

C G R F



B Y P L

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-110032

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SECY/CHN 015/08NKS

C A No. 100921874
Complaint No. 154/2023

In the matter of:

Kalpana RayComplainant

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)

Appearance:

1. Mr. Shashi Bhushan, A.R. of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqui, Ms. Shweta Chaudhary, Mr. Shubham Singh & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 27th April, 2023

Date of Order: 08th May, 2023

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

1. Present complaint has been filed by Ms. Kalpana Ray, against BYPL-LNR.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Kalpana Ray, is using electricity through CA No. 100921874 installed at her premises no. H.No. 14, Indraprastha Apartment, 114, I.P. Extension, Delhi-110092.

*for
Adarsh
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CGRF (BYPL)

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It is also her submission that her monthly consumption ranges between 109 to 494 units. To his utter shock the bill for the month of December shows consumption of 937 units, he visited the office of the respondent for correction of bill but all went in vain. It is also his submission that his consumption for the bill months of January 2023 and February 2023 was 70 units and 164 units respectively. Therefore, the bill of December 2022 has some error and needs to be corrected.

3. The OP in their reply briefly stated that complainant has raised issue of billing in respect of CA No. 100921874 (DX) and has sought reduction of bill amount in respect of bill raised for the period of 08.11.2022 to 15.12.2022. OP further added that meter no. 23303471 was changed with meter no. 55457699 on 20.12.2022. Removed meter was tested in lab and lab report concludes that meter was found within limits. The meter reading as on 10.01.2023 was found to be 79892 units.

OP further added that the site of the complainant was visited on 31.01.2023 and on site visit load was calculated which was found to be 5,976 units. The meter recorded reading for the period 08.11.2022 to 15.12.2022 showed consumption as 927 units, which is correct and payable by the complainant.

4. The complainant submitted that meter bearing no. 23303471 was changed by respondent unilaterally, no meter change report with last meter reading was provided to the complainant. The meter consumption of the last one year of the previous meter shows that sudden rise of power consumption during the stipulated period is baseless. Even after installation of new meter, the power consumption is very low and it proves that the reading of 937 units for the period of 08.11.2022 to 15.12.2022 is not correct.

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5. LR of the OP submitted that the consumption of 937 units is downloaded and is correct and payable by the complainant.
6. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that the consumption of the complainant prior to meter change and post meter change is very less as compared to the consumption recorded at the time of meter change. Therefore, it is presumed that the final reading of the old meter was faulty and biased and should not be considered.
7. As far as legal position is confirmed according to DERC (Supply Code and Performance Standards) Regulations 2017, Rule 39 (1) for billing in case of defective or damaged meter.

39. Billing in case of defective or damaged meter:-

(1) The consumer 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.

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ORDER

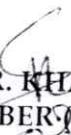
Complaint is allowed. Respondent is directed to revise the bill of the complainant taking into consideration actual average consumption of past six months as per DERC Regulations 2017.

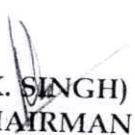
The OP is also directed to file compliance report to this office within 21 days from the issue of this order.

The case is disposed off as above.

No order as to the cost. Both the parties should be informed accordingly.
Proceedings closed.

 (NISHAT A. ALVI)  (P.K. AGRAWAL)
MEMBER (CRM) MEMBER (LEGAL)

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

 (P.K. SINGH)
CHAIRMAN

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