Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017

No. F.11 (625)/DERC/2010-11/C.F.No.2604

Petition No. 40/2010

In the matter of: Complaint under Section 142 of the Electricity Act, 2003.

In the matter of:
Akram (User) &
Sh. Abdul Khaliq
B-48/4, Joshi Colony,
Mandawali, Fazalpur,
Delhi-110 092 **...Petitioner**

VERSUS

BSES Yamuna Power Limited
Through its: CEO
Shakti Kiran Building,
Karkardooma,
Delhi-110 092 **....Respondent**

Coram:
Sh. P.D. Sudhakar, Chairperson & Sh. J.P. Singh, Member.

Appearance:
1. Shri A.K. Dutta, Advocate for the Petitioner;
2. Shri Arav Kapoor, Advocate for Respondent;
3. Shri Manish Nagpal, Manager (Legal), of Respondent;
4. Shri Imarn Siddiqui, Legal Officer of Respondent, BYPL.

INTERIM ORDER
(Date of Hearing: 13.03.2014)
(Date of Order: 24.03.2014)

1. The above matter was listed for hearing today in the Commission; where above named representatives of both the parties were present.

2. The Respondent prayed for adjournment in the matter as Shri K. Datta, counsel for respondent was out of town. The adjournment was opposed by the petitioner on the ground that such adjournments in the matter have already been granted in past also as per the request of the respondent, on one ground or the other and the case has been protracted for the last four years. The Commission did not adjourn the matter and asked the petitioner to present the case and complete the arguments.

3. The Petitioner reiterated and recounted the events leading to the present petition and summarized that the Respondent had violated following Regulations:
   i. Regulation 52 (viii) – Non sealing of meter before dispatch to laboratory.
   ii. Regulation 52 (ix) – Non preparation of Inspection report at premises and non pasting of the report in conspicuous place outside premises and not photographing the same.
   iii. Regulation 52(x) and 52(xi) – Non serving the Show Cause notice within 30 days.
   iv. Regulation 53 (ii) - No speaking order was passed after three days of personal hearing, rather it was issued after 56 days.
   v. Regulation 53(iv) - The details of calculation for assessment of theft bill was not provided.
   vi. Regulation 54 – two days notice for making payments, whereas as per the procedure in such cases 15 days notice is required for disconnection.

4. The counsel for petitioner also submitted that regulation 54 had been violated several times and his client was forced to pay some amount under duress and threat of disconnection of electric supply.

5. The petitioner also submitted that the respondent habitually failed to file the reply within the time given by the Commission and therefore, the respondent has not complied with the order of the Commission on several occasions.

6. The Petitioner also prayed that Commission may grant compensation under section 57(2) of the Electricity Act, 2003 because the Respondent has failed to meet the Standards of Performance specified.

7. The argument on part of the petitioner was complete. The Respondent is allowed an opportunity to present its arguments through written submissions within two weeks from the date of this order.

8. Ordered accordingly.

Sd/-	*Sd/-*
(J. P. Singh)	(P. D. Sudhakar)
Member	Chairperson