

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

RP-5/2009 in A.No. 181 of 2008

Dated: 5th September, 2011

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

In the matter of:

D.E.R.C.Review Petitioner

Versus

BSES Rajdhani Power Pvt. Ltd. ... Respondent(s)

Counsel for the Review Petitioner : Mr Meet Malhotra, Senior
Counsel with Mr. S.S.
Chauhan.

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

Order

We have received report dated 2nd September.2011 from the Forum of Regulators stating that the States of Delhi, Goa, Maharashtra, Chattisgarh and Union Territory of Dadra & Nagar Haveli have complied in terms of filling up vacancies of CGRF.

It is further stated that the States of Jharkhand, Tamil Nadu, Nagaland and Lakshadweep have not complied with and the posts are still vacant. As far as second direction regarding filling up the vacant post of Ombudsman is concerned, the report submitted shows that the States of Bihar, Manipur and Mizoram have complied in terms of filling up the post of Ombudsman but the State of Nagaland, has not complied and post of Ombudsman has not been created. So the report indicates that the Jharkhand, Tamil Nadu, Nagaland, Lakshadweep have not complied in filling up the post of CGRF and Nagaland has also not complied and the post of Ombudsman has not been created. It is also noticed from the report that no reply and status report has been received from the State Electricity Commission of Arunachal Pradesh, Uttar Pradesh, Sikkim and Nagaland.

Therefore Sikkim, Uttar Pradesh and Arunachal Pradesh are directed to furnish the status with regard to CGRF. Arunachal Pradesh Commission is directed to furnish status in regard to Ombudsman. The Secretary of Forum of Regulators may also ensure that the status is furnished and the report may be submitted before the next date of hearing. Registry is directed to send a copy of the order to the State Commissions concerned. The

Secretary of Forum of Regulators is directed to furnish the status on or before 7th October, 2011. As soon as the same is received the Registry is directed to furnish the copies to Amicus Curie Counsel.

Post the matter on **12th October, 2011.**

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

Ss/ak