



CA No. 100041152
Complaint No. 437/2024

In the matter of:

Unique Industries

.....Complainant

VERSUS

BSES Yamuna Power Limited

.....Respondent

Quorum:

1. Mr. P. K. Singh (Chairman)
2. Mr. S.R. Khan, Member (Technical)
3. Mr. H.S. Sohal, Member

Appearance:

1. Mr. Vinod Kumar, Counsel of the complainant
2. Mr. Akash Swami, Mr. R.S. Bisht, Ms. Chhavi Rani, Mr. Lalit & Akshat Aggarwal, On behalf of BYPL

ORDER

Date of Hearing: 14th January, 2025

Date of Order: 16th January, 2025

Order Pronounced By:- Mr. H.S. Sohal, Member

1. The brief fact of the case giving rise to this grievance is that the complainant applied for load reduction against CA No. 100041152 installed at premises no. E-6, Seelampur, Delhi-110053, vide request no. 8007023705. The application of complainant was rejected by Opposite Party (OP) BYPL on the pretext of MCD Objection, NOC or Completion and Occupancy Certificate required, but complainant stated that he wants to reduce his electricity load 3 phase to 1 phase as he cannot pay the rent of 3 phase.

Attested True Copy


Secretary
CGRF (BYPL)

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2. The respondent in reply briefly stated that the present complaint has been filed by the complainant seeking for load reduction against CA No. 100041152 at premises no. E-6, Seelampur, Delhi-110053, vide requests no. 8007023705. The application of the new connection was rejected on account of applied address is under MCD booking list of unauthorized construction vide letter no. EE(B)-I/SH-N/2017 dated 12.12.2017 at serial No. 210.

Hence, Violation of the provisions of Electricity Act & Regulations in respect of DERC (Supply Code & Performance Standards) Regulations, 2017.

3. Counsel for the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that the applied premises are not booked by MCD. Complainant applied for load reduction as per Regulations 17 (3) and 17 (4) - **review of sanction load/contact demand by the licensee**. Complainant stated that the meter installed at the complainant premises with sanction load of 11 KW but the MDI on bills is reflect 1KW since long time and as per regulation, the complainant is entitled to reduction the present load 11 KW to 2 KW. Along with rejoinder, the complainant also submitted booking status report issued by MCD. The MCD letter dated 03.12.2024 states that property bearing no. E-6, situated at Nai Basti, Seelampur, Delhi-110053 is not booked against unauthorized construction.

4. Heard arguments of both the parties at length.





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5. As far as legal position is confirmed according to DERC (Supply Code and Performance Standards) Regulations 2017, Rule 17 (3) is
Load Reduction on the request of consumer:-

- (i) The Application for load reduction shall be accepted only after six months from original energisation for connections up to 100 KW, and 1 (one) year from original energisation for connections above 100 KW. Subsequent application for load reduction shall be accepted once in six-months or after lock-in period of 6 (six) months pursuant to Regulation 17(4)(vii), as the case may be.
- (ii) The applicant shall apply for load reduction to the Licensee in the format prescribed in the Commission's Orders.
- (iii) The Licensee, after verification, shall sanction the reduced load within 10 (ten) days from the date of acceptance of such application.
- (iv) The load reduction shall be reflected from next billing cycle.
- (v) If the effective date of load reduction falls between the billing cycles, the Licensee shall raise the bill on pro-rata basis during that billing cycle.
- (vi) The reduction of load shall be limited to the highest of average of any 4 (four) consecutive months maximum demand readings of last 12 (twelve) months.
- (vii) If the load reduction is not sanctioned within the said period, the consumer shall be entitled to seek and the Licensee shall be liable to pay the compensation as specified in Schedule-I of the Regulations.

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6. In view of the above deliberations and regulations, we are of considered opinion that the objection of OP that they cannot reduce the load of the connection of the complainant does not sustain here as the Regulation nowhere mentions that for load reduction the complainant has to fulfill the conditions of Regulation 10 of new connection. Also, regarding the MCD objection, the complainant has filed reply from MCD stating that his premises are not booked by MCD. Therefore, we don't find any hindrance in allowing application of the complainant for load reduction.

ORDER

The complaint is allowed. Respondent is directed to load reduce against CA No. 100041152, applied by complainant vide application no. 8007023705 at premises no. E-6, Seelampur, Delhi-110053 and after completion of other commercial formalities as per DERC Regulations 2017.

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. 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


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

Attested True Copy

Secretary
CGRF (BYPL)


(P.K.SINGH)
CHAIRMAN