

**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 17.**

No. F.11(1319)/DERC/2015-16/5080

No. F.11(1320)/DERC/2015-16/5081

**Petition No. 91/2015**

**In the matter of :**      Petition for adjudication of disputes between the Petitioner and respondent regarding terms of PPA and payment of dues.

Indraprasth Power Generation Co. Ltd.  
Through its Director (T)  
Rajghat Power House,  
Office Complex,  
New Delhi 110 002

....Petitioner

**VERSUS**

Tata Power Delhi Distribution Ltd.  
Through its Managing Director  
NDPL House,  
Hudson Lines, Kingsway Camp  
Delhi 110 009

.....Respondent

**Petition No. 92/2015**

**In the matter of :**      Petition for adjudication of disputes between the Petitioner and respondent regarding terms of PPA and payment of dues.

Pragati Power Corporation Ltd.  
Through its Director (T)  
Rajghat Power House,  
Office Complex,  
New Delhi 110 002

....Petitioner

**VERSUS**

Tata Power Delhi Distribution Ltd.  
Through its Managing Director  
NDPL House,  
Hudson Lines, Kingsway Camp  
Delhi 110 009

.....Respondent

**Coram:**

**Sh. J.P. Singh, Member &  
Sh. B.P. Singh, Member**

**Appearance:**

1. Ms. Swapna Sheshadri, Adv. IPGCL
2. Mr. Vishal Anand, Adv. TPDDL
3. Mr. Rahul Kinra, Adv. TPDDL
4. Mr. S.M. Verma, Executive Director, IPGCL
5. Mr. R.K. Yadav, DGM (Comml.)
6. Mr. Sanjay Shar, DGM-RM, TPDDL
7. Mr. Amar Jyoti , Manager (T) Comml. IPGCL
8. Mr. Mithun Chakraborty, AGM, TPDDL
9. Mr. Sumit Sachdev, AGM TPDDL
10. Ms. Nayantara, Legal, TPDDL
11. Mr. Yuganshu Pathak, AGM, TPDDL
12. Mr. Varun Sharma, AGM, TPDDL

## **INTERIM ORDER**

(Date of Hearing: 15.12.2015)

(Date of Order: 28.12.2015)

1. Ms. Swapna Seshadri, Ld. Counsel for the Petitioners submitted that that with effect from 01.04.2007, they have been supplying electricity to the Respondent and raising the bills as per PPA. However, since the month of April 2014, the Respondent has not established the Letter of Credit in favour of the Petitioners as per the terms of PPA. Further, vide letter dated 22.1.2014 the Respondent has demanded the petitioners to allow 0.1% additional rebate/incentive for providing LC, which should be over and above prompt payment rebate. The Respondent also contended that the additional rebate/incentive is required to mitigate the effect of opening and maintenance charges of LC. Ultimately the petitioners had to approach the Hon'ble Commission by filing Petition no. 61 of 2014 to resolve this issue. The Commission has heard the matter and reserved orders in the same.
2. The Counsel for the Petitioners further submitted that in the intervening time the Respondent has suddenly effective October 2015 stopped paying the monthly bills being raised by the Petitioners.
3. The Counsel for the respondent submitted that it has already paid surplus amount to the petitioner and there are no current dues. This was controverted by the petitioners stating that the relationship between the Petitioners and Respondent is only governed by the PPA and the Supplemental PPA. Therefore, as long as the Petitioners raise the bill as per the Orders passed by the Commission, the Respondent has to honor its commitment of paying the same.
4. The Commission admitted the Petition and directed that Notices may be issued. The petitioners shall serve a copy of the petition to the respondent within a week thereafter the reply is to be filed within two weeks with an advance copy to the petitioners.
5. The next date of hearing will be informed in due course.
6. Ordered accordingly.

Sd/-  
(B.P. Singh)  
MEMBER

Sd/-  
(J.P Singh)  
Member