



Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 20
Sub-Station Building BSES (YPL) Regd. Office Karkardoom
Shahdara, Delhi-1100
Phone: 32978140 Fax: 223848
E-mail: cgrfbypl@hotmail.co
SECY/CHN 015/08

CA No. 101403273
Complaint No. 64/2023

In the matter of:

Sanjay Kumar

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat Ahmed 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. Sanjay Kumar, complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Mr. Shiv Sharma, Mr. Pammi Kalra, Ms. Shweta Chaudhary & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 31st March, 2023
Date of Order: 06th April, 2023

Order Pronounced By:- Mr. P.K. Singh, Chairman

1. This complaint has been filed by Mr. Sanjay Kumar against BYPL-KWN.
2. The brief facts of the case giving rise to this grievance are that complainant Mr. Sanjay Kumar is using electricity through CA No. 101403273 installed at property no. H.No. E-8-A, G.No. 5, Sadatpur extension, Karawal Nagar, Delhi-94.

Attested True Copy


Secretary
CGRF (BYPL)

Complaint No. 64/2023

He further submitted that respondent transferred dues amounting to Rs. 70682/- of other connection to his live connection. Therefore, he requested the Forum to direct the respondent for correction of his electricity bill.

3. OP in its reply briefly stated that the complainant is seeking withdrawal of dues of Rs. 70682.50/- which was transferred from CA no. 101403273 (disconnected connection) registered in the name of Ms. Savita Devi to CA no. 151887538 (live connection) in the name of Sanjay Kumar. OP further added that connection in the name of Savita Devi was disconnected on 27.02.2022 on account of outstanding dues of Rs. 70,682.50/-. Though complainant became owner of the entire property in year 2014 and though he took new connection in year 2016 but never applied for name change in respect of already existing electricity connection in the name of previous owner Ms. Savita Devi. The site was visited on 10.10.2022 when subject premise was visited and it was found that live connection i.e. CA No. 151887538 was providing electricity to entire subject premises by way of illegal extension.
4. Arguments of both the parties are heard.
5. Representative of the complainant submitted that meter against CA No. 101403273 installed in the name of Savita Devi became faulty and the bill dated 09.09.2021 was issued for Rs. 31,352/-. He approached respondent for meter testing but before testing of meter other bill was raised and now the net amount payable became Rs. 68235/-. The meter was tested on 28.09.2021 and the meter test report stated that meter terminal burnt and need replacement.

Attested True Copy


Secretary
CGRF (BYPL)

Complaint No. 64/2023

6. LR of the OP submitted that the dues are transferred as per Regulation 52 (3) (proviso) and since the complainant is beneficiary of the disconnected electricity connection he is liable to clear the outstanding dues.
7. 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 the meter of the complainant became faulty somewhere in September 2021 and complainant lodged complaint with BSES for testing of meter and meter testing report dated 28.09.2021 concluded that meter terminal burnt and need replacement. Later, the meter was tested in independent lab on 30.10.2021 and the report concluded that meter found burnt and accuracy could not be done. The meter reading shown was 11585.68 KWh and MDI recorded was 3.29 KW. Respondent has raised the bill of the complainant on the final reading i.e. 11585.68 KWh ignoring the recorded MDI. The consumption pattern submitted by respondent shows high reading in the months of September 2021 and October 2021 as 2921 units and 3754 units. On comparing the consumption pattern of the complainant with the previous consumption the reading recorded seems to be arbitrarily on higher side.
8. As far as legal position is confirmed according to DERC (Supply Code and Performance Standards) Regulations 2017, Rule 39 (1) for billing in case of defective or damaged meter.

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: Provided that if actual consumption recorded during the corresponding period in the preceding year is either not available or partially available, the actual

Attested True Copy


Secretary
CGRF (BYPL)

Complaint No. 64/2023

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.

9. Therefore, we are of the considered opinion that the high consumption recorded by the respondent is due to faulty meter. Thus, the respondent should revise the bill of the complainant as per above submitted DERC Regulations.


ORDER


Complaint is allowed. Respondent is directed to revise the bill of the complainant taking into consideration average consumption for the past six (6) months as per DERC Regulations 2017.

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.


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(NISHAT AHMAD ALVI)
MEMBER-CRM


(P.K. AGRAWAL)
MEMBER-LEGAL


(H.S. SOHAL)
MEMBER

Attested True Copy

Secretary
CGRF (BYPL)