



C A No. 100908109
Complaint No. 122/2024

In the matter of:

Madhu BalaComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

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

Appearance:

1. Ms. Neeraj Kumar, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R. S. Bisht, Mr. Vinod, Ms. Chhavi Rani & Akshat Aggarwal On behalf of BYPL

ORDER

Date of Hearing: 08th August, 2024

Date of Order: 27th August, 2024

Order Pronounced By:- Mr. Nishat A Alvi, Member (CRM)

1. Present complaint is made against bill dated 15.02.2024 for an amount of Rs. 9,00,330/- with the prayer to revise the same. As per complaint the subject meter of her CA No. 100908109 was burnt. Therefore, the meter was changed by installing the same on the pole. Thereafter the bill is getting higher. Complaint whereof was made several times to the officials of the OP who are not ready to listen to the complainant.

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CGRF (BYPL)

1 of 6

Complaint No. 122/2024

The said bill is wrong and it needs to be corrected. The complainant has prayed for revision of the bill on actual reading by providing lab report and to install the meter on the complainant's premises.

2. In reply to complaint OP states that the complainant's connection has a history of meter burnt and default in payment of Regular energy dues. Firstly, due to an outstanding of Rs. 7,00,260/-, said connection was disconnected and it was restored, only on the direction of PLA against settlement by complainant to pay the same in seven monthly instalments, only after payment of first installment. Even then complainant has failed to pay Rs. 50,000/- out of that settled amount. The last bill raised before the disconnection in respect of meter no. 17161446 was for the period of 09.06.2023 - 09.09.2023 for 6215 KVAH units amounting to Rs. 88,543/-. Thereafter the said meter was changed under the faulty category (non downloaded).

The old removed meter bearing meter no. 17161446 as per lab results was having reading of 29354 kvah as on 18.08.2023. Thus, the bill was raised for the left over readings i.e. the readings for which no bill was raised earlier for the period of 08.07.2023-01.08.2023 for consumption of 11999 kvah units, as the said meter was removed on 02.08.2023 for Rs. 1,51,671/- along with Rs. 30,700/- till 09.08.2023 as per the new meter reading which was recorded as 2023 units till 09.08.2023.

Thereafter, for September 2023, bill of Rs. 45,680/- was raised for 1716 kvah units. For October 2023, bill of Rs. 18,728/- was raised 1180 kvah units. For the period of 09.10.2023-06.11.2023, bill was raised of Rs. 22,279/- in November 2023 for consuming 1086 kvah.

Meter was again removed on 10.12.2023 under the burnt category. As per lab results, final reading was recorded at 19073 kvah. Thereafter for December 2023, bill was raised as per lab MRI reading i.e. 19073 kvah for the period 07.11.2023-18.12.2023 of Rs. 2,45,504/-.

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2 of 6

Complaint No. 122/2024

For January 2024 bill was raised for 19.12.2023-11.01.2024 for 1960 kvah units for Rs. 30,759/-. Again, the meter was changed on 18.01.2024 on account of burning. For February 2024, bill was raised for 29.01.2024-10.02.2024 for consumption of 2481 kvah units amounting to Rs. 35,741/-. It is also stated in the reply that after the meters were removed from the site, the same were sent to the Yadav Measurement Pvt. Ltd. Lab for meter testing. The details and observations made at the of meter testing are as follows:

| S.No. | Date of Lab Report | Meter No. | Special Observations |
|-------|--------------------|-----------|--------------------------------|
| 1. | 28.04.2023 | 17154106 | Meter found burnt |
| 2. | 18.08.2023 | 17161446 | Meter found burnt MRI 27881 |
| 3. | 05.01.2024 | 171664431 | Meter found burnt MRI 19073 |

As on date, the net outstanding dues are of Rs. 9,00,300/- till February 2024. The bill has been duly raised as per the law and are duly payable by the complainant.

Regarding bill revision reply states as there is no discrepancy as found in the bills raised. Hence, no revision is possible. The complainant is required to pay the balance amount of Rs. 50,000/- and clear the outstanding dues.

Regarding current meter being installed on pole, reply states, it is on account of conduct of complainant. It is submitted that complainant has one more connection bearing CA No. 100908072 which is installed on the wall and locked in covered Iron box. As a consequence respondent is not able to record the reading. Whenever the respondent employee asks complainant to open the lock, he on the pretext of one excuse or another, delays to open the iron box and thereafter the meter gets burnt.

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3 of 6

Complaint No. 122/2024

3. Despite opportunities, complainant did not file rejoinder, thereby nullifying OP's allegation of her being habitual defaulter and in favour of her claim of certain payment made by her. Even there is nothing on record on behalf of complainant to challenge veracity of lab reports placed on record by the OP. We also find no document, placed on record, by the complainant to prove payment as per interim order of this Forum to restore the connection.
4. In support of her contentions complainant has placed on record copy of bill dated 15.02.2024, photograph of meter installed on the pole, copy of award of PLA, copy of bill dated 09.05.2024, letter of OP to the complainant for revision of sanctioned load on account of high MDI recorded by the meter, permanent disconnection/meter removal order dated 09.05.2024. Whereas, OP in support of their contentions placed on record award of PLA, copies of bills of CA no. 100908109, meter test reports dated 28.04.2023, 18.08.2023, 05.01.2024, photograph of the site, meter reading details and final bill of CA no. 150026944.
5. From the narration of facts and material placed before us we find that that the settlement in PLA was done for bill amounting to Rs. 7,00,260/- in installments against which complainant made payments till 23.04.2024, but not fully and still Rs. 50,000/- remaining out of settled amount. During the pendency of the case in the Forum, the complainant was using electricity and her electricity bill rose to Rs. 9,38,730/- till 09th May 2024. Therefore, on account of non-payment of dues, OP disconnected the electricity supply of the complainant on 09.05.2024, during the pendency of the case in this Forum.

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4 of 6

Complaint No. 122/2024

The complainant requested this Forum for re-connection of her electricity connection. On this request, Forum vide its order dated 30.05.2024 directed OP to restore electricity supply of the complainant against subjected connection after payment of Rs. 6,09,087/- i.e. 80% of the pending bill amount.

The complainant failed to abide with the directions of the Forum and did not make any payment against the outstanding dues.

Regarding the bill under consideration before this Forum, the complainant failed to prove any discrepancy in the bill. OP submitted that the bill raised by them is as per downloaded readings as is correct and payable by the complainant.

OP also states that the complainant is habitual defaulter in making the payment of the bills. Thus, keeping in view the previous conduct of the complainant of being habitual defaulter and also not abiding the orders of the Forum for making payment of 80% of the total bill amount for restoration of his electricity connection, we don't find any substantial ground in support of the complaint.

6. In the facts and circumstances the complainant has failed to prove any discrepancy in the subject bill he has sought revision whereof.

Regarding prayer for meter installation on the premises, since the connection has already been disconnected and complainant could not get the same restored even after this forum's interim order aforesaid, question of place of installation of the meter has no relevance in deciding this complaint.

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5 of 6

Complaint No. 122/2024

ORDER

Complaint is dismissed as not maintainable.

File be consigned to Record Room.

No order as to any compensation/cost as prayed for by the complainant. Both the parties should be informed accordingly. Proceedings closed.

(S.R. KHAN)
MEMBER-TECH

(P.K. SINGH)
CHAIRMAN

(P.K. AGRAWAL)
MEMBER-LEGAL

(NISHAT AHMAD ALVI)
MEMBER-CRM

(H.S. SOHAL)
MEMBER

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