

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

Petition No. 09 of 2017

alongwith the request of the petitioner dated 22.02.2021 for hearing on prayer clause 1 (ii) and (iii) of the relief sought in the petition.

Date of Order: 12.07.2021

Petition under Section 142 of the Electricity Act, 2003 for taking action against the respondents for disobedience and contravention of the Orders dated 20.10.2014 passed by the Hon'ble Commission in petition No. 50 of 2014 under the Regulations on Electricity Supply Code and noncompliance of Regulations 9.1.1(b), 19.7 and 30.6 of Electricity Supply Code.

AND

In the matter of: M/s A K Concast Pvt. Ltd., Village Rai Majri, Tehsil Khamano, Distt. Fatehgarh Sahib.

...Petitioner

Versus

Punjab State Power Corporation Limited, through its Chairman cum Managing Director & Ors.

..Respondents

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

ORDER

The petitioner filed the present petition for taking action against the respondents for disobedience and contravention of the Orders dated 20.10.2014 passed by the Commission in petition No. 50 of 2014. Vide Order dated 20.10.2014 in petition No. 50 of 2014, PSPCL was directed to pay interest on the initial security deposited by the consumer from the date of deposit in accordance

with Regulation 17 of the Supply Code in the energy bills of the petitioner. During arguments on 11.07.2017 it was submitted by PSPCL that main issue involved in the petition is pending in Appeals filed before the Hon'ble APTEL by PSPCL against the Orders passed by the Commission in petition No. 75 of 2015 and 65 of 2015. Therefore, the petition was adjourned sine-die till the Order is pronounced by the Hon'ble APTEL.

2. The Appeals filed by PSPCL were disposed of by the Hon'ble APTEL vide order dated 19.05.2020, setting aside the Orders passed by the Punjab State Electricity Regulatory Commission. Thereafter, Review petitions have been preferred by the Commission against the said Orders which are pending before the Hon'ble APTEL on the issue of jurisdiction of the Commission to decide the question of interest on initial security deposited by the consumer under Regulation 14 of Supply Code. The petitioner vide letter dated 22.02.2021 submitted that there are three prayers in the petition. The first ground is linked to the pending Review petition and requested to decide on the remaining two prayer(s) mentioned at clause (ii) and (iii) of the petition.

3. The petitioner has prayed to take up the petition for hearing on prayer No. (ii) and (iii) made in the petition which are as under:-

- I. to refund the excess Security (works) with interest
- II. to revise the Energy Bill for April, 2016.

On the request of the petitioner, the petition was taken up for hearing on 19.05.2021 and during hearing, the parties were directed to file written submissions. The Petitioner filed the same which were taken on record.

4. **Observations and Decision of the Commission**

The Commission has examined the submissions made by the parties.

The prayer No. (ii) and (iii) of the relief sought in the petition pertain to the refund of excess security (works) deposited by the petitioner along with interest and revision of energy bill for April 2016. As per Regulation 2.21 of the PSERC (Forum and Ombudsman) Regulations, 2016 read with clause 4.2 of the Consumer Complaint Handling Procedure (CCHP), the Dispute Settlement Committee and the Forum constituted under sub-section (5) of section 42 of the Electricity Act 2003, have the jurisdiction to settle all the monetary disputes arising due to wrong billing, application of wrong tariff or difference of service connection charges/Security (works), overhauling of account due to defective/inaccurate metering etc. Accordingly, the petitioner may approach the appropriate authority for adjudication of his monetary dispute with regard to prayer No. (ii) & (iii) of the petition.

The request of the petitioner to decide on prayer No.(ii) & (iii) of the petition stands disposed of accordingly.

Sd/-
(Paramjeet Singh)
Member
Chandigarh
Dated: 12.07.2021

Sd/-
(Anjuli Chandra)
Member

Sd/-
(Viswajeet Khanna)
Chairperson