

DELHI ELECTRICITY REGULATORY COMMISSION
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi- 110017

F.11 (1353)/DERC/2015-16

Petition No. 10/2016

Under section 142 of the Electricity Act, 2003

In the matter of:

Shamim Ahmed,
S/o Shri Hakim Ali,
A-2 & A-3, Khasra No. 16/14/1,
New Mandoli Ind. Area, Phase – II,
Delhi – 110093

.....**Complainant**

VERSUS

BSES Yamuna Power Ltd.
Through its: **CEO**
Shakti Kiran Building,
Karkardooma
New Delhi – 110092

.....**Respondent**

Coram:

Sh. B.P. Singh, Member

Appearance:

1. Shri Suraj Prakash, on behalf of the Petitioner.
2. Shri I U Siddiqui, Legal Officer, BYPL.
3. Shri Aditya Gupta, Advocate for Respondent.
4. Shri Shagun, Advocate for Respondent.

INTERIM ORDER

(Date of Hearing: 22.11.2016)

(Date of Order: 05.12.2016)

1. On the last date of hearing i.e. on 04.08.2016, the Respondent was directed to provide technical feasibility report regarding load enhancement in the instant case and also information with supporting documents about action taken to augment the system of power supply in the area.
2. At the commencement of the hearing, the representative appearing on behalf of the Petitioner submitted that in terms of the last Order of the Commission, the Respondent had to file the technical feasibility report which he has received today though it should have been given within two weeks.

3. The Counsel appearing on behalf of the Respondent replied that they could not file the report within the specified time since the Order passed by the Commission was received by the Respondent Company only on 16.10.2016. Accordingly, the same is being filed today.
4. On the basis of pleadings and oral submissions of both parties and considering the material available on the record, the Commission decided that the petition may be admitted as there exists a prima-facie case of violations of following Regulation:-

Violation of Regulation 17 (ii) of DERC Supply Code, 2007

Regulation 17 (ii) provides that:-

.....For connection requiring augmentation of distribution system, the Licensee shall inform the applicant the approximate time frame by which applied load can be energized which shall not exceed the time schedule given in Table 1 below:

Table 1

1.	Extension of LT line upto 5 poles	Fifteen days
2.	Electrified Areas where extension of lines or augmentation of Distribution Transformer is required	Sixty days
3.	Electrified Areas where new Distribution Transformer is required	One hundred and twenty days
4.	Electrified Areas where existing 11 KV network needs to be strengthened	One hundred and eighty days
5.	Electrified Areas where existing (66/33 kV grid sub-station needs to be augmented	Two hundred and forty days

With regard to the above mentioned Regulation, it is observed that the Petitioner has applied for load enhancement of his existing connection from 10Kw to 11Kw on 31.10.2015 and on 23.12.2015 the Petitioner received a rejection letter from the Respondent that the enhancement of load is not feasible. However, as per aforesaid Regulation, the Respondent has to inform the Petitioner as to the time frame within which the load of the said

connection can be energized. Therefore the Respondent has apparently contravened the provisions of Regulation 17 (ii) of DERC Supply Code, 2007.

5. In view of the aforesaid, the Respondent 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 above Regulations. The Respondent is directed to file its reply within four weeks from the date of 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.
6. Take notice that in case the Respondent above named fails to furnish the reply to this Show Cause Notice within the time mentioned above, it shall be presumed that the Respondent has nothing to say and the Commission shall proceed in the absence of such reply in accordance with law.
7. The next date of hearing shall be intimated to the parties in due course.
8. Ordered accordingly.

Sd/-
(B. P. Singh)
Member