

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

**Review Petition No.5 of 2009 in
Appeal No. 181 of 2008**

Dated : 12th October, 2011

**Present: Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member**

D.E.R.C.

....Appellant(s)

Versus

BSES Rajdhani Power Pvt. Ltd.

...Respondent(s)

Counsel for the Appellant (s): Mr. Meet Malhotra, Sr. Advocate, Mr. Ravi S.S. Chauhan and Mr. Gaurav Varma

Counsel for the Respondent (s): Mr. Amit Kapur

ORDER

We have heard the learned counsel as Amicus Curie and also gone through the status report sent by the Forum of Regulators dated 7th October, 2011. The summary of the status report is as follows:-

“Summary of the status report

1. Tamil Nadu has complied and there are no vacancies in the CGRFs.
2. There were vacancies in CGRFs in the state of Jharkhand, however no reply has been received from the Jharkhand SERC.
3. There was a vacant post of Member CGRF in Lakshadweep and it is still vacant.
4. In Uttar Pradesh there are still vacant posts of Technical Members of CGRF. However the selection against the posts of

Chairman/Judicial Members is likely to be finalized in October, 2011.

5. There is a vacancy in the post of Ombudsman in Uttar Pradesh.
6. The posts of CGRFs are yet to be created in Nagaland, Sikkim & Arunachal Pradesh.
7. The post of Ombudsman is yet to be created in Nagaland & Arunachal Pradesh.”

This report shows that the Tamil Nadu Commission has complied with the direction, and so we have to give directions to the other states to comply with our earlier order passed by this Tribunal on 5th September, 2011 in the light of the above status report. The Forum of Regulators may ensure that compliance of this direction at the earliest.

Copy of the order shall be sent to all the Commissions concerned i.e. item no. 2 to 7.

Forum of Regulators can send status report on or before 8th November, 2011.

Registry is directed to send copies of the status report to the learned Amicus Curie counsel as soon as the same is received from the Forum of Regulators.

Post the matter on **15th November, 2011.**

(Rakesh Nath)
Technical Member
ks/ak

(Justice M. Karpaga Vinayagam)
Chairperson