

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**  
Site No.3, Block B, Madhya Marg, Sector 18-A, CHANDIGARH

**Petition No.19 of 2020**  
**Date of Hearing: 05.08.2020**  
**Date of Order: 07.09.2020**

Petition under section 142 of the Electricity Act, 2003 for taking action against the respondents for intentionally violating the Order dated 26-05-2016 passed by this Commission in petition No.37 of 2016 and for directing the respondents to give supply to the petitioner for his continuous process industry as per the order of the Commission.

In the matter of: M/s Waterman Plastic Industries, G.T Road, Rural Focal Point, Village-Nabipur (Industrial Zone, Sirhind), Tehsil and Distt. Fatehgarh Sahib through its authorized person Sh. Narinder Singh son of Sh. Amarjit Singh r/o- House No.3031, Ward No.7, Near Telephone Exchange, Sirhind Mandi, Tehsil and Distt. Fatehgarh Sahib.(Mobile No.98150-90836)

....Petitioner

Versus

1. Punjab State Power Corporation Ltd, the Mall, Patiala, through its Secretary/Chairman.
2. Punjab State Transmission Corporation Limited, The Mall, Patiala through Secretary/Chairman.
3. Execute Engineer Rural and S.D.O Rural, Punjab State Power Corporation Limited, Sub Division, Sirhind, Tehsil and Distt. Fatehgarh Sahib.
4. Chief Engineer, Punjab State Power Corporation Limited Central Ludhiana-Feorzpur Road, Ludhiana, Tehsil and Distt. Ludhiana.

....Respondents

Present: Ms. Kusumjit Sidhu, Chairperson  
Sh. S.S Sarna, Member  
Ms. Anjuli Chandra, Member

## ORDER

M/s Water Plastic Industries, the petitioner has submitted that the Commission vide Order dated 26.05.2016 in petition No. 37 of 2016 directed PSPCL to give supply to the petitioner for his continuous process industry from existing 11 KV (Kandhari) feeder following the due procedure & laws and deposit of the charges/monies by the petitioner. The petitioner applied to the respondents vide letter dated 01.11.2016 and to PSTCL vide letter dated 21.11.2016 informed that the work of M/s Kandhari Beverage Private Ltd, 66 KV line is still incomplete and after its completion load of 11 KV Kandhari feeder will be shifted to 66 KV line and thereafter, as per the instructions of the department "Estimate" will be prepared. PSPCL issued letter No. 1121 dated 19.05.2017 asking the petitioner to deposit an amount of Rs. 74.92.331 within 7 days from the date of receipt of the letter. The petitioner has stated that respondents have issued a wrong estimate and the demand to deposit the above amount is wrong and illegal. The electric line has already been erected by Kandhari Beverage and entire amount has been deposited. There is a need of only 450 meter wire to connect the supply from Kandhari Beverage to Waterman Industry. Regulation 9.2.2 of Supply Code provides that the distribution licensee shall not claim any payment or reimbursement from the applicant of any expenditure, if such expenditure has been incurred or is to be incurred by the distribution licensee under any scheme approved by the Commission or under any State/Central Government sponsored scheme.

The petitioner has complained of harassment at the hands of PSPCL. The utility is intentionally violating the order dated 26.05.2016 passed by the Commission in petition no. 37 of 2016 and therefore action under Section 142 needs to be taken against the respondents and they may be

directed to give supply to the petitioner for his continuous process industry as per the Orders of the Commission.

The representative appearing on behalf of the petitioner has been heard. On perusal of the averments made in the petition and the arguments advanced during the hearing of the petition, it emerges that the petitioner has a billing dispute. The Order of the Commission dated 26.05.2016 is not found violated as alleged by the petitioner. The Electricity Act, 2003 (Act) has defined the “consumer” under section 2 (15) and section 42 (5) mandates the distribution licensee to establish a forum for redressal of grievances for the consumers in accordance with the guidelines as may be specified by the State Commission. Section 42 (6) of the Act provides that any consumer, who is aggrieved by non-redressal of his grievances under Sub section (5), may make a representation for the redressal of his grievance to an authority to be known as Ombudsman to be appointed or designated by the State Commission. Section 42 (7) of the Act further provides that the Ombudsman shall settle the grievance of the consumer within such time and in such manner as may be specified by the State Commission. The Punjab State Electricity Regulatory Commission framed, the Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2016 which has been amended from time to time. Regulation 2.23 and 2.24 of the said regulations provide as under:

*“2.23 Any complainant aggrieved by non-redressal of his grievance within the time period specified by the Commission or is not satisfied with the redressal of the complaint by the licensee and/or under the Consumer Complaint Handling Procedure, as the case may be, may*

*himself or through his authorized representative, approach the Forum in writing for the redressal of his grievance.*

***Jurisdiction***

*2.24 The Forum shall have the jurisdiction to entertain all the monetary/non-monetary complaints/grievance filed by the complainants or to take up the matter suo-moto with respect to the electricity services provided by the distribution licensee if the same fulfils the requirements specified in sub-regulation (e) read with sub-regulation (g) of Regulation 1.5 or against the decision of a Dispute Settlement Committee constituted under CCHP.”*

The dispute raised by the petitioner is a consumer grievance / billing dispute and as per the provisions of the Electricity Act, 2003 and the regulations framed there under by the Commission, the resolution of the same lies within the jurisdiction of the concerned Consumer Grievance Redressal Forum. The petition does not merit to be admitted and the same is dismissed at the stage of admission.

The petition is disposed off accordingly.

Sd/-

(Anjuli Chandra)  
Member

Sd/-

(S.S. Sarna)  
Member

Sd/-

(Kusumjit Sidhu)  
Chairperson

Chandigarh

Dated:- 07.09.2020