

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

No. F. 11(1040)/DERC/2013-14/4097

Petition No. 48/2013

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

In the matter of:

Madan Sharma
Through: Vinita, Advocate
Chamber no. 614, Saket Court,
New Delhi

.....**Complainant**

VERSUS

1. BSES Rajdhani Power Ltd.

HOD, Enforcement Cell

BSES Rajdhani Power Ltd.

Andrews Ganj, New Delhi

2. HOD, Meter Management Group

BSES Rajdhani Power Ltd.

Andrews Ganj, New Delhi

3. BSES Rajdhani Power Ltd

Through: CEO

BSES Bhawan

Nehru Place, New Delhi - 110019

.....**Respondent**

Coram:

Sh. P. D. Sudhakar, Chairperson.

Appearance:

1. Petitioner in person.
2. Smt Vinita, along with petitioner
3. Sh. Parmod Gupta, Manager, BRPL

INTERIM ORDER

(Date of Hearing: 24.04.2014)

(Date of Order: 02.05.2014)

1. The instant petition has been filed by by Shri Madan Sharma against the BSES Rajdhani Power Ltd. under Section 142 of the Electricity Act, 2003 for alleged failure on part of the Respondent to restore the electricity connection on payment of settlement amount.

2. In brief the facts of the matter are as under:
 - a) The Complainant is a registered consumer of the Respondent having connection CRA No. 2550101052 (Domestic) Meter No. 13116100 and CRN No. 2550102470 (Non Domestic) Meter No. 22063395.
 - b) That on 29.08.2013 an Inspection was carried out by the Enforcement cell of the respondent and on detection of direct theft both the meters were removed.
 - c) That on 10.09.2013, a bill amounting to Rs. 3,03,524/- vide case ID No. RJ290813SE031 was raised. The same was settled by the Complainant by paying the sum of Rs. 2,00,000/- to the respondent. The respondent further issued a NOC to the complainant.
 - d) That on 19.09.2013, the meter vide CRN No. 2550102470 (Non Domestic) was restored but domestic meter of the premises is not restored till date after repeated request and written representation made on behalf of the complainant to the HOD of the respondent company.
3. The petitioner has also prayed this Commission for granting compensation also because the Respondent has failed to meet the standards of Performance specified.
4. Notice of the petition was issued on 23.10.2013 to the Respondent to file its reply. In response to the above notice, the Respondent filed its reply on 25.11.2013 and has sought dismissal of the above complaint on the ground that the supply of both the connections was restored through new meters vide meter No. 21685411 on 19.09.2013 and vide meter No. 21685416 on 24.09.2013 respectively.
5. The matter was listed for hearing in the Commission today i.e. 24.04.2014 which was attended by both the parties. The petitioner submitted that he has paid the amount of settlement and an NOC was issued to him and therefore, the new meter may be restored to him only. As on date the domestic meter in the premises has not been restored to him even after repeated request and written representation made on behalf of the complainant to the HOD of the respondent company.

6. On the basis of pleadings and oral submissions and considering the material available on the record, the Commission is of the opinion that the petition may be admitted as there appears to be a violation of section 135 (1A) of Electricity Act, 2003, whereby the licensee on deposit or payment of assessed/settlement amount or electricity charges in accordance with the provisions of this Act, shall restore the supply line of electricity within forty eight hours of such deposit or payment. This has apparently not been done.
7. In view of the above-mentioned findings, the Respondent above-named is hereby directed to show cause as to why action u/s 142 of the Electricity Act, 2003 should not be taken against it for prima-facie violation of section 135 (1A) of Electricity Act, 2003. The respondent is also directed to Show-cause as to why a compensation under section 57 (2) of the Electricity Act, 2003 should not be paid to the consumer.
8. The Respondent is directed to file its reply within four weeks from the receipt of this notice and to serve a copy of the same to the complainant. The Complainant has also been given liberty to file rejoinder, if any, within a week of above filing.
9. Take notice that in case the Licensee above named fails to furnish the reply to this Show Cause Notice within the time mentioned above, it shall be presumed that the Licensee has nothing to say and the Commission shall proceed in the absence of such reply in accordance with law.
10. The next date of hearing shall be intimated to the parties in due course.
11. Ordered accordingly.

Sd/-
(P. D. Sudhakar)
Chairperson