made by the Appellant and reply of the Respondent as well as oral deliberations made by the Appellant's Counsel and the Respondent alongwith material brought on record by both the parties.

**(A) Submissions of the Appellant**

**(a) Submissions made in the Appeal**

The Appellant made the following submissions in its Appeal for consideration of this Court:-

- (i) The Appellant was a well renowned Transport Corporation having its Head Office at Patiala and one of its Branch Office at Chandigarh Depot, Bus Stand, Chandigarh Road, Zirakpur which in under the administrative control of General Manager, Pepsu

Road Transport Corporation, Chandigarh Depot, Bus Stand, Chandigarh Road, Zirakpur. The present complaint is being filed by Shri Maninder Pal Singh Sidhu, Designation–General Manager, Pepsu Road Transport Corporation, Chandigarh Depot, Bus Stand, Chandigarh Road, Zirakpur, who is duly authorized by the General Manager, Pepsu Road Transport Corporation to initiate the present legal proceedings against the Respondent and is fully conversant with the facts as well as the dispute involved in the present case.

- (ii) It is pertinent to mention that the complainant is having an Electricity Connection with the Respondent–(PSPCL) in its name as G.M., P.R.T.C. bearing Account No. 3007362906, NRS-1 with DPC, at its office at Chandigarh Depot, Bus Stand, Chandigarh Road, Zirakpur.
- (iii) The Appellant has been regularly clearing its dues towards the usage of electricity being supplied by the Respondent and has been duly making the payment of electricity bills to the Respondent Department as and when raised by the Respondent in the respective bills generated by the Respondent Department from time to time.
- (iv) However, to the utter shock of the Appellant, although the Appellant had been duly clearing its bill amounts towards the

number of electricity units being used from time to time, the Respondent Department raised an electricity bill No. 1004226628 dated 25.03.2022 amounting to ₹ 18,470/- for the period from 08.11.2021 to 01.12.2021, however the said bill was never received by the Appellant and as such the said bill amount could not be deposited with the Respondent Department. Thereafter, the Appellant received the Electricity Bill No. 1004226629 dated 25.03.2022, amounting to ₹ 2,15,510/-, Bill Cycle No. 09/2021 for the period of 01.12.2021 to 08.12.2021 for the alleged 25720 units consumed by the Appellant for 8 days, by post. When the Appellant revisited the said bill raised by the Respondent for 8 days, the Appellant was astonished to see that the Respondent has allegedly shown the alleged consumption of electricity units as 25720 for 8 days only. Since, the electricity bill had been wrongly generated by the Respondent Department, therefore, immediately after receipt of Electricity Bill No. 1004226629 dated 25.03.2022, the Appellant approached the Respondent Department and inquired about the alleged consumption as well as the alleged bill generated by the Respondent Department tuning to the amount of ₹ 2,15,510/-, but the employees of the Respondent Department assured the Appellants that they will look into the matter with priority and

will rectify the said wrong bill and will also raise a new bill after rectification. Owing to the said verbal commitment by the employees of the Respondent Department for rectification of the bill amount, the Appellant did not deposit the alleged bill amount which had been disputed between the parties.

(v) Shockingly, the Appellants received another bill dated 04.04.2022 for the period from 08.12.2021 to 30.03.2022, for an amount of ₹ 2,80,560/- and it is important to mention here that the said generated bill included the amount of the aforesaid disputed wrong Electricity Bill No. 1004226629 dated 25.03.2022. As such, the Appellant again approached the Respondent and yet again requested them to rectify both the bills and the employees of the Respondent Department assured the complainant that they will look into the matter and will rectify the said bills and in pursuance to the rectification they will generate a new bill after deduction of the above said disputed among. However, the Respondent did not pay any heed to the repeated request of the Appellant and did not bother to take any requisite action.

