

# **Delhi Electricity Regulatory Commission**

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

Ref. F.11(727)/DERC/2011-12/C.F.No. 3092/346

## **Petition No. 57/2011**

**In the matter of:** Complaint under Section 142 of the Electricity Act, 2003.

**AND**

**In the matter of :**

Gurmeet Kaur  
H.No. 135, Gali No. 3,  
Shastri Park Extension  
Delhi

**...Complainant**

## ***VERSUS***

M/s Tata Power Delhi Distribution Limited  
Through its : **MD**  
Grid Sub-Stn. Building,  
Hudson Lines, Kingsway Camp,  
Delhi-110 009

**...Respondent**

## **Coram:**

**Sh. P.D. Sudhakar, Chairperson, Sh. Shyam Wadhera, Member &  
Sh. J.P. Singh, Member.**

## **Appearance:**

1. Sh. K.L. Bhayana, Advisor, TPDDL;
2. Sh. Ajay Kalsi, Company Secretary, TPDDL;
3. Sh. O.P. Singh, Sr. Manager, TPDDL;
4. Sh. Shalendra Singh, Manager, TPDDL.

## **ORDER**

Date of Hearing: 27.03.2012  
(Date of Order: 23.04.2012)

1. The instant complaint has been filed by Smt. Gurmeet Kaur, R/o H.No. 135, Gali No. 3, Shastri Park Extension, Delhi – 110 084, who is the registered consumer in respect of K.No. 43105109187.

2. The brief matrix of the case is that:

- (i) The Respondent on 25.05.2011 carried out an inspection on the petitioner's premises and alleged to have observed connected load as 6.635 KW. On the basis of the aforesaid inspection, the Respondent raised DAE bill for Rs. 35373/- and suo-moto charged therein Rs. 7000/- as service cable charges and Rs. 3000/- as security charges, thus apparently violating Regulation 53(iv). It has been alleged that the Respondent Company, by way of suo-motto charging service cable charges and security charges on connected load basis, violated the DERC order bearing No. F.11 (548)/DERC/2009-10 dated 08.04.2010 and Appellate Tribunal for Electricity's order dated 09.12.2010 in Appeal No. 139/2010 in the matter of North Delhi Power Ltd. vs. DERC. As per Regulation 2(n) of DERC Supply Code & Performance Standards Regulations 2007—

*“The definition of connected load in general is for the purpose of working out assessment of consumption”*

Therefore, the use of observed connected load for suo-motto charging service line charges and security deposit charges is in contravention of the above Regulation.

3. Respondent's Reply:

The Respondent has sought dismissal of the above complaint on the following grounds:

- (i) That the grievance of the complainant has already been redressed by the Respondent and further the complainant has settled the matter with the Respondent and agreed to pay the amount of Rs. 29510/- towards full and final settlement of the case in the proceedings before the Hon'ble Permanent Lok Adalat.
- (ii) That in pursuance of the above orders of the Hon'ble Permanent Lok Adalat, the complainant has paid two out of six instalments for which the settlement was made and as such no cause survives,

which may necessitate the adjudication by the Hon'ble Commission.

- (iii) That as per Section 21(1) of Legal Services Authorities Act 1987
- Every award of the Lok Adalat shall be deemed to be a decree of a Civil Court or, as the case may be, an order of any other court and where a compromise or settlement has been arrived at by a Lok Adalat in a case referred to it under sub-section (1) of section 20, the court-fee paid in such case shall be refunded in the manner provided under the Court-fees Act, 1870.*
- (2) Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute, and no appeal shall lie to any court against the award.*

4. The matter was listed for hearing on 27.03.2012 in the Commission, wherein above mentioned officials appeared on behalf of the Respondent, however, no one appeared on behalf of the Complainant. After perusing the entire record available with the Commission as well as hearing the arguments advanced by the representative of the Respondent, the Commission observed that the dispute between the parties has already been settled amicably before the Lok Adalat and the orders are binding on both parties. Moreover, the complainant has also not attended the hearing, which shows that the petitioner does not want to press the matter hence, the Commission decides to dispose off the above petition as settled.
5. Ordered accordingly.

Sd/-  
(J.P. Singh)  
MEMBER

Sd/-  
(Shyam Wadhera)  
MEMBER

Sd/-  
(P.D. Sudhakar)  
CHAIRPERSON