

**MINUTES OF THE SECOND HEARING
HELD BY THE GRIEVANCES REDRESSAL OFFICER (GRO) – BRPL
AT 1100 HRS ON SATURDAY, THE 28th April, 2007**

The Action Taken Status on the cases taken up during the previous hearing by the GRO-BRPL on the 17th March, 2007 was submitted by BRPL vide their letter no. VP(B)/07-08/11 dated 11.4.2007 (Flag-X). The status report shows that all the matters have been disposed off satisfactorily.

2. A notice dated 13.4.2007 was issued to BRPL forwarding therewith five consumer complaints to which response had not been received from BRPL after these were forwarded to the DISCOMs. The hearing was scheduled for 21.4.2007. However, Shri Pankaj Kumar, Vice President (Business), BRPL informed that BRPL were having an internal meeting of all their senior officers on the 21.4.2007 and requested for a change of schedule. The hearing was, accordingly, postponed to 28.4.2007.

3. In second hearing held on 28.04.2007, BRPL were represented by Shri Pankaj Kumar, Vice President (Business) and Ms. Mita Saha, Business Manager.

4. The attendance sheet for complainants and respondents can be seen placed at Flag-Y and Flag-Z respectively.

5. The complainants were informed about the change in schedule of the meeting from 21.04.2007 to 28.04.2007 over telephone. Sh. Banarasi Das Gupta, RZ-835, H/2 KH, 94/5, Gali 18B, Pole 273, Sadh Nagar, New Delhi – 45 did not attend the hearing. It was informed by the BRPL representatives that this consumer was a habitual defaulter. The supply was disconnected due to successive defaults. It was restored on payment of Rs. 6,600/-. Even on the date of hearing the consumer again stands in default on payment of Rs. 943/-, it was informed. The Complainant did not turn up for hearing. The other complainants Shri Anand Prakash Gupta and Shri Prem Prakash Gupta, A-25, NDSE-II, New Delhi and Shri Shiv Lal, Godown at Plot No. 9& 10, KH. 46/2/3, Ganja Ram Park, Ranholla –110 041 could not be approached telephonically as no telephonic contact was mentioned in their complaints. However, these complainants did not come for the hearing either on 21.4.007 or on 28.4.2007. BRPL representatives stated that these were theft matters and the complainant Sh. Prem Prakash Gupta and Sh. Anand Prakash Gupta have since settled with BRPL. The other theft matter of Sh. Shiv Lal is before the Special Court, the BRPL informed.

6. The proceedings in the two cases taken-up during the hearing were as follows:

A. Shri R.C. Sharma, Manager, S.R.S.D, Senior Secondary School, Lajpat Nagar-IV, New Delhi – 110 024

Briefly, the case is that the school was running without electricity from 1998 onwards due to non payment of dues. After they represented to the Commission, the BRPL and the school authorities appear to have arrived at a settlement which is not yet

final. However, the school authorities have made an ad-interim payment of Rs.1.5 lakh to BRPL and the supply has been restored by BRPL. In the matter of S.R.S.D, Senior Secondary School, the Vice President (B), BRPL informed that the School authorities had met their AGM (South) and had settled the case. The Minutes of the meeting held by the school authorities with the AGM (South), BRPL were read aloud by the Vice President (Business), BRPL the content of the minutes was confirmed by the Complainants. In pursuance there of, the school authorities were required to submit certain documents to BRPL. However, the documents were not received by BRPL, though the representatives of S.R.S.D, Senior Secondary School stated that they had personally got the documents delivered to the concerned Business Manager. A copy of the relevant documents was furnished to the BRPL representatives across the table and the school representatives were asked to pursue the matter further with the concerned Business Manager, BRPL for finalizing the settlement. BRPL were asked to report the final outcome of the case within 10 days from the date of the hearing subject to the cooperation that may be extended by the school authorities in the matter by providing any other documentary support that may be necessary for deciding the case. The Complainant was convinced with the arrangement and agreed to cooperate with the utility for concluding the settlement.

B. Shri Ashok K. Agarwal, Delhi Institute of Hotel Management & Catering Technology, Behind Lady Shri Ram College, Lajpat Nagar-IV, New Delhi – 110 024

A representation dated 10.10.2006 was received from Shri Ashok K. Agarwal, Delhi Institute of Hotel Management & Catering Technology which was forwarded to BRPL for their comments on 30.10.2006. Since no comments were received in the matter, the case was included in the Agenda for the hearing. Briefly, the matter is that the institute building was constructed by the Delhi PWD and the institute was a grantee institution of the GNCTD. The electricity connection was applied for by Delhi-PWD on the behalf of the institute. PWD applied for a sanction load of 667 kW by making necessary deposit on behalf of the institute with the expenditure charged on account of the Institute. The institute, before it become functional, felt that this kind of load may not be necessary in the initial stages of the institute and moved the utility for reducing sanctioned load. The load was reduced to 400 kWh. This was prior to connection being given to the Institute. The institute now feels that they do not require more than 100 kWh and hence applied for reduction of sanctioned load to BRPL. BRPL have now responded to the complaint, which was forwarded by DERC, enclosing therewith a copy of the contract executed between the institute and BRPL wherein, it has been clearly provided as under:-

“This agreement was subject as hereinafter provided be and remain in force for a period of two years in the first instance commencing from the said date of commencement (specified in Clause 3 supra).....”

The relevant clause cited above flows out from Regulation 8 of the DERC (Performance Standards – Metering & Billing) Regulations, 2002 which reads as under:-

"The application for load reduction shall be acceptable only after 2 years from original sanction."

It may be seen that the load reduction in the case of Delhi Institute of Hotel Management & Catering Technology could take place only in October, 2007, October, 2005 being the date of agreement.

The institute Principal, Shri Ashok K. Agrawal who was representing the institute stated that the load required was decided by PWD at that stage and such a high load was not required in the initial stages of the institute and pleaded for treatment in exception to the Regulations.

The complainant was informed that GRO did not have the authority to look into this suggestion as it related to Regulations formulated by the Commission. In so far as action of BRPL in regretting the request made by the institute was concerned, they were within their right on the basis of the DERC Regulations as well as the agreement entered into between the consumer and the utility.

7. The BRPL representatives, during the course of hearing furnished the status report in respect of each of the five cases listed for hearing on the 28th April, 2007. The status report has since been finalized and furnished by BRPL under the cover of their letter no. VP(B)/06-07/ dated 30th April, 2007 (Flag 'A'). The status furnished by BRPL in respect of the cases taken-up in the hearing is factual and has, therefore, been accepted.

8. No other complainant appeared for reasons brought out at para 5 supra. The Vice President (B), BRPL suggested that a regular slot for these hearings may be fixed. It was, accordingly, agreed that the hearing in respect of BRPL for the month of May, 2007 be held on the fourth Saturday i.e. 26th May, 2007, whereas for the month of June, 2007 and onwards, the hearings for disposal of the pending complaints in respect of BRPL shall be held at 1000 hrs on every third Saturday of the month.

-----X-----