

## **DELHI ELECTRICITY REGULATORY COMMISSION**

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

**F.11 (1443)/DERC/2015-16/5573**

**Suo-Moto Petition No. 59/2016**  
**u/S 142 of the Electricity Act, 2003**

**In the Complaint of :** Smt. Meena Rawat, A-2, First Floor, Old Double Storey,  
Nirmal Puri, Lajpat Nagar-IV, New Delhi – 110024

BSES Rajdhani Power Ltd.

Through its: **CEO**

BSES Bhawan

Nehru Place

New Delhi-110019

.....**Licensee**

**Coram:**

**Sh. B.P. Singh, Member**

**Appearance:**

1. Sh. Krishnendu Datta, Advocate, BRPL
2. Sh. Aditya Gupta., Advocate, BRPL
3. Sh. Shagun Trisal, Advocate, BRPL
4. Sh. S. Bhattacharya, DGM Enforcement, BRPL
5. Sh. Devender Singh Rawat, on behalf of the Complainant

### **INTERIM ORDER**

(Date of Hearing: 16.03.2017)

(Date of Order: 22.03.2017)

1. The instant case relates to Suo moto cognizance been taken by the Commission under Section 142 of the Electricity Act, 2003 against the Licensee namely BSES Rajdhani Power Ltd. for violation of the procedure laid down in the Delhi Electricity Supply Code and Performance Standards Regulations, 2007.
2. The matter was listed for hearing in the Commission, which was attended by the Counsel/authorized representatives of Licensee. The Authorized Representative (AR) of the Complainant was also present.

3. The Counsel appearing on behalf of the Licensee sought an exemption for service of reply on the complainant and he submitted that the application has already been moved before the Hon'ble Commission since it is suo-moto matter and there is no petition as such. The submission made by the Counsel was disposed off by the Hon'ble Commission on the ground that the Commission has taken cognizance of the matter on a disposed off petition and accordingly it is essential to hear both the parties in order to adjudicate on the subject case. It is for this reason that the complainant has been summoned to be present during the adjudication.
  
4. The AR of the Complainant narrated the sequence of events and stated that the meter was removed on 18.12.2015, which was vehemently denied by the advocate appearing on behalf of the Licensee and maintained that the meter was removed only on 03.02.2016. In support of his argument the AR appearing on behalf of the Complainant produced a CD of videography carried out by him at the material time and made an endeavor to establish that the videography was carried out on 18.12.2015 and 03.02.2016. He argued that the evidence produced by him would justify that the meter was removed on 18.12.2015 and was remounted without any seal on the same day. Whilst corroborating his arguments the AR of the Complainant stated that raid was conducted by the same officials of BRPL on both the days i.e. on 18.12.2015 and on 03.02.2016.
  
5. The CD provided by the AR of the Complainant was sealed in the Court Room with the signature of both the parties.

6. The Counsel of the Licensee sought two days time to respond on this issue.
7. The Commission accepted the prayer of the Licensee and granted two days time to the Licensee to respond on the issue. The matter was adjourned.
8. The next date of hearing shall be intimated to the parties in due course.
9. Ordered accordingly.

Sd/-  
(B. P. Singh)  
Member