



**Delhi Electricity Regulatory Commission**  
**Viniyamak Bhavan, C-Block, Shivalik, Malviya Nagar, New Delhi-110017**

F.3 (598)/DERC/Tariff-Engg./DERC/2019-20/6647

**ORDER**  
**(Date of Order: 07/09/2020)**

Ministry of Home Affairs, Government of India vide its Order No. 40-3/2020-DM(I)(A) dated 24/03/2020 imposed lockdown with certain exceptions, in all parts of the country due to outbreak of Corona Virus Disease (COVID-19) which has been declared as a pandemic by World Health Organization (WHO) (GoNCTD's Notification No.F.51/DGHS/PH-IV/COVID19/2020/prsecyhw/2393-2407 dated 13/03/2020). Further, Ministry of Home Affairs, Government of India vide its Order No. 40-3/2020-DM(I)(A) dated 30/05/2020 stipulated for re-opening of prohibited activities in a phased manner in selected areas of the country.

2. The Commission considering prevalent grim situation due to outbreak of COVID-19 had exercised its powers under Regulations 168 & 172 of the *DERC Tariff Regulations, 2017* and Regulations 84 & 85 of the *DERC (Supply Code and Performance Standards) Regulations, 2017* to address the hardships being faced by the stakeholders including electricity consumers of Delhi. Accordingly, the Commission vide its Suo-Motu COVID-19 Order dated 07/04/2020 allowed relief to various stakeholders including Domestic consumers, Industrial consumers, Non-Domestic (Commercial etc.) consumers, Public utilities, Distribution Licensees etc.

3. Further, the Commission is in receipt of representations from various stakeholders including Industrial Associations, Non-Domestic (Commercial etc.) consumers etc. for total / partial waiver of Fixed Charges during the current COVID-19 situation.

4. The Tariff Schedule for FY 2019-20 applicable upto 31/08/2020 and the Tariff Schedule for FY 2020-21 issued on 28/08/2020 applicable w.e.f. 01/09/2020, inter alia, provides that for all categories other than Domestic, Fixed Charges are to be levied based on Billing Demand per kW/kVA or part thereof as follows:

*“2. For all categories other than domestic, fixed charges are to be levied based on billing demand per kW/kVA or part thereof. Where the Maximum Demand (MD), as defined in DERC (Supply Code and Performance Standards) Regulations, 2017, reading exceeds sanctioned load/contract demand, a surcharge of 30% shall be levied on the fixed charges corresponding to excess load in kW/kVA for such billing cycle only....”*

5. Further, *Delhi Electricity Regulatory Commission (Supply Code and Performance Standards) Regulations, 2017*, inter alia, define Billing Demand as follows:

(16) **“Billing demand”** means highest of the following: -

(i) the contract demand or the sanctioned demand wherever contract demand has not been provided in the supply agreement.

(ii) the maximum demand indicated by the meter during the billing cycle.

6. The Commission observed that during lockdown period till 30/05/2020, majority of Non-Domestic (Commercial etc.) and Industrial Consumers did not use their system to the contracted capacity. However, the Fixed Charges at the applicable rate have been billed to them based on the Billing Demand, as per *DERC (Supply Code and Performance Standards) Regulations, 2017*. The Commission is of the view that in order to avoid hardships to such consumers, the Fixed Charges for the unutilized capacity (Contract Demand – Maximum Demand) during April 2020 and May 2020 for eligible Industrial and Non-domestic (Commercial etc.) consumers may be billed at reduced rate against existing rate of Rs.250/kVA/month.

7. Accordingly, in exercise of its power conferred under Regulations 168 & 172 of the *DERC Tariff Regulations, 2017* and Regulations 84 & 85 of the *DERC (Supply Code and Performance Standards) Regulations, 2017*, the Commission hereby decides that for electricity bill pertaining to consumption related to April 2020 and May 2020, the eligible Industrial and Non-domestic (Commercial etc.) consumers whose monthly Maximum Demand is less than the Contract Demand/Sanctioned Load, the Billing Demand for computation of Fixed Charges for such consumers shall be split into two parts as follows:

- i) **1<sup>st</sup> part: Fixed Charges for Billing Demand upto Maximum Demand** shall be billed as per existing rate of Rs.250/kVA/month; Plus
- ii) **2<sup>nd</sup> part: Fixed Charges for remaining Billing Demand i.e., {Contract Demand/Sanctioned Load minus Maximum Demand}** shall be billed at 50% of existing rate i.e., Rs. 125/kVA/month.

8. In view of above, the Fixed Charges for the unutilized capacity for April 2020 and May 2020 (Contract Demand/Sanctioned Load - MDI) for eligible Industrial and Non-domestic (Commercial etc.) consumers shall be billed at reduced rate of Rs.125/kVA/month as against existing rate of Rs.250/kVA/month. The Distribution Licensees are directed to adjust the Fixed Charges of April 2020 and May 2020 for such consumers in subsequent two billing cycles from the issuance of this Order.

Sd/-

**(A.K. Ambasht)**  
**Member**

Sd/-

**(A.K. Singhal)**  
**Member**

Sd/-

**(Justice S. S. Chauhan)**  
**Chairperson**