(vi) Being aggrieved against the inaction to the Respondent Department towards resolving the dispute with respect to raising of wrong electricity bills, the Appellant sent the letters bearing

No. 1218 dated 23.06.2022, letter no. 1287 dated 29.06.2022 and letter no. 1409 dated 11.07.2022 to the Respondent Department specifying the grievance involved and seeking immediate attention towards resolving of the dispute and raising new electricity bills with correct amount, however, till date, no action has been taken by the Respondent. The Respondent did not send the rectified bills owing to the period from 01.04.2022 to 08.08.2022, and therefore, the Appellant again approached the Respondent and made a complaint that neither any official of the Respondent Department had come to the premises where the meter has been installed to check the meter reading nor the aforesaid bills have been rectified and amended.

- (vii) Furthermore, the Respondent without even adhering to the repeated complaints made by the Appellant for rectifying the previously disputed bills, again sent a bill dated 27.08.2022 for the period from 30.03.2022 to 08.08.2022, for an amount of ₹ 4,28,090/- including the amount of the aforesaid wrong bill dated 25.03.2022, as such, the Appellant again approached the Respondent and requested them to rectify the bills and the employees of the Respondent Department again gave the false assurances to the Appellants. Thereafter, the Respondent continued to sent the wrong bills to the Appellant upto

November, 2022 i.e. Bill Dated 23.09.2022, Bill No. 50019381392 dated 18.11.2022, but thereafter the Respondent did not send any till May, 2023. The Appellant again sent the letters bearing No. 2993 dated 16.11.2022, and letter No. 3058 dated 21.11.2022, and requested them for rectifying the bills, waiver of penalties & interest and not receiving the bills by the Appellant, but the no action has been taken by the Respondent.

- (viii) Thereafter, the Respondent instead of sending the rectified bills again sent the wrong bill of hefty amount of ₹ 13,35,210/- bearing Electricity Bill No. 1005536917 dated 04.05.2023, Bill Cycle No. 09/2022 for the period from 10.11.2022 to 08.12.2022 for the alleged units consumed 102880 for 28 days. It is pertinent to mention here that the Respondent also sent four other bills dated 04.05.2023 for the period of 08.12.2022 to 10.01.2023 bearing bill no. 1005536918, bill no. 1005536919 from 10.01.2023 to 10.02.2023, bill no. 1005536920 from 15.04.2023 to 21.03.2023, Bill No. 1005536921 from 15.04.2023 to 15.04.2023 each bill having different amounts including the aforesaid alleged disputed amount of ₹ 13,35,210/-. When the Appellant went through the alleged bills, then the Appellant was more astonished to see that the Respondent instead of sending the rectified bills have again sent the wrong bills of hefty amount

as well as of the wrong period. The Appellant again approached the Respondent and requested them to rectify the Electricity bills, so that the Appellant can deposit the actual consumption bills amount to the Respondent. The employees of the Respondent strictly directed the Appellant not to deposit the disputed amounts of the bills dated 25.03.2022 and 04.05.2023, but to deposit the rest of the amount, which comes to ₹ 2,83,370/- and if any excess amount is found in the same, it will be adjusted in the rectified bills. As per their directions, the Appellant deposited the amount of ₹ 2,83,370/- on 20.06.2023.

- (ix) The Respondent did not rectify the wrong bills and continued to send further bills including the alleged amounts of the aforesaid wrong bills. The Appellant as per the directions of the employees of the Respondent, deposited the amount of ₹ 1,46,133/- on 20.09.2023. It is pertinent to mention here that the Appellant also sent various letters bearing No. 3401 dated 23.12.2022, letter no. 3682 dated 19.01.2023, letter no. 3683 dated 20.01.2023, letter no. 747 dated 07.06.2023, letter no. 1770 dated 30.08.2023, letter no. 2564 dated 14.11.2023 alongwith other letters to the Respondent Department to rectify the bills, but no action was taken by the Respondent. It is pertinent to mention here that the Appellant also many time requested the Respondent to install

LTCT meter in their premises, as due to the problem in meter, the bills of heft and wrong consumption are being displayed.

