

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

IA No. 21 of 2021 in  
Petition No. 11 of 2021  
Date of Order: 24.01.2022

Interlocutory Application under Regulation 64,69,73 of the Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 (hereinafter referred to as 'Regulations 2005) for extension in validity period of demand notices of all categories of consumers (except AP) and relaxation of provisions of Regulation 6.8.7 (a) of the Supply Code 2014.

And

In the matter of: Punjab State Power Corporation Ltd. The Mall  
Patiala.

..Petitioner

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

**ORDER**

1. Punjab State Power Corporation Limited (PSPCL) filed Petition No. 11 of 2021 for relaxing the provisions of Regulation 6.8.7(a) of the Supply Code, 2014 for extension in the validity period of demand notices of all categories of consumers (except AP) in the State of Punjab in public interest under Regulation 47 of Supply Code-2014 read with Regulation 69, 70, 71 & 72 of the PSERC (Conduct of Business) Regulations, 2005 due to impact of Covid-19 pandemic. The Commission vide Order dated 22.04.2021 relaxed the provisions of Regulation 6.8.7 (a) of the Supply Code, 2014 and allowed extension in the validity period of the demand notices subject to the following terms and conditions:

1. *“The validity period of all Demand Notices (except AP), whose original validity period or extended validity period falls during the period 23.03.2020 to 30.06.2020, may further be extended for a maximum period of 4 months from the date of issue of this order provided that the consumer/applicant has availed all the extension(s) as permissible under Regulation 6.8.7(a) of Supply Code-2014 and the maximum period of one year from the date of issue of demand notice has already lapsed on the date of issue of this order. The consumer/applicant shall submit the request for extension in the validity period of demand notice along with one time extension fee as specified in Schedule of General Charges. Further, the extension in the demand notice period in such cases shall be subject to technical feasibility, wherever applicable. PSPCL shall verify the technical feasibility within 15 days of the receipt of the request from the Applicant/consumer failing which the technical feasibility shall be deemed to have been approved.*
2. *The validity period of all Demand Notices (except AP), issued during the period from 23.03.2020 to 30.06.2020 may be extended for a further period 4 months beyond the maximum period of one year from the date of issue of demand notice provided that the consumer/applicant has availed all the permissible extension(s) as specified under Regulation 6.8.7(a) of Supply Code-2014 and the validity of the demand notice has not lapsed on the date of issue of this order. The consumer/applicant shall submit the request for extension in the validity period of demand notice along with one time extension fee as specified in Schedule of General Charges.*
3. *The distribution licensee shall issue a public notice in at least three leading Newspapers and also issue individual notices to the affected consumers/applicants within 7 days from the date of issue of this order informing the consumers/applicants about the said relaxation in the Supply Code Regulations approved by the Commission.”*

2. PSPCL has filed the present IA in the petition submitting that due to the devastating effect of second wave of Covid-19 various restriction/curbs were imposed by Punjab Govt., Department of

Home Affairs & Justice vide notification no. 7/56/2020/2h4/2142 dated 30.04.2021 and the entire country was forced again into a lockdown. The impact of corona virus still exists in the state and the State of Punjab is still struggling to come back to normalcