

UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION, LUCKNOW
Suo-Moto/2006

Respondents:

1. Managing Director, UP Power Corporation Ltd. 7th Floor, Shakti Bhawan, 14, Ashok Marg, Lucknow.
2. Managing Director, Madhyanchal Vidyut Vitran Nigam Ltd., 4 Gokhale Marg, Lucknow
3. Managing Director, Poorvanchal Vidyut Vitran Nigam Ltd., Bhikharipur, 132 KV Substation, P. O.- D. L. W, Varanasi
4. Managing Director, Paschimanchal Vidyut Vitran Nigam Ltd., Victoria Park, Meerut.
5. Managing Director, Dakshinanchal Vidyut Vitran Nigam Ltd., Urja Bhawan 220, K.V. Up-Sansthan Bypass Road Agra – 282007
6. Managing Director, Kanpur Electricity Supply Co. Ltd., 14/71, Civil Lines, KESA House, Kanpur
7. Chief Executive Officer, Noida Power Company Ltd., Commercial Complex H-Block, Alpha Sector II, Greater Noida-201 308

Suo-Moto Order

A number of complaints have been filed in Commission where the officers of licensee after carrying out inspection for checking theft of electricity, disconnect the supply of consumers, and the supply to such consumers remains disconnected for long. The consumer however, cannot on its own approach the Special Court directly, and there is no remedy available unless the case is filed before the Special Court.

The Electricity Act 2003 read with Ministry of Power, Government of India order on "The Electricity (Removal of difficulties)", vide number S.O. 796 (E) and G.S.R. No. 379 (E) (Electricity Rules, 2005), dated 08th June 2005, empowers the licensee officers of filing the case before the Special Court and also steps for taking cognizance of offence.

The Commission observes that the clause 8.0(6) and 8.2 (i) of the third amendment of ESC 2005 which became effective from 14.9.2006 has addressed to this issue, however the cases prior to the third amendment, are still uncovered. In view of the above and in exercise of powers under section 9.5, "Power to remove difficulties" of the Electricity Supply Code-05, the Commission directs that the licensee shall take necessary action for filing the case before the Special Court if not already done and:

- (i) in case the consumer approaches the DISCOM for restoration of supply, the supply shall be restored within seven days after the consumer has made an interim payment of the assessed amount, calculated at 1.0 times of existing tariff, less payment already made by the consumer for the period of assessment subject to final decision by Special Courts, or
- (ii) restore the supply after a month (one) of this order on payment of charges calculated as per sl no. (i) above.

(R.D.Gupta)
Member

Lucknow: 1.12.2006

(P.N.Pathak)
Member

(Vijoy Kumar)
Chairman