

Delhi Electricity Regulatory Commission

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

F.3(102)/Tariff/DERC/2005-06/C.F.No.868/891

Petition No. 14/2009

In the matter of: Non-compliance of the directive regarding Separation of Corporate Offices and employees common to BRPL and BYPL.

AND

In the matter of:

BSES Rajdhani Power Limited,
Through its: **CEO**
BSES Bhawan,
Nehru Place,
New Delhi – 110 019

...Respondent No. 1

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

...Respondent No. 2

Coram:

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

Appearance:

1. Sh. V. P. Singh, Advocate, BRPL, BYPL;
2. Sh. Dushyant Manocha, Advocate, BRPL, BYPL;
3. Ms. Garunima Vijra, Advocate, BRPL, BYPL;
4. Sh. Alok Varma, BRPL;
5. Sh. Rajeev, BRPL;
6. Sh. Aditya Pujari, BRPL;
7. Sh. Pankaj Dhingra, BYPL-Legal;
8. Sh. Sai Krishna, BYPL;
9. Sh. Harsh, BYPL.

INTERIM ORDER

(Date of Hearing: 17.04.2012)
(Date of Order: 17.05.2012)

1. The Commission has taken suo moto cognizance under Section 142 of the Electricity Act, 2003 against the Respondents namely, BRPL and BYPL for non-compliance of its directives for separation for corporate offices.

2. This matter was listed for hearing on 17.04.2012, which was attended by the above-mentioned Representatives and Counsels of the Respondents.
3. The Counsel for the Respondents submitted that most of the directions of the Commission have been complied with by the Respondents. After separate CEOs have been appointed, the work of most of the departments, viz. accounts and banking along with their officials, Company Secretaries and Regulatory HR etc. have been segregated except separation of SCADA system, for which, in the interest of fiscal prudence, the Commission has already permitted both the Respondents to have a common system, where the operational cost of the SCADA System is being shared in between both Respondents i.e. BRPL and BYPL in the ratio of 60:40.
4. After hearing the Counsel of both the Respondents, the Commission directed both the Licensees to file their compliance report in an affidavit within 2 weeks of the receipt of this order, giving therein full details of compliance (including date of compliance) of directions issued by the Commission from time to time in its Tariff Orders alongwith details of sharing of the operational cost of the SCADA system.
5. After filing of the above Affidavit by both the Licensees, the Exec. Director (Engg.) of the Commission shall verify the compliances in terms of the directions issued by the Commission and report back to the Commission.
6. The above issue shall be reviewed after receipt of the outcome of the compliance report from Executive Director (Engg.).
7. The matter is now listed for further hearing on 31st July, 2012.
8. Ordered accordingly.

Sd/-
(J.P. Singh)
MEMBER

Sd/-
(Shyam Wadhera)
MEMBER

Sd/-
(P.D. Sudhakar)
CHAIRPERSON