

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

**Review Petition No. 02 of 2021**  
**in Petition No. 41 of 2020**  
**Date of Hearing: 07.07.2021**  
**Date of Order: 14.07.2021**

Review application under Section 94(f) of the Electricity Act, 2003 (hereinafter referred to as 'the Act, 2003') read with Rules 64 & 69 of the Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 for reviewing/recalling the Order of the Commission dated 12.04.2021 passed in Petition No. 41 of 2020 titled as M/s Indian Sucrose Ltd. Vs Punjab State Power Corporation Ltd. & another and to allow petition No. 41 of 2020.

In the matter of: M/s Indian Sucrose Ltd. Having its registered office at G.T Road, Mukerian, District Hoshiarpur, Punjab through its Authorized Signatory Sh. Ved Prakash Gupta, Vice President of the company.  
Petitioner

Versus

1. Punjab State Power Corporation Limited, Through its Chairman-cum-Managing Director, The Mall Patiala.
2. Punjab Energy Development Agency, (PEDA) through its Director, Solar Passive Complex, Plot Nos. 1 & 2, Sector 33-D, Chandigarh.

Respondents

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

Petitioner: Mr. Rajvir Singh Sihag, Advocate

PSPCL: Ms. Ranjitha Ramachandran, Advocate  
Sh. Gurchain Singh Banga, CE/ARR&TR  
Sh. Deepak Gupta, SE/TR-2  
Sh. Mukesh Kumar, ASE/TR-5  
Sh. Balinderpal Singh, AE/TR-5  
Sh. Kewal Singh, ASE/Cogen & Hydel  
Sh. Gerry AEE/Cogen & Hydel

PEDA: Sh. Aditya Grover, Advocate

## ORDER

1. The Review petition was taken up for hearing on admission. The learned counsels for the parties have addressed their respective arguments. ISL is pleading for reviewing/recalling the Order of the Commission dated 12.04.2021 passed in Petition No. 41 of 2020 and to allow the said petition.
2. PEDDA vide its reply dated 05.07.2021 has submitted that the relief claimed by the petitioner in the present matter is the sole discretion of the Commission and it is empowered under section 86 (1)(f) of the Electricity Act,2003, to adjudicate between generating company and distribution licensee. PSPCL vide its reply filed vide letter dated 06.07.2021 has submitted that the instant dispute is covered under Section 86(1)(f) of the Electricity Act 2003 and the Commission has the power to adjudicate upon the same. PSPCL also cited the Hon'ble Supreme Court Judgment in GUVNL Vs Essar Power Limited (2008) 4 SCC 755 wherein it has been held that the Regulatory Commissions have the power to adjudicate on all the disputes under Section 86 of the Electricity Act 2003.
3. In view of the submissions by the parties for the adjudication of the instant dispute by the Commission, the Commission admits the Review Petition and decides to revive the Petition 41 of 2020, to adjudicate in the matter.
4. Preliminary submissions in Petition 41 of 2020 are already on record of the Commission. Parties can submit additional submissions, if any, within 2 weeks with copies to each other (through hard copy and soft copy). And, the rejoinders to the same, if any, can be filed thereafter within 1 week with copies to each other (through hard copy and soft copy).
5. The petition shall be taken up for hearing on 18.08.2021 at 11.00 AM.

Sd/-  
(Paramjeet Singh)  
Member

Sd/-  
(Anjuli Chandra)  
Member

Sd/-  
(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: **14.07.2021**