

Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi –110 017

F.11 (506)/DERC/2009-10/C.F.No. 2136/5189

Petition No. 23/2009

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

AND

In the matter of :

Sh. Ramesh Ahuja
M/s. Ritika Auto Industries
618-P, 87-B, Pandav Road,
Vishwas Nagar, Shahdara,
Delhi-110 032

...Complainant

VERSUS

BSES Yamuna Power Limited
Through its : CEO
Shakti Kiran Building,
Karkardooma,
Delhi

....Respondent

Coram:

**Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &
Sh. J. P. Singh, Member.**

Appearance:

1. Pawan Kr. Mahur, Officer Legal, BYPL.

ORDER

(Date of Hearing: 13.09.2011)
(Date of Order: 01.12.2011)

1. The Instant complaint has been filed under Section 142 of the Electricity Act 2003 against BRPL by M/s Ritika Auto Industries. In the complaint, the complainant has alleged certain violations of the Delhi Electricity Supply Code and Performance Standards Regulations, 2007.

Brief facts of the case:

2. The Complainant is a registered consumer of BRPL vide K. No. 1210 1626 1837 and CRN 1210108296 and has sanctioned load of 5.6KW. The Complainant had applied for change of mechanical meter under the Amnesty Scheme floated by BRPL in November 2007. The Electronic meter was installed on 21.11.2007. The said electronic meter got burnt all of a sudden in the first week of June 2008. The burnt meter was replaced on 20.6.2008. Though, the burnt meter was changed on 20.6.2008, but meter changing report was not handed over to the Complainant or his representative.
3. The Complainant alleged that the Discom did not provide meter changing report after change of the burnt meter on 20.6.2008.
4. The Complainant further submitted that on his request meter was shifted within the premises of the complainant on 2nd July 2008 and meter shifting report was provided to him.
5. The complainant has submitted that on 19.6.2008, he received a disconnection notice for non-payment of earlier bill which he states has already been paid.
6. He has submitted that all of a sudden on next day i.e. 20.06.2008 an executive of Enforcement Department of the Respondent visited the premises for disconnection of supply on the basis of non-payment of dues.
7. The complainant in his submission has alleged that neither any inspection was ever carried out on his premises nor any inspection report or any show-cause notice/speaking order /theft assessment bill was ever delivered by the Respondent to him during the last one year. No report or meter tempering report was prepared or delivered at site on 20.6.2008.
8. The Discom through its speaking order dated 02.03.2009 established DAE and accordingly DAE bill was raised as per Tariff Schedule 2007 and Regulation 52 & 53 of Supply Code for the period 21.11.2007 to 20.6.2008.

9. The complainant alleged that the speaking order regarding DAE is arbitrary and without application of mind and sought following relief from the Commission while booking the above case:
- (i) Suitable penalty for contravention of DERC Regulations 2007 may kindly be imposed upon the Respondent under section 142 of Electricity Act, 2003.
 - (ii) Since the procedure prescribed in the DERC Regulations had not followed, such case cannot be established against the petitioner. DERC may order for dropping of the false proceedings initiated by the Respondent against the petitioner.
 - (iii) The Respondent may kindly be restrained from taking adverse action for disconnection of supply for the K.No. 121016261837-IX installed pending disposal of instant complaint.
10. However, during the pendency of the above complaint, the above matter has been amicably settled in between the parties and as per settlement, an assessment bill for a period of six months was worked out on the basis of sanctioned load amounting to Rs. 31,929/-. It has also been informed that the consumer has paid the said agreed amount and the DAE case has now been closed. In support of his reply the Respondent has submitted the deposit receipt and has requested the Commission to dispose of the above complaint as being settled.
11. The Respondent has also filed an affidavit on 13.09.2011 in support of the above claim.
12. The Commission heard the matter on dated 13.09.2011, which was attended by the representative of Respondent mentioned above. However, no body appeared on behalf of the complainant.

13. After hearing the representative of the Respondent and taking into account the documents placed before the Commission as well as non submission of reply to the letter of the Commission dated 01.04.2011, seeking response on the issue of settlement of above dispute as per the statement of the Respondent, it is held that the complainant has nothing to say in this matter and the present application is considered as amicably settled and hence disposed off.
14. Ordered accordingly.

Sd/-
(J. P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON