



CA No. 100337299
Complaint No. 49/2022

In the matter of:

Mohd AhsanComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mrs. Vinay Singh Member(Law)
2. Mrs. Monika Taneja, Member (CRM)

Appearance:

1. Mr. Neeraj Kumar, Counsel of the complainant
2. Mr. Imran Siddiqi & Mr. Pawan Verma, Ms. Shweta Chaudhary & Mr. Jagatheesh Kannan, On behalf of BYPL

ORDER

Date of Hearing: 25th April, 2022
Date of Order: 29th April, 2022

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

Briefly stated facts of the case are that the respondent has not reduced load of the connection of the complainant.

The complainant's grievance is that he applied for load reduction for CA No. 100337299 vide request order no. 8003221446 dated 12.03.2018 and all the relevant documents have been submitted by him but the respondent company failed to reduce the load on the connection of the complainant till date. Therefore, he requested the Forum to direct the respondent company for reduction of load and revision of bill thereafter.

MR

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Notices were issued to both the parties to appear before the Forum on 28.03.2022.

The respondent in their reply stated that the complainant applied for load reduction for CA No. 100337299 installed at 1586, GF, Pahari Bhojala Gate, Delhi-110006 under commercial category. On 08.03.2018 and has not approached the complainant until 30.12.2021, hence, the present complaint is time barred and liable to be dismissed.

It is also their submissions that load reduction request against order no. 8003221446 could not be processed as relevant documents were not submitted by the consumer in Digisewa Kendra on scheduled date. Respondent also submitted Sub-Regulations 3 & 4 of Regulation 17 regarding load reduction on the request of consumer.

The matter was listed for hearing on 28.03.2022, when respondent filed their reply counsel of the complainant wanted to file rejoinder. Forum, inquired 'whether complainant applied for load reduction in proper format as per DERC Supply Code, Sub-Regulation (3) & (4) of Regulation 17, to which the complainant refused.'

Counsel of the complainant submitted his rejoinder refuting therein the contentions of the respondent as averred in their reply and submitted that complainant visited the office of BYPL for load reduction vide order no. 8003221446 and on appointed dated 12.03.2018, all the documents were verified and till date respondent has not reduced the load.

The matter was finally heard on 25.04.2022, when arguments of both the parties were heard and matter was reserved for orders.

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The main issue in the present complaint is from when load reduction is to be made applicable.

We have gone through the submissions by both the parties. From the narration of facts and material placed before us we find that the complainant applied for load reduction for CA no. 100337299 on dated 08.03.2018 but as per Sub-Regulations (3) & (4) of DERC Regulation 17 failed to submit relevant documents required for load reduction. The DERC Regulation is as under:-

17. Existing connections:-

(3) Load Reduction on the request of consumer:- (i) The Application for load reduction shall be accepted only after six months from original energisation for connections up to 100 KW, and 1 (one) year from original energisation 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.

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(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 as described in the illustration:

Provided that the period for billing cycle shall not exceed the period specified in these Regulations: Provided further that the minimum sanctioned load shall be 1 KW.

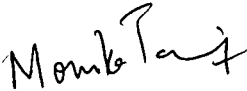
In view of the above, we are of considered opinion, that the complainant has not fulfilled the DERC Regulations for load reduction i.e. he has to submit the necessary relevant documents required for load reduction.


We direct as under:

- The complainant is directed to apply afresh for load reduction and complete all the required formalities as per DERC Guidelines.
- The respondent is also directed to process the application of the complainant within stipulated time period as specified in DERC Guidelines.
- The respondent should also file compliance report to the forum.

The case is disposed off as above.

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


(MONIKA TANEJA)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)
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