

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17

F.11(221)/DERC/2005-06/

Sh. Arvind Pal Singh
B-305, Okhla Phase-I,
New Delhi-110020.

.....**Complainant**

Through: Shri O.P. Ahuja, AR,
B-74, Amar Colony,
Lajpat Nagar –IV,
New Delhi-110024.

VERSUS

BSES Rajdhani Power Ltd.
Through its : **CEO**
BSES Bhawan, Nehru Place,
New Delhi-110019.

.....**Respondent**

Coram :

Sh. Berjinder Singh, Chairman & Sh. K. Venugopal, Member .

Appearance :

1. Sh. O.P. Ahuja, AR, on behalf of the Complainant.
2. Sh. R.C. Mehta, BSES.
3. Sh. R.R. Panda, Add. Mgr. BRPL.

ORDER

(Date of Hearing : 23.3.2006)
(Date of Order : 03.4.2006)

1. Sh. O.P. Ahuja, authorised representative on behalf of the Complainant has stated that the Licensee had made an inspection at the premises of the Complainant on 17.2.2005 and it was found that the meter was slow by 41.52%. The Licensee replaced the slow meter with a new electronic meter on 17.2.2005. It is stated by the Complainant that on 19.2.2005, the Licensee conducted a raid on the premises of the Complainant and a case of DAE on the meter which was replaced on 17.2.2005 was made stating that the meter was found tampered.

2. Sh. O.P. Ahuja, contends that the procedure followed by the Licensee while conducting the inspection and also while passing the Speaking Order was not as per the Regulation of the Commission and that the Licensee is wrong in booking a case of DAE on a meter which was removed by the Licensee and taken to their own laboratory.

3. Sh. R.C. Mehta, AVP, appearing on behalf of the Respondent Licensee states that during the inspection conducted at the premises of the Complainant on 17.2.2005, it was found that the meter was slow by 41.52% and it was found that the meter was tampered. After conducting the test on the said meter, it was found that the ultrasound seals of the meter were tampered. In view of the irregularities found, the Respondent Licensee has chosen to file a complaint before the Special Court, Karkardooma, Delhi and the matter is sub-judice. In view of all these developments, it was requested that the complaint may be dismissed at this stage.

4. The parties have been heard. In view of the fact that the Respondent Licensee has moved to the Special Court for an offence enumerated under the Electricity Act, 2003, the instant application, has been taken out of the jurisdiction of the Commission by virtue of Section 154 of the said Act. The Complainant may contest the case before the Special Court as per the provisions of law. This complaint is accordingly dismissed for lack of jurisdiction of this Commission.

5. Ordered accordingly.

Sd/-
(K. Venugopal)
Member

Sd/-
(Berjinder Singh)
Chairman