



LEGISLATIVE ASSEMBLY
NATIONAL CAPITAL TERRITORY OF DELHI

COMMITTEE ON PETITIONS

TWENTY THIRD REPORT OF THE SIXTH ASSEMBLY

SUBJECT: IN THE MATTER OF ALLEGED ILLEGAL RECOVERY
BY ELECTRICITY PROVIDER COMPANY (I.E. TPDDL)

PRESENTED ON 03RD DECEMBER, 2019
ADOPTED ON 3RD DECEMBER, 2019

Legislative Assembly, Old Secretariat, Delhi – 110054

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DELHI LEGISLATIVE ASSEMBLY
COMMITTEE ON PETITIONS

COMPOSITION OF THE COMMITTEE

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2. Shri Sadanand Sah	Deputy Secretary
3. Sh. Manjeet Singh	Deputy Secretary

PREFACE

1. I, the Chairman, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Report on the petition received from The Delhi Dehat Vikas Munch (REGD.), 1447, Alipur, Delhi-110036. The Petition was countersigned and presented to the Hon'ble Speaker, Delhi Legislative Assembly by Sh. Ajesh Yadav, Hon'ble MLA and referred to the Committee on Petitions on 19.09.2018.
2. The Committee considered and adopted the Draft Special Report at their sitting held on 29.11.2019.
3. The observations/recommendations of the Committee on the above matter have been included in the Report.
4. I would like to thank all the Members of the Committee for their continued guidance.
5. The Committee places on record the profound appreciation for the valuable assistance rendered by Sh. Sadanand Sah, Deputy Secretary, Sh. Manjeet Singh, Deputy Secretary, Sh. Subhash Ranjan ,Section Officer, Mr. Siddharth Singh, Associate Fellow, Delhi Assembly Research Centre (DARC) and other staff of Assembly Secretariat in preparation of this report.



Date: 30.11.2019
Place: Delhi

SAURABH BHARDWAJ
CHAIRMAN
COMMITTEE ON PETITIONS

GENESIS

Electricity forms an essential requirement for all facets of our life, recognized as a basic human need that decides the development level of a nation. It is a critical infrastructure on which the socio-economic development of the country depends. Supply of electricity at reasonable rate to rural India is essential for its overall development. One of the primary aims of the National Electricity Policy is to provide Electricity to all households. In this regard, it is also important to point out Goal 7 of sustainable Development Goals i.e. ensuring access to affordable, reliable and sustainable and modern energy to all.

In this light it is pertinent to understand the “Lal Dora areas”. In 1908, when the Revenue Settlement was done for the first and only time, the abadi of these villages were included within a well-defined “Lal Dora area” outside which the agricultural produce was assessed for purposes of Land Revenue. Thereafter, the exercise of consolidation of Land Holdings in Delhi villages began in the year 1952. Since the village abadi had undergone natural expansion between the settlement of 1908 and the commencement of consolidation operations, the extended village abadi was enclosed within the new peripheral boundary known as “Phirni”, the area between the original Lal Dora and the post consolidation “Phirni” being treated as “extended Lal Dora”.

Since Electricity sector is regulated by State Electricity Regulatory Commissions(SERC), it is important to briefly understand the role of Delhi Electricity Regulatory Commission and formation of Delhi Electricity Regulatory Commission (DERC) can be located in the larger context of Electricity reforms wherein the vertically integrated erstwhile State Electricity Boards (SEB) were un-bundled and private sector participation was introduced. DERC was formed under the Electricity Regulation Commission act, 1998 that was repealed by Electricity Act, and 2003 wherein the primary objective of the Commission was to determine Tariff

within the State of Delhi, Regulate the Distribution Licensees and among others serve public interest through its regulations.

This petition came before the Committee at a point when Government of NCT of Delhi is working on a mission mode to provide affordable and inclusive electricity to all households in Delhi. However, yet illegal recoveries are done by Distribution Company (i.e.TPDDL) wherein higher Development charges are levied on the consumers residing in 'Un-electrified areas'. Also, at one hand Government of India aspires for 100% rural electrification and on the other hand there are still around 855 places in Delhi which are yet to be electrified.

INTRODUCTION

1. The Delhi Dehat Vikas Munch (REGD.), 1447, Alipur, Delhi-110036, filed a petition dated 27.08.2018 on the issue alleging Illegal recovery by Electricity provider Company (i.e. TPDDL). The Petition was countersigned and presented to the Hon'ble Speaker, Delhi Legislative Assembly by Sh. Ajesh Yadav, Hon'ble MLA, and referred to the Committee on Petitions on 19.09.2018.