- (x) The Respondent instead of sending the rectified bills again sent the wrong bill of very hefty amount of ₹ 19,43,820/- bearing Electricity Bill No. 1006449186 dated 01.01.2024, Bill Cycle No. 09/2023, for the period from 24.11.2023 to 08.12.2023 for the alleged units consumed 51440 for 14 days. It is pertinent to mention here that the Respondent also sent two more bills dated 04.01.2024 for the period of 08.12.2023 to 02.01.2024 and bill dated 22.01.2024 for the period of 02.01.2024 to 08.01.2024, each bill of different amounts including the aforesaid alleged amount of ₹ 19,43,820/-. Thereafter, the Appellant again approached the Respondents and requested them to rectify the Electricity bills, but the Respondent again made the false assurances and directed the Respondent to deposit the amount of ₹ 1,06,844/- and as per their directions, the Appellant made the payment of ₹ 1,06,844/- to the Respondent on 06.02.2024. It is pertinent to mention here that on the persistent requests of the Appellant with regard to installation of LTCT meter, the Respondent at last installed the LTCT meter in the premises of the Appellant in the month of January, 2024. However, the Respondent did not rectify the earlier wrong bills. The

Appellants also sent letter No. 3739 dated 11.03.2024 and Letter No. 214 dated 23.04.2024 to the Respondent but the said request letters also went in vain.

- (xi) The Appellant is regularly paying some amount of the Electricity bills generated by the Respondent Department every month as per the directions of the Respondent, however the Respondents did not rectify the aforesaid bills and they are still reflecting the alleged hefty amounts in the new bill too and the Respondent reflected an amount of ₹ 22,42,121/- as arrears in the electricity bill dated 21.10.2024 for the period of 01.10.2024 to 15.10.2024.
- (xii) Then recently the Appellant has received an electricity bill dated 02.01.2025 bearing no. 51814845689, demanding ₹ 14,54,530/- to be deposited by the Appellant. It is important to mention that the amount mentioned in the present bill is also wrong since the said amount has been calculated after deducting ₹ 8,96,848/- which had been deposited by the Appellant with the Respondent as a mandatory condition of this Hon'ble Court which provides that 40% of the disputed amount has to be deposited by the Appellant with the Respondent before filing of the present representation.
- (xiii) The Appellant is paying the amounts to the Respondent towards the current bills, however the alleged arrears of electricity bill i.e.

₹ 22,42,121/- which is increasing day by day, claimed by the Respondent department is wrong, highly exaggerated and without any basis and is liable to be cancelled.

(xiv) The above said alleged amount of ₹ 22,42,121/- which is increasing day by day, claimed by the Respondent department is highly excessive and exaggerated & without any basis and has been wrongly assessed/claimed by the Respondent Department.

(xv) The Respondent are charging the bills on average basis, however the previous record of the Appellant is duly reflecting that no such high consumption was ever made by the Appellant. However, the average bills criteria of consumption of units for the period of November, 2022 to December, 2022 and November, 2023 to December, 2023 had been wrongly taken into consideration as per the alleged consumption for the period of November, 2021 to December, 2021, which is itself under challenge, as the bill charged for the period from November, 2021 to December, 2021 is wrong and same has already been challenged by the Appellant, so the alleged consumption for the period of November, 2021 to December, 2021 cannot be taken into consideration.

(xvi) The period of consumption mentioned in the bills dated 04.05.2023 i.e. 15.04.2023 to 21.03.2023 and 15.04.2023 to

15.04.2023 itself showing that the Respondent themselves are sending the wrong bills to the Appellant and on the basis of wrong criteria.

(xvii) No criteria or basis has been taken into consideration while assessing/claiming the alleged amount of ₹ 2,15,510/- vide bill dated 25.03.2022, ₹13,35,210/- vide bill dated 04.05.2023, ₹ 19,43,820/- vide bill dated 01.01.2024 and ₹ 22,42,121/- vide bill dated 21.10.2024 and the meter consumption shown by the Respondent are wrong, unjustified, illegal, arbitrary and never consumed. No alleged consumption was ever consumed by the Appellant and the wrong consumption was shown by the Respondent.

(xviii) The assessment of the alleged amount as well as the alleged consumption are illegal, unjustified, arbitrary and against the principles of natural justice. It is pertinent to mention here that before the disputed bill dated 25.03.2022, all the earlier bills stands paid regularly by the Appellant and there is no record of alleged usage of such a heavy consumption by the Appellant. As such, the alleged amount cannot be claimed.

(xix) The Respondents are the custodian of the meters and for any wrong consumption shown by the meters of the Respondent, the Appellant cannot be held liable. As such, the alleged amounts as

well as the penalties, interest and other charges levied by the Respondent are liable to be cancelled and set aside.

(xx) It is pertinent to mention that the Appellant had approached the Corporate Forum by filing Complaint no. T-222/24, which was decided on 03.12.2024 by observing that the complaint before the Forum had not been filed within the limitation period and hence, the same was observed to be not maintainable. However, liberty had been granted to the Appellant to approach this Hon'ble Court for seeking redressal of the grievances.

(xxi) The same complaint is not pending or already decided by any authority or Forum. The Appellant has deposited the mandatory 40% of the disputed amount i.e. ₹ 22,42,121/- which tunes upto ₹ 8,96,848/-.

(xxii) Keeping in view the above said facts and circumstances, it is, therefore, prayed that the alleged amount of ₹ 22,42,121/- claimed by the Respondent on the basis of Electricity Bills No. 1004226629 dated 25.03.2022, Bill Cycle No. 09/2021, Electricity Bill No. 1005536917 dated 04.05.2023, Bill Cycle No. 09/2022 and Electricity Bill No. 1006449186 dated 01.01.2024, Bill Cycle No. 09/2023, may kindly be cancelled and set aside, and any other charges, penalty or interest if any levied on the alleged amount of ₹ 22,42,121/- by the Respondent

Department , may also be cancelled and set aside and any excess payment paid by the Appellant, if found may kindly be ordered to be adjusted in future bills or be refunded back, to the Appellant.

(xxiii) It is further respectfully prayed that the Appellant may be exempted from filing the certified/ true/legible copies of the annexure appended herewith. Any other relief as deemed fit by this Court may kindly be granted to the Appellant.

**(b) Submission during hearing**

During hearings on 24.01.2025, 31.01.2025 & 14.02.2025, the Appellant's Counsel reiterated the submissions made in the Appeal and prayed to allow the same.

**(B) Submissions of the Respondent**

**(a) Submissions in written reply**

The Respondent submitted the following written reply for consideration of this Court:-

- (i) The Appellant having a/c no. 3007362906 running in the name of M/s GM PRTC, Chandigarh Depot, Bus Stand, Zirakpur. The Appellant was receiving bill on average basis from 08.06.2021 (N/R code), therefore the meter of the Appellant was changed on 01.12.2021. The Appellant had received a bill of new meter for

the period from 01.12.2021 to 08.12.2021 (7 days) of 'Ok' code of ₹ 2,15,510/- for 25720 units. Thereafter the Appellant had received a bill for the period from 08.12.2021 to 30.03.2022 (112 days) of 'Ok' code of ₹ 80,560/- (₹ 2,15,504/- as arrear) for 6343 units. Thereafter, the meter of the Appellant got burnt and it received the average bills on the basis of last 'Ok' code consumption.

- (ii) The meter of the Appellant was changed on 02.01.2024 (average units charged  $257189-32064=225125$  kVAh units). The Appellant did not pay any bill amount in the year 2022 (from the period 28.12.2021 to 20.06.2023, no payment was made by the Appellant). The outstanding amount against the Appellant is ₹ 23,34,050/- as on 03.12.2024.
- (iii) The bills were issued to the Appellant on average basis due to burnt meter and all the bills were prepared on either LYSM or LDHF as applicable.
- (iv) The bill of December, 2021 was issued on 'Ok' code. The bill of December, 2022 was issued as per LYSM method. The Appellant did not challenge the bill of December, 2021 as it was based on actual consumption of the meter. As per ESIM, the average bills were issued on LYSM, so December, 2022 bill was correct.

- (v) All bills were correct and issued as per LYSM or LDHF as applicable on each bill.
- (vi) The Appellant does not understand the method of LYSM or LDHF so their claim of bills being wrong is denied.
- (vii) The bill issued on 25.03.2022 was of 'Ok' code and the Appellant should have challenge the meter within the stipulated time if he thought the issued bill or meter reading was incorrect.
- (viii) The custody of the meter does not reflect the consumption and this matter was not related to consumption rather than consumption of the billing had been done on LYSM or LDHF as applicable.

**(b) Additional Submissions of the Respondent**

The Respondent submitted the following additional submissions vide Memo No. 648 dated 31.01.2025 & Memo No. 930 dated 14.02.2025 for consideration of this Court:-

- (i) The MDI of the Appellant never crossed the limit of 25 kVA against the 3 phase whole current meter installed at the site but when the meter was getting burnt again and again so the meter was replaced with LT/CT meter in January, 2024.
- (ii) The bill for the period from 01.12.2021 to 08.12.2021 was issued on 25.03.2022 for which the consumption recorded was 25720

units. The meter blank for this reading or any other record to verify the same was not available in the Sub Division office.

- (iii) Meter Serial No. 276389 was billed on “R” code in September, 2021 and the same was replaced in December, 2021 and the second meter bearing Serial No. 311734 was billed on “R” code in August, 2022 and was replaced in January, 2024 with LT/CT meter.
- (iv) As per ME-1, ME-2 record, MCO No. 100015682602 dated 26.10.2021, the meter no. 311734 was installed at initial reading as 1.

**(c) Submission during hearing**

During hearings on 24.01.2025, 31.01.2025 & 14.02.2025, the Respondent reiterated the submissions made in the written reply to the Appeal and prayed for the dismissal of the Appeal.

**6. Analysis and Findings**

The issue requiring adjudication is the legitimacy of the prayer of the Appellant to set aside the alleged demand of the PSPCL of ₹ 22,42,121/- on the basis of Electricity Bill No. 1004226629 dated 25.03.2022, Bill Cycle No. 09/2021; Electricity Bill No. 1005536917 dated 04.05.2023, Bill Cycle No. 09/2022 and Electricity Bill No. 1006449186 dated 01.01.2024, Bill Cycle

No. 09/2023, alongwith any other charges, penalty or interest if any levied.

*My findings on the points that emerged and my analysis as under:*

- (i) The CCGRF, Ludhiana in its order dated 03.12.2024 observed as under:-

“Forum observed that the dispute filed by Petitioner pertains to the period beginning from 25.03.2022 when bill amounting to Rs. 215510/- was issued to him for the period from 01.12.2021 to 08.12.2021 and subsequent bill issued on 05.04.2022 including previous arrears. Hence the cause of action arose on 25.03.2022.

Regulation 2.9.1(i) of PSERC (Forum & Ombudsman) 2nd Amendment, Regulation 2021 under head ‘Jurisdiction’ is reproduced as under;

*2.9.1*

*(i) “.....Provided that the complaint/representation is made within two years from the date of cause of action”.*

As per the above regulation, Petitioner should have approached concerned Forum within 2 years from 25.03.2022. However, he approached this Forum on 18.11.2024 i.e. after a period of more than two years, hence the present case is not maintainable being time barred in view of ibid Regulation and the clarification regarding the same received from the O/o Secretary PSERC vide Memo no. 2535 dated 15.04.2024.”

- (ii) The Corporate Forum, Ludhiana had dismissed the petition of the Appellant as not maintainable being time barred in view of Regulation 2.9.1(i) of PSERC (Forum & Ombudsman) (2nd Amendment) Regulations, 2021. At the start of hearing on 24.01.2025, the Appellant’s Counsel submitted that the Appellant was regularly requesting the Respondent office to rectify their bills, but their grievance was not resolved. When the

Appellant approached the CCGRF, Ludhiana, their case was not heard on merits & was dismissed as non-maintainable in view of Regulation 2.9.1(1) of PSERC (Forum & Ombudsman) (2<sup>nd</sup> Amendment) Regulations, 2021. She requested for the condonation of delay in filing the case & prayed that Appeal be heard on merits in the interest of justice. It was observed that refusal to condone the delay in filing the case would deprive the Appellant of the opportunity required to be afforded to defend the case on merits. Therefore, with a view to meet the ends of ultimate justice, it was decided to hear the case on merits.

- (iii) I have gone through the written submissions made by the Appellant in its Appeal, written reply of the Respondent & the data placed on the record by both the parties as well as oral arguments of both the parties during the hearings on 24.01.2025, 31.01.2025 & 14.02.2025. It is observed by this Court that a bill was issued to the Appellant for ₹ 2,15,510/- for the period of seven days from 01.12.2021 to 08.12.2021 on 'Ok' Code for 25720 units with MDI recorded as 10 kW. If we consider that the Appellant used this recorded maximum demand of 10 kW for 24 hours during the entire period of seven days, even then the units consumed would have been 1680 units ( $10 \times 7 \times 24 \times 100\%$ ). However, the Appellant was issued bill for 25720 units, many

times more than 1680 units. When enquired from the Respondent about the initial reading of the meter installed on 01.12.2021, the Respondent confirmed that the initial reading was 1, which means the meter recorded consumption of 25720 units for a period of just seven days which is not possible. Therefore, it is established that the meter installed on the premises of the Appellant on 01.12.2021 was defective. One more bill on 'Ok' Code was issued for 6277 units for 112 days. Thereafter, all bills were issued to the Appellant on 'R' Code including bill for the m/o Dec-2022 for 102880 units for the period of 28 days in & bill for 51440 units for the period of 14 days in Dec-2023 on LYSM basis. In fact, the disputed meter remained defective/burnt from the date of its installation on 01.12.2021 till it was replaced in Jan-2024 with new LT/CT meter and bills were issued on wrong average on LYSM basis. Now after installation of LT/CT meter, all bills issued to the Appellant are on 'Ok' code.

The relevant Regulation 21.5.2 of Supply Code-2014 dealing with defective, dead stop, burnt, stolen meters is as under:

"21.5.2 Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters

*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”.*

- (iv) In view of above, this Court is of the opinion that all the bills issued to the Appellant for the period from 01.12.2021 till the installation of new LT/CT meter in Jan-2024 are liable to be quashed. The account of the Appellant needs to be overhauled for the maximum period of six months immediately preceding the date of installation of new LT/CT meter in Jan-2024 on the basis of actual consumption of the corresponding period of the succeeding year as per Regulation 21.5.2 (d) of Supply Code-2014 as the previous year consumption is not reliable.

## **7. Decision**

As a sequel of above discussions, the order dated 03.12.2024 of the Corporate CGRF, Ludhiana in Case No. T-222/2024 is hereby set-aside. All the bills issued to the Appellant for the period from 01.12.2021 till the installation of new LT/CT meter in Jan-2024 are quashed. The account of the Appellant be overhauled for the maximum period of six months immediately preceding the date of installation of new LT/CT meter in Jan-2024 on the basis of actual consumption of the corresponding period of the succeeding year as per Regulation 21.5.2 (d) of Supply Code-2014.

8. The Appeal is disposed of accordingly.
9. As per provisions contained in Regulation 3.26 of Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations-2016, the Licensee will comply with the award/order within 21 days of the date of its receipt.
10. In case, the Appellant or the Respondent is not satisfied with the above decision, he is at liberty to seek appropriate remedy against this order from the Appropriate Bodies in accordance

with Regulation 3.28 of the Punjab State Electricity Regulatory  
Commission (Forum and Ombudsman) Regulations, 2016.

February 27, 2025  
S.A.S. Nagar (Mohali).

(ANJULI CHANDRA)  
Lokpal (Ombudsman)  
Electricity, Punjab.

