

CA No. 101264916
Complaint No. 224/2024

In the matter of:

Mohd FarhatComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

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. Ms. Sakshi Sharma, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. R.S. Bisht, Ms. Chhavi Rani & Mr. Lalit, on behalf of respondent

ORDER

Date of Hearing: 22nd August, 2024

Date of Order: 27th August, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant is using electricity through CA no. 101264916 installed at his premises no. R-6, Gali No. 20, Brahmpuri, Shahdara, Delhi-110053. It is also his case, that he is regularly paying all his electricity bills, but suddenly OP raised him an electricity bill amounting to Rs. 48,270/- which is not according to the units consumed by him.

Complaint No. 224/2024

Further he stated that his meter is running very fast and he has sent complaint to the respondent, thereafter BSES team removed the said meter from the shop and installed a new electricity meter. Therefore, he requested the Forum to direct the respondent to revise the bill and re-issue the electricity bill according to the actual electricity meter units consumed by him.

2. The respondent in reply briefly stated that the complainant is not a registered consumer of electricity connection bearing CA No. 101264916 (NX). The said connection is registered in the name of Sh. SG Sadig. Thus the complainant has no locus standi to file the present complaint as he has no privities of contract with OP.

Without prejudice to the above, it is submitted that by way of the present complaint, the complainant has raised the issue of billing in respect of CA No. 101264916 (NX) and has sought revision and re-issue the electricity bill. The factual matrix of the case is as under:

- a) The Electricity connection bearing CA No. 101264916 (NX), was energized on 25.10.1991 at property bearing no. R-6, Gali No. 20, Brahmपुरi, Shahdara, Delhi-110053 in name of SG SADIG at the sanction load of 3KW.
- b) During the financial year 2022-23 there was higher consumption at higher MDI. For the 4 consecutive months in said financial year, the average MDI was found to be 5KW.
- c) Accordingly on July 2023 as per the DERC rules, the sanctioned load of subject connection was increased from 3KW to 5KW.
- d) On account of increased sanctioned load, the security amount of Rs. 9000/- for additional 2 KW @ Rs. 4500/- per KW was debit in the account of subject connection.

2 of 5

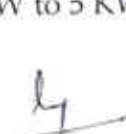
Complaint No. 224/2024

- e) On 28.11.2023 the consumer paid the last payment of Rs. 25000/- against the then total bill of Rs. 46610/-.
- f) On 08.12.2023 on the complaint of complainant, old meter bearing no. 55171850 was attempted to be tested at site. However as the same was not possible, the official of OP recommended testing of meter at lab.
- g) On 19.01.2024 old meter was replaced with new meter bearing no. 35919081.
- h) On the same day old meter was sent to lab which vide its report dated 19.01.2024 reported that 'meter accuracy found within limit'.

Thus as meter was found to be accurate there is no need for any assessment or revision or re-issue of the subject bill and complainant is required to pay the outstanding bill failing which. In view of the submissions made herein above as bill raised is correct and as per law the same needs no revision.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the complainant purchased this property from Mr. S G Sadig on 15.06.2012 through GPA. Complainant stated that he is running Sari Shop at R-6, Gali No. 20, Brahmipuri, Shahdara, Delhi-110053 and the complainant is regularly making payment of bills as and when raised by OP. The complainant gave the complaint to the BSES Office regarding fast running of the electricity meter. It is also submitted that the said meter till 2021 was giving correct consumption and suddenly MDI during the year 2022-23 got so high that on the basis of MDI of 4 consecutive months, OP increased the load from 3 KW to 5 KW.

 3 of 5

Complaint No. 224/2024

4. Heard arguments of both the parties at length.
5. From the narration of facts and material placed before us we find that the complainant raised this complaint against the huge electricity bill demanded from him by OP. In this regard OP stated that the complainant is using commercial connection sanctioned for a load of 3 KW. In the financial year 2022-23 there was higher consumption resulting into higher MDI for four consecutive months in a financial year, thus the sanctioned load of the complainant was increased from 3 KW to 5 KW. On account of increased sanctioned load the security amount of Rs. 9000/- for additional 2 KW load @ Rs. 4500/- per KW was debited in the account of subject connection. OP further stated that the meter of the complainant was tested in lab on meter accuracy was found within limit.
6. Before disposal of this complaint, relevant Regulations should be discussed. As per DERC Regulation 17 (4)
(4) Review of sanctioned load/contract demand by the Licensee:-
(i) For revision of sanctioned load or contract demand as the case may be, the Licensee shall take the highest of average of Maximum Demand readings recorded as per billing cycle covering any four consecutive calendar months in the preceding financial year i.e. from 1 st April to 31st March, rounded off to the lower integer.
7. In view of the above, we are of considered opinion that the bill which is challenged by the complainant is raised by OP on the basis of downloaded readings and OP has increased the load of the complainant as per aforesaid DERC Regulations.

[Signature]

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[Signature]

4 of 5

Complaint No. 224/2024


8. Thus, we don't find any discrepancy in the bill raised by OP. The bill is correct and payable by the complainant.

ORDER


The complaint is rejected. The bill raised by OP is correct and payable by the complainant. To facilitate the complainant, OP is directed to allow complainant waiver off LPSC on the bill amount and also equal monthly instalments, if required so by the complainant.

The case is disposed off as above.

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


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.K. KHAN)
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN