



C A No. 100884904
Complaint No. 51/2020

In the matter of:

Raj Kumar SinghComplainant

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. Raj Kumar Singh , the complainant
2. Mr. Imran Siddiqi, Mr. Prashant Tikadar, on behalf of BYPL

ORDER

Date of Hearing: 14th December, 2020

Date of Order: 17th December, 2020

Order Pronounced by:- Mrs. Vinay Singh, Member (Legal)

Briefly stated facts of the case are that the bill dated 22.05.2020 generated by the respondent on the basis of reading provided by the complainant for the month of April and May 2020 for Rs. 9201.25 is not correct.

It is also his submission that he is residing at A/301, Sagar Sadan, Plot No. 113, Patparganj Extension, Delhi-92, since 2001. He further added that he received bill dated 24.04.2020 for Rs. 3420/- and same was duly paid on 17.05.2020,

1 of 5

Harshali Kaur

Imran Siddiqi

Complaint No. 51/2020

covering the period from 20.03.2020 till April, without any meter reading because of lockdown. Thereafter the respondent floated scheme for self-reading and the complainant sent the meter reading on 20.05.2020.


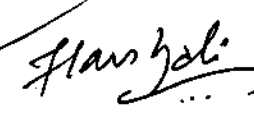

A bill on the basis of the meter reading provided by the complainant was generated on 22.05.2020 for Rs. 9201.25 and adjusted Rs. 2883.39 instead of Rs. 3420/- which the complainant paid on 17.05.2020. The demanded due amount was of Rs. 6320/-. It is also his submission that he made numerous complaints to the respondent both telephonically and in writing where he pointed out all the discrepancies in the method of billing computation but all went in vain.

Therefore, he requested the Forum to direct the respondent company to rectify the bill in question by applying a computation method which is fair, equitable and justified. He also requested for refund of excess amount paid and adequate compensation.

Notice was issued to both the parties to appear before the Forum on 01.10.2020.

The matter was heard on 01.10.2020, when respondent asked time to file their reply. Time granted to the respondent for filing their reply with direction to also produce statement of accounts before next date of hearing and also asked to resolve matter amicably. Matter was adjourned to 13.10.2020.

Respondent company submitted their reply stating therein that CA No. 100884904 in the name of Ms. Narayana Devi Butla at A/301, Sagar Sadan, 113, Patparganj, IP Extension, Delhi-92. The said connection was energized on 07.04.1999, under domestic category with sanctioned load of 6 KW. The complainant raised the issue regarding disputed bill dated 22.05.2020. He also approached the customer care department and was made aware with the billing procedure and calculations therein. The bill details and calculations are explained below:

1.   2 of 5 

Complaint No. 51/2020

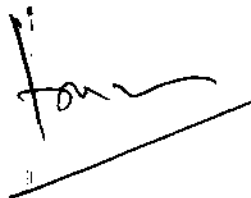
Bill Period	Bill basis	Units	Days	Amount (Rs.)
21.03.2020 to 17.04.2020	Provisional	510		3420/-
21.03.2020 to 20.05.2020	Actual	1376	61	6320/-
(adjusting provisional bill)				
Slab benefit given on monthly basis for 61 days corresponding period i.e.				
400 unit @ 3.00				
400 unit @ 4.50				
576 units @ 6.50				
21.05.2020 to 17.06.2020	Actual	1253	28	10078.30
18.06.2020 to 16.07.2020	Actual	1406	29	11533.88
17.07.2020 to 17.08.2020	Actual	1283	29	10062.22


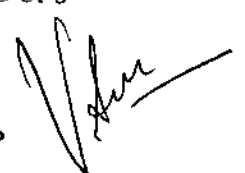
The bill raised is as per downloaded readings with proper slab benefits on monthly basis.

The matter was again heard on 13.10.2020, when the respondent company submitted their reply and statement of account. The complainant was not satisfied with the details provided by the respondent. Respondent was again directed to satisfy the complainant through video conferencing. The matter was again heard on 18.11.2020, when complainant submitted he is not satisfied with the respondent.

Matter was finally heard on 14.12.2020, when arguments of both the parties were heard and matter was reserved for orders.

The issue in the present case is whether the bill raised by the respondent is correct or need rectification.



3 of 5



Complaint No. 51/2020

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 bill for the month of April 2020 was on provisional basis, as meter reading could not be done by respondent due to lockdown. However, necessary adjustment was given in the next bill i.e. the bill for May 2020 which was on reading basis for the period April 2020 and May 2020, the bill is prepared as per the Regulations.

The next bill for the month of June 2020, was for 28 days for 1253 units, which is raised by giving proper slab benefit.

Also as per DERC notification dated 02.02.2012, vide no. F.17(44)/Engg./DERC/2011-12/3144/6139, which is regarding payments through Credit Card/Debit Card by the consumer, where is quoted below:-

- a) No charge, in the name of processing fee or by any other name, shall be charged by the Discom for payments made for the electricity bills upto a limit of Rs. 5000/- during one billing cycle.

If the credit card/debit card company charges any processing fee for such payments upto Rs. 5000/- such charge shall be borne by the concerned Discom under their A&G expenses.

For payments above Rs.5000/- the processing fee/convenience charges may be collected directly by the Credit Card company/payment gateway/bank etc from the consumer. The Discom shall not earn any money on account of such fee/charge.

Another Suo Moto order of DERC dated 07.04.2020, in the matter of Mitigation of Impact of COVID-19, Electricity Distribution Licensee and Consumers of Delhi, point 10 (h), quoted here under:-

The directions issued vide Commission's letter dated 02.02.12, is relaxed to the extent that Discoms shall bear all types of banking charges/processing fees/convenience fee, if any, for all modes of digital payments up-to Rs.



Complaint No. 51/2020

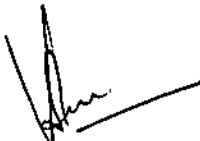
10,000/- which was earlier allowed till Rs. 5000/- against the bills raised during the period of March 24, 2020 till June 30, 2020. Such charges shall not be allowed as pass through in ARR. These charges will be offset through early realization of revenue on account of above-mentioned rebate scheme.

Therefore, we are of the considered opinion that the bills raised by the respondent are correct and as per tariff order. Further, on scrutiny of the bills it came to knowledge that complainant had also made a payment through Debit/Credit card and respondent has charged transaction fee. Since both the bill amount of the complainant is less than Rs. 10,000/- and as per above stated DERC notifications dated 02.02.2012 and 07.04.2020, that Discoms shall bear all types of banking charges/processing fees/convenience fee, if any, for all modes of digital payments up-to Rs. 10,000/-. Thus, the complainant is entitled for refund of Rs. 206/- which he paid as transaction charges. This refund of Rs. 206/- as transaction charges of both the bills should be adjusted in future bills of the complainant.

The case is disposed off as above.

The order is issued under the seal of CGRF.


(HARSHALI KAUR)
MEMBER (CRM)


(VINAY SINGH)
MEMBER (LEGAL)


(ARUN P SINGH)
CHAIRMAN