

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 01508NKS

C A No. 150954010
Complaint No. 209/2022

In the matter of:

Mamta Jain

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

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

Appearance:

1. Mr. Manoj Sharma, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Shweta Chaudhary, Mr. Rajiv Gupta & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 09th February, 2023

Date of Order: 13th February, 2023

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

1. This complaint has been filed by Smt. Mamta Jain, against BYPL-GTR.
2. The brief facts of the case giving rise to this grievance are that complainant Smt. Mamta Jain is using electricity through CA No. 150954010 and she received bill for Rs. 4,57,090/- without any reason and rhyme. The lab report stated as meter dead, but respondent is not revising their bill and threaten to disconnect electricity supply.

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3. OP in its reply briefly stated that complainant has sought relief of rectification of bill and reduction of sanctioned load in respect of CA No. 150954010 registered in her name for non-domestic purpose. It was also submitted that during reading cycle for bill month of July 2022, the meter could not be downloaded and subsequently MMG visited the site on 15.07.2022 and observed meter was faulty. The faulty meter was processed for replacement with a new meter and as such was replaced on 23.07.2022.

The faulty meter was sent to lab for testing and on testing it was concluded that the meter was dead and data could not be downloaded. Accordingly, as per the law the billing for defective period i.e. from 13.06.2022 to 22.07.2022 has to be raised as per Regulations 39 (1) of DERC Supply Code, considering the actual consumption recorded during the corresponding period in the preceding year.

4. Heard both the parties and perused the record.
5. The issue in this matter is the bill raised to the complainant for defective period is correct and payable by the complainant or not.
6. Representative of the complainant submitted that his factory was non-functional during the period 22.05.2021 to 13.08.2021 (which the OP has taken as base period for revision of bill). He further submitted that OP should consider the base period of the new meter installed on 23.07.2022 for revision of his defective period bill.

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7. In this regard, LR of the OP submitted that the defective period assessment has been done as per DERC Regulations 2017, therefore the bill raised by them is correct and payable by the complainant.
8. Before disposing off the application of the complainant, it is relevant to discuss the rules and regulations applicable to this issue.

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.

9. During the course of the arguments, the complainant was asked to provide any proof to substantiate his contention that the factory was non-functional during the period 22.05.2021 to 13.08.2021, which the complainant failed to provide. Therefore, in view of the above stated Regulation, OP has rightly revised the bill of the complainant and complainant is liable to pay the same.

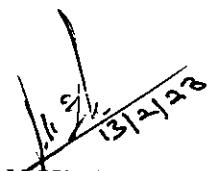
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ORDER

The complaint is rejected. OP has rightly revised the bill of the complainant and complainant is liable to pay the same.

Accordingly, the case is disposed off.

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


(P.K. SINGH)
CHAIRMAN


(S.R. KHAN)
MEMBER-TECH


(P.K. AGRAWAL)
MEMBER-LEGAL


(NISHAT AHMAD ALVI)
MEMBER-CRM


(H.S. SOHAL)
MEMBER