

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
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SECY/CHN 01.5/08NKS

C A No. 101519413
Complaint No. 48/2019

In the matter of:

Janved SinghComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Smita Shankar, Member (Law)

Appearance:

1. Mr. Imran Siddiqi, Ms. Ritu Gupta &
Mr. Achal Rathi, On behalf of BYPL
2. Complainant

ORDER

Date of Hearing: 30th August, 2019
Date of Order: 02nd September, 2019

Order Pronounced By:- Mr. Arun P Singh (Chairman)

The grievance of the complainant is that his electricity connection was disconnected by the respondent due to non-payment of dues and the same was energized upon receiving part-payment from the complainant. It was also his case that after disconnection of supply, the respondent removed the meter and cable from the site but after re-energization, the respondent added fixed charges and LPSC in the bill. He requested the Forum to direct the respondent company for revision of bill and removal of LPSC and fixed charges from the bill.

[Signature]

[Signature] 1 of 3

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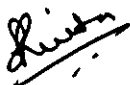
On notice the respondent company appeared before the Forum and submitted their reply. The case was listed for hearing before the Forum and both the parties were heard extensively.

The respondent in their reply submitted that the connection bearing CA NO. 101519413 was disconnected in the year 2017 on account of non-payment of dues. Thereafter, final bill was generated on 17.03.17 amounting to Rs. 35229.96 including LPSC of Rs. 5252.85. From the final bill amount Rs. 600 of security amount and Rs. 35.51 of interest thereon were deducted and final bill amounting to Rs. 34694.45 was raised to the complainant. The complainant after two years of disconnection approached the respondent for restoration of electricity connection, therefore, as per Regulation 19 of the Supply Code 2017; the application of restoration was treated as application of new connection. As the technical feasibility was found to be okay and complainant also made the payment of Rs. 29442 on 01.05.19 and the connection was restored. It was also their submission that as the dormant connection was revived, the system charges the interest on 11.06.19 for the period w.e.f. 17.03.17 to 01.05.19 amounting to Rs. 10599.20/- and also locked up LPSC of Rs. 5252 was opened and added in the bill of July 2019, thus the total dues of Rs. 18440/- as per August 2019 bill are due and outstanding with due date as 28.08.19.

We have gone through the submissions made by both the parties. From the narration of facts and material placed before us we find that the respondent company released the connection of the complainant as per Regulation 19 of the DERC Supply Code and Regulations 2017, which is quoted as under:-

19. Termination of Agreement:

(7) Any application for revival of the connection after permanent disconnection shall be treated as an application for new connection and would be processed only after clearance of all outstanding dues applicable, if any.





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{Explanation:- For the purpose of this Regulation, permanent disconnection shall mean, a case of Termination of agreement or where power supply to a consumer remains disconnected for a continuous period of more than 6(six) months and the Licensee shall be entitled to remove the service line and other equipment of the Licensee from the premises of consumer.

From above, the Forum is of the view that the complainant applied for re-connection and the respondent company considered the application as new connection which is as per Regulation 19 of Supply Code 2017. And also charges complainant with all the charges related to new connection. Hence this is not the case of dormant connection revival. It is a case of new connection and complainant fulfilled all the formalities of the new connection. Thus the amount related to interest for the period 17.03.17 to 01.05.19 is not recoverable from the complainant. The LPSC amount which was locked up by the respondent of Rs. 5252/- is also to be waived off.

Case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.

The compliance should be reported within 30 days. The order is issued under the seal of Consumer Grievance Redressal Forum (BYPL).


(SMITA SHANKAR)
MEMBER (LAW)


(ARUN P SINGH)
CHAIRMAN