C G R F
B Y P L

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,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
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SECY/CHN 015/08NKS

C A No. 101631528
Complaint No. 14/2023

In the matter of:

Daulat Ram .....Complainant

VERSUS

BSES Yamuna Power Limited .....Respondent

Quorum:

1. Mr. Nishat A Alvi, Member (CRM)
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. B.S. Yadav, Ms. Shweta Chaudhary & Ms. Chavi Rani, On behalf of BYPL

ORDER
Date of Hearing: 04th July, 2023
Date of Order: 10th July, 2023

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. Present complaint has been filed by Mr. Daulat Ram, against BYPL-NNG.

2. The brief facts of the case giving rise to this grievance are that complainant Mr. Daulat Ram, is owner of property no. B-5/48/21, Khasra No. 29, Kabir Nagar, Delhi-94.

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It is also his submission that respondent has transferred dues of other disconnected connection having CA No. 100049480 amounting to Rs. 1,79,889/- to his live connection CA No. 101631528. He further submitted that respondent has wrongly transferred the dues and also added fixed charges of the bill month of 26.06.2016 to 21.07.2016 amounting to Rs. 10,112/-. Bill for the month of 23.04.2016 to 24.05.2016 fixed charges amounting to Rs. 10,809/-. Therefore, they have nothing to do with the dues of other CA No which are installed in the other parts of the property.

3. OP in their reply briefly stated that the complainant has challenged the outstanding dues and its transfer from CA no. 100049480 (disconnected connection) to CA No. 101631528 (live connection). Both the connection disconnected and live are in the name of Sh. Daulat Ram, and both the connections were granted for non-domestic purposes having same billing address i.e. B-5/48/21, Khasra No. 29, Kabir Nagar, Delhi. The connection having CA no. 100049480 was disconnected on account of outstanding dues of Rs. 179556.40 which were transferred after issuing two notices dated 20.06.2018 and 10.09.2018.

OP further added that the complainant who apparently was/is user of both the electricity connections thus always had knowledge of factum of outstanding dues and their transfer which took place in September 2018 whereas the present compiaint is filed somewhere in November-December 2022 i.e. after more than 3 years from the disconnection and transfer. The disconnected connection was for non-domestic purpose for a sanctioned load of 43 KV therefore, fixed charges were charged on the basis of sanctioned load as per the law.

4. The counsel of the complainant argued that CA no. 100049480 was removed on 01.09.2016 and at the time the bill dues was of Rs. 1,44,570/- and the security amount of Rs. 64,500/- was deposited against said CA No. He further denied the allegations of OP as averred in their reply and submitted that he made several visits to the office of OP but they did not put any heed to his complaints. He further submitted that his connection was disconnected in the year 2016 thus Rules and Regulations of 2007 applies to bill revision. He further added that OP should revise his bill as per DERC Regulations 2007 and should not charge him fixed charges after supply disconnection.

5. The LR of the OP submitted that they have transferred the dues of disconnected connection to the live connection of the complainant in the year 2018 and since then the complainant is only making part payments of the total outstanding dues including his current consumption charges. They further submitted that both the disconnected and live connections are in the name of Sh. Daulat Ram. LR of the OP agreed to revise the bill of the complainant as per DERC Regulations 2007.

6. Heard both the parties and perused the record. Heard the arguments of Authorized Representative of the complainant and OP-BYPL.

7. The main issue in the present complaint is whether the transferred dues are payable by the complainant who is son of Daulat Ram.

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8. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that the dues are of complainant and payable by him. The counsel of the complainant also agreed to the same but stated that his bill should be revised as per DERC Regulations 2007 and fixed charges for six months should be waived off along with LPSC waiver.

9. In view of the above, we are of considered opinion that the dues are payable by the complainant. OP is directed to revise the bill of the complainant as per DERC Regulations 2007 and by waving off both six months fixed charges and LPSC amount thereof.

ORDER

Complaint is allowed. OP is directed to raise the revise the bill of the complainant as per above stated directions.

OP should also file compliance report within 21 days from the date of this order.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.

(H.S. SOHAL)	(NISHAT A. ALVI)	(P.K. AGRAWAL)	(S.R. KHAN) 10/7/23
MEMBER	MEMBER (CRM)	MEMBER (LEGAL)	MEMBER (TECH.)

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