



C A No. Appiled For
Complaint No. 234/2023

In the matter of:

JavedComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. P.K. Singh, Chairman
2. Mr. Nishat A 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. Vinod Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Mr. Pawan Verma, Ms. Shweta Chaudhary & Ms. Chhavi Rani, On behalf of BYPL

ORDER

Date of Hearing: 19th September, 2023

Date of Order: 27th September, 2023

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The complainant Mr. Javed in his complaint submitted that he applied for revision of vide CA No. 100252994 at premises no. 2443, GF, Ballimaran, Delhi-110006. He further submitted that OP raised him bill for above mentioned CA no. which is very high. The last bill generated was of Rs. 201106/- which is illegal and unlawful. It is also his submission that respondent changed the electricity meter no. 70248103

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on 15.02.2022 and said meter was checked in its own lab and as per lab report the meter recording has found to be 'recording high energy consumption'. The changed new meter was further changed on 31.08.2022, which was also tested in lab of the respondent, thereafter, OP raised him exorbitant high amount bill. Thus, the complainant requested the Forum to direct the respondent to quash/withdraw the bill amount against CA No. 100252994.

2. OP in its reply briefly submitted that complainant is seeking bill revision in respect of CA No. 100252994 registered in the name of complainant in respect of H.No. 2443, GF, Ballimaran, Delhi-110006. The meter no. 70248103 installed against CA No. 100252994 was replaced on 15.02.2022 with meter no. 35763908 as the old meter was burnt. That the old meter bearing no. 70248103 was sent to third party lab for testing. On testing it was found to be tampered as per lab report no. BYPL/LAB/2022/dated 30.04.2022. The new meter no. 35763908 was removed on 31.08.2022 due to non-payment of bill. The said meter was also sent to lab and same was also found to be tampered. Against the second tampering the enforcement department booked a case of theft i.e. DAE and raised assessment bill amounting to Rs. 18504/-. Thus the complainant is seeking bill revision in respect of consumption recorded through old meter prior to same was burnt.

OP also submitted that as per record, complainant was booked in a case of direct theft on 20.08.2014. In respect of same against new CA No. 400604037 a theft bill was raised. At present outstanding dues of energy are of Rs. 201106/- and that of theft are of Rs. 18504/-.

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3. Counsel of the complainant submitted his rejoinder submitting therein that officials of meter testing department gave complainant meter testing notice on 23.02.2022 but OP re-schedule the meter testing on dated 28.03.2022 but they tested the meter in their lab on 30.03.2022 without giving any further meter testing notice and violated DERC Rules and Regulation 32 (8). The officials of OP removed the meter of the complainant on non-payment of dues and again tested meter in its own lab on 18.09.2022 without giving any notice to the complainant. He further submitted that lab report dated 30.03.2022 clearly stated that meter recorded his reading of electricity therefore his bill needs revision.

4. LR of the OP submitted that the complainant's meter was burnt twice first time the meter of the complainant was burnt and same was replaced with new meter no. 35763908 on 14.02.2022. The said meter was tested in lab on 30.03.2022 and was found tampered. Thereafter, the meter which was changed on 14.02.2022 also got burnt and was changed on 31.08.2022 with new meter. Upon testing this meter was also found tampered. The complainant was billed for tampering of meter and same has been settled and paid by the complainant. Now the complainant wants bill revision of the period prior to 14.02.2022 on the basis of new meter installed on 14.02.2022 which is not possible and the bill raised by OP is correct and payable by the complainant.

5. Heard both the parties and perused the record.



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6. In view of the above, we are of considered opinion that the bill raised by OP is correct and as per DERC Regulations 2017 and payable by the complainant. Forum feels no revision is required for the bill raised by OP.

ORDER

The complaint is rejected. OP has rightly raised the bill of arrears payable by the complainant. To facilitate the complainant, OP is directed to waive off LPSC and allow complainant instalments as per Regulation 49 of DERC Supply Code 2017, if required by him.

Case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER