



CA No. Applied For
Complaint No. 418/2023

In the matter of:

Dhoom SinghComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Dhoom Singh, Complainant
2. Mr. R.S. Bisht, Mr. B.R. Yadav, Ms. Shweta Chaudhary & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 18th January, 2024
Date of Order: 24th January, 2024

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

1. This complaint has been filed by Dhoom Singh regarding unnecessary revision of sanctioned load against CA No. 101584311 installed at premises no. A-412, Gal iNo. 2, Kh. No. 515, Meet Nagar, Delhi-110093. It is also his complaint that his sanctioned load is 2 KW and his consumption for the month of October 2022 was less than 1 KW, therefore his load should be reduced to 1 KW and security amount should also be refunded him in cash.

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Secretary
CGRF (BYPL)

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2. The respondent in reply briefly stated that the complainant is seeking load reduction in respect of CA No. 101584311 installed at premises no. A-412, Gali No. 2, Kh. No. 515, Meet Nagar, Delhi-110093 registered in the name of Raj Biri on 19.07.2008. OP further added that electricity connection during the period of June to September 2022 recorded MDI as 3.50 Kw, 3.15 KW, 3.18 KW and 3.18 KW. Accordingly, in terms of Regulations 17 (4) notice dated 10.05.2023 was issued to the registered consumer along with bill dated 10.05.2023 whereby consumer was duly intimated about enhancement of sanctioned load leading to revision of security deposit in terms of Regulation 17 (4). In terms of the said Regulation on the basis of MDI recorded for the four consecutive months in the preceding financial year, sanctioned load stands increased from 2 KVA to 3 KVA.

Reply also stated that load has been enhanced from 2 KVA to 3 KVA on the basis of recorded MDI in the previous financial year 2022-2023, as such complainant vide notice dated 10.05.2023 was informed that based on the load revision, an additional security deposit of Rs. 4500/- was to be paid by the complainant. It is clarified that charge of Rs. 4500/- towards the security charged as per Supply Code and are not fixed charges as claimed by the complainant.

3. The complainant filed his rejoinder stating therein that he has not requested to enhance sanction load from 2 KVA to 3 KVA and on the basis of MDI of the previous year. Now the load may be reduced from 2 KVA to 1 KVA on the basis of 6 to 12 months i.e. December 2022 to December 2023.

4. Arguments of both the parties were heard at length.

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5. The relevant DERC Regulations in the present case is stated below:-




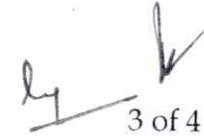
Regulation 17 (3) Load Reduction on the request of consumer:-

- (i) The Application for load reduction shall be accepted only after six months from original energization for connections up to 100 KW, and 1 (one) year from original energization for connections above 100 KW. Subsequent application for load reduction shall be accepted once in six-months or after lock-in period of 6 (six) months pursuant to Regulation 17(4)(vii), as the case may be.
- (ii) The applicant shall apply for load reduction to the Licensee in the format prescribed in the Commission's Orders.
- (iii) The Licensee, after verification, shall sanction the reduced load within 10 (ten) days from the date of acceptance of such application.
- (iv) The load reduction shall be reflected from next billing cycle.
- (v) If the effective date of load reduction falls between the billing cycles, the Licensee shall raise the bill on pro-rata basis during that billing cycle.
- (vi) The reduction of load shall be limited to the highest of average of any 4 (four) consecutive months maximum demand readings of last 12 (twelve) months.
- (vii) If the load reduction is not sanctioned within the said period, the consumer shall be entitled to seek and the Licensee shall be liable to pay the compensation as specified in Schedule-I of the Regulations.

(4) Review of sanctioned load/contract demand by the Licensee:- (i) For revision of sanctioned load or contract demand as the case may be, the Licensee shall take the highest of average of Maximum Demand readings recorded as per billing cycle covering any four consecutive calendar months in the preceding financial year i.e. from 1 st April to 31st March, rounded off to the lower integer.

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6. In view of the above said regulation, OP enhanced the load of the complainant from 2 KW to 3 KW for the financial year 2022-2023 on the basis of the MDI recorded during the year. The MDI recorded by the meter of the complainant after March 2023 is less than 1 KW. Therefore, as per above stated Regulation six months lock in period is over and now the complainant is eligible for load reduction on the basis of the recorded MDI.
7. Therefore, OP is directed to reduce the load of the complainant considering the date of application in the Forum i.e. 03.11.2023 as his application for load reduction. The load reduction shall be made effective from this date 03.11.2023.

ORDER

The complaint is allowed. OP is directed to reduce the load of the complainant according to the MDI recorded from April 2023 and also adjust/refund security deposit amount

OP is further directed to 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.

Proceedings closed.



(S.R. KHAN)
MEMBER-TECH


(NISHAT AHMAD ALVI)
MEMBER-CRM


(P K SINGH)
CHAIRMAN

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Secretary
CGRF (BYPL)


(P.K.AGRAWAL)
MEMBER-LEGAL


(H.S. SOHAL)
MEMBER