



C A No. 100279440
Complaint No. 233/2023

In the matter of:

Harish ChanderComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Mr. Akshay Jain, A.R. of the Complainant
2. Ms. Ritu Gupta & Mr. R.S. Bisht, On behalf of BYPL

ORDER

Date of Hearing: 20th July, 2023

Date of Order: 28th July, 2023

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

1. This complaint has been filed by Mr. Harish Chander against BYPL-CCK.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Harish Chander is using electricity through CA No. 100279440 which is installed at his shop no. 1757/2, GF, Cheera Khana, Delhi-110006.

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CGRF (BYPL)



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He further submitted that his electricity bills for the month of May 2022 to October 2022 recorded incorrect MDI which turned out to higher fixed charges in the bill. He also applied for meter testing and meter testing report suggested meter working OK. He also confirmed there was no earth leakage, thus he requested for revision of his electricity bill for the period May 2022 till October 2022 and removal of excess fixed charges and LPSC thereon.

3. OP in its reply briefly stated that the complainant is seeking bill revision in respect of electricity connection bearing CA No. 100279440 granted for non-domestic purpose having sanctioned load of 1 KVA. The complainant claimed that during the period of June 2022 to September 2022 the existing meter recorded wrong MDI as a consequence wherein there was increase in fixed charges. OP further added that against the subject electricity connection meter bearing no. 55104231 exists since April 2017. The said meter during the period of June to September 2022 recorded MDI as 5 KVA, 3 KVA, 2 KVA and 0.2 KVA. On the complaint of the complainant meter was tested and was found to be within permissible limits i.e. +1.31%.

OP further added that from the reading chart it is apparent that there is no fault in the meter as same meter exists since 2019. From the reading it is apparent that meter has recorded high MDI for the period in issue whereas for the other period i.e. previous as well as subsequent the same meter has recorded lesser MDI. Thus, meter has recorded MDI as per the usage/passage of current. The current bill is amounting to Rs. 8420/- (bill month June- 2023).

4. Arguments of both the parties are heard.

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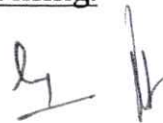
5. Representative of the complainant rebutted the contentions of respondent as averred in their reply and submitted that the meter testing report justify only the correctness of the units consumed but it does not deal with the accuracy of maximum demand indicator MDI. The said meter is installed at a shop which is used as a godown only and 2 tube light and a fan is being used in the said shop. 5.98 MID means approx. 6000 watt was consumed which is not possible with 2 tube lights and a fan.
6. LR of the OP submitted that the bill of the complainant is raised as per recorded reading. The meter was tested and it was found within permissible limit i.e. +1.31%.
7. From the perusal of record placed before us and pleadings of both the parties, the complainant contented that his consumption during the period June to September 2022 was very less but MDI recorded was very high and as per tariff OP charged fixed charges on MDI. The consumption pattern submitted by OP along with their reply shows very less consumption as compared to high MDI, there is mismatch between the high MDI and less consumption. Since, the amount involve is very less therefore, the benefit of doubt is given to the complainant, thus OP is directed to revise the bill of the complainant by considering the period from June 2022 to September 2022 as defective period and revise the bill as per Regulation 39 of DERC Regulation 2017.
8. 39. Billing in case of defective or damaged meter:-
(1) The consumer shall be billed on the basis of actual average consumption recorded during the corresponding period in the preceding year, excluding the provisional billing:

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Provided that if actual consumption recorded during the corresponding period in the preceding year is either not available or partially available, the actual average consumption of past 6 (six) billing cycles immediately preceding the date of meter being detected or reported defective, excluding the provisional billing, shall be used for billing purpose:

Provided further that if the actual average consumption of past 6 (six) months is either not available or partially available, the average consumption for the next 3 (three) billing cycles excluding provisional billing after the installation of new meter shall be used for billing purpose.

ORDER

Complaint is allowed. Respondent is directed to revise the bill of the complainant taking into consideration average consumption of previous years during the same months.

The OP is also directed to file compliance report to this office within 21 days from the issue of this order

The case is disposed off as above.

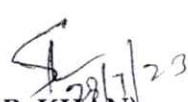
No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.



(H.S. SOHAL)
MEMBER



(P.K. AGRAWAL)
MEMBER (LEGAL)



(S.R. KHAN)
MEMBER (TECH.)



(P.K. SINGH)
CHAIRMAN

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