

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma
Shahdara, Delhi-11003
Phone: 32978140 Fax: 2238488
E-mail: cgrfbypl@hotmail.com
SECY:CHN.015-08N

C A No. Applied for
Complaint No. 523/2024

In the matter of:

Dinesh Kumar

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P. K. Singh (Chairman)
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Dinesh Kumar, Complainant
2. Mr. Akash Swami, Mr. R.S. Bisht & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 27th February, 2025

Date of Order: 07th March, 2025

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. The brief fact of the case giving rise to this grievance is that the complainant applied for revision of electricity bill vide CA no. 101491187 installed at premises no. B-72, colony Gali no. 4, Jyoti Nagar, West Shahdara Chowk, Durgapuri, Delhi-110093. It is also his case that the meter got lost from site and lodged police NCR for the same thereafter OP installed the new electricity meter and raised him a bill of

Attested True Copy Rs. 50,000/- for a period for 4 years.

Secretary
CGRF (YPL)

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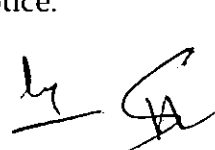
The complainant further stated that the official of the respondent for the last four years has not taken the reading and now OP has raised the bill to the complainant for Rs. 50,000/- that too without any reason and rhyme and no fault on behalf of the complainant. He also approached PLA, and his petition was dismissed as withdrawn and given liberty to the complainant to approach the CGRF. Hence, he filed complaint with CGRF for rectification of his electricity bill.

2. The respondent in reply briefly stated that the present complaint has been filed by complainant seeking bill assessment against CA no. 101491187 to the tune of Rs. 49,710/-. The said connection is installed in the name of Sushila Devi at premises no. B-72, colony Gali no. 4, Jyoti Nagar, West Shahdara Chowk Durgapuri, Delhi-110093.

Reply further stated that the applied premises having CA no. 401307092 and C A no. 401427186 were booked on 31.03.2021 and 03.11.2021 respectively and downloaded reading recorded upto R. 29807 dated 09.06.2021. The complainant has duly admitted that tariff violation was being done and he has paid the bills and accordingly NO DUES were issued to the complainant.

Applied premise was inspected on multiple occasions and all the dates are stated herein i.e. on 11.11.2021, 02.02.2022, 29.03.2022, 25.04.2022, 21.07.2022, 24.08.2022, 06.09.2022, 11.05.2023, 13.07.2023, 22.09.2023 and 01.12.2023 and it was found that the meter was faulty and the consumer/complainant herein refused for replacement of faulty meter.

Respondent also issued a notice dated 27.02.2023 to the registered consumer for replacement of defective meter but the registered consumer did not respond to the said notice.

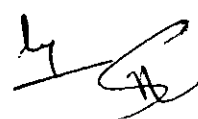
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3. The complainant filed his rejoinder stating therein that he purchased property bearing no. B-72, Gali no. 4, West Jyoti Nagar, Near Durgapuri Chowk, Delhi-110032 from Smt. Sushila Devi in the year 2020. An electricity meter was installed at the said property in the name of Sushila Devi vide CA no. 101491187. The meter against said connection got stolen in March 2024 and he informed BSES on 23.03.2024 regarding the same. The respondent installed a new meter against the stolen one and the first bill after installation of new meter was Rs. 1600/- thereafter he received a bill of Rs. 49,710/-. The complainant in rejoinder further denied the allegations of the OP. The complainant along with his rejoinder submitted NOC issued to him against Tariff Violation bill duly paid by him.
4. During the course of arguments OP contented that the complainant was using domestic connection for the purpose of construction therefore he was booked for misuse and a bill of Rs. 28,137.24/- was issued to him. Therefore, they have assessed the bill of CA no. 101491187 on NX tariff. To this, the complainant submitted that he has duly paid the misuse bill and also received the No Dues from the OP, thereafter OP installed new domestic connections in the building on 20.05.2023, 30.05.2023, 01.03.2024 and 13.03.2024 but OP is raising him bill for C A no. 101491187 on the basis of commercial tariff. Since there is no construction work going in the building therefore he may not be charged on commercial tariff.
5. Pleading and submissions of both the parties were heard at length.



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6. The relevant DERC Regulation in case of billing in case of stolen meter is as under:

41. Billing in case of stolen meter:- The electricity charges for the period for which meter was not read, 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 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.

7. We have gone through the submissions of both the parties. From the narration of facts and material placed before us we find that the complainant's meter got misplaced and OP installed a new meter at his premise, thereafter OP raised bill for the period 10.06.2021 to 14.05.2024 taking base period as 10.06.2020 to 09.06.2021 as per DERC Regulations 2017. The complainant's contention is that the bill raised by OP is on commercial tariff basis whereas at present there is no construction work going on and OP has installed domestic connections in the building in question on 20.05.2023. Therefore, he should be billed on the basis of domestic tariff category.

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8. In view of the above, we are of the considered opinion that the bill of the complainant should be split into two categories and be revised on the basis of NX tariff from 10.06.2021 till 19.05.2023 and from 20.05.2023 till 14.05.2024 on domestic tariff.

ORDER

The complaint is allowed. Respondent is directed to revise the bill of the complainant against CA no. 101491187 taking base period 10.06.2020 to 09.06.2021 and defective period from 10.06.2021 to 19.05.2023 on NX tariff and from 20.05.2023 till 14.05.2024 on domestic tariff. If the complainant wants to make the revised bill amount in instalments same should be provided to him.

This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

The parties are hereby informed that instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003.

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(H. S. SOHAL)
MEMBER

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(P.K. AGRAWAL)
MEMBER (LEGAL)

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(S.R. KHAN)
MEMBER (TECH.)

✓
(P.K. SINGH)
CHAIRMAN

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[Signature]
Secretary
CGRI (BYPL)