

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:cgrfbyp@hotmail.com
SECY CHN 015/08NKS

C A No. Applied for
Complaint No. 350/2024

In the matter of:

VijendraComplainant

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)

Appearance:

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

ORDER

Date of Hearing: 10th December, 2024

Date of Order: 16th December, 2024

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

1. The brief facts of the case giving rise to this grievance are that the complainant requested this Forum for rectification of faulty prepaid meter no. 81400231 installed against CA no. 152997382 installed at premises no. 21/262, FF, Kalyanpuri, Delhi-110092. The complaint further stated that he opted for a prepaid electricity connection for better control over his electricity expenses. However, the meter installed at his premises appears to be faulty as it continues to supply electricity without requiring advance credit purchases.

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CGRF (BYPL)

The electricity supply does not get disconnected even when credits are not purchased. Complaint further stated that since the installation of this meter, it has not performed its intended function as a prepaid meter. Therefore, the complainant requested the Forum to direct the respondent for changing faulty prepaid electricity meter so that electricity is cut off when credit is low.

2. The respondent in reply briefly stated that the present complaint has been filed by the complainant by agitating the issue of prepaid meter getting converted into postpaid upon non-recharge. OP submitted that the basic intent of the prepaid meter not getting auto disconnect is to provide continuous energy supply to the end user who are primarily Schools, Colleges, Hospitals etc. who are carrying out primary function of dispensing essential services which needs to be given unhindered/uninterrupted all the time. OP further added that adopting the auto cut feature would jeopardize the entire function and can yield disastrous results.

Reply further stated that previously also the complainant approached this Forum in the year 2021 vide C.G. No. 28/2021 and got the benefit of LPSC waiver.

OP also raised the issue that the complainant is the owner of the premises in question but to get the benefit he has forged and fabricated the documents and became tenant via notarized rent agreement.

3. In response to the reply, the complainant in its rejoinder refuted the contentions of the respondent as averred in their reply and submitted that his previous complaint was entirely different from my present complaint. The previous complaint vide C.G. No. 28/2021 was regarding rectification of bill and the current complaint pertains to the faulty prepaid electricity meter.

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Complaint No. 350/2024

4. Heard arguments of both the parties.
5. From the narration of facts and material placed before us, we find that the present complainant approached this Forum for the second time. Earlier vide C.G. No. 28/2021 the complainant approached this Forum and the Forum vide its order dated 14.06.2021 directed the OP as under:

To revise the electricity bill of the complainant by waiving off the LPSC amounts and also adjust 10% of the bill amount as compensation towards defective prepaid meter for not automatically disconnecting the supply once the prepaid amount was consumed, thereby the respondent had to issue monthly consumption bill as per metered consumption.

OP was further directed to provide the revised bill after adjusting the compensation amount within two weeks from the date of this order.

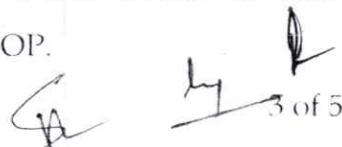
Complainant may pay this revised bill in five equal monthly instalments along with regular/current monthly bills, during the period July 2021 to September 2021.

6. The above said orders of the Forum are self explanatory. During this period i.e. from June 2021 till filing of present complaint in the Forum by the complainant, the OP did not take any steps or measures to rectify the prepaid meters installed at the premises of the complainant, which amounts to the serious lapse on the part of OP.

Forum also noted that the complainant also keeps on making payments of the bill as and when raised by OP. It is only in the month of June 2024 which is almost three years later of the earlier orders of the Forum the complainant again approached this Forum for non-functioning of the prepaid meters installed by OP.

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CGRF (BYPL)


3 of 5

Complaint No. 350/2024

7. OP along with its reply has raised the issue of tenancy of the complainant and stated that the complainant's are the actual owners of the premises in question. In this regard, Forum feels whether the complainant is tenant or landlord, here the question or complaint is regarding non-functioning of the pre-paid meters like the pre-paid connections in telecom sector. Thus this objection of OP does not substantiate here.
8. In view of the above, we are of considered opinion that OP is at fault by not taking the corrective measures to install a prepaid meter at the premise of the complainant even after the earlier orders of the Forum.
9. Therefore, the earlier orders of the forum still prevail.

ORDER

OP is again directed to revise the electricity bill of the complainant by waiving off the LPSC amounts and also adjust 10% of the bill amount as compensation towards defective prepaid meter for not automatically disconnecting the supply once the prepaid amount was consumed, thereby the respondent had to issue monthly consumption bill as per metered consumption.

OP is further directed to provide the revised bill after adjusting the compensation amount within two weeks from the date of this order. Complainant may pay this revised bill in five equal monthly instalments along with regular/current monthly bills.

Complaint No. 350/2024

OP is further directed to take corrective measures to install pre-paid meters at the premises of the complainant.

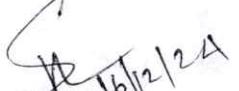
This Order shall be complied within 21 days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier.

The parties are hereby informed that the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.

If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.

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


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
16/12/2024
MEMBER (TECH.)


(P.K. SINGH)
CHAIRMAN

5 of 5

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