2. It was alleged that Distribution Company was levying higher development charges up to Rs 20,000 per Kilo watt (K/w) for the release of electricity connection in the Lal Dora and extended Lal Dora areas by declaring them as un-electrified and charging Rs 4500 per K/w on old connections along with new connections.

3. It was alleged in the Petition that electricity provider company (i.e. TPDDL) for District North and North West have started charging at the rate of Rs. 4500 in case of enhancement of Load, (i.e. TPDDL) and security deposit charges are taken for total load of plots allotted in villages with extended Laldora/Aabaadi areas.

4. It was also alleged that Electricity provider companies install transformers and poles at inconvenient locations and when they are requested to shift the poles and transformers then they charge Shifting charges before releasing new connections to such plot holders.

PROCEEDINGS

1. In order to ascertain the facts and investigate the allegations levelled in the said Petition, the Committee on Petitions conducted its meetings on 26.10.2018, 27.12.2018, 23.01.2019, 13.03.2019, 02.08.2019, and deliberated the matter comprehensively with the officers of Department of Power, Government of NCTD, Officers of the DISCOMS i.e Tata Power-Delhi Distribution Limited (TPDDL), BSES Yamuna Power Limited (BYPL), BSES Rajdhani Power Limited (BRPL) and Delhi Electricity Regulatory Commission. (DERC)
2. Upon receiving the Petition, the Committee, in the first instance, sent it to the Secretary, Department of Power, Government of NCT of Delhi seeking information on the issues relating to Illegal recovery by Electricity Provider Company (i.e. TPDDL) and they were requested to furnish their comments for the perusal of the Committee. In the letter dated 11.10.2019 vide letter No. F.11(1)/Leg.2018/4185 Department of Power forwarded the petition to TPDDL for obtaining the information. TPDDL in its initial reply vide TPDDL/GA/2077 dated 10.10.2018 furnished its comments as under:-
 - a) Development Charges: Development charges are meant to meet out the cost of infrastructure and system development to cater to the load of the prospective Customers. The cost involved for release of connection in Un-electrified area would be higher compared to electrified area. Hence Delhi Electricity Regulatory Commission (DERC) has approved different rates for the release of connection in electrified/un-electrified areas as per Regulation 5 of Schedule of Charges and Procedure, Regulation, 2017. Accordingly it was charged.
 - b) Security Deposit: The previous security deposit rates notified by the Commission in its Delhi Electricity Supply Code and

Performance standards,2007 were prevalent from16.06.2003 and were not revised.Therefore the Commission revised itssecurity deposits based on computation of bill amountfor determining the security Deposit rate as per Regulation 3 of Schedule of Charges and Procedure, Regulation, 2017.

- c) Shifting of Electric Lines: Laying High Tension/Low Tension (HT/LT) lines depend on the technical feasibility and requirement of the area. Though clearances were ensured at the time of laying the network but due to unauthorised extension of balcony/encroachment, the statutory clearance was not maintained resulting safety issue.TPDDL issued notice for unauthorised extension whenever possible and hence followed the procedure prescribed under Delhi Electricity Supply Code and Performance standards ,2007

However, the Committee found the reply to be completely unsatisfactory vis-a-vis the points raised in the petition and requested the Secretary, Department of Power to furnish a comprehensive reply.

3. In the meeting dated 26.10.2018, the Committee requested DERC, TPDDL and Secretary, Department of Power to furnish a comprehensive report wherein the malpractices being followed by the Distribution Company (i.e. TPDDL) on account of Development charges, Electrified/Un-electrified area/village Abadi and Lal Dora/Extended Lal Dora, grievance redressal mechanisms among others were discussed.
4. In a comprehensive response, DERC in its submissions dated 08.11.2018 vide letter F.17(266)/DERC/Engg./2018-19/6330/2857 explained as under-

Issue	Comments
<p>1. Levy of Higher development charges for the release of electricity connection in the Lal Dora area and extended Lal Dora by declaring them as un-electrified-</p>	<p>1. Clarification of terms</p> <p>a) DERC in its (Supply code and performance Standards) Regulations, 2017 and orders dated 31.08.2017 specified separate Service cum development charges for un-electrified areas (defined as any area or part thereof which does not have any distribution system to cater to the demand for electricity of that area) and electrified areas(all areas other than areas specified as un- electrified).</p> <p>b) Distribution system means the system of wires and associated facilities between the delivery points on the transmission lines or the generation station connection and the point of connection to the installation of the consumers.</p> <p>c) Section 46 of the Electricity act,2003 which authorises a distribution licensee to charge from a person requiring a supply of electricity.</p> <p>2. Commission vide letter dated 17.01.2017 had given the proposal for funding of approx. Rs. 468 cr. per annum for the next 5 years for proper electrification, ensuring quality and reliable and safe power at affordable price to all consumers.</p> <p>3. Commission in its draft regulation, made a provision that if there is no deemed developer for electrification in an un-electrified areas or the areas requiring planned electrification, Government of NCT of Delhi or any of its authorised agency shall be the deemed developer in that regard. However, Government of NCTD did not accept the proposal and refused to be the deemed developer in letter dated 09.05.2017.</p> <p>4. Power Department, GNCTD vide letter F.11(58)2010/Power/Pt.II/2245 dated 09.08.2017 proposed for SLD charges for the un-electrified areas other than agriculture consumers as under:</p>

“5(3) For release of new connections in un-electrified areas , consumers has to pay Rs 14000/- KW”

SLD charges for un-electrified areas shall be recovered as under:

Load	Development Charges per KW(Rs)	Down Payment	Monthly Instalments (Interest free)	Full advanced Payment
Upto4KW	8000	50%	12	10% discount
4 kw- 10kw	12,000	50%	12	10% discount
Above 10 kw	20,000	50%	12	10% discount

5. Accordingly, the Commission has kept the charges as proposed by GNCTD for release of Electricity connection in un-electrified areas.
6. The commission has not classified the areas based on rural areas, urban areas, Lal Dora areas and extended Lal Dora areas.

In case of enhancement of Load, security deposit charges are taken for total load

Commission vide DERC(Supply code and performance Standards) Regulations, 2017(Second Amendment) Regulations, 2018 has made the provision for levy of additional security deposit corresponding to additional load against the provision of total load which was made effective from 01.09.2017.

Installation of transformers and poles at inconvenient locations

1. As per section 42 of Electricity Act, it is the duty of the Distribution licensee to develop and maintain the efficient coordinated economical distribution system in his area of supply.
2. As per DERC(Supply code and performance Standards) Regulations, 2017, the applicant or developer is required to provide the requisite space.
3. Where there is no specific developer in an area and augmentation of existing distribution

	<p>system requires space for installation of Grid sub- station, transformer switch gear etc. to meet out the load demand, the Licensee is required to approach the Government of NCT of Delhi for providing space.</p> <p>4. Regulation 24 of DERC(Supply code and performance Standards) Regulations, 2017 deals with the procedure for shifting the electric line or electric power plant of the Licensee.</p> <p>5. The electricity connections are released as per Regulation 10 and 11 of DERC(Supply code and performance Standards) Regulations, 2017</p> <p>6. For measures relating to safety and electricity supply (Regulation 10), both consumers and licensee have to comply by provisions of Central Electricity Authority as per Regulation 5(1) of DERC(Supply code and performance Standards) Regulations, 2017.</p> <p>7. Therefore, distribution licensee are required to take land spaces or permissions for right of way, from land owing agencies for installation for installation of transformers, poles, equipments etc.</p>
<p>Strengthening of Public Grievance Redressal Mechanism</p>	<p>In Delhi, there exists separate Consumer Grievance Redressal Forum (CGRF) in the area of TPDDL, BRPL, BYPL and NDMC. Any consumer aggrieved by the decision, may approach the Electricity Ombudsman as per provisions of the Electricity Act, 2003. An annexure was attached delineating a three tier Structure under section 42(b) of the Electricity Act, 2003</p>

5. TPDDL in its response vide letter TPDDL/ GA/2110 dated 08.11.2018 submitted the clarification sought by the Committee as under:
- a) Shared the list of Connection sanctioned in un-electrified areas including Urbanised villages(Lal Dora areas).

District	Lal Dora	Other than Lal Dora/Un authorised Colonies	Total
Badli	2	140	142
Bawana	7	1274	1281
Keshavpuram	-	55	55
Mangolpuri	-	3	3
Narela	-	1920	1920
Pitampura	-	1	1
Rohini	1		1
Shalimar Bagh	-	680	680
Total	-	4073	4083

- b) With respect to Methodology for Categorization of Electrified/ Un-electrified areas have been defined under DERC(Supply code and performance Standards) Regulations, 2017.It pointed out that, in the past Appellate Tribunal for Electricity directed State Electricity Regulatory Commissions to issue tariff orders annually on a regular basis. The rationale being the past dues of consumers should not be loaded to future consumers. Extending the logic, if the cost of electrification is not charged from primary beneficiaries and is taken into Aggregate Revenue Requirement (ARR), it would actually be recovering the electrification charge from the remaining universe of consumers who have already paid their part of Development/electrification charges. Hence, it was fair to recover the Electrification cost from the primary beneficiaries. It was also pointed out that Development Charge was prevailing even during DVB period and the attachment was provided for the same.
- c) With regard to Public grievance system, TPDDL submitted that they have an integrated Complaint Management Process(CMP) to ensure prompt and effective customer handling of customer complaints. CMP is developed as two part process stipulated as a) Complaint

Registration and Request Status and b) Three tier Complaint Escalation and Redressal Structure.

6. As desired by the Committee, TPDDL also submitted the list of Commercial Complaints from September 2017 to March 2018 and April 2018 to September 2018. In the Committee meeting dated 27.12.2018, the Committee deliberated comprehensively on the classification relating to Electrified and Un-Electrified and whether the consumers in the area are getting electricity connections as per the charges of Un-electrified area. However, the Hon'ble members have submitted that the areas being referred are Lal Dora areas and have already been electrified long ago. Therefore the Committee wanted to understand how the demarcation with respect to classification was done. Hence the Committee had taken a very serious view of the matter and directed Department of Power, GNCTD to convey its directions to DERC.

7. Department of Power, GNCTD in its submission vide file F.11(122)/2018/Power informed the Committee that DERC in its regulations had asked the concerned Distribution Companies only to identify un-electrified areas in their control areas and no verification process has been put in place for such areas identified by Distribution Companies (DISCOM).

Department of Power, GNCTD further clarified that verification needs to be done in line with the definition of electrified area/village given by Ministry of Power, Government of India issued vide letter no. 42/1/2001-D(RE) dated 05.02.2004 and its corrigendum vide letter no. 42/1/2001-D(RE) dated 17.02.2004 reproduced below as under:

“As per the definition, village will be declared as electrified if:

- i. Basic infrastructure such as Distribution transformer and distribution lines are provided in the inhabited locality as well as the Dalit Basti hamlet where it exists.*
- ii. Electricity is provided to public places like schools, panchayat office, health centres, Dispensaries, Community centres etc.*

- iii. *The number of Households should be at least 10% of the total number of households in the village”*

In case the area is electrified after due checks and verification then the concerned DISCOM is liable to provide electricity to the consumers on demand in line with the provisions of the Clause 43 of the Electricity Act, 2003.

“43(1) Every Distribution licensee, shall on the an application by the owner or occupier of any premise, give supply of electricity to such premise, within one month after the receipt of the application requiring such supply.)

8. Department of Power, GNCTD in a D.O letter no. F.11 (1)/Power/L. Assem./2018/128 dated 01.01.2019 conveyed the following directions to DERC:

- i) DERC to examine and inform whether TPDDL, in the case, has followed the correct criteria as prescribed under the DERC Regulation in treating the area in the case as un-electrified.
- ii) DERC may also conduct verification of the list of un-electrified areas in TPDDL jurisdiction and submit the verified list of un-electrified areas in accordance with the definitions prescribed under DERC (Supply code and performance Standards) Regulations, 2017.

9. In addition, with regard to the questions raised during the deliberations of the Committee were sent, vide letter F.No. 24(25)/Petitions(17)/2018-19/LAS-VI/Leg./5683-90 dated 17.01.2019 seeking comments in a form of questionnaire to DERC, Department of Power, GNCTD, TPDDL and BSES for further examination, to be submitted to the Committee on 22.01.2019.

10. DERC in its response dated 21.01.2019 vide letter F.17(266)/DERC/Engg./2018-19/6330/3345. The point wise reply to the questions referred by the Committee as under:

S.	Question raised by the	DERC Response
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No.	Committee				
1.	Instructions under which areas were classified as Electrified and Un-electrified.	DERC in its (Supply code and performance Standards) Regulations, 2017 and orders dated 31.08.2017 specified separate Service cum development charges for un-electrified areas (defined as any area or part thereof which does not have any distribution system to cater to the demand for electricity of that area) and electrified areas (all areas other than areas specified as un- electrified). Distribution system means the system of wires and associated facilities between the delivery points on the transmission lines or the generation station connection and the point of connection to the installation of the consumers.			
2.	What is the status of consumers residing in the extended Laldora villages of Delhi?(As consolidation carried out from time to time and lastly as per the notification no. 154 5 th September, 1988 published in the Delhi Gazette), Whether it is an Electrified or Un-Electrified Area. Please also specify the grounds/reasons/basis to define such area as un-electrified?	The Commission has not classified the areas based on Rural Areas, Urban areas, Lal Dora areas, Extended Lal Dora areas. However, the list of Lal Dora/Extended Lal Dora villages.			
3.	Whether the development charges is applicable to be imposed and recovered from the electricity consumers existing prior to 12.10.2017? If yes, show copies of such orders/instructions	The service line cum Development charges(SLD) are levied from the applicant taking new connection in the electrified area or un-electrified area as on 31.07.2017 as per clause 5(3) of DERC order dated 31.08.2017 in the matter of schedule of charges and procedures under DERC(Supply code and performance Standards) Regulations, 2017 based on the rates specified for Electrified and Un-electrified areas as the case maybe.			
4.	Please specify the Category of Area mentioned in the table	S.No	Name of the area where the Electricity consumers reside	Whether Electrified or Un-Electrified	Service Line cum Development charges(SLD) being

					charged or not
		1	Village Lal Dora	No such information is available with DERC as DERC has not classified the areas based on rural areas,urban areas,Lal Dora/Extended Lal Dora areas.	SLD charges are being levied as explained above.
		2	Extended- Lal Dora		
		3	Plots allotted under 20 point programme by GNCTD to poor/landless		
		4	Jhuggi cluster in urbanised area		
		5	Un- authorised colonies having provisional certificate for regularisation		
5.	How much amount/funds have been collected in the name of SLD charges after 12.10.2017?	Information to be provided by the Distribution Company.			
6.	Whether SLD charges are being levied and collected from the existing consumers of Electrified area/Un-Electrified area/Lal Dora/Extended Lal Dora, if he increases K/w of earlier sanctioned load?	Further as per Regulation 21(2) of DERC (Supply code and performance Standards) Regulations, 2017, where the service line is actually changed in case of upward revision of sanctioned load, the differential SLD charges shall be payable by the consumers for the additional load based on the prevailing rates for electrified or un-electrified areas as the case maybe.			
7.	Provide a copy of list of Un-Electrified area and Electrified area	List provided by TPDDL to DERC. The geographical map indicating the boundaries is available on their website.			

11. Similar replies were received from TPDDL vide letter TPDDL/GA/2191 dated 21.01.2019, BRPL vide letter No: Ref BET/2018-19/01/15 dated 21.01.2019BYPL vide letter No. HOD(B)/2018-19/F.5/259 dated 22.01.2019. The responses of these three Distribution Utilities are summarised in the following table:

S. No.	Question raised by the Committee	DISCOMs
1.	Instructions under which areas where classified as	TPDDL: The definition of un electrified areas as per DERC Supply code and performance Standards) Regulations,

	<p>Electrified and Un-electrified.</p>	<p>2007 defined as Un-Electrified areas mean areas requiring/undergoing development (including smaller pockets within larger developed areas, which themselves require/undergoing development, such that the area does not have any distribution network/appropriate transformer capacity to cater to the demand/potential load of such areas. Such areas should continue to be treated as un-electrified till such time a distribution network has been established and electrified to cover the proposed plotting/development layout thereof.</p> <p>Also as per DERC Supply code and performance Standards) Regulations, 2017, Electrified and Un-electrified are defined as mentioned above.</p> <p>BRPL: Electrified and Un- Electrified areas are defined as per DERC Supply code and performance Standards) Regulations, 2017.</p> <p>Regulation 2(53) Un-Electrified area: shall mean any area or part thereof which does not have any distribution system to cater to the demand for electricity for that area</p> <p>Regulation 2(29): All areas other than those specified as Un-Electrified.</p> <p>BYPL: Same as above.</p>
2.	<p>What is the status of consumers residing in the extended Laldora villages of Delhi?(As consolidation carried out from time to time and lastly as per the notification no. 154 5th September, 1988 published in the Delhi Gazette), Whether it is an Electrified or Un-Electrified Area. Please also specify the grounds/reasons/basis to define such area as un-electrified?</p>	<p>TPDDL: Bifurcation of Electrified and Un-electrified is done based on the definitions mentioned in point 1.</p> <p>BRPL: As per DERC (Supply code and performance Standards) Regulations 2017, there is no separate classification/definition regarding Lal Dora/Extended Lal Dora and is only classified as Electrified and Un electrified.</p> <p>BYPL: Same as above.</p>
3.	<p>Whether the development charges is applicable to be</p>	<p>TPDDL: Development Charges were applicable even prior to 1st July, 2002 i.e. during (Delhi Vidyut Board) DVB period</p>

