

C A No. Applied for
Complaint No. 196/2022

In the matter of:

Rajiv MehraComplainant

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)

Appearance:

1. None present on behalf of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL.

ORDER

Date of Hearing: 24th January, 2023
Date of Order: 30th January, 2023

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. This complaint has been filed by Mr. Baljit Singh, against BYPL-CCK.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Rajiv Mehra is trustee of Lala Shobha Ram Sethi Vald lala Sundermal trust and user of electricity since 1969 since then they are paying electricity bills regularly as and when raised by the respondent.

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He received bill with due date 04.07.2022 to the tune of Rs. 330/- on provisional basis and was duly paid. Thereafter, respondent raised him another bill with due date 03.08.2022 to the tune of Rs. 2670/- on basis of alleged actual basis which the complainant is unable to understand. It is also his submission that it is a temple premises where the said electricity connection is installed and as per directives of Delhi Govt. the subsidy upto 200 units for each billing month has to be exempted but it is sorry to say that the said exemption has not been extended to the said electricity connection. Therefore, he requested the Forum to direct the respondent for revision of bill and giving them proper subsidy benefit.

3. The respondent in reply briefly stated that the complainant is seeking change of tariff category in respect of CA No. 100234245. The said electricity connection exists in the name of trust i.e. trust Lal Shobha Ram Seth for domestic purpose, sub category Government and non-residential. OP further added that complainant by way of the present complaint is asking for subsidy as given by Government of NCT of Delhi on the premise that tariff category of his connection is domestic and hence he is entitle to subsidy.

OP also stated that Government subsidy is not applicable to the electricity connections which though granted for domestic purposes but are not for residential purposes as in the present case. The Government made it clear that the subsidy was applicable to the domestic consumers who were using the connections only for residential purposes. As such no other consumers though being charged under the domestic tariff category are entitled to subsidy as per the Government Guidelines.

4. Heard both the parties and perused the record.

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5. The issue in this matter is can subsidy be given to the connections installed in place of worship.
6. Representative of the complainant submitted that connection having CA No. 100234245 in the name of Trust Lala Shobha Ram Seth at address H.No. 701, Katra Neel, Chandni Chowk, Delhi-6 is installed since 28.01.1969. He also submitted that he approached office of OP for correction of tariff category but OP did not pay any heed to his request. He also submitted bill of CA No. 152555855 in the name of Prachin Shiv Mandir, D-block, New Seema Puri, opposite Gali No. 2, Delhi-110092 which is being billed on domestic tariff under subsidy category as per orders of Government of NCT of Delhi. The OP should follow uniformity in application of policy to all the citizens/consumers.
7. On the other side, LR of OP submitted copy of final order passed by Forum dated 20.07.2021 in matter Sunil Kumar Goyal C.G. No. 63/2021 regarding providing subsidy in the electricity bill for meter installed in the stair case. The forum held that "the complainant is not entitled for subsidy on electricity use in common area and stair case lighting through separate connection". The complainant in the said matter approached the Hon'ble Ombudsman against the orders of the Forum but Ombudsman also upheld the orders of the Forum. OP also added that the bill against CA NO. 152555855 in the name of Prachin Shiv Mandir, D-block, New Seema Puri, opposite Gali No. 2, Delhi-110092 is being used by Pujari (priest) of the Mandir for domestic purpose.

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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 CA No. 100234245 is being used for temple premises. DERC vide its order no. F.3(211)/Tariff/DERC/2007-08/4885 dated 20.03.2008 annexed order of Department of Power vide no. F.11(08)/2008/Power/656 dated 20.03.2008 regarding subsidy to Domestic and Agricultural consumers and the draft operating Guidelines for implementation of its subsidy scheme wherein it has been specifically mentioned at point 8 (b) that the subsidy is not applicable in respect of the consumers which are listed under category 4 (i) a (ii to x) of Chapter II of Delhi Electricity Supply Code of Performance Standards Regulation 2007.

Domestic residential consumers mentioned under Regulation 4 (i) a (i) of Chapter II of Delhi Electricity Supply Code and Performance Standards Regulations, 2007 and it shall not be available to the following categories of domestic consumers:

- a) Un-metered connections.
 - b) Staff connections of DVB/DESU employees.
 - c) Temporary connections of any nature or duration.
 - d) Consumers listed under 4(i)a(ii to x) of Chapter II of Delhi Electricity Supply Code and Performance Standards Regulations, 2007, e.g. Govt. Hospitals, Places of Worship etc.
9. Forum noted that as per above stated orders, the place of worship is not covered under subsidy scheme of Government of NCT of Delhi. Therefore, OP has rightly rejected the application of the complainant and OP cannot be compelled to apply subsidy to the connection against CA No. 100234245.

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ORDER


The complaint is rejected. OP has rightly rejected the application of the complainant. Complainant is not eligible for the Subsidy Scheme of Govt. Of NCT of Delhi.

Accordingly, the case is disposed off.

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


(NISHAT A. ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


30/01/23
(S.R. KHAN)
MEMBER (TECH.)


30/1/23
(P.K. SINGH)
CHAIRMAN