

ITEM NO.25

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).1222/2023

GOVERNMENT OF NCT OF DELHI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.225753/2023-GRANT OF INTERIM RELIEF)

Date : 06-11-2023 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Shadan Farasat, AOR

For Respondent(s) Mr. Tushar Mehta, SG
Mr. Kanu Agrawal, Adv.
Mr. Mukesh Kumar Maroria, AOR

UPON hearing the counsel the Court made the following
O R D E R

1 During the course of the hearing, the following modalities have been arrived at for constituting a Selection Committee to make recommendations for the appointment of two *protem* Members of the Delhi Electricity Regulatory Commission (DERC). The Selection Committee shall consist of

- (i) Justice Ramesh Ranganathan, Chairperson of the Appellate Tribunal for Electricity ... Chairperson;
- (ii) Justice Jayant Nath, former Judge of the High Court of Delhi and presently *protem* Chairperson of DERC; and

(iii) Justice Asha Menon, former Judge of the High Court of Delhi.

2 The Committee would be at liberty to regulate its own procedure including for the purpose of duly advertising the proposed appointment, conducting interviews and drawing up a Select List.

3 The Power Department (GNCTD) shall provide secretarial assistance to the Selection Committee. The honorarium payable to the members of the Committee shall be fixed by consultation with the Committee.

4 The meeting of the Selection Committee may be conducted either physically or virtually as decided by mutual consent among the Members.

5 The Selection Committee shall recommend one name for each of the two positions. In doing so, the Committee shall have due regard to the ability, integrity, standing and domain knowledge of the proposed persons.

6 The Selection Committee is requested to recommend the names of *protem* Members of DERC preferably within a period of one month from the date of this order. The Selection Committee shall send its recommendations to the LG and the Chief Minister of Delhi. It has been agreed that the appointment of *protem* Members shall be made in terms of the selection made by the Selection Committee, which has been constituted by this order.

7 The writ petition shall await the outcome of the proceedings which are pending before the Constitution Bench¹ involving a challenge to the constitutional validity of the Government of National Capital Territory of Delhi (Amendment) Act 2023.

1 Writ Petition (Civil) No 678 of 2023

8 Liberty to apply in the event of any difficulty.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR