

**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. 24/2024

Date of Registration : 25.11.2024

**Date of Hearing : 10.12.2024, 03.01.2025,
17.01.2025**

Date of Order : 14.02.2025

Before:

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

In the Matter of:

Secretary, Dharam Parchar Committee,
Tohra Institute, Bahadurgarh,
Patiala.

Contract Account Number: P41GC410169W (NRS)

...Appellant

Versus

Additional Superintending Engineer,
DS Sub Urban Division,
PSPCL, Patiala.

...Respondent

Present For:

Appellant: Sh. Rohit Kataria,
Appellant's Counsel.
Sh. Satinder Singh,
Sh. Harpreet Singh,
Appellant's Representatives.

Respondent : Er. Vijay Singh,
AEE, DS Sub Urban Division,
PSPCL, Patiala.

Before me for consideration is an Appeal preferred by the Appellant against the decision dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana (Corporate Forum) in Case No. CF-149/2024, deciding that:

- i. *“Decision dated 10.07.2024 of Circle CGRF, PSPCL Patiala is set-aside. Amounts of Rs. 37061/- and Rs. 124174/- charged on account of slowness of 29.04% & 55.94% vide notice no. 799 dated 20.06.2023 & 407 dated 24.04.2024 respectively, are quashed. Account of the petitioner be overhauled for a period of six months preceding to the date of checking i.e., 23.04.2024, when the connections of the meter had been set right, as per Regulation no. 21.5.2(d) of Electricity Supply Code and Related Matters Regulations 2014.*
- ii. *CE/EA & Enf., PSPCL, Patiala is directed to investigate the matter and fix responsibility of the officer who carried out the checking of the connection of the petitioner on 19.06.2023 for the lapses which came to light as per ECR no. 47/4004 dated 19.06.2023 of Sr. Xen/Enf. cum EA & MMTS-1 Patiala.*
- iii. *CE/DS South, PSPCL, Patiala is directed to investigate the matter and fix responsibility of the delinquent officers/officials for causing recurring financial loss to PSPCL and unnecessary harassment to the petitioner due to wrong connections done on 11.02.2022 while replacing meter and not detecting the same observing low consumption and energy variation during recording of monthly readings/routine periodical checking as prescribed in ESIM.”*

2. Registration of the Appeal

A scrutiny of the Appeal and related documents revealed that the Appeal was received in this Court on 21.11.2024 i.e. beyond the period of thirty days of receipt of the decision dated 24.09.2024 of the CCGRF, Ludhiana in Case No. CF-149/2024. The Appellant was asked vide Memo No. 660/OEP/Tohra Institute Patiala dated 22.11.2024 to send the reasons/request for condonation of delay in filing the Appeal. The Appellant send the same vide e-mail dated 25.11.2024. The Appellant had deposited the requisite 40% of the disputed amount. Therefore, the Appeal was registered on 25.11.2024 and copy of the same was sent to the Addl. SE/ DS Sub Urban Division, PSPCL, Patiala for sending written reply/ parawise comments with a copy to the office of the CCGRF, Ludhiana under intimation to the Appellant vide letter nos. 661-663/OEP/A-24/2024 dated 25.11.2024.

3. Proceedings

With a view to adjudicate the dispute, a hearing was fixed in this Court on 10.12.2024 and intimation to this effect was sent to both the parties vide letter nos. 695-96/OEP/A-24/2024 dated 03.12.2024. As scheduled, the hearing was held in this Court on 10.12.2024 and arguments of both the parties were heard. The

next date of hearing was fixed for 03.01.2025. An intimation to this effect alongwith the copies of the proceedings dated 10.12.2024 was sent to both the parties vide letter nos. 713-14/OEP/A-24/2024 dated 10.12.2024. As scheduled, the hearing was held in this Court on 03.01.2025 and arguments of both the parties were heard. The next date of hearing was fixed for 17.01.2025. An intimation to this effect alongwith the copies of the proceedings dated 03.01.2025 was sent to both the parties vide letter nos. 08-09/OEP/A-24/2024 dated 03.01.2025. As scheduled, the hearing was held in this Court on 17.01.2025 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 10.12.2024, the issue of condoning of delay in filing the Appeal beyond the stipulated period was taken up. The Appellant's Representative submitted that after implementation of the decision of the Corporate CGRF, the AEE/DS Sub Division, Bahadurgarh issued fresh notice vide letter no. 1091 dated 10.10.2024. This letter was received by the Appellant on 23.10.2024. The reason for delay in filing the Appeal was delay in implementation of decision and intimation to the Appellant vide letter no. 1091 dated 10.10.2024 that was

received by the Appellant on 23.10.2024. The Appellant requested for the condonation of delay in filing the Appeal & prayed that Appeal be heard on merits. 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 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 and reply of the Respondent as well as oral deliberations made by the Appellant's Representative and the Respondent along with 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 NRS Category Connection bearing Account No. P41GC410169W with Sanctioned Load as 70 kW/70 kVA under DS Sub Urban Division, PSPCL, Patiala.
- (ii) The Appellant submitted that the order by the Zonal Consumer Grievances Redressal Forum, Patiala has been passed on 24.09.2024, which was communicated to the Appellant vide letter Memo No. 1445/T-164/2024 dated 24.09.2024 through Secretary/ Corporate CGRF, Ludhiana and received by the Appellant on 30.09.2024 vide which both the demands raised by the PSPCL i.e. vide which the decision dated 10.07.2024 of the

Circle CGRF, PSPCL, Patiala has been set-aside and amounts of ₹ 37,061/- and ₹ 1,24,174/- charged on account of slowness of 29.04% & 55.94% vide Notice No. 799 dated 20.06.2023 and 407 dated 24.04.2024 respectively are quashed. It has been further ordered that account of the Appellant be overhauled for a period of six months preceding to the date of checking i.e. 23.04.2024, when the connections of the meter had been set right, as per Regulation No. 21.5.2 (d) of Electricity Supply Code and Related Matters Regulation, 2014.

(iii) The PSPCL vide Assistant Executive Engineer, DS Sub Division, Bahadurgarh vide his Letter No. 1091 dated 10.10.2024 has set-aside the demand of ₹ 37,061/- and ₹ 1,24,174/- as per order of the Forum. It is to the surprise of the Appellant that again a demand of ₹ 1,12,551/- has been raised for the balance amount after deduction ₹ 37,061/- already deposited by the Appellant and total demand of ₹ 1,62,032/- has been raised illegally and arbitrarily. The letter raising demand has been received by the Appellant on 23.10.2024.

(iv) It has been written on the letter raising demand that in Case the Appellant is not in agreement with the decision of the Forum, then the Appellant can file Appeal with the Ombudsman appointed/ designated by the PSERC within 30 days from the

receipt of the said Notice. The Notice has been received by the Appellant on 23.10.2024 and the Appeal is being filed within the period of the said Notice.

- (v) However, the Appeal has been filed within the period of limitation from the date of receipt of Notice dated 10.10.2024, but the Appellant is also challenging the order dated 24.09.2024 to put the record straight. The order has been received by the Appellant on 30.09.2024 and there is a delay of 22 days in filing the Appeal and to avoid any controversy at the latter stage, an application for condonation of delay in filing the Appeal is also filed alongwith this Appeal.
- (vi) The electricity connection bearing Account No. P41GC410169W is obtained in the name of Secretary, Dharam Parchar Committee Bahadurgarh in the Institute named Panth Rattan Jathedar Gurcharan Singh Tohra Institute of Advance Studies in Sikhism, Badhadurgarh (Patiala.) This institute is being run by Dharam Parchar Committee, Shiromani Gurudwara Parbandhak Committee (SGPC), Shri Amritsar Sahib. This institution has been constructed in the year 2011 in 10 Acre Land with the building of classical outlook. The vision of this institute is to develop and promote the life style of the humanity with spiritual guidance and for the welfare of the all human being as per vision

envisaged in Shri Guru Granth Sahib. This institution is not being run on commercial basis. The study of two number courses i.e. bachelor of Management Studies (Gurudwara Management) and Bachelor of Arts in Gurumukhi Education have been started in this institution. The education is being provided without taking any fees from the students. Every Student is being given ₹ 1,500/- as stipend for expenditure for food/ Langar. Free Hostel facility and join Mess facility has been provided by the students. The Library, sports and other facilities for overall development of the students have been provided in the Institution free of Cost.

- (vii) The Appellant has been depositing electricity bills sent by the PSPCL on the basis of consumption recorded through meter every month. There had never been any default in payments of Electricity bills.
- (viii) The Appellant has received a Notice Memo No. 70 dated 20.06.2023 vide which a demand of ₹ 37,061/- was raised. It has been alleged in the Notice raising demand that the connection of the Appellant was checked by Sr.Xen/Enf.-cum-EA & MMTS-1, Patiala and ECR No. 47/4004 dated 19.06.2023 was prepared. As per ECR Red Phase CT was not contributing current and upon checking accuracy of the meter with LTER set it was found 29.04% slow. LT was also directed to change the CT set

according to the Sanctioned Load of the Appellant. As per this Report, A/c was overhauled and Notice No. 70 dated 20.06.2023 was issued to deposit ₹ 37,061/-. The Appellant deposited this amount vide BA-16 no. 311/55586 dated 12.07.2023. It has been further alleged that subsequently the connection of the Appellant was again checked in routine by ASE/ Enf.-cum-EA & MMTS-1, Patiala and ECR No. 30/4018 dated 23.04.2024 was prepared. As per ECR, current on load side was R-47A, Y25.80A, B-32.80A voltage and current on meter display were also noted and it was found that segment '1' was standstill and segment '2' and '3' were blinking. Accuracy of meter was checked on running load of 17.41 kW using Zara moving test set and the meter was found 55.94% slow. From the display of the meter. It was observed that Red Phase Voltage contribution to meter was less and current on Red Phase was zero whereas on output side it was 47-A. It has been further allege that during further investigation, after opening the seals of CTC, it was found that the connection on the T/B of the meter were wrong and the diagram depicting the same was drawn on the ECR. Connections were got corrected at site and accuracy of the meter was again checked which was found within limits. A/c of the Appellant was again overhauled and Notice No. 407 dated 24.04.2024 was issued to the

Appellant to deposit an amount of ₹ 1,24,174/- due to 55.94% slowness. The Appellant did not agree to this Notice and filed his case in Circle CGRF, Patiala. Circle CGRF, Patiala in its hearing dated 10.07.2024 decided that the amount charged to the Appellant for slowness seems correct after observing past and current consumption; therefore, amount charged is correct and recoverable.

- (ix) The Appellant was not satisfied with the decision of Circle CGRF, Patiala and filed Appeal in Corporate CGRF, Ludhiana. The Forum admitted the Case in its proceeding dated 11.09.2024 and heard it finally on 17.09.2024 when the case was closed for passing speaking orders. The order had been passed by the Forum on 24.09.2024, which was received by the Appellant on 30.09.2024 and while deciding the Appeal of the Appellant, the order dated 24.09.2024, as reproduced in preceding paras of the memorandum of Appeal, had been passed.
- (x) The Forum had set-aside both the demands i.e. demand of ₹ 37,061/- and ₹ 1,24,174/- correctly, but the order of overhauling the accounts of the Appellant for a period of 6 months preceding to the date of checking i.e. 23.04.2024 as per Regulation 21.5.2(d) of Electricity Supply Code and Related Matters Regulations, 2014 has been passed illegally and arbitrarily.

- (xi) Previously the demand of ₹ 37,061/- was raised on 20.06.2023 on the basis of slowness of the meter to the extent on 29.04%. Though, it was not required to be deposited by the Appellant, but the Appellant to avoid any litigation in the matter has deposited the said amount.
- (xii) The demand of ₹ 37,061/- had been raised without any fault on the part of the Appellant. The Appellant has been penalized for the fault of the officers/officials of the PSPCL and had taken the benefit to their own wrong. It is a settled proposition of law that nobody can take the benefit of its own wrong. The PSPCL had raised the demand against the settled proposition of Law.
- (xiii) After checking of the connection allegedly on 19.06.2023, the meter/CT was required to be changed immediately and the same has not been changed for near about 10 months. The Appellant had been penalized for lethargy/ negligence on the part of the officers/ officials of the PSPCL. The order raising demand had been passed to save the skin of the delinquent officers/ officials.
- (xiv) Otherwise also, it was a Case of double jeopardy. The Appellant was penalized twice for the same cause of action and demand of ₹ 1,24,174/- had been raised again. It is a settled proposition of law that nobody can be vexed twice for the same cause of action.

- (xv) The Forum had again passed order for overhauling the account of the Appellant for a period of six months proceeding to the date of checking i.e. 23.04.2024, when the connections of the meter had been set right, as per Regulation No. 21.5.2 (d) of Electricity Supply Code and Related Matters Regulations, 2014. This part of the order had been again passed to vex the Appellant thrice.
- (xvi) The Regulation 21.5.2 (d) of the Regulations had been reproduced in the order of the Forum dated 24.09.2024. The said para of the Regulations has no applicability on the Case of the Appellant.
- (xvii) The Appellant had filed repeated representations to the concerned officers of the PSPCL to change the Meter /CT immediately after 20.06.2023 so that the Appellant may not be penalized further without any fault on his part, but no heed has been paid to the requests made by the Appellant.
- (xviii) Without any change in the position/site of the meter/ metering equipments, two different Reports have been submitted about the working of the meter i.e. 29.04% slow and 55.94% slow. Both the Reports are self-contradictory and not believable.
- (xix) The Appellant has not been associated in any alleged checking and the checking as alleged has been conducted in his absence.

- (xx) The Notices raising Demand have been passed without giving any opportunity of being heard. The Appellant has been condemned unheard. It is a settled proposition of law that no order causing civil consequences can be passed without giving an opportunity of being heard to the affected party. The orders are illegal and null and void ab-initio.
- (xxi) The Appellant has been forced to face mental pain, agony and inconvenience and great prejudice has been caused to the Appellant and he is entitled to the compensation to the tune of ₹ 2 lac on this account.
- (xxii) There are other illegalities and irregularities also in the impugned order.
- (xxiii) It is therefore, prayed that the Appeal filed by the Appellant may kindly be allowed and the order dated 24.09.2024 passed by the Corporate CGRF may kindly be modified to the extent of overhauling the accounts of the Appellant for a period of 6 months preceding to the date of checking i.e. 23.04.2024 as per Regulation 21.5.2 (d) of Electricity Supply Code and Related Matters Regulations, 2014 and the letter no. 1091 dated 10.10.2024 issued by Assistant Executive Engineer, DS Sub Division, Bahardurgarh vide which penalty of ₹ 1,62,032/- has been order to be imposed may kindly be set-aside / quashed and

the Respondent be directed to refund the amount of ₹ 37,061/- deposited by the Appellant with interest @ 18% p.a. from the date of deposit till realization. The Appellant be awarded compensation to the tune of ₹ 2 Lac for facing mental pain, agony and inconvenience and for defaming the Appellant in the eyes of public because of the acts of the Respondent alongwith costs of the Appeal. The Appellant be awarded compensation as provided in Electricity Supply Code and Related Matters Regulation, 2014 for failure to maintain Standard of Performance and for not providing service within the period prescribed in the Regulations.

(xxiv) Any other relief which this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the Case may also be granted in the interest of justice.

(b) Submissions in Rejoinder to the written reply

The Appellant submitted the following Rejoinder to the written reply for consideration of this Court:-

- (i) The contents of the para 1 of the written reply as stated were wrong and denied and those of Appeal were reiterated to be correct. It was further submitted that the Corporate Forum, Ludhiana had erroneously held that the account of the Appellant

be overhauled for a period of six months as also the order passed was self contradictory and liable to set aside. It was further submitted here that it was a case of departmental negligence rather than a defective meter.

- (ii) The contents of the para 2 of the written reply as stated were wrong and denied and those of Appeal were reiterated to be correct.
- (iii) No rejoinder was required to para 3 as the same was admitted by the Respondent.
- (iv) The contents of para 4 required no rejoinder as the same were admitted by the Respondent. It was respectfully submitted here that the contents of para 3 of the Appeal may be read as part and parcel in response to that para.
- (v) The contents of para 5 to 9 needs no rejoinder as the same were admitted by the Respondent.
- (vi) The contents of para 10 of the written reply as stated were wrong and denied and those of Appeal were reiterated to be correct as the Corporate Forum, Ludhiana was fell in the grave error while directing the Respondent to overhaul the account of the Appellant and the same was liable to set aside on the taken therein.

(vii) The contents of the para of the written reply as stated were wrong and denied. It was submitted here that the Corporate Forum, Ludhiana had wrongly observed that it was a case of **defective meter** whereas the case of the Appellant does not fall within the definition of defective meter. It was further submitted here that the as it may at the time of second checking i.e. 23.04.2024, it was categorically stated that it was a case of **wrong connection** which was set right by the inspection team, moreover there was no tempering of any kind established by the inspection team against the Appellant. Therefore, it was safe to state here that it was a case of departmental negligence because of the fact that the officer who replaced the meter made wrong connections of wires which lead to slowness of meter, further despite recording of monthly reading the Respondent itself not pointed out any error or deference in the consumption of the Appellant. Therefore, the Respondent was not legally permissible to take benefits of their own fault and Appellant was well within its right to get back the illegal amount imposed on him.

(viii) The contents of the para of the written rely as stated were wrong and denied and those of Appeal were reiterated to be correct.

- (ix) The contents of the para of written reply as stated were wrong and denied and those of Appeal were reiterated to be correct. Further the contents of para 'A' may be read as part and parcel of this para.
- (x) The contents of the para of the written reply as stated were wrong and denied and those of Appeal were reiterated to be correct.
- (xi) The contents of the para of written reply as stated were wrong and denied and those of Appeal were reiterated to be correct. It was respectfully submitted here that the CT was never changed by the Respondent, however, the second checking was conducted on the connection of the Appellant, which showed that the officials of the Respondent made wrong connection at the time of installation of the meter, which lead to slowness of the meter and the Appellant was vexed twice for the offence he did not even committed. It was further does not lie in the mouth of the Respondent that the CT was not available with them and was not changed by them.
- (xii) The contents of the para of the written reply as stated were wrong and denied and those of Appeal were reiterated to be correct. It needs to be added here that both the checking were carried out by the officials of PSPCL and resulted in negligence

on their own, however the same was conveniently shifted on the Appellant and caused financial hardships and harassment to the Appellant.

- (xiii) No response was required to the para as the same was admitted by the Respondent. It was important to mention here that the Respondent had admitted the fact that both the alleged checking were conducted in his absence.
- (xiv) The contents of K-M paras of the written reply as stated were wrong and denied and those of Appeal were reiterated to be correct.
- (xv) Prayer clause was wrong and denied.
- (xvi) It was therefore respectfully prayed that the Appeal may kindly be allowed in terms of prayer made therein.

(c) Submission during hearing

During hearings on 10.12.2024, 03.01.2025 & 17.01.2025, the Appellant's Counsel/Representatives reiterated the submissions made in the Appeal & the Rejoinder 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 connection of the Appellant was checked vide ECR No. 47/4004 dated 19.06.2023 by the Senior Xen, EA and MMTS-1, Patiala. As per checking, “Red phase ਦਾ CT Current Distribute ਨਹੀਂ ਕਰ ਰਿਹਾ ਹੈ LTER Set ਨਾਲ ਐਕੁਰੇਸੀ ਚੈੱਕ ਕੀਤੀ ਗਈ ਤਾਂ 29.04% ਸਲੇਅਨੈੱਸ ਪਾਈ ਗਈ। ਇਹ Wrong Meter Case ਹੈ ਖਪਤਕਾਰ ਦੇ ਮੀਟਰ ਨੂੰ 29.04% ਸਲੇਅਨੈੱਸ ਮੰਨਦੇ ਹੋਏ PSPCL ਦੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਰਕਮ ਚਾਰਜ ਕੀਤੀ ਜਾਵੇ। ਖਪਤਕਾਰ ਦਾ ਸੀ.ਟੀ. ਸੈੱਟ ਲੋਡ ਸਮਰੱਥਾ ਅਨੁਸਾਰ ਲਗਾਇਆ ਜਾਵੇ।”
- (ii) As per checking report, amount of ₹ 37,061/- was charged to the Appellant vide Notice No. 799 dated 20.06.2023 considering the slowness factor as 29.04%. The Appellant had deposited the amount of ₹ 37,061/- vide B.A. 16 No. 311/55586 dated 12.07.2023. As per the report, CT Set was to be changed as per the sanctioned load of the Appellant. The concerned JE Sh. Deepinder had requested ME Lab officials to provide the CT Set vide S.R. No. 05/15430 dated 28.07.2023 but it was not available in ME Lab. The concerned JE Sh. Deepinder had again requested

ME Lab officials to provide the CT Set on 28.08.2023 but again ME Lab officials returned the S.R with reply as NA to him.

- (iii) The connection of the Appellant was again checked vide ECR No. 30/4018 dated 23.04.2024 by the Senior Xen, EA and MMTS-1, Patiala where it was reported that “ਮੀਟਰ ਦੀ ਡਿਸਪਲੇ ਤੇ

ਵੋਲਟੇਜ **Current left hand side** ਅਨੁਸਾਰ ਪਾਏ ਗਏ ਅਤੇ ਫੇਜ਼ “1” **Standstill**

ਪਾਇਆ ਗਿਆ ਅਤੇ “2” ਅਤੇ “3” **Blink** ਕਰ ਰਹੇ ਹਨ। ਮੀਟਰਿੰਗ **Equipment** ਦੀ

ਐਕੂਰੇਸੀ ਚੱਲਦੇ ਭਾਰ 17.41 kw ਤੇ **Zera Moving test set** ਨਾਲ ਚੈਕ ਕੀਤੀ ਗਈ ਜੋ

ਕਿ 55.94% **Slow** ਚੱਲਦਾ ਪਾਇਆ ਗਿਆ। ਇਸ ਤੋਂ ਇਹ ਪਤਾ ਚੱਲਦਾ ਹੈ ਕਿ ਮੀਟਰ ਨੂੰ

Red Phase Voltage ਘੱਟ ਮਿਲ ਰਹੀ ਹੈ ਅਤੇ **Red Phase** ਦਾ **Current** ਵੀ **Zero**

ਆ ਰਿਹਾ ਹੈ ਜਦੋਂ ਕਿ o/p side ਤੇ **Red Phase** ਤੇ ਲੋਡ **47 Amp** ਚੱਲ ਰਿਹਾ ਹੈ।”

- (iv) On further checking, the seals of the CTC were opened and it was found that the connections on the T/B of the meter were wrongly connected. As per this checking report, amount of ₹ 1,24,174/- was charged to the Appellant vide Notice No. 407 dated 24.04.2024 considering slowness factor as 55.94%. The Appellant did not deposit the amount and filed its petition in the Circle CGRF, Patiala.

- (v) The hearing was held on 10.07.2024 in the Circle CGRF, Patiala. The Circle CGRF, Patiala decided as under:

“ਫੋਰਮ ਵੱਲੋਂ ਖਪਤਕਾਰ ਦੇ ਕੇਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਪੇਸ਼ ਕਰਤਾ ਅਫਸਰ ਵੱਲੋਂ ਪੇਸ਼ ਕੀਤੇ ਦਸਤਾਵੇਜ਼ ਅਤੇ ਖਪਤਕਾਰ ਦੇ ਪਿਛਲੇ ਸਾਲਾਂ ਦਾ ਖਪਤ ਡਾਟਾ ਘੋਖਿਆ ਗਿਆ ਅਤੇ ਪਾਇਆ ਗਿਆ ਕਿ ਖਪਤਕਾਰ ਨੂੰ ਜੋ ਸਲੇਅਨੈੱਸ ਦੀ ਰਕਮ ਚਾਰਜ ਹੋਈ ਹੈ ਉਹ ਪਿਛਲੇ ਸਮੇਂ ਦੀ ਅਤੇ ਮੌਜੂਦਾ ਸਮੇਂ ਦੀ ਖਪਤ ਨੂੰ ਦੇਖਦੇ ਹੋਏ ਸਹੀ ਜਾਪਦੀ ਹੈ। ਇਸ ਲਈ ਫੋਰਮ ਵੱਲੋਂ ਫੈਸਲਾ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਖਪਤਕਾਰ ਨੂੰ ਚਾਰਜ ਹੋਈ ਰਕਮ ਸਹੀ ਅਤੇ ਵਸੂਲਣਯੋਗ ਹੈ।”

- (vi) Not satisfied with the decision of the Circle CGRF, Patiala, the Appellant filed an Appeal before the Corporate CGRF, Ludhiana. As per the decision dated 24.09.2024 of the Corporate Forum, Ludhiana, the amounts of ₹ 37,061/- & ₹ 1,24,174/- charged to the Appellant by considering the slowness as 29.04% & 55.94%, were quashed. The account of the Appellant was ordered to be overhauled as per Regulation 21.5.2(d) of Electricity Supply Code and Related Matters Regulations, 2014. After overhauling the account, the Notice No. 1091 dated 10.10.2024 was issued to the Appellant to deposit the amount of ₹1,12,551/-. In the mean time, the connection of the Appellant was checked vide ECR No. 16/4028 dated 12.11.2024 by the Senior Xen, EA and MMTS-1 and it was found working accurately.
- (vii) As per the decision of the Corporate Forum, Ludhiana, Notice No. 1091 dated 10.10.2024 was issued to the Appellant to deposit the amount of ₹1,12,551/-. The Appellant did not deposit

the amount and filed its Appeal in the Court of Ombudsman, Electricity, Punjab.

- (viii) The para no. 1 of the Appeal was correct. Moreover the same was a matter of record. It was further made clear that the account of the Appellant had been overhauled for the period October 2020 to April 2021 as per the order in question in line with the instructions of PSPCL.
- (ix) The para no. 2 of the Appeal was correct. However, it was denied for the want of knowledge that the letter raising demand had been received by the Appellant on 23.10.2024. It was further clarified that demand notice of ₹ 1,12,551/- had been raised in line with the decision in question.
- (x) The para no. 3 of the Appeal was correct and the same was also a matter of record.
- (xi) The para no. 4 of the Appeal was a matter of record. However, the delay had not been specifically mentioned in this para.
- (xii) The para no. 5 of the Appeal needs no reply as the same had nothing to do with the replying the Respondent.
- (xiii) The para no. 6 of the Appeal needs no reply and the same was also a matter of record.
- (xiv) The para no. 7 of the Appeal also needs no reply.

(xv) The para no. 8 of the Appeal was correct and moreover the same was repetition of the checking report. It was correct that amount of ₹ 37,061/- was deposited by the Appellant which was issued to him vide Notice No. 799 (and not 70) dated 20.06.2023.

(xvi) The para no. 9 of the Appeal was correct.

(xvii) The para no. 10 of the Appeal was totally wrong and hence denied. It was further specifically denied that the order dated 24.09.2024 and the notice dated 10.10.2024 were illegal and null and void on the following grounds:-

- a) This para was correct to the extent that demand of ₹ 37,061/- was set aside and the order dated 24.09.2024 had been passed legally whereby the account was overhauled in line with the order dated 24.09.2024 coupled with the instructions of the PSPCL. It was further specifically denied that the order of overhauling the account for a period of six months preceding the date of checking i.e. 23.10.2024 had been passed illegally and arbitrarily.
- b) This para as alleged was wrong and hence denied. The Appellant deposited the amount willingly and without any objection.
- c) This para was totally wrong and hence denied. The amount had been raised illegally. It was specifically denied that the Appellant had been penalized for the fault of the officers/officials of

PSPCL or had taken the benefit of their own wrong. It was also specifically denied that the demand had been raised against the settled proposition of law.

- d) This para as alleged was wrong and hence denied. The CT could not be changed immediately since the same was not available in ME Lab, Patiala. Although the request for issuing the same was made vide SR No. 05/15430 dated 28.07.2023 and again on 28.08.2023. Thus the CT could not be changed due to non availability of CT in ME Lab, Patiala. It was specifically denied that order raising the demand had been passed to save the skin of the officers/officials of PSPCL.
- e) This para as alleged was wrong and hence denied. The demand in question had been raised after the passing of the order dated 24.09.2024 whereby the earlier demand was set aside vide order dated 10.07.2024. The Appellant had not been vexed twice for the same cause of action.
- f) This para as alleged was wrong and hence denied. The order in question had been passed legally and not to vex the Appellant thrice.
- g) This para as alleged was wrong and hence denied. It was further specifically denied that the Regulation 21.5.2(d) had no applicability on the cause of the Appellant.

- h) This para as alleged was wrong and hence denied. The Appellant was duly told that the CT could not be changed as the same was not available at present in the ME Lab, Patiala and the same would be changed immediately after the same was made available by the ME Lab, Patiala. The CT was changed immediately after the same was made available by the ME Lab, Patiala.
- i) This para relates to checking carried out by the Enforcement Wing and the replying Respondent had nothing to do the same. The slowness of the meter was checked by the officials of the Enforcement.
- j) This para as alleged was a matter of record.
- k) This para as alleged was wrong and hence denied. The notices raising demand had been passed as per the rules and regulations of PSPCL. It was specifically denied that the orders were illegal and null and void ab-initio.
- l) This para was totally wrong and hence denied. It was specifically denied that the Appellant was not entitled to any compensation whatsoever.
- m) This para was wrong and hence denied. There were neither any illegalities nor irregularities in the impugned order.

- (i) The prayer clause was totally wrong. It was, therefore, prayed that the Appeal may kindly be dismissed and the order dated 24.09.2024 as well as the letter no. 1091 dated 10.10.2024 be upheld.

(b) Additional Submissions

The Respondent submitted the following additional submissions for consideration of this Court:-

- (i) From the checking it was observed that:-

- Red Phase-CT current was zero due to wrong connection and this phase (i.e. Red) was not accounting any energy.
- Yellow Phase-current and voltage connection were correct; therefore, this phase was recording energy correctly corresponding to the actual power factor of the load.
- Blue Phase-connection were wrong (due to wrong phase association) i.e. with Blue Phase CT, Red Phase Voltage was connected. The energy was accounting in this phase corresponding to power factor (phase angle) between red phase voltage and blue phase voltage (i.e. 240 degree apart when load power factor was unity), which was different from the actual power factor of the load on that phase.

- (ii) It was an educational institute, where majority of the load was single phase. It was observed in the DDL/checking report that load was not balanced on all the three phases and it keeps varying.
- (iii) As explained at (i) & (ii) para above, slowness will depend upon the current flowing in each phase and power factor of that phase, which keeps on changing with different combination of load power factor and current of each phase. In this regard, calculation sheet by considering balance voltage, current and power factor at different power factor at load end was enclosed. From the sheet, it was observed that:-
- Slowness of meter was different at different power factor at load end i.e. 50% at unity power factor, 36% at 0.9 P.F, 32% at 0.85 P.F. 29% at 0.8 P.F. etc.
- (iv) From the above, it was evident that percentage slowness was varied with the change in load power factor. As per tamper report of both the checking, power factor of blue phase was varying from 0.5 to 0.9, thus resulting into change in slowness percentage.

(c) Submission during hearing

During hearings on 10.12.2024, 03.01.2025 & 17.01.2025, 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 order dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana in Case No. CF-149/2024.

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

- (i) The CCGRF, Ludhiana in its order dated 24.09.2024 observed as under:-

“Forum observed that on the request of SDO/Bahardurgarh vide Memo no. 512 dated 25.04.2023, connection of Petitioner was checked by Sr. Xen/Enf. cum EA & MMTS-1 Patiala and ECR no. 47/4004 dated 19.06.2023 was prepared. As per ECR Red phase CT was not contributing current and upon checking accuracy of the meter with LTER set, it was found 29.04% slow. It was also directed to change the CT set according to the sanctioned load of the petitioner. As per this report, a/c was overhauled and notice no. 799 dated 20.06.2023 was issued to deposit Rs. 37061/-. Petitioner deposited this amount vide BA-16 no. 311/55586 dated 12.07.2023. Subsequently the connection of the petitioner was again checked in routine by ASE/Enf. cum EA & MMTS-1, Patiala and ECR no. 30/4018 dated 23.04.2024 was prepared. As per ECR, Current on load

side was as R-47A, Y-25.80A, B-32.80A. Voltage and current on meter display were also noted and it was found that segment '1' was standstill and segment '2' and '3' were blinking. Accuracy of meter was checked on running load of 17.41kW using Zara moving test set and the meter was found 55.94% slow. From the display of the meter, it was observed that red phase voltage contribution to meter was less and current on red phase was zero whereas on output side it was 47A. During further investigation, after opening the seals of CTC, it was found that the connections on the T/B of the meter were wrong and the diagram depicting the same was drawn on the ECR. Connections were got corrected at site and accuracy of the meter was again checked which was found within limits. A/c of the petitioner was again overhauled and notice no. 407 dated 24.04.2024 was issued to the Petitioner to deposit an amount of Rs. 124174/- due to 55.94% slowness. Petitioner did not agree to this notice and filed his case in Circle CGRF, Patiala. Circle CGRF, Patiala in its hearing dated 10.07.2024 decided: -

“ਖਪਤਕਾਰ ਨੂੰ ਜੋ ਸਲੇਅਨੇਸ ਦੀ ਰਕਮ ਚਾਰਜ ਹੋਈ ਹੈ ਉਹ ਖਪਤਕਾਰ ਦੇ ਪਿਛਲੇ ਅਤੇ ਮੌਜੂਦਾ ਸਮੇਂ ਦੀ ਖਪਤ ਦੇਖਦੇ ਹੋਏ ਸਹੀ ਜਾਪਦੀ ਹੈ ਇਸ ਲਈ ਫੋਰਮ ਵਲੋਂ ਫੈਸਲਾ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਖਪਤਕਾਰ ਨੂੰ ਚਾਰਜ ਹੋਈ ਰਕਮ ਸਹੀ ਅਤੇ ਵਸੂਲਣਯੋਗ ਹੈ”

Not satisfied with the decision of Circle CGRF, Patiala Petitioner filed appeal in Corporate CGRF, Ludhiana. Forum observed the consumption data supplied by the Respondent, as under: -

	2019		2020		2021		2022		2023		2024	
Month	Cons	Code	Cons	Code	Cons	Code	Cons	Code	Cons	Code	Cons	Code
Jan			4110	O	4902	O	5409	D	2561	O	1824	O
Feb			3984	O	6293	O	6293	C	1381	O	2675	O
Mar			4321	O	3465	O	2303	O	1257	O	2014	O
Apr			3385	O	5912	O	3664	O	1831	O	2390	O
May	3897	O	2768	O	7004	O	6543	O	2632	O	5162	O
Jun	6109	O	4193	O	8050	O	5902	O	2325	O	11372	O
Jul	9015	O	7445	O	8433	O	5077	O	2897	O	11810	O
Aug	9675	O	7393	O	6933	O	6140	O	0	O	23204	O
Sep	10337	O	6358	O	11078	O	7997	O	5110	O		
Oct	8641	O	8064	O	12931	O	6879	O	4242	O		
Nov	5680	O	5639	O	5451	D	2896	O	1669	O		
Dec	5033	O	5097	O	4933	D	3345	O	1701	O		
TOTAL	58387		62757		85385		62448		27606		60451	

As per the above data, the annual consumption of the petitioner from 2019 to 8/2024 has been recorded as 58387, 62757, 85385, 62448, 27606 and 60451 units respectively. Meter of the petitioner was changed vide MCO no. NV/808 dated 10.12.2021 effected on 11.02.2022. It is observed that since then after replacing the meter in 03/2022, the consumption had reduced considerably than the corresponding period of 2020 & 2021. This sudden dip in the consumption Feb/2022 onwards indicates that the mistake in connection leading to wrong phase association detected on 23.04.2024 occurred on 11.02.2022 as no other intermediate job order was presented to the Forum. The above data also shows that the consumption, after setting right the connection on 23.04.2024, has again increased considerably.

