

**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**

**Vs.**

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 Manish Srivastava, Advocate for Respondent;
3. Shri Shagun, Advocate for Respondent.
4. Shri I U Siddiqui, Legal Officer, BYPL.
5. Shri Narender Singh, Sr. manager, BYPL;
6. Shri Sachin Shisodia, BYPL

**INTERIM ORDER**

(Date of Hearing: 30.11.2017)

(Date of Order: 06.12.2017)

1. The instant petition has been filed by Shri Shamim Ahmed under Section 142 of the Electricity Act, 2003 against BSES Yamuna Power Ltd. for violation of the procedure laid down in the Delhi Electricity Supply Code and Performance Standards Regulations, 2007 by not enhancing the load of the complainant from 10 KW to 11 KW.
2. The matter was heard on 30.11.2017. The Counsel for the Respondent reiterated its submissions made in the Reply to the Show Cause Notice and submitted that the Respondent is not in a position to grant any three phase connections based on the existing infrastructure, as the same is not technically feasible. It was further submitted that the premise of the consumer is located in an unapproved area i.e. Mandoli, where at present no industrial activity is allowed as per the order dated 23.8.2016 of the National Green Tribunal (NGT) in Original Application No. 510/2015, titled as "Kamal Kishore vs UOI & Ors.

3. The Petitioner submitted that it has not received the technical feasibility report from the Respondent till date. The Petitioner further submitted that the Order of NGT was issued almost one year after his application was rejected by the Respondent.
4. On the query of the Commission as to what action has been taken by the Respondent for augmentation of the existing system of supply so as to provide three phase connection after 31.10.2015 i.e. the date of Petitioner's application, the Respondent sought two weeks time to respond.
5. The Commission granted two weeks time to the Respondent to submit a report on the action taken by the Respondent for augmentation of the existing system of supply so as to provide three phase connection in chronological order from the date of Petitioner's application i.e. 31.10.2015. The Respondent is directed to file the same on affidavit within two weeks with a copy to the Petitioner.
6. The next date of hearing shall be intimated to the parties in due course.
7. Ordered accordingly.

Sd/-  
(B. P. Singh)  
Member