

CONSUMER GRIEVANCE REDRESSAL FORUM

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act of 2003)-For BRPL area

Sub - Station Building, Sector - V, Pushp Vihar,

(Near Saket Court Complex) NEW DELHI - 110017

Phones: 8468952631, 8468935702 TELEFAX: 29564400

Email: cgrfbrpl@gmail.com

No: CG -60/2019/F1/...230

Dated : ...14/11/19.....

Shri Subhash Chand Bhatia
C-18, Ground Floor
Swami Nagar (North)
NEW DELHI - 110017

Subject: - Redressal of Grievance by the Forum

Dear Sir,

1. Any complainant, aggrieved by orders of the Forum may himself/herself or through his authorized representative make a representation in writing to the Ombudsman.
2. The representation shall state clearly:
 - (i) The name/s and address of the consumer/s, service connection number, category, the name of the local licensees' office, against which the representation is made, the facts giving rise to the representation, the grounds thereof, the relief sought from the Ombudsman.
 - (ii) The name of the Forum, date of order or decision of the Forum shall, as the case may be mentioned in or enclosed with the representation.
3. No representation to the Ombudsman shall lie unless:
 - (i) The consumer had before making a representation to the Ombudsman approached the Forum constituted under Section 42 (5) of the Electricity Act, 2003 for redressal of his grievance;
 - (ii) The representation is made within one month from the date receipt of the order of the Forum:

Provided that the Ombudsman may entertain a representation beyond one month on sufficient cause being shown by the person filling the representation

that he had sufficient reasons for not filling the representation within the aforesaid period of one month.

- (iii) The person filling the representation deposits an amount equal to one third of the amount assessed by the Forum in cash or by way of bank draft with the licensee and documentary evidence of such deposit is enclosed with the representation.

A handwritten signature in black ink, appearing to be the name 'D. S.' or similar, written in a cursive style.

SECRETARY

Encl: Certified copy of order (04 pages).

CONSUMER GRIEVANCE REDRESSAL FORUM

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)-For BRPL area

Sub - Station Building, Sector - V, Pushp Vihar,

(Near Saket Court Complex) NEW DELHI - 110017

Phones : 8468952631, 8468935702 Fax : 29564400

Email : cgrfbrpl@gmail.com

CG – 60/2019

In the matter of :

Shri Subhash Chand Bhatia

C – 18, Ground Floor,

Swami Nagar (North)

NEW DELHI - 110017.

.... Complainant

Versus

BSES Rajdhani Power Ltd.

BSES Bhawan, Nehru Place,

NEW DELHI - 110019.

.... Respondent

Coram:

1. Shri Atul Nigam - Chairman
2. Mrs. Nirja Ahuja - Member (Legal)
3. Mrs. Monika Taneja - Member (CRM)

Appearance:

Complainant:

1. Shri Subhash Chand Bhatia

Respondent :

1. Shri Satyender Singh, CO (B) Division Hauz Khas
2. Shri Rajesh Gupta, SO, Co-ordinating Cell, Nehru Place

(Date of Hearing : 30.10.2019)

(Date of Order: 05.11.2019)

Mr. Atul Nigam, (Chairman):

Briefly stated facts of the case are that the complainant sanctioned load increased from 2 KW to 3 KW on the basis of alleged agreement signed by complainant with BRPL. He aggrieved by impugned bill dated 16.07.2019, made written objection to Head Customer Care for action & compliance of principle of natural justice, but it has not responded till date. Complainant wants to issue revised correct electricity bill after removal / revert of

M

ML

ia



Abj

1

increased sanctioned load from 3 KW to 2 KW and additional security deposit of Rs. 900/- by setting aside the above said bill dated 16.07.2019 & any subsequent bill to be raised thereafter. He further states that he should be enabled to pay correct bill without LPSC.

On notice, respondent appeared and filed its reply before us. Respondent submitted -

“That the sanctioned load from 2 KW to 3 KW was increased w.e.f. 01.07.2019 as per the DERC Rules & Regulations. As per the provisions contained in the aforesaid rules sanctioned load is required to be revised based upon average of maximum demand readings recorded as per billing cycle covering any four consecutive calendar months in the previous financial year (2018-19). In the subject case the consumption of load was recorded during the period from 12.12.2018 to 18.03.2019 and basis of consumption period for above said period, the security and all other charges also needs to be revised accordingly.”

During hearing, respondent submitted that as per regulation load reduction can be done only after six months of the increase of load. Complainant pointed out some mistake in their notice that BRPL did not revert back. He alleged that in the notice, it is mentioned that in case of any disagreement please revert within 30 days otherwise load and agreement will be considered as accepted by you. However, respondent stated that they had replied and had shown letter dated 17.07.2019 sent to the complainant, but on the wrong address. Forum taken serious note that in spite of sending three reminders, respondent did not give any response to the letters of complainant.

After hearing both the parties, Forum observed that load has been enhanced as per Clause No. 17. (4) (i) and (vii) of DERC (Supply Code and Performance Standards) Regulations 2017, which is quoted below:

17. Existing connections:-

M

ML

ML



ML

(4) Review of sanctioned load / contract demand by the Licensee:-

- (i) For revision of sanctioned load or contract demand as per 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 as described in the illustration:

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 1 KW.

- (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.

On perusal of the said clause clearly shows that the load is enhanced after taking the highest of the average of the MDIs recorded as per the billing cycle covering any 4 consecutive calendar months in the preceding financial year. In the present case, the average of the MDI for the period from 12.12.2018 to 18.03.2019 for the financial year 2018-19 came to more than 3 KW. Accordingly sanctioned load of the said CA No. 102365165 was enhanced from 2 KW to 3 KW w.e.f. 1st July 2019. We feel that respondents have rightly increased the load from 2 KW to 3 KW. The reduction of load from 3 KW to 2 KW only after expiry of six months from the date of enhancement of load.

CG – 60/2019

Forum is of the view that load was correctly increased according to DERC Regulations and can be reduced after six months of increase of load on the application of consumer.

Accordingly, the case is disposed off.

Sd/-
(Mrs. Monika Taneja)
Member (CRM)

Sd/-
(Mrs. Nirja Ahuja)
Member (Legal)

Sd/-
(Atul Nigam)
Chairman

