

**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. 06/2022**

**Date of Registration : 14.02.2022**

**Date of Hearing : 24.02.2022**

**Date of Order : 24.02.2022**

**Before:**

**Er. Gurinder Jit Singh,  
Lokpal (Ombudsman), Electricity, Punjab.**

**In the Matter of:**

Sh. Manjit Singh,  
# 1556, Chander Nagar, Civil Lines,  
Ludhiana.

**Contract Account Number: 3002793611(NRS)**

...Appellant

Versus

Addl. Superintending Engineer,  
DS Aggar Nagar (Spl.) Division,  
PSPCL, Ludhiana.

...Respondent

**Present For:**

Appellant: Sh. Parvesh Chadha,  
Appellant's Representative.

Respondent : Er. Daljit Singh,  
Addl. SE/ DS Aggar Nagar (Spl.) Divn.,  
PSPCL, Ludhiana.

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 10.11.2021 of the Consumer Grievances Redressal Forum (Forum), Ludhiana in Case No. CGL-240 of 2021, deciding that:

- “i. Amount of Rs. 358019/- charged vide notice no. 16126 dated 18.03.2021 is correct and is already deposited by the Petitioner.*
- ii. Dy. CE/Op. City West Circle, Ludhiana, may insure action against the meter reader/meter reading agency and officials of PSPCL who are responsible for various lapses in this case.”*

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

A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 14.02.2022 i.e. beyond the period of thirty days of receipt of the decision dated 10.11.2021 of the CGRF, Ludhiana in Case No. CGL-240 of 2021. The Appellant deposited the disputed amount vide receipt no. 369/49457 dated 30.03.2021 for ₹ 1,79,010/- and receipt no. 370/49457 dated 30.03.2021 for ₹ 1,79,010/-. Therefore, the Appeal was registered on 14.02.2022 and copy of the same was sent to the Addl. SE/ DS Aggar Nagar (Spl.) Divn., PSPCL, Ludhiana for sending written reply/ parawise comments with a copy to the office of the CGRF, Ludhiana under intimation to

the Appellant vide letter nos. 125-27/OEP/A-06/2022 dated 14.02.2022.

### **3. Proceedings**

With a view to adjudicate the dispute, a hearing was fixed in this Court on 24.02.2022 at 01.00 PM and an intimation to this effect was sent to both the parties vide letter nos. 138-139/OEP/A-06/2022 dated 17.02.2022. As scheduled, the hearing was held in this Court and arguments of both the parties were heard.

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

At the start of hearing on 24.02.2022, the issue of condoning of delay in filing the Appeal in this Court was taken up. The Appellant's Representative (AR) had filed an application for condoning of delay alongwith the Appeal and had prayed that the Petition was decided by the Forum on 10.11.2021 and the copy of the order was received by the Appellant on 18.11.2021. Due to some domestic problems, the Appellant was busy to solve the said problem and there was delay in filing the Appeal before this Court within the stipulated period. Therefore, AR prayed for condoning of delay in filing the Appeal in this Court. 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 of 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.”*

The Appeal was received in this Court on 14.02.2022 i.e. after more than 30 days of receipt of the order in Case No. CGL-240 of 2021 of the CGRF, Ludhiana. It was also 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 Representative 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, Rejoinder filed by the Appellant and reply of the Respondent as well as oral submissions made by the Appellant's Representative 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 having a Non-Resident Supply Category Connection, bearing Account No. 3002793611 with sanctioned load of 1.34 kW in the name of Appellant under DS Aggar Nagar (Spl.) Division, PSPCL, Ludhiana. The shop of the Appellant was closed due to some family dispute since September, 2016 and remained closed for about 4 years.
- (ii) The connection was disconnected vide PDCO No. 100003146051 dated 29.12.2016 as per PSPCL record due to non-payment of dues. The meter was installed inside the shop and meter was not removed because the shop was locked. The

PSPCL closed the billing by removing service line/PVC from outside.

- (iii) The billing before the disconnection was issued on 'O' code and as per record of the PSPCL, MCO No. 100002652028 was issued on 08.10.2016 which was closed on 14.10.2016 being shop locked and the meter was not changed. It was added that JE had not contacted the Appellant to affect the MCO. The PSPCL had neither issued any bill nor the Appellant had received any bill thereafter.
- (iv) The dispute in the family was settled and the shop was reopened by the Appellant in the month of October, 2020. After some days, the employees of the PSPCL came to shop and shifted the meter in the box installed outside the shop where already meters were running. The supply was also connected to the shop. On the representation of the Appellant regarding not shifting of the meter, the staff told that as per instructions no meter would remain inside the shop/ house.
- (v) The shop was checked on 17.03.2021 by Enforcement Staff, Ludhiana and also checked the meter (outside) and the appliances installed in the shop and prepared ECR No. 10/5001 dated 17.03.2021. It was recorded that (1) This connection was checked as per complaint. (2) As per checking report the load

of 6.363 kW was running and sanctioned load was 1.34 kW. The meter display was off. (3) “as per office record the PDCO was done on ‘D’ code. The bill dated 05.12.2016 bearing no. 5200240279 was having reading as 1789 kWh on 01.11.2016 and the reading was 1938 on 29.12.2016 with meter status as ‘D’ code.

- (vi) The Appellant had received a notice vide no. 16126 dated 18.03.2021 to deposit ₹ 3,58,019/-. As per notice, the Appellant was charged for the period 29.12.2016 to 17.03.2021 on the basis of LDHF formula and detected load.
- (vii) The Respondent disconnected the supply. As such, the Appellant was forced to pay the notice amount, which was paid vide receipt nos. 369/49457 and 370/49457 dated 30.03.2021 but in spite of payment, the supply was not restored. The Appellant was told that the area was not under the control of that office. The Appellant was directed to apply for new connection under another Division i.e. DS City West Division, PSPCL, Ludhiana. Thus, new connection was obtained from that Division.
- (viii) The Forum had not considered the fact that the shop remained closed due to family dispute. No such verification was got done from neighbourer’s shops. The JE and dealing hand of billing

had closed the billing but not made any efforts to remove the meter from inside the shop. The Enforcement found that the meter was installed on the pole outside the shop. The meter was installed outside the shop by the PSPCL not by the Appellant himself. The JE of that area used to be in the area then why he had not removed the meter from inside even the shop was reopened in October, 2020. The Appellant approached the Meter Reader for bill but he had not given any proper reply.

- (ix) The CGRF had pin pointed that the Appellant had already deposited the payment without lodging any protest. The Appellant was given assurance by the SDO/ Commercial, DS Aggar Nagar (Spl.) Divn., Ludhiana to pay the amount first and get continuity of supply and after that the review would be made. The Appellant deposited the full amount of notice. The Appellant was directed to get the new connection from DS West Division, Ludhiana under which shop/ area falls. It was unnecessary harassment and the Appellant was forced to obtain new connection from DS City West Division, Ludhiana.
- (x) The Enforcement, Ludhiana had written in the ECR that disputed meter was removed to get further checking in ME Lab. and installed the new meter at site. But the Respondent had not installed meter against the removed meter. The

removed meter was required to be tested within 15 days but it was tested on 07.05.2021 i.e. after 52 days which was a violation of PSPCL instructions. The Respondent failed to justify the delay which was only to harass the Appellant. The testing was done without the presence/consent of the Appellant. The PSPCL had not adopted proper procedure before testing i.e. no such notices were issued to accompany for testing.

- (xi) The Respondent had also failed to provide any authenticity that supply remained continued from 29.12.2016 to October-2020 and load detected at the time of checking. Out of the detected 3 nos. deep freezers, 1 no. was purchased on 18.01.2021. The Meter Reader, Meter Inspector, Area JE were visiting frequently in that area but nobody had seen that the shop was not reopened before October, 2020. The Appellant asked the Meter Reader to provide the issued bills as the PSPCL shifted the meter outside by restoring supply. No such response was received so far.
- (xii) The account was wrongly overhauled in violation of Regulation 21.5.2 of Supply Code-2014. The dead meter account cannot be overhauled beyond 6 months. The request was also made before the Forum but was ruled out while taking the decision.

(xiii) The Appellant prayed that the account of the Appellant be charged for 6 months only as per Regulation 21.5.2 of Supply Code-2014 for dead meter. The PSPCL had no evidence that the supply was continued for the whole period i.e. 29.12.2016 to October, 2020. The connection was permanently disconnected. As such, the charges levied for compulsory regularization of load was not justified.

**(b) Submissions in Rejoinder:**

In its Rejoinder to the written reply of the Respondent, the Appellant submitted the following for consideration of this Court: -

- (i) The Appellant stated that the connection was disconnected permanently due to nonpayment which stood authenticated from PDCO No. 100003146051 dated 29.12.2016 and it was also authenticated from MCO No. 100002652028 dated 08.10.2016 as shop was closed and JE could not replace the defective meter. The meter was inside and service line was removed. But on checking, meter was found running outside the shop. The Respondent submitted false statement that no service cable/ PVC was removed from site. There is no evidence of this statement, if it was not removed then how the billing was closed and MCO was closed as unaffected. The

shop remained closed for 4 years due to family dispute. Why the Respondent had not billed for 4 years? The shop was on the road. The Meter Reader/ JE/ Meter Inspector had been visiting the area frequently and nobody found the running of shop at site.

- (ii) The Respondent must prove that supply was not disconnected physically and why the Meter Reader and concerned JE had not rechecked of its not being disconnected. The JE who had disconnected the connection is more responsible and under his signature the PDCO was affected and RA had closed the account.
- (iii) The MCO was not executed due to closure of shop and the connection was PDCO and billing was closed. The Respondent should prove that supply was running during 4 years. The shop was opened in October, 2020 and the meter was shifted outside by PSPCL and not by the Appellant. It was authenticated from ECR dated 17.03.2021 that the meter was running outside. The Respondent had ordered to shift the meters outside from outsource Agency and in these orders no such list of consumers was attached. The Team of the Contractor had visited the site and shifted the meters outside. As replied that no mass meter

shifting was carried out in October, 2021 then in which month it was carried out?

- (iv) The detected load was not running before October, 2021 but the Respondent had charged for the entire load for the period the shop remained closed which is against Regulation 21.5.2 of Supply Code, 2014
- (v) The shop of the Appellant remained closed for 4 years and the Appellant had not approached the Respondent as his work was off and shop remained closed due to family dispute. The JE of the Area had not made any efforts to remove the meter after PDCO. As per reply, the shop was not closed. The Appellant had deposited the amount in a hurry for the restoration of supply as ordered by the Respondent but after deposit of the amount, no RCO was issued.
- (vi) The Appellant had no concern regarding shortage of the staff with the Respondent and the Respondent was bound to check the non billing site to safe guard the revenue of the Respondent. The Appellant cannot be penalized for the lapse of the Respondent without authentication that supply was in use during 4 years when the shop remained closed. The meter was defective (dead) since 05.12.2016. There was no RCO to authenticate about restoration of supply. The LDHF formula is

as per Act but the period is limited upto 6 month as per Supply Code and the Respondent should claim rest of the charged amount from its officials who are at fault. The Supply was taken from the neighbourers to run the shop and as per checking, amount was paid by the consumer. The amount charged to the Appellant was not justified and likely to be quashed in the interest of justice.

**(c) Submission during hearing**

During hearing on 24.02.2022, the Appellant's Representative (AR) reiterated the submissions made in the Appeal as well as in the Rejoinder and prayed to accept the Appeal in the interest of justice.

**(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 was having a NRS Category Connection, bearing Account No. 3002793611 with sanctioned load of 1.34 kW in his name.
- (ii) The connection was checked by ASE/ Enforcement and MMTS-5, Ludhiana vide ECR No. 10/5001 dated 17.03.2021 being a suspicious case. It was reported that the connection was

being used for running a meat shop with connected load of 6.36 kW. However, the Appellant was not being billed in SAP billing system and the meter was also dead stop. The Respondent admitted that the Account was inadvertently closed vide PDCO No. 100003146051 dated 30.12.2016 due to which the billing was stopped. However, the connection was running at site and no service cable/ PVC was removed from site. The connection was not physically disconnected. The meter also remained installed at the premises. The contention of the Appellant regarding the closure of shop for 4 years was wrong and denied as the Appellant had nothing to prove this submission.

- (iii) The last reading with 'O' code bill was issued on 08.10.2015 and thereafter, the meter was defective. MCO No. 100002652028 was issued on 08.10.2016 against key exceptions but could not be executed as the shop was closed when the concerned JE visited the site.
- (iv) The Appellant's contention that his shop was reopened in Oct., 2020 and the connection was reconnected by shifting meter outside was wrong and denied as no shifting order could be issued after PDCO of connection in SAP billing system. Also, no mass meter shifting was carried out by the Respondent in

October, 2020 as claimed by the Appellant. The submissions of Appellant were vague, misleading and unrealistic as he claimed that just when he opened his shop after 4 years, PSPCL shifted the meter outside his shop. This could not be relied upon.

- (v) The amount of ₹ 3,58,019/- had been charged on the basis of LDHF formula for the period the Appellant remained unbilled. The Respondent further submitted that the amount assessed might be on lower side as the Appellant was running meat shop with 3 Nos. deep freezers which ran 24 x 7 for preserving meat products. The case in hand pertains to usage of electricity without being billed for more than 4 years. The amount assessed was as per LDHF formula which was used for assessment of electricity consumption where metered consumption was not available.
- (vi) The amount charged was payable and further supply could only be restored after recovery of the amount. The area of the Appellant's premises was on the borderline of Aggar Nagar and City West Divisions. As the supply of City West Division was available near the Appellant's premises, the connection had to be released by City West Division only.
- (vii) The Appeal was not maintainable as there was nothing on record to prove that the shop of the Appellant was closed. The

Appellant never visited PSPCL office or contacted any officer/ official regarding non receipt of bills, but kept on using the electricity for more than 4 years. The same would have continued if the connection would not have been checked by Enforcement Wing. The submission of the Appellant that he asked meter reader for bill was wrong and denied as no such request was forwarded to the Respondent by the meter reader.

- (viii) The Appellant deposited the assessed amount without any protest as the Appellant was well aware of the fact that he had been using electricity without being billed. No assurance was given by SDO Commercial, Aggar Nagar Division regarding any review of assessed amount and this submission of the Appellant was wrong and denied.
- (ix) The delay in checking of the meter was procedural and it was due to large volume of the meters handling under Aggar Nagar Division with acute staff shortage. However, the checking of meter had no bearing on the new connection as it was to be released by City West Division only after clearance of the pending dues of old meter.
- (x) The technical staff was already overburdened with maintaining the continuity of supply and the checking of GSC connections was not feasible due to acute shortage of technical staff. The

services of meter reader taking the readings of the area, Sh.Vishal, had been terminated and departmental proceedings have been initiated against PSPCL officials for the lapses on PSPCL part. However, any lapse on PSPCL part did not absolve the Appellant from paying the legitimate electricity dues.

- (xi) The case in hand was of non billing and not of account overhauling. As such the Regulation 21.5.2 of Supply Code-2014 quoted by the Appellant was not applicable in this case. The amount assessed was as per LDHF formula and was established for assessment of electricity consumption where metered consumption was not available.
- (xii) The Respondent further submitted that the connection of the Appellant was again checked vide LCR No. 28/2333 dated 05.05.2021 and the Appellant was found indulging in UUE and a penalty of ₹ 9,121/- was imposed by City West Division. As per above, it was clear that the Appellant deliberately took advantage of the inadvertently closed account and kept on using electricity in a clandestine manner without paying any bill. Also after the checking by Enforcement Wing, the Appellant resorted to UUE which established the Appellant was

a habitual offender. The amount charged was fully justified and the petition was liable to be dismissed please.

**(b) Submission during hearing**

During hearing on 24.02.2022, the Respondent reiterated the submissions made in the written reply to the Appeal and prayed for the dismissal of the Appeal. He could not explain about replacement of dead stop meter after more than four years in violation of Supply Code, 2014 regulations.

**6. Analysis and Findings**

The issue requiring adjudication is the legitimacy of ₹ 3,58,019/- charged to the Appellant vide Notice No. 16126 dated 18.03.2021 on account of billing from 29.12.2016 to 17.03.2021 on the basis of LDHF formula using load as 6.363 kW as detected by the Enforcement checking vide ECR No. 10/5001 dated 17.03.2021.

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

- (i) The Appellant's Representative (AR) reiterated the submissions made by the Appellant in the Appeal. He pleaded that the Forum did not consider the fact that the Appellant's shop was closed due to some family dispute since September, 2016 and

remained closed for about 4 years. The connection was disconnected vide PDCO No. 100003146051 dated 29.12.2016 as per PSPCL record due to non-payment of dues. The meter was installed inside the shop and meter was not removed because the shop was locked. The PSPCL closed the billing by removing service line/ PVC from outside. The dispute in the family was settled and the shop was reopened by the Appellant in the month of October, 2020. Also, the detected load included the load of 3 nos. deep freezers out of which 1 no. was purchased by him on 18.01.2021. The meter was shifted in October, 2020 by the Respondent in the box installed outside the shop where already meters were running and the supply was also restored to the shop. But when he asked for the bill, no such bill was given. He further pleaded that the instructions in Regulation 21.5.2 of the Supply Code, 2014 were not followed as the account was overhauled by the Respondent for a period exceeding 6 months for a dead stop meter. He prayed that the Notice No. 16126 dated 18.03.2021 be quashed and the account of the Appellant be overhauled for 6 months only as per the Regulation 21.5.2 of the Supply Code-2014 for a Dead Stop meter.

(ii) On the other hand, the Respondent controverted the pleas raised by the Appellant in its Appeal and reiterated the submissions made by the Respondent in the written reply. The Respondent argued that the Appellant was using the electricity connection and no service cable/ PVC was removed from the site. The Appellant never visited PSPCL office or contacted any officer/ official regarding non receipt of bills, but kept on using the electricity for more than 4 years without paying the bills. The Respondent admitted that the Account was inadvertently closed vide PDCO No. 100003146051 due to which the billing was stopped in the SAP billing system. However, any lapse on PSPCL part did not absolve the Appellant from paying the legitimate electricity dues. He further argued that the present case was of non billing and not of account overhauling. As such, the Regulation 21.5.2 of Supply Code-2014 quoted by the Appellant was not applicable and the amount assessed was as per LDHF formula, on the basis of connected load detected by the Enforcement, which was normally used where metered consumption was not available and the amount charged was fully justified. The Respondent prayed for the dismissal of the Appeal.

(iii) The Forum in its order dated 10.11.2021 observed as under:

“From the above facts and sequence of events, it is clear that petitioner took advantage of the inadvertently closed account and he kept on using electricity without paying any bill almost for a period of 4 years. The Enforcement checking vide ECR no. 10/5001 dated 17.03.2021 has identified/pin-pointed the irregularity of supply being used by the petitioner and found connected load at site 6.363 KW against sanctioned load of 1.34 KW. It is reiterated that now the petitioner has applied for a new connection on 09.04.2021 and same was released on 10.05.2021, 7.00 KW in NRS category having account no. 3006648008. So, the usage of load by the petitioner is established. The removed meter was checked in ME Lab vide store challan no. 01-A dated 07.05.2021. As per ME Lab report meter was found dead and accuracy could not be done. Reading and DDL also not coming on AC & DC mode.

In the instant case, the charging for the disputed period can only be done on the basis of LDHF formula and same has been resorted to by the Respondent. The contention of the Respondent that the assessment maybe on the lower side as in this meat shop de-freezer (3 no.) could have been running around the clock for preservation of meat. Respondent has also submitted that services of Meter Reader taking the readings of the area has been terminated and departmental proceedings have been initiated against PSPCL Officials for the lapses in this case. But this does not absolve the petitioner from paying the legitimate electricity dues. Forum observed that it is a case of non-billing and not of account overhauling. So, clause 21.5.2 of Supply Code 2014 for overhauling for six months is not applicable in this case.

Forum have gone through written submissions made by the Petitioner in the petition, written reply of the Respondent, rejoinder, oral discussion along with the relevant material brought in the record. Keeping in view the above discussion, Forum is of the considered opinion that the amount charged vide notice no. 16126 dated 18.03.2021 of Rs. 358019/- is correct.”

(iv) I have gone through the written submissions made by the Appellant in the Appeal, Rejoinder filed by the Appellant, written reply of the Respondent as well as oral arguments of both the parties during the hearing on 24.02.2022. The Appellant's premise was checked vide ECR No. 10/5001 dated 17.03.2021 by ASE/Enf. cum EA & MMTS-5, Ludhiana in which the meter was found outside the consumer premise on pole and display of meter was off. Supply from the meter was being used to run a meat shop. The connected load of the consumer was found to be 6.363 KW against sanctioned load of 1.340 KW. The Respondent charged the Appellant ₹ 3,58,019/- vide Notice No. 16126 dated 18.03.2021 for a period of more than 4 years from 29.12.2016 to 17.03.2021 by calculating the consumption by LDHF formula. The removed meter was checked in ME Lab vide store challan no. 01-A dated 07.05.2021. As per ME Lab report, meter was found dead and accuracy could not be done. Readings and DDL were also not coming on AC & DC mode. The bills were not issued to the Appellant from 29.12.2016 onwards due to PDCO of the connection in SAP billing system, but otherwise the meter was never removed from the site. I agree with the observation of the Forum that the Appellant took advantage of the lapse on the

part of the Respondent of closing the account in the SAP billing system without removing the meter from the site. This lapse on the part of the Respondent is very serious which needs to be investigated and the Respondent should take disciplinary action against the officials/ officers responsible for the loss of revenue to PSPCL and undue benefit to the Appellant. The Respondent was also liable to change the defective/ dead stop meter within the time period specified in Supply Code, 2014 & get the same tested from the ME lab. It took more than four years to replace a dead stop meter which was required to be replaced within 10 working days as specified in Supply Code, 2014. This is a violation of Standards of Performance. The Respondent cannot charge the Appellant for the period exceeding 6 months for overhauling of account due to dead stop meter as per Regulation 21.5.2 of the Supply Code, 2014.

- (v) The Appellant cannot be denied the opportunity of challenging the demand raised in violation of regulations. The demand raised by the Respondent vide Memo No. 16126 dated 13.03.2021 is illegal and unjustified.
- (vi) The Respondent failed to ensure the compliance of MCO No. 100002652028 dated 08.10.2016 and PDCO No.

100003146051 dated 29.12.2016 which resulted in creation of this dispute case.

- (vii) The Appellant failed to prove that the shop remained closed for more than four years.
- (viii) In view of the above, this Court is not inclined to agree with the decision dated 10.11.2021 of the Forum in Case No. CGL-240 of 2021. The Account of the Appellant should be overhauled for six months prior to date of checking by Enf. on 17.03.2021 on the basis of consumption assessed as per para- 4 of Annexure-8 of Supply Code, 2014 and only MMC/ Fixed Charges/ rents etc. shall be recovered from the Appellant for the period from 29.12.2016 to 17.09.2020. The Appellant may also be charged Load Surcharge for the unauthorized extension of load as per General Conditions of Tariff approved by the Commission.

## **7. Decision**

As a sequel of above discussions, the order dated 10.11.2021 of the CGRF, Ludhiana in Case No. CGL-240 of 2021 is set-aside. The Notice No. 16126 dated 18.03.2021 issued by the Respondent is hereby quashed. The Account of the Appellant shall be overhauled for six months prior to date of checking by the Enforcement on 17.03.2021 on the basis of consumption

assessed as per para-4 of Annexure-8 of Supply Code, 2014. Only MMC/ Fixed Charges/ rents etc. shall be recovered from the Appellant for the period from 29.12.2016 to 17.09.2020. Further, the Appellant shall also be charged for the unauthorized extension of load detected by Enforcement on 17.03.2021 as per General Conditions of Tariff.

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, it 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 24, 2022  
S.A.S. Nagar (Mohali)

(GURINDER JIT SINGH)  
Lokpal (Ombudsman)  
Electricity, Punjab.