	<p>imposed and recovered from the electricity consumers existing prior to 12.10.2017? If yes, show copies of such orders/instructions</p>	<p>and were revised by DERC in June 2003. This practice continued till 18th April,2007 i.e. prior to notification of DERC (Supply code and performance Standards) Regulations, 2007 wherein the same was amalgamated with Service Line cum Development Charges (SLD). BRPL:Development charges or Service Line cum Development Charges are applicable only at the time of new connection or Load enhancement cases as per the rates mentioned in theDERC (Supply code and performance Standards) Regulations, 2017. BYPL: same as BRPL.</p>								
<p>4.</p>	<p>Please specify the Category of Area mentioned in the table</p>	<p>TPDDL: The supply code regulation explicitly bifurcates areas only as Electrified/ Un- Electrified and is not further segregated as Lal Dora/ Extended Lal Dora, 20 point programme, Jhuggi clusters. BRPL: There are no separate classifications for the categories mentioned in point 4. BYPL: Same as above.</p>								
<p>5.</p>	<p>How much amount/funds have been collected in the name of SLD charges after 12.10.2017?</p>	<p>TPDDL:</p> <table border="1" data-bbox="740 1167 1370 1312"> <thead> <tr> <th>Fund collected in SLD account</th> <th>Amount in Crores</th> </tr> </thead> <tbody> <tr> <td>Electrified Areas</td> <td>40.41</td> </tr> <tr> <td>Un-Electrified areas</td> <td>12.09</td> </tr> <tr> <td>Total</td> <td>52.50</td> </tr> </tbody> </table> <p>BRPL: Development charges (SLD) are collected only at the time of new connection or Load enhancement cases as per the DERC (Supply code and performance Standards) Regulations, 2017. The total amount of SLD collected from 12.10.2017 to 20.01.2019 is approx. Rs.50.64crores. This SLD is charged as per the rates of Electrified areas only. BYPL:Development charges (SLD) are collected only at the time of new connection or Load enhancement cases as per the DERC (Supply code and performance Standards) Regulations, 2017. The total amount of SLD collected from 12.10.2017 to 20.01.2019 is approx. Rs. 28.48crores. This SLD is</p>	Fund collected in SLD account	Amount in Crores	Electrified Areas	40.41	Un-Electrified areas	12.09	Total	52.50
Fund collected in SLD account	Amount in Crores									
Electrified Areas	40.41									
Un-Electrified areas	12.09									
Total	52.50									

		charged as per the rates of Electrified areas only.
6.	Whether SLD charges are being levied and collected from the existing consumers of Electrified area/Un-Electrified area/Lal Dora/Extended Lal Dora, if he increases K/w of earlier sanctioned load?	TPDDL: SLD charges are levied for existing customers in electrified/un-electrified areas as per Regulation 5(3)(i) of schedule of charges and procedure,2017. BRPL: No Development charges/SLD is charged from existing customers except in cases where the service line is physically replaced due to the load enhancement request of consumer. As per DERC (Supply code and performance Standards) Regulation 21(2). BYPL: same as above.
7.	Provide a copy of list of Un-Electrified area and Electrified area	TPDDL: List of Un-electrified areas was attached as anannexure. BRPL: Copy of Un- Electrified areas(left out pockets) was attached as annexure. BYPL: Copy of Un- Electrified areas (left out pockets) was attached as annexure.

12. In the meeting dated 23.01.2019, wherein the issue of collecting Development Charges on the pretext of being Un-electrified area from the existing customers was deliberated. It was alleged that TPDDL was charging rates prescribed for un-electrified areas, even in the electrified areas for giving new connections. The Committee also failed to understand a criteria on which an area will shift from Un-electrified to Electrified. In this regard, Sh. Sanjeev Jha, Hon'ble MLA, Burari informed to the Committee that TPDDL had wrongfully interpreted the definition of Un-Electrified area and wrongfully collected Development Charges from existing customers in North Delhi. Besides, he was of the view that the list of 855 Un-Electrified areas furnished by TPDDL was incorrect, deceptive and prepared without any field verification.

13. With reference to the Committee meeting dated 23.01.2019, TPDDL vide letter no. TPDDL/Govt. Affairs dated 28.01.2019 submitted wherein the amount of 12.09 Cr. was received towards SLD in Un-Electrified areas w.e.f. 12.10.2017. To summarize the submissions, 7340 connections were levied for development charges in Un-Electrified to the tune of Rs.12,08,77,447. However, the

Committeerequested TPDDL to bifurcate the amount of charges received towards un-electrified area Locality/colony/village wise to understand whether the charges were in accordance with existing provisions/directions. TPDDL was also asked to submit details regarding charges levied and collected from the old electricity consumers for increasing load on their meters.In a letter vide TPDDL/GA/2220 dated 11.02.2019 informed the Committee that TPDDL does not maintain connection details Locality/colony/village wise but rather zone/District wise which was provided.

Zone	District	No. of Connections	Amount (in Rs)
411	Civil lines	2	115500
414	Shalimar bagh	1264	12916000
415	Model town	1	72000
501	Keshavpuram	1	16000
502	Keshavpuram	75	1076000
503	Shalimar bagh	404	3183000
504	Pitampura	2	0
505	Shalimar Bagh	2	578000
507	Badli	42	1952000
509	Keshavpuram	4	222000
511	Narela	2251	34185227
512	Bawana	578	5356300
513	Bawana	871	9463000
514	Narela	427	5539300
516	Badli	213	3390800
517	Narela	395	12598120
518	Mangolpuri	1	1475000
519	Mangolpuri	11	96000
521	Bawana	444	12727000
522	Narela	1	8000
532	Shalimar Bagh	77	642000
533	Bawana	270	15221200
561	Rohini	1	16000
1302	Moti Nagar	1	13000
1303	Moti Nagar	1	8000
1304	Motinagar	1	8000
Grand total		7340	12,08,77,447

14. The Committee further requested TPDDL for the details regarding charges levied and collected from the old electricity consumers for increasing load on their meters that was not shared. TPDDL vide TPDDL/GA/2228 dated 19.02.2019 submitted the details sought by the Committee with regard to SLD charges on Load enhancement and informed the Committee that there are 76 such number of cases where charges levied for load enhancement were to the tune of Rs. 1,46,54,500.
15. In the Meeting dated 23.01.2019, it was decided that DERC would conduct a verification of 10% of such cases on priority sample basis in Burari constituency and the Committee desired that TPDDL submit the list of Un-electrified areas in Burari constituency to the Committee which then shall be forwarded to DERC. The Committee directed DERC to conduct the verification and furnish the report by 27.05.2019. TPDDL vide TPDDL/GA/2269 dated 26.03.2019 submitted the District/zone wise summary of connections (3595 connections) details of Burari constituency.
16. The Committee vide letter 24(25)/Petitions (17)/Pt. File-I/2019/LAS-VI/Leg./4332-34 dated 09.05.2019 forwarded the data submitted by TPDDL to DERC and further suggested the names of locations (15) given by Sh, Sanjeev Jha, Hon'ble MLA Burari for conducting the survey. The list of locations suggested included: Kaushik Enclave, Laxmi Vihar, Darshan Vihar, Indraprastha Colony, Ajeet Vihar, Jagatpur Extension, Burari Extension Lal Dora, Kamal Vihar, Kamal Vihar, Kamalpur village Naglipuna MukhmelPur, Burari Garhi, Sant Nagar, Himgiri enclave, Lal Dora Burari and Nathupara. It was further stated that survey report should include the following points:
- i. Name of the Electricity Consumer
 - ii. Name of the Area
 - iii. Status of the area whether Electrified or Un-electrified.
 - iv. Amount of Development charges collected.
 - v. Whether the charges collected were as per the policy or not

vi. The amount of charges collected excessively

17. In the letter vide F.17/(266)/DERC/Engg./2018-19/6330/406 dated 24.05.2019, DERC informed the Committee that accordingly, the Officials of DERC conducted a pilot survey in the above mentioned 15 locations and inspected 402 number of cases which is about 10% of the total 3595 cases in Burari constituency.

17.2.1 DERC observed that in most of the cases, TPDDL has laid down distribution network or distribution for providing electricity connections to the applicants. Such cases constitute 95% of the cases taken up for pilot survey in these areas.

17.2.2 TPDDL considered some areas as un-electrified based on its potential load growth of the plots in future. DERC was of the opinion that such areas require laying of proper distribution network to provide reliable and quality power supply. Keeping in view that at present, distribution network is available near the said plots and the connections requested at present has been/can be given from the nearby network, such areas have been considered under Electrified category in the survey report. These areas constitute 5% i.e 20 of the cases taken up for the survey.

17.2.3 TPDDL in its reply admitted that excessive amount for load enhancement has been collected from 76 consumers as mentioned in the list dated 19.02.2019 and also informed that excessive amount has either been refunded or is to adjust it now in the subsequent Electricity bills.

OBSERVATIONS

From the scrutiny of the responses filed by the concerned Government department, Distribution Companies i.e. TPDDL, BRPL and BYPL and DERC and deliberations during the course of proceedings, the following observations are brought on record:

1. There is a problem with what is classified as Electrified and what is Un-Electrified. The list of what is demarcated as Electrified area and Un-electrified is done by respective Distribution companies on their own, keeping their respective Business principles in mind. Even though the Committee acknowledges the principles behind defining the area as Electrified and Un-Electrified. Yet, in the due course of the proceedings, it was found that the list of Electrified and Un-Electrified is prepared by the respective Distribution Companies are not in accordance with the spirit of the Electricity Act in mind. Hence, the demarcations in this respect appear to be arbitrary and lack any objective criteria.
2. There was an ambiguity in the definition of un-electrified area. The Committee noted that old villages with existing Electricity connections since three or four decades have been placed under un-electrified areas category.
3. DERC in its regulations had asked the concerned Distribution Companies to identify un-electrified areas in their control areas and directed the Distribution Companies to upload the geographical maps of such areas on their websites but no verification process has been put in place for such areas identified by Distribution Companies.
4. Definition of electrified area/village given by Ministry of Power was not taken into consideration in terms of charging Development Charges in rural areas/laldora/extended laldora areas. It was noted that there

was no uniformity in the classification of definitions of Government of India and DERC

5. TPDDL has considered some areas as un-electrified based on its potential load growth of the plots in future wherein, DERC was of the opinion that such area requires laying of proper distribution network to provide reliable and quality power supply. But, if present distribution network is available near the said plots and the connections requested at present have been/can be given from the nearby network, then the area should be considered as Electrified.
6. It was observed from the Survey report submitted from the pilot study in Burari by DERC that excessive amount for load enhancement was charged from 76 consumers wherein TPDDL charged rates prescribed for un-electrified areas when they were found to be situated in the electrified area.
7. The Department of Power, GNCTD and DISCOMS failed to reply to the query of Committee that what will be/was the criteria revise the area from un-electrified to electrified category.

RECOMMENDATIONS

1. DERC should revisit its definition with respect to Electrified and Un-Electrified areas and incorporate definitions of electrified area/village given by Ministry of Power, Government of India to address the concerns with regard of Village/ Lal Dora/Extended LalDoras and Un-authorized colonies. A blanket definition with respect to what is Electrified and Un- Electrified cannot be applied to all areas. DERC should define a specific criteria after getting which amount of electricity connections or any other parameter that area will shift from un-electrified to electrified.
2. DERC should conduct an audit/verification of all the areas within 90 dayswith regard to all the Distribution Licensees in National Capital Territory of Delhi in line with the pilot study conducted in Burari. If extra charges are levied against consumers, it should be adjusted in their billing cycle and stringent actions should be taken against such Distribution Companies for non-compliance.The report should be submitted to the Delhi Assembly within 90 days.
3. DERC should examine whether Distribution companies are following the correct criteria prescribed under DERC regulations ascribing the areas as Electrified/Un-Electrified and if they conform to the definitions.
4. DERC shall also ensure that Distribution Companies regularly update the List of Electrified and Un-Electrified areas on their website and develop a mechanism to ensure that accurate information is provided by the respective Distribution Companies.
5. Despite having an elaborate mechanism for addressing Consumer grievances, such grievances are reaching to the Petitions Committee. In this regard, DERC should reflect and examine its Consumer Grievance Redressal mechanism and present its report to Department of Power, GNCTD in Thirty days from the adoption of this report.
6. The Committee requests Worthy Chief Secretary of GNCT of Delhi to submit Action Taken Report on the recommendations of the

Committee to Legislative Assembly of Delhi within thirty working days of adoption of this report.

A handwritten signature in blue ink, appearing to read 'Saurabh Bhardwaj', is written over a light blue rectangular background.

Date: 30.11.2019
Place: Delhi

SAURABH BHARDWAJ
CHAIRMAN
COMMITTEE ON PETITIONS