



C A No. Applied for
Complaint No. 407/2024

In the matter of:

Jitendra

.....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)

Appearance:

1. Mr. Jitendra, Complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Meenakshi, Ms. Chhavi Rani & Mr. Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 10th December, 2024

Date of Order: 16th December, 2024

Order Pronounced By:- Mr. P.K. Agrawal, Member (Legal)

1. The brief facts of the case giving rise to this grievance are that the complainant requested this Forum for rectification of his electricity bill vide CA no. 153817537 installed at premises no. 21/262, SF, Kalyan Puri, Delhi-110091. Complainant in his complaint further stated that he is residing at the said address which is measuring approx 22 sq yards and applied for a domestic smart prepaid electricity meter.

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CGRF (BYPL)

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It is also his case that he received an unjustified bill against CA no. 153817537 and upon non-payment of the said bill his electricity was disconnected. The complainant further stated that the pending dues amounting to Rs. 65,627/- which OP claims are his dues were later on transferred to other two electricity connections installed on the first floor and ground floor of same premises. The electricity supply does not get disconnected even when credits are not purchased. Complaint further stated that since the installation of this meter, it has not performed its intended function as a prepaid meter. Therefore, the complainant requested the Forum to direct the respondent for changing faulty prepaid electricity meter so that electricity is cut off when credit is low and also requested for rectification of his electricity bill. The complainant has also asked for a payment of Rs. 45,000/- towards fee of legal proceedings and compensation for mental harassment.

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant by seeking relief to restore the electricity connection against CA no. 153817537 and challenging the dues transferred. Reply further states that the complainant got the prepaid meter installed vide CA no. 153817537 in his name at premises no. 21/262, 2nd floor, Kalyan Puri, Delhi-110091, in the capacity of tenant to the owner Suman for a period of 11 months commencing from 08.10.2021. At the time of installation of electricity meter on 15.06.2022 the complainant made payment of Rs. 3540/- only and thereafter no payment was made by the complainant.

Reply further stated that the bills were raised from time to time and the final bill dated 14.08.2023 for 3233 units was billed amounting to Rs. 68627/-. After disconnection of the electricity connection the meter was tested in lab and the meter accuracy was found within limit.

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3. In response to the reply, the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that he got the pre-paid meter installed at the second floor in the name of Jitendra, which was not working properly. Despite repeated visits to the office of OP for payment of bill but all went in vain. In 2022, OP got the meter replaced by saying that the installed meter is faulty and now OP has disconnected the electricity connection and raised him a bill of Rs. 65,627/- which is illegal.
4. Heard arguments of both the parties.
5. From the narration of facts and material placed before us, we find that the complainant approached this forum for rectification of his electricity bill and auto-cut prepaid meter should be installed.

OP along with its reply has raised the issue of tenancy of the complainant and stated that the complainant's are the actual owners of the premises in question. In this regard, Forum feels whether the complainant is tenant or landlord, here the question or complaint is regarding non-functioning of the pre-paid meters like the pre-paid connections in telecom sector. Thus this objection of OP does not substantiate here.

6. In view of the above, we are of considered opinion that OP is at fault by not taking the corrective measures to install a prepaid meter at the premise of the complainant even after the earlier orders of the Forum.

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OP is again directed to revise the electricity bill of the complainant 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 bill as per metered consumption.

OP is further directed to provide the revised bill after adjusting the compensation amount within two weeks from the date of this order.

Complainant may pay this revised bill in five equal monthly instalments along with regular/current monthly bills.


OP is further directed to take corrective measures to install pre-paid meters at the premises of the complainant.


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 the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.


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


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN

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