DELHI ELECTRICITY REGULATORY COMMISSION

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi- 110017

F.11 (1187)/DERC/2014-15

Petition No. 07/2015

In the matter of: Petition filed under section 142 of Electricity Act, 2003

And

In the matter of:

Jasbir Singh
S/o Shri Sube Singh,
Kh. No. 963, Near Devi Nursing Home,
Village Siraspur,
New Delhi – 110042 **…….Complainant**

VERSUS

Tata Power Delhi Distribution Ltd.
Through its: M.D
Grid Sub – Station Building,
Hudson Lines, Kingsway Camp
New Delhi – 110009 **……..Respondent**

Coram:
Sh. J.P. Singh, Member & Sh. B. P. Singh, Member

Appearance:

1. Petitioner in person;
2. Shri M.K. Gill, Advocate of the Petitioner;
3. Shri Manish Srivastava, Advocate for Respondent;
4. Shri Sachin, along with the Petitioner;
5. Shri Kaptan Singh, along with the Petitioner;
6. Shri Jai Singh, along with the Petitioner;
7. Shri Budkishan, along with the Petitioner;
8. Shri Divij Kumar, Advocate for Respondent;
9. Shri Bhaskar Subramanium, Advocate for Respondent.
10. Shri O P Singh, AGM, TPDDL;
11. Ms. Nayantara Pande, Corp Legal, TPDDL;
12. Shri Neeraj Singh, AM, TPDDL.

INTERIM ORDER

(Date of Hearing: 20.08.2015)
(Date of Order: 04.09.2015)

1. The instant petition has been filed by Sh. Jasbir Singh under Section 142 of the Electricity Act, 2003 against Tata Power Delhi Distribution Ltd. for violation of

the procedure laid down in the Delhi Electricity Regulatory Supply Code and Performance Standards Regulations, 2007.

2. A notice of the petition was issued on 03.02.2015 to Respondent to file its reply.

3. In response to the above notice, the Respondent filed its reply on 13.03.2015.

4. The matter was listed for hearing today i.e. on 20.08.2015, wherein the Counsel/representatives of both the parties were present. During the hearing, the Counsel for the Petitioner urged for a copy of the reply as he had not received the same. Accordingly, it was served upon him at the time of hearing. Thereafter, the Petitioner sought time for filing rejoinder. The Counsel for the Petitioner further submitted that the Respondent has again disconnected its supply of electricity due to which they are facing a lot of difficulty and requested the Commission to issue directions to the Respondent to reconnect its supply of electricity.

5. The Counsel for the Respondent submitted that as per the Order of the Court of ADM, Kripa Nath Marg, New Delhi, the supply was restored and subsequently due to non-payment of dues the electric supply was disconnected. It was further submitted that against the Order of the Court of ADM, an appeal was made, which was decided against the Petitioner as he did not appear for hearing. Therefore, the Order of ADM for restoration of electricity was nullified.

6. This was controverted by the Petitioner that even on his written application, the Respondent has not made subsequent inspection to assess whether misuse of electricity is taking place or not, and continued to bill wrongly on the assumption that misuse of electricity is there.

7. The Commission observed that as per Regulation 58 (ii) of DERC Supply Code, 2007, a second inspection has to be made within seven days of application, which has apparently not been done by the Respondent and they continued to bill UUE charges without assessing the misuse of electricity. The disconnection is in respect of non-payment of such UUE billing. Disconnection

against non-payment of bills made in violation of regulation cannot be justified. The Commission directs the Respondent to restore electricity supply to the Petitioner temporarily for one month and also directed the Petitioner to approach the Court of the ADM for further relief in this regard.

8. The Commission granted two weeks time to the Petitioner to file rejoinder with a direction that a copy be served upon the Respondent.

9. The matter was adjourned. The next date of hearing to decide about the admission of the Petition shall be intimated to the parties in due course.

10. Ordered accordingly.

Sd/-	Sd/-
(B. P. Singh)	(J. P. Singh)
Member	Member