

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 13 of 2021
alongwith IA No. 14 of 2021
Date of Hearing: 20.07.2021
Date of Order: 30.07.2021

Petition under Section 43 of the Electricity Act, 2003 read with Regulation 5.1 of the Supply code, 2014 and other relevant rules and regulations as approved by Hon'ble Commission including 68, 69, 70, 71 and 72 and other relevant provisions of Chapter XIII of the Conduct of Business Regulations 2005 as amended up to date and the provisions of the Electricity Act, 2003 for directing the Respondents to render respective Domestic Supply Electricity connection to the Petitioners for their residential houses in the colony-Sunny Enclave.

AND

For passing any other relief in favour of the Petitioner as this Hon'ble Commission may deem fit in the facts and circumstances of the case.

In the matter of: Ranjit Kaur & Ors.

Petitioners

Versus

1. Punjab State Power Corporation Ltd. (PSPCL), having its office at the Mall, Patiala, through its Chairman-Cum-Managing Director.
2. Chief Engineer (Commercial), The Mall, Patiala.
3. Superintending Engineer/DS, PSPCL, Near Bus Stand, Patiala.
4. Executive Engineer, (DS), PSPCL, Patiala.
5. Assistant Executive Engineer, PSPCL, Sanaur, Patiala.
6. Bajwa Developer Limited, Main office Sunny Business Centre, 5th Floor, New Sunny Enclave, Greater Mohali, Punjab.

Respondents

Present: Sh. Viswajeet Khanna, Chairperson
Ms. Anjali Chandra, Member
Sh. Paramjeet Singh, Member

Petitioner: Sh. Aditya Grover, Advocate

PSPCL: Sh. Gurchain Singh Banga, CE/ARR&TR
Sh. D.P.S Grewal, Director/Distribution
Sh. Deepak Gupta, SE/TR-2
Sh. Mukesh Kumar, ASE/TR-5
Sh. Hitest Gupta
Sh. Harpreet Singh, AE
Sh. G.S. Chahal, ASE

CTP: Ms. Mandeep Kaur
Ms. Ritika Arora
Sh. Yatharth Hans, Law Officer

PUDA: Sh. Himmat Singh,
Local Govt: Sh. Kuldeep Raj Verma, Superintending Engineer
Punjab Sh. Sangeet Kumar, Executive Officer
PDA: Sh. Ashish Grover, Advocate

ORDER

The petition was taken up for hearing. The learned counsel appearing for Patiala Urban Development Authority (PDA) requested for time to file reply. The same be filed including its response to the undertaking/ assurance given by PDA to ensure the payment of dues by the developer. within two weeks with a copy to PSPCL (through hard copy & soft copy). The petitioner has filed an affidavit to the effect that the residents of the colony - Sunny Enclave shall form an association for maintaining the common area/services. It has been further prayed for some more time to obtain the consent of the other residents residing in the colony for maintaining the common areas services. The same be filed within two weeks alongwith its comments on the judgment referred by PSPCL in case of M/s Impact Projects Private Ltd. & Anr. Vs PSPCL & Ors, passed by the Hon'ble Punjab and Haryana High Court.

Further, PSPCL to submit, within a week, the order in which various components of the bill are adjusted/extinguished against deposit made by the consumers.

Vide Order dated,16.06.2021, the developer was impleaded as respondent in the petition, however, nobody has appeared on behalf of the developer. Therefore, final opportunity is granted, to the developer to appear before the Commission and to file its reply within two weeks failing which adverse inference would be drawn and further action will be taken as per the law.

The learned counsel pleaded that residents' plight may be redressed by releasing electricity connections to them. The Commission observed that presently electricity is being illegally supplied by the developer through his permanent NRS connection to the residents. Even the charges collected from the residents are not being deposited with PSPCL i.e. besides continuation of grossly illegal position, PSPCL is even being deprived of its legitimate revenue. As per the record, PSPCL has not been able to disconnect the connection owing to

apprehension of deterioration in law and order situation as was encountered during 2019. Thus, keeping in view the peculiar circumstances of the case, the Commission as an interim measure, directs PSPCL to release regular electricity connections to the residents after recovery of service connection charges & other applicable charges as approved by the Commission and subject to the formation of Residents Welfare Association for taking over the electricity connections for maintaining common serves such as street lights, water works etc. PSPCL shall ensure the legitimacy and credentials of the Residents Welfare Association to safeguard its commercial interests. Further action against the developer including but not limited to disconnection and recovery of charges shall be taken by PSPCL as per law. The developer shall not remove any part whatsoever of the electricity system installed by him in the colony and PSPCL shall ensure compliance.

The petition shall be taken up for hearing on 25.08.2021 at 11.00 AM.

Sd/-

(Paramjeet Singh)
Member

Chandigarh
Dated: 30.07.2021

Sd/-

(Anjuli Chandra)
Member

Sd/-

(Viswajeet Khanna)
Chairperson