



CA No. 101437531
Complaint No. 126/2022

In the matter of:

Dr. Ram Kishore TyagiComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mrs. Vinay Singh Member(Law)
2. Mr. Nishat Ahmed Alvi, Member (CRM)

Appearance:

1. Dr. Ram Kishore Tyagi, Complainant
2. Mr. Imran Siddiqi & Ms. Shweta Chaudhary, On behalf of BYPL

ORDER

Date of Hearing: 30th August, 2022
Date of Order: 06th September, 2022

Order Pronounced By:- Mrs. Vinay Singh, Member (Law)

Briefly stated facts of the case are that the respondent changed the faulty meter and installed new meter and levied meter cost in his bills.

The complainant's grievance is that he is using electricity through CA No. 101437531 installed at her premises no. 517/D, New no. 1828, Gali No. 6, Vijay Park, Maujpur, Delhi-110053. It is also his submission that display of the meter became faulty and official of the respondent changed the same by installing new electricity meter. Thereafter, respondent raised him bill of Rs. 1390/-

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which include consumption bill of 195 units which is against Govt. of Delhi's orders of Subsidy upto 200 units consumption and also include meter amount which is also not chargeable from complainant as per DERC Guidelines. Therefore, he requested the Forum to direct the respondent for rectification of bill and removal of meter charges from bill as per Guidelines. Complainant also complained regarding not receiving of subsidy given by the Government of Delhi for installing CCTV camera for street monitoring. He also asked for Rs. 50,000/- as compensation for mental and physical harassment and torture to the complainant and Rs. 55,000/- as litigation charges.

Notices were issued to both the parties to appear before the Forum on 14.07.2022.

Respondent submitted their reply stating therein that there was a complaint regarding frequent tripping on 11.03.2022 and same was attended by Mr. Hemraj on same date and the supply from the display unit was bypassed. The meter was removed on 09.04.2022 as terminals were found to be burnt and sent to lab and new meter was installed along with display unit. Thereafter, bill was raised for the period of 03.03.2022 to 08.04.2022 on the basis of reading of 149 units and 46 units totaling to 195 units for 37 days on which subsidy as provided by the Delhi Government was duly passed to the consumer as also apparent from the bill. The meter cost of Rs. 1431/- was charged as meter terminals were found to be burnt. On lab testing of meter the meter was found okay as such the meter cost charged was reverted back on 01.07.2022.

Respondent further added that other issue raised by the complainant of tagging of CCTV affixed on the wall of the complainant to her electricity connection and due benefit of the same is also passed to the complainant in the bill dated 14.05.2022.

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The matter was listed for hearing on 07.07.2022, when respondent submitted their reply and complainant was asked to file rejoinder.

The complainant submitted his rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted that respondent has not given him benefit of Subsidy as per Delhi government Scheme. He further stated that for the period of 60 days i.e. from 02.03.2022 to 02.05.2022 total units consumed were 195 + 189 units totaling to 384 units as such complainant is entitled to subsidy for 200 units per month as consumption is within the limits of 400 units for two months.

Respondent submitted their written submissions as under:-

- (i) For the period of 60 days from 02.03.2022 to 02.05.2022 the units charged as also apparent from the bills is 195 + 213 = 408 units as such for the month of April subsidy of 200 units is given whereas for the month of May bill is charges for 213 units for 23 days and required subsidy is duly provided i.e. of 638.23 units.
- (ii) In the month of April billing was done was for 37 days on account of change of meter in the mid of billing cycle. For billing cycle of 02.03.2022 to 01.04.2022 units consumed were 149 units i.e. from 6037.78 to 6168.66. Thereafter in the same bill for 7 days 46 units on provisional basis were charged. The same happened as meter was removed and sent to lab for testing on 09.04.2022 as a consequence reading could not be downloaded.
- (iii) New meter was installed on 09.04.2022 thus on 14.05.200 bill was raised for 23 days from 09.04.2022 to 02.05.2022 for 213 units. Thereafter, meter could not be downloaded provisional billing was

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done and finally meter was downloaded on 02.08.2022 at reading 234.67 units. As such current bill dated 08.08.2022 is raised for 871 units for 92 days after giving benefit of slab and provisional bill. Subsidy of Rs. 2400/- is given at the rate of Rs. 800/- per month.

- (iv) The old meter bearing no. 71006625 was sent to lab and its display unit was found burnt. Now the old meter is in custody of Oorja Technical Services Pvt. Ltd., and the respondent is not in position to replace the new meter with old meter and in all likelihood old meter would have been scrapped by now.

Complainant again submitted written submissions submitting therein that he filed complaint regarding the dispute of over-charging and the newly installed meter being very fast i.e. providing more units than the actual consumption of energy.

Complainant further submitted that respondent has over-charged the bills arbitrarily and illegally on the basis of imaginary presumptions and despite the statement of reverting the charges against electricity meter respondent is trying to receive the charges of meter and issued the electricity bill including the said charges in the form of 'other charges' & 'arrears'. He also added that he received the bill for the month of July 2022 with due date 30.07.2022 and after subsidy bill is of Rs. 1780/-.

The matter was finally heard on 30.08.2022, when complainant submitted before the Forum that meter installed on 09.04.2022 is fast. Respondent was directed to change the meter of the complainant or if the complainant wants to purchase his own meter same be installed at complainant's premises as per DERC Guidelines. Respondent further submitted that third party meter testing was done and installed meter is found OK. Arguments were heard and matter was reserved for orders.

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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 complainant filed his complaint in the Forum on 20.05.2022 for Redressal of his grievance regarding recovery of 195 units of electricity consumption bill despite Delhi Government's free electricity Scheme up to 200 units consumed and secondly refund of collection of illegal electricity meter cost by BSES company from consumer. Complainant asked for compensation also.

Respondent in their reply submitted that meter cost of Rs. 1431/- was charged from the complainant as the meter terminals were found burnt but after the lab testing of the meter it was found that the meter was OKAY therefore cost of meter was reverted back on 01.07.2022.

On the date of final hearing, complainant submitted his additional submission mentioning therein that the new meter installed by the respondent on 09.04.2022 is running very fast and providing more units than the actual consumption of energy. He also submitted that he wants his earlier meter to be installed again.

Respondent submitted in their additional submissions that the old meter cannot be installed again as same would have been scrapped by now.

The details of the bills of the complainant are as follow:-

- Date of meter change 09.04.2022
- First reading of new meter done on 02.05.2022 (billing cycle) 213 units bill date 14.05.2022.
- Bill dated 15.07.2022 was raised on provisional basis amounting to Rs. 1780/-
- Reading was taken on 02.08.2022 and bill was raised for 871 units for 92 days after giving benefit of slab and provisional bill. Subsidy of Rs. 2400/- was given at rate of Rs. 800/- per month.

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In view of the above, we are of considered opinion that the bill of the complainant is in order. Respondent has removed the cost of meter from the bill amount of the complainant and now have raised the actual reading bill after giving benefit of subsidy to the complainant.

Therefore, the two grievances of the complainant have been redressed by given subsidy benefit and removal of meter cost from the bill.

The complainant has also asked for compensation and cost of litigation. This Forum has no power to decide harassment or compensation issue.

- Therefore, we direct the respondent to get the installed meter checked and if found faulty same be changed with the new meter.
- The Forum also directs that it would be complainant's choice if he wants to install his own purchased meter or respondent's meter.

The case is disposed off as above.

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



(NISHAT AHMED ALVI)
MEMBER (CRM)



(VINAY SINGH)
MEMBER (LAW)