

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
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECY/CHN 01508NKS

CA No. Applied for
Complaint No. 580/2024

In the matter of:

Sulekh Chand Jain

.....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)
4. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Sidhant Dhingra, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Mr. S.P. Anand, Ms. Chhavi Rani & Mr. Akshat Aggarwal, on behalf of respondent

ORDER

Date of Hearing: 25th February, 2025

Date of Order: 05th March, 2025

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

1. The brief facts of the case giving rise to this grievance is for reducing of the load and correction of the bill against CA No. 100800095 at premises no. 533/16-A, New No.-6192, Mohalla Subhash G Jain Mandir, Gandhi Nagar, Delhi-110031. Complainant stated in his complaint that the respondent has released the bill after increasing the load to 4 KW but he has need of 1 KW only. Therefore, he requested the Forum to direct the respondent to reduce his electricity load and correct the bill.

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant praying for load reduction/rectification of bill upon his existing NX connection CA No. 100800095 at the premises bearing address 533/16-A; New No. 6192, Mohalla Subhash G Jain Mandir, Gandhi Nagar, Delhi-110031. Respondent stated that in terms of the consumption pattern/assessment of maximum demand recorded during the four consecutive months in FY-2023-24 of the complainant's connection bearing CA No. 100800095 it was found out that it comes out to be 4/4 KW/KVA in contrast to the existing sanctioned load/contract demand of 1/1 KW/KVA. Accordingly, a notice was issued to the complainant dated 29.05.2024 and in the said notice it was also intimated that a sum of Rs. 13500/- as security charges also needs to be paid.

Reply further added that the relevant consumption pattern and MDI, all of which clearly indicates that when the consumption increased, the MDI also increased in the same duration.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that if the version of the respondent is presumed to be true, then said load enhancement should have been made effective w.e.f. 01.07.2024 as envisaged under the provision of Regulation 17 (4) (vi) of DERC Supply Code, 2017, whereas in the present case, no such enhancement was being made by BSES-YPL in July, August & September, 2024 and the same was arbitrary made effective by the respondent only in October, 2024.



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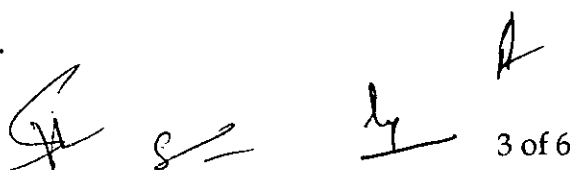
Rejoinder further added that no such notice was also received to the complainant at any point of time as alleged by the respondent. That the respondent be called upon to strict proof of the delivery of the same. Complainant stated that the load enhancement has not been done as per law and regulations & specifications as specifically mentioned in terms of Regulation 17 (4) of DERC Supply Code 2017.

4. Heard both the parties and perusal the record.
5. From the narration of facts and material placed before us we find that OP on the basis of consumption recorded during the year 2023-24 enhanced the load of the complainant 1 KW to 4KW and also levied Rs. 13,500/- as security deposit in the regular electricity bills of the complainant. OP in its reply submitted that in accordance with Regulation 17 of DERC Supply Code 2017, they have enhanced the load of the complainant.
6. The relevant Regulation is under:-


17 (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 1st April to 31st March, rounded off to the lower integer.

Provided that the period for billing cycle shall not exceed the period specified in these Regulations: Provided further that the minimum sanctioned load shall be 1kW.


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(ii) If the computed revised load pursuant to sub-clause (i) above exceeds the sanctioned load or contract demand as the case may be, the Licensee shall issue a separate notice to the consumer about the proposed increase in sanctioned load or contract demand. The notice shall contain the details of the exact readings in the consecutive billing cycle(s) taken into consideration along with details of enhanced security deposit and the differential Service Line cum Development (SLD) charges in case of change of service line, if any, for such increase in sanctioned load or the contract demand, as the case may be, in accordance with the Act to be deposited by the consumer within 30 (thirty) days from the date of receipt of notice.


(iv) A separate notice for upward or downward revision of sanctioned load or contract demand as the case may be, shall be issued by 31st May of the financial year. No notice for upward revision shall be issued thereafter during the year.

(v) In case a notice for downward revision pursuant to sub clause (iv) is not issued by 31st May, the Licensee shall pay compensation to the affected consumer as specified in Schedule - I of the Regulations, without prejudice to the right of consumer to reduce the load which shall be effective as per sub clause (vi) below.

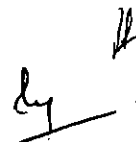
(vi) The upward or downward revision of sanctioned load or contract demand as the case may be, shall be done once in a financial year and shall be made effective from 1st July of the financial year.

(vii) If the load is enhanced by the Licensee pursuant to sub-clause (ii), the request for any load reduction shall be entertained only after expiry of 6 (six) months from the date of enhancement of load.

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7. In view of the above stated deliberations and Regulations, we are of considered opinion that the OP has rightly enhanced the load of the connection installed at the premise of the complainant.

Regarding the other objection of the complainant; that he has not been served by the notice issued by OP, in this regard we find that the complainant's e-mail id and phone number is updated in OP's record and same is also reflecting in the electricity bills of the complainant. OP stated that they are sending all the notices along with bills on the registered e-mail id and mobile no of their consumers. They don't have any pick and choose policy to send notices to few of their consumers, it is part of a bill and all the notices will be served along with the electricity bill.

To further justify their statement OP stated that the bill dated 29.05.2024 was received by the complainant and the complainant has also made payment of the said bill. The notice for load enhancement dated 29.05.2024 has also been served along with this bill. Thus the contention of the complainant does not substantiate here.

Therefore, the load enhanced by the OP is correct and security amount has already been paid by the complainant. The complaint of the complainant stands disposed off as above.

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

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If the Order is not appealed against within the stipulated time, the same shall be deemed to have attained finally.

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


(H.S. SOHAL)
MEMBER


(P.K. AGRAWAL)
MEMBER (LEGAL)


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


(P.K. SINGH)
CHAIRMAN
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