



C A No. 152997382
Complaint No. 28/2021

In the matter of:

VijendraComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Arun P Singh (Chairman)
2. Mrs. Vinay Singh, Member (Legal)
3. Dr. Harshali Kaur, Member (CRM)

Appearance:

1. Mr. Vijendra, Complainant
2. Mr. Imran Siddiqi, On behalf of BYPL

ORDER

Date of Hearing: 11th June, 2021

Date of Order: 14th June, 2021

Order Pronounced by:- Mr. Arun P Singh, Chairman

Briefly stated facts of the complaint are that the prepaid meter installed at the premises of the complainant is running very fast.

It is also his submission that meter no. 81400056 installed against CA No. 152997382 is running very fast since August 2020. He further added that during the lockdown period he was out of station and supply was not in use. His consumption for the period 24th July 2020 to 25th August 2020 was of 36 units. Suddenly, during the period of 25th August 2020 to 23rd September 2020 the meter gave consumption of 1974 units. From 23rd September 2020 to 22nd

Harshali

Imran

[Signature]

Complaint No. 28/2021

October 2020, the consumption shown by meter was 1311 units.

He further submitted that prepaid smart meter is installed at his home at which the electricity automatically got disconnected after exhaustion of amount and generation of the dues but the electricity is still running from the meter even after the dues reached at Rs. 25310/-, which means meter is faulty. Therefore, he requested the Forum to direct the respondent company for rectification of the electricity bill and change of faulty meter.

Notices were issued to both the parties to appear before the Forum on 15.03.2021.

The matter was listed for hearing on 15.03.2021, when respondent sought time for filing their reply and respondent was directed to check the pre-paid meter and file its report on next date of hearing. Respondent was also directed to not to disconnect the supply of the complainant till the final orders of the Forum.

The respondent submitted their reply stating therein that the complainant raised two issues first that the meter is faulty and second that in spite of being prepaid meter it did not get automatically disconnected on exhaustion of prepaid amount. The meter of the complainant was tested and the accuracy is found within limits as error is of +1.57%. Respondent further added that electricity being essential basic amenity the auto disconnection facility has not be replicated by BYPL like in telecom sector. BYPL in greater interest of its esteemed consumers and also considering the fact that prepaid meters are in service for other essential services of Govt. like schools, offices, hospitals, MCD offices, public convenience facilities and other Govt. institutions, have not facilitated the auto-disconnection option in its prepaid meters.

Harsh

Harsh 2 of 5

Harsh

Complaint No. 28/2021

It is also their submission that Hon'ble DERC has not provided any disconnection guidelines in case of prepaid meters and the existing DERC Guidelines also call for procedural disconnection in case of non-payment in post-paid meters only. Thus, the bill generated is for actual energy consumed by the complainant and same is payable by complainant.

On hearing dated 06.04.2021, respondent was directed to get the meter of the complainant tested through third party. Respondent also filed all the bills of electricity consumed by the complainant, but the complainant denied for it.

Due to an upsurge in Covid-19 second wave hearings in the Forum could not be conducted during the period 20.04.2021 to 10.06.2021.

The matter was finally heard on 11.06.2021, when both the parties were present and as per the last orders of the Forum respondent has got the meter tested through third party and as per the meter testing report the meter was found burnt.

The complainant submitted that the prepaid meter was last charged by him was in the months of May and June 2020 for Rs. 500/- per month and after that he has not got the meter recharged. Arguments of both the parties were heard and matter was reserved for orders.

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 meter was tested for accuracy by the respondent in the presence of the complainant on dated 11.03.2021 and the accuracy was found to be +1.57%, which is within the permissible limits. On the directions of the Forum, the meter was got tested on 29.04.2021 by the respondent at third party lab-M/s Oorja Technical Service

Harsh...

Tom 3 of 5

Bar

Complaint No. 28/2021

Pvt. Ltd., A-35, Jhilmil Industrial Area, Delho-110095, where accuracy of the meter could not be checked as meter found burnt, however the readings were retrieved as under:-

Kwh-5632, KVAh-5880, M.D. 1.993. while reading as per site testing report on 11.03.2021 reading was Kwh-5361 and the meter was removed for third party testing on 17.04.2021, thus the meter has recorded consumption after the last reading on 27.03.2021 as per the bill for the month of March 2021 was- 5458.14 Kwh.

On the basis of the facts above, it is evident that the meter did not function properly on prepaid meter and failed to disconnect the supply automatically once the recharge amount was exhausted, that defect/deficiency is attributable to the respondent, but analysis for monthly consumptions, seasonal variations, monthly maximum demand/actual connected load indicates that the testing/checking report dated 11.03.2021 is acceptable. Thus the bills raised by the respondent are for consumption recorded by the meter and as per provisions in regulations and tariff orders.

However, keeping in view the fact that the meter did not function as prepaid meter, the respondent is directed to revised the electricity bill by waiving off the LPSC amounts and also adjust 10% of the bill amount as compensation towards defective prepaid meter for not automatically disconnecting the supply once the prepaid amount was consumed, thereby the respondent had to issue monthly consumption bills as per metered consumption.

Handwritten signature

Handwritten signature
4 of 5

Complaint No. 28/2021

The respondent is directed to provide the revised bill after adjusting the compensation amount as above within two weeks from the date of this order.

Complainant may pay this revised bill in five equal monthly installments alongwith regular/current monthly bills, during the period July'2021 to September'2021.

The case is disposed off as above.


No order as to the cost. A copy of this order be sent to both the parties and file be consigned to record room thereafter.

The order is issued under the seal of CGRF.

The compliance should be reported within 30 days. The order is issued under the seal of Consumer Grievance Redressal Forum (BYPL).


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LAW)


(ARUN P SINGH)
CHAIRMAN