

Delhi Electricity Regulatory Commission
Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017

No. F. 11(3984)/DERC/2013-14/3984

Petition No. 32/2013

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

In the matter of:

M/s Vimla Rolling Mills Pvt. Ltd.
Through its Director
Shri Rohit Aggarwal
AT B-22, JHILMIL INDUSTRIAL AREA
SHAHDARA, DELHI

.....**Complainant**

VERSUS

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

.....**Respondent**

Coram:

Sh. P. D. Sudhakar, Chairperson & Sh. J. P. Singh, Member.

Appearance:

1. Sh. Fanish K. Jain, Counsel for the Petitioner.
2. Sh. Datla Shirish Varma, Sr. Manager, BYPL.
3. Sh. K. Datta, Counsel for the Respondent.
4. Sh. Manish Srivastava, Counsel for the Respondent
5. Shri I. U. Siddiqi, BYPL.

ORDER

(Date of Hearing: 19.12.2013)

(Date of Order 27.12.2013)

1. The instant petition has been filed by M/s Vimla Rolling Mills Pvt. Ltd. against BYPL, a registered consumer with the Respondent vide CA No. 100002399, under Section 142 of the Electricity Act, 2003 for violation of DERC Supply Code and Performance Standards, 2007.

2. In his complaint the Petitioner has submitted that on 29.02.2012 an application was made to the Respondent for reduction of the contract demand as per consumption of last three months, as the consumption of the Petitioner has reduced drastically. The Respondent vide letter dated 04.04.2012 informed the Petitioner that only 50% of the existing load can be reduced and remaining can be reduced after one Year. Accordingly, the Respondent reduced the contract demand/load of the Petitioner from 1121.76 KW/800 KVA to 561 KW/363 KVA w.e.f. 22.03.2012. The Petitioner has alleged that while doing so the Respondent has violated the Regulation of DERC Supply Code and Performance Standards Regulation, 2007, which provides that the contract demand may be reduced upto 50% of the original energisation.
3. The matter was listed for hearing on today in the Commission, wherein the Petitioner submitted that the Respondent has not reduced the contract load upto 50% of original energisation and has failed to adhere to the provisions contained in Regulations 21(vi) of DERC Supply Code and Performance Standards Regulations, 2007.
4. The Respondent argued that the Petitioner has applied for reduction of load according to the consumption of last 12 months and not as per original energization. The contract demand at the time of original energisation was 500HP (estimated to 373 kW). The Respondent admitted that as per provisions of Regulation 21(vi) of DERC Supply Code and Performance Standards Regulations, 2007, the load may be reduced upto a maximum of 50% of the original energisation.
5. Considering the submissions made by the parties, the Commission directed the Respondent to reduce the sanctioned load as per extant Regulations. Regarding other issues e.g. the effective date of reduction of contract demand/load, amount of refund etc, the Commission directed that the entire case may be referred to the concerned CGRF for adjudication of the Petitioner's claim and issue of appropriate order. The CGRF may also ascertain prima-facie whether there is any violation of Regulations as alleged by the Petitioner.

6. The petition is adjourned sine-die till receipt of a report from the concerned CGRF.
7. The entire case file may be forwarded to the CGRF for appropriate necessary action.
8. Ordered accordingly.

Sd/-
(J. P. Singh)
Member

Sd/-
(P. D. Sudhakar)
Chairperson