Forum observed that A/c of the petitioner has been overhauled twice. Firstly from 19.06.2023 to 19.12.2023 on account of 29.04% slowness detected by Sr. Xen/Enf. cum EA & MMTS-1 Patiala vide ECR no. 47/4004 dated 19.06.2023 and secondly from 23.10.2023 to 23.04.2024 on account of 55.94% detected by ASE/Enf. cum EA & MMTS-1, Patiala vide ECR no. 30/4018 dated 23.04.2024. Forum observed that first time connection of Petitioner was checked by Sr. Xen/Enf. cum EA & MMTS-1 Patiala vide ECR no. 47/4004 dated 19.06.2023 in which it was reported as under:

ਉਪਰੋਕਤ ਕੁਨੇਕਸ਼ਨ ਦਾ ਮੀਟਰ ਚੈਕ ਕੀਤਾ ਜਿਸਦੀ ਚੈਕਿੰਗ ਦੌਰਾਨ ਮੀਟਰ display ਤੇ ਪੈਰਾਮੀਟਰ ਰਿਕਾਰਡ ਕੀਤੇ ਗਏ ਜਿਸ ਵਿੱਚ $R\Phi - 0.0 \text{ Amp}$, $Y\Phi$ ਦਾ ਕਰੰਟ = 27.9A, $B\Phi$ ਦਾ ਕਰੰਟ = 4.6A ਹੈ। Clamp on ਨਾਲ ਕਰੰਟ ਮਿਲਾਨ ਕੀਤਾ ਤਾਂ clamp on ਤੇ ਕਰੰਟ $r=zero$ $Y=22.9$ ਅਤੇ $b=4.9 \text{ A}$ ਹੈ।

- R ਦਾ CT current distribute ਨਹੀਂ ਕਰ ਰਿਹਾ ਹੈ LTER set ਨਾਲ Accuracy ਕੀਤੀ ਗਈ ਤਾਂ 29.04% slowness ਪਾਈ ਗਈ।
- ਇਹ wrong meter ਕੇਸ ਹੈ ਖਪਤਕਾਰ ਨੂੰ 29.04% slowness ਮੰਨਕੇ PSPCL ਦੀਆਂ ਹਦਾਇਤਾਂ ਅਨੁਸਾਰ ਰਕਮ ਚਾਰਜ ਕੀਤੀ ਜਾਵੇ।
- ਖਪਤਕਾਰ ਦਾ CTs set ਲੋਡ ਸਮਰੱਥਾ ਅਨੁਸਾਰ ਲਗਾਇਆ ਜਾਵੇ। ਇਸ CTs ਨੂੰ ME Lab ਚੈਕਿੰਗ ਲਈ ਪੇਸ਼ ਕੀਤਾ ਜਾਵੇ।

From the above report, it is observed that checking agency did not try to find the reason behind the slowness of the meter but just mentioned as 'wrong meter' case, which makes no sense. Had the wrong connections been detected and corrected at that time itself then further recurring revenue loss to PSPCL could have been avoided. Such carelessness and casual approach cannot be expected from a senior officer and is a very serious lapse on the part of the specialized checking agency like Enforcement. CE/EA&Enf., PSPCL, Patiala must look into the matter and fix responsibility of the officer for this lapse. Forum further observed that there is utter negligence on the part of the officials/officers of respondent who made wrong connections on 11.02.2022 while replacing the meter and not detecting the same observing low consumption and energy variation during recording of monthly readings/routine periodical checking as prescribed in ESIM.

Forum observed that the slowness of 29.4% & 55.94%, on the basis of which the account has been overhauled, are the measure of the instant slowness belonging to that very instant only and these are not constant but keep on varying depending on various factors like voltages of the respective phases, load on these phases and power factors thereof etc., which cannot be applied for overhauling the account. It is quite evident from both of the checking reports as per which different values of slowness have been detected with same wrong connections. Hence, this instant slowness cannot be considered as constant or uniform over an entire disputed period. In view of the forgoing discussion, the metering equipment of the petitioner is required to be treated as defective for the period from 11.02.2022 up to 23.04.2024 i.e. the date of checking when the connections of the meter had been set right. The relevant Regulation 21.5.2 of PSERC Supply Code 2014 dealing with the defective meters is reproduced below:

Regulation 21.5.2 of Supply Code 2014 dealing with Defective (other than inaccurate)/Dead Stop/Burnt/Stolen Meters is as under: -

“The accounts of a consumer shall be overhauled/billed for the period meter remained defective/dead stop and in case of burnt/stolen meter for the period of direct supply subject to maximum period of six months as per procedure given below:

- a) On the basis of energy consumption of corresponding period of previous year.*
- b) In case the consumption of corresponding period of the previous year as referred in para (a) above is not available, the average monthly consumption of previous six (6) months during which the meter was functional, shall be adopted for overhauling of accounts.*
- c) If neither the consumption of corresponding period of previous year (para-a) nor for the last six months (para-b) is available then average of the consumption for the period the meter worked correctly during the last 6 months shall be taken for overhauling the account of the consumer.*
- d) Where the consumption for the previous months/period as referred in para (a) to para (c) is not available, the consumer shall be tentatively billed on the basis of consumption assessed as per para-4 of Annexure-8 and subsequently adjusted on the basis of actual consumption recorded in the corresponding period of the succeeding year.*
- e) The energy consumption determined as per para (a) to (d) above shall be adjusted for the change of load/demand, if any, during the period of overhauling of accounts”.*

As per the above regulation, the account can be overhauled for a maximum period of six months but in the present case the account had been overhauled for a period of twelve months (six months each, two times) for the same lapse, which was required to be detected at the first instance on 19.06.2023.

Forum has gone through written submissions made by the Petitioner in the petition, written reply of the Respondent along with the relevant material brought on the record. Keeping in view the above discussion/facts Forum is of the opinion that overhauling the account of the petitioner for a period of about 12 months and that too with two different

slowness factors is not as per relevant Regulations and charging amount of Rs. 37061/- in the first instance and thereafter of Rs. 124174/-, is not justified. Hence, both of these amounts are liable to be quashed and accordingly decision dated 10.07.2024 of Circle CGRF, PSPCL Patiala is liable to be set-aside. Account of the petitioner is required to be overhauled for a period of six months preceding to the date of checking i.e., 23.04.2024 when the connections of the meter had been set right, as per Regulation no. 21.5.2(d) of Electricity Supply Code and Related Matters Regulations 2014 as his previous consumption is not reliable due to wrong connections w.e.f 11.02.2022.”

- (ii) I have gone through the written submissions made by the Appellant in its Appeal as well as in the Rejoinder to the Reply of the Respondent, written reply of the Respondent & the data placed on the record by the Respondent as well as oral arguments of both the parties during the hearings on 10.12.2024, 03.01.2025 & 17.01.2025. The Appellant's Counsel pleaded that the decision dated 24.09.2024 of the CCGRF, Ludhiana and the notice raising demand dated 10.10.2024 were illegal, null & void. He pleaded that the connection of the Appellant was allegedly checked on 19.06.2023 and a demand of ₹ 37,061/- was raised on 20.06.2023 on the basis of slowness of the meter to the extent on 29.04%, which was paid by the Appellant to avoid any litigation. This demand has been raised without any fault on the part of the Appellant. The Appellant has been penalized for the fault of the officers/officials of the PSPCL and

had taken the benefit of their own wrong. It is a settled proposition of law that nobody can take the benefit of its own wrong. The PSPCL had raised the demand against the settled proposition of Law. Further, as per the checking report dated 19.06.2023, the CT was required to be changed immediately as per the sanctioned load of the Appellant, but even after repeated representations to the concerned officers of the PSPCL to change the Meter /CT immediately after 20.06.2023 so that the Appellant may not be penalized further without any fault on his part, no heed has been paid to the requests made by the Appellant and the same has not been changed for near about 10 months. Then, the connection of the Appellant was again checked by the Respondent on 23.04.2024 & a fresh demand of ₹ 1,24,174/- was raised on 24.04.2024 on the basis of slowness of the meter to the extent on 55.94%. He pleaded that the Appellant had been penalized for lethargy/ negligence on the part of the officers/ officials of the PSPCL. The Appellant was penalized twice for the same cause of action. It is a settled proposition of law that nobody can be vexed twice for the same cause of action. He pleaded that without any change in the position/site of the meter/ metering equipments, two different Reports have been submitted about the working of the meter i.e. 29.04% slow and

55.94% slow. Both the Reports were self-contradictory and not believable.

- (iii) The Respondent controverted the pleas of the Appellant & denied that the order dated 24.09.2024 and the notice dated 10.10.2024 were illegal, null and void. He denied that the order of overhauling the account for a period of six months preceding the date of checking i.e. 23.10.2024 had been passed illegally and arbitrarily. He argued that although the request for issuing the CT was made vide letter SR No. 05/15430 dated 28.07.2023 and again on 28.08.2023, but the CT could not be changed due to non availability of the same in ME Lab, Patiala. He further argued that the demand in question has been raised after the passing of the order dated 24.09.2024 by the CCGRF, Ludhiana whereby the earlier demand was set aside. The Appellant had not been vexed twice for the same cause of action.
- (iv) This Court observed that there was a huge difference in slowness factor detected in two checkings dated 19.06.2023 & 23.04.2024 when there was no change in connections between the two checkings. The Respondent was directed to explain the reason for the same. But the Respondent could not give any satisfactory reason for the same.

- (v) It is observed that the officers/ officials of PSPCL were delinquent in discharging their duties. Firstly, wrong connections were done on 11.02.2022 while replacing the meter of the Appellant. Then during checking on 19.06.2023, the enforcement agency declared the meter to be slow, but did not try to find the reason behind the slowness of the meter. It just declared it as 'wrong meter' case and asked the Respondent office to charge the Appellant with a slowness factor of 29.04%. It also directed the Respondent office to change the CT set as per the sanctioned load of the Appellant. However, PSPCL never got down to changing the CT. Then on 23.04.2024, during another routine checking by the Enforcement staff of the Licensee, it came out that connections had been wrongly made and then these were finally set right by PSPCL. This all caused recurring financial loss to the Licensee as well as unnecessary harassment to the Appellant. The Appellant was charged twice on the same grounds due to the delinquency on the part of the officers/ officials of the Licensee. Had the Respondent taken action to get the CT set replaced within a reasonable time, wrong connections of the meter would have been detected. However, PSPCL failed to take action and the lapse continued for another ten months till checking on 23.04.2024. There has been no fault on the part of

the consumer after first checking on 19.06.2023. They had been regularly following up with PSPCL for replacement of CT set.

(vi) Further, it has been observed that with the same connections, different slowness factors have been detected which puts a question mark on the efficacy of the checking carried out by Enforcement. It shakes the confidence of the consumer in the checking done by PSPCL. Once the consumer has been checked, demand raised & paid for, everything should have been set right. However, PSPCL failed to do so. It is felt that the consumer cannot be penalized twice for PSPCL not carrying out its work properly.

(vii) In view of above, this Court is not inclined to agree with the part (i) of the order dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana in Case No. CF-149/2024. Since the Appellant has already paid ₹ 37,061/- for the slowness detected during checking on 19.06.2023, it cannot be asked to pay again for the same reason. Therefore, part (i) of the order dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana in Case No. CF-149/2024 is hereby set-aside. Amount of ₹ 37,061/- charged to the Appellant vide Notice No. 799 dated 20.06.2023 is held to be valid. Amounts charged to the Appellant vide Notice No. 407 dated 24.04.2024

& 1091 dated 10.10.2024 are quashed. Further, part (ii) & (iii) of the order dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana in Case No. CF-149/2024 is hereby upheld.

(viii) Further no compensation is awarded to the Appellant as prayed for in its Appeal.

7. Decision

As a sequel of above discussions, part (i) of the order dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana in Case No. CF-149/2024 is hereby set-aside. Amount of ₹ 37,061/- charged to the Appellant vide Notice No. 799 dated 20.06.2023 is held to be valid. Amounts charged to the Appellant vide Notice No. 407 dated 24.04.2024 & 1091 dated 10.10.2024 are quashed. Further, part (ii) & (iii) of the order dated 24.09.2024 of the Corporate Consumer Grievances Redressal Forum, Ludhiana in Case No. CF-149/2024 is hereby upheld.

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, they are 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 14, 2025
S.A.S. Nagar (Mohali).

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

