



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

No. F. 11(1072)/DERC/2013-14/4204/

**Petition No. 04/2014**

**In the matter of:**      **Petition filed pursuant to directions issued by Hon'ble Appellate Tribunal remanding the matter to Hon'ble Commission in judgment dated 28.11.2013 in Appeal No. 14/2012 proceedings in reference to seeking allowance of service tax and material cost in respect of street light maintenance services provided to MCD/PWD by Petitioner.**

Tata Power Delhi Distribution Ltd.  
Through its Managing Director  
Grid Sub Station Building  
Hudson Lines, Kingsway Camp,  
Delhi 110 009

...Petitioner

Vs.

1. North Delhi Municipal Corporation  
Through: its CLO  
17<sup>th</sup> Floor, Dr. SPM Marg,  
Civic Centre, Minto Road  
New Delhi 110002

2. Power Works Department  
Engineer in Chief,  
12<sup>th</sup> Floor, MSO Building,  
IP estate  
New Delhi 110002

...Respondents

**Coram:    Sh. B.P. Singh, Member**

**Appearance:**

1. Mr. Manish Srivastava, Advocate, TPDDL
2. Mr. B P Aggarwal, Advocate, North Delhi Municipal Corporation
3. Mr. O.P. Singh, TPDDL
4. Mr. Sameer Gulati, TPDDL
5. Mr. Munish Narad, TPDDL
6. Mr. Yuganshu Pathak, TPDDL
7. Ms. Anukriti Jain, TPDDL
8. Mr. Anurag Bansal, TPDDL
9. Mr. Deepak Jain, TPDDL

**INTERIM ORDER**

(Date of Hearing: 26.09.2017)

(Date of Order: 06.10.2017)

1. Counsel for the Petitioner submitted that the present petition is filed for clarification of the following two issues in respect of maintenance activity of streetlight poles:

- a) Non-payment of cost for material utilized towards street light maintenance; and
  - b) Non-payment of Service tax on street light maintenance by MCD/PWD.
2. The Counsel for the petitioner also submitted that the maintenance services provided by the petitioner towards the streetlight poles attracts levy of service tax which is the liability of North MCD/PWD.
  3. The Commission directed the petitioner to file an affidavit within a week clearly mentioning whether the R&M Expenses towards maintenance of the Streetlight were part of the total R&M expenses of the petitioner or not for the corresponding period.
  4. The matter is adjourned. The next date of hearing shall be informed to the parties in due course.
  5. Ordered Accordingly.

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