

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

**Petition No. 69 of 2023**  
**Date of Hearing: 07.02.2024**  
**Date of Order: 09.02.2024**

Petition under Section 86 (1) (a) of the Electricity Act, 2003 and/or any other enabling provision applicable in law to:-

- A. Re-determine the tariff of the 23 MW Non-Fossil Fuel based Co-Generation Power Plant (Bagasse Based), operated by the Petitioner in furtherance of the Power Purchase Agreement dated 10.09.2012 executed between M/s Chadha Sugars and Industries Pvt. Ltd. Petitioner herein and the Punjab State Power Corporation Ltd. Patiala.
- B. Re-determine the tariff of the 23 MW Non-Fossil Fuel based Co-generation Power Plant (Bagasse Based), operated by the Petitioner by applying the parameters set-out by the Central Electricity Regulatory Commission (CERC) vide order dated 12.08.2022.
- C. Restrain the Respondents from terminating, breaching or altering the terms of the Power Purchase Agreement (PPA) dated 10.09.2012 executed between the Petitioner and the Second Respondent during the pendency of the present Petition and/or restrain the Respondents from initiating any coercive/punitive measures against the Petitioner during the pendency of the present petition.

And

In the matter of : Chadha Sugars and Industries Pvt. Ltd, Registered office 24 A Ground Floor, Bharat Nagar, New Friend Colony, New Delhi- 110025, Head office 709-711, 7<sup>th</sup> Floor, Ambience Mall, Ambien Island, NH-8,- Gurugram Haryana through its Authroised Representative Sh. Nitin Sharma, Resident of House No. 506-B, Sector-61, Chandigarh-160047.

.....Petitioner

Versus

1. Department of Power, Civil Secretariat, Sector-1, Chandigarh, State of Punjab through Special Secretary Power.
2. Punjab State Power Corporation Limited, Through its Chairman cum Managing Director, The Mall, PSEB Head office, Baradari, Patiala, Punjab- 147001.

.....Respondent

Commission: Sh. Viswajeet Khanna, Chairperson  
Sh. Paramjeet Singh, Member

Petitioner: Sh. Sangram Singh Sarao, Advocate  
Sh. Madhavna Raginade  
Ms. Shubpreet Kaur

PSPCL: Ms. Harmohan Kaur, CE/ARR&TR  
 Sh. Harjeet Singh, ASE/TR-5  
 Sh. Gerry, AEE/H&CG  
 Sh. Ashish Bansal

## ORDER

The petition was taken up for hearing on admission. The Ld. Counsel for the petitioner submitted that the petitioner is operating a 23 MW Non-Fossil Fuel Based Co-generation power plant at Village Kiri Afgana, District Gurdaspur. PSPCL entered into a PPA dated 10.09.2012 with the petitioner to purchase power from the project for a period of 20 Years from the date of commissioning of the project. The project was commissioned on 20.12.2010 and the tariff was determined for a period of 13 Years in terms of the Order dated 30.09.2010, passed by the Commission. The period of 13 years has expired on 20.12.2023 and the tariff for the remaining period of the PPA is required to be re-determined by the Commission.

PSPCL has appeared and requested for time to examine the petition and file its reply. After hearing the Ld. Counsel for the petitioner, petition is admitted. Notice be issued to Respondent No 01, State of Punjab, also. The respondents may file reply to the petition within two weeks with a copy to the petitioner (through hard copy & soft copy). The petitioner may file rejoinder thereto, if any, within one week thereafter (through hard copy & soft copy).

The Ld. Counsel for the petitioner further submitted that though the period of tariff determined by the Commission has expired on 20.12.2023 but PSPCL is purchasing power from the project at the existing tariff and requested that PSPCL be restrained from terminating or altering the terms of the PPA dated 10.09.2012 during the pendency of the present petition. The representative appearing for PSPCL has also submitted that power is being purchased from the project as per the existing tariff. Keeping in view the facts of the case, PSPCL shall not terminate the terms of the PPA dated 10.09.2012 till the next date of hearing.

The petition shall be taken up for hearing on 27.03.2024 at 11.30 AM.

Sd/-  
 (Paramjeet Singh)  
 Member

Sd/-  
 (Viswajeet Khanna)  
 Chairperson

Chandigarh  
 Dated: 09.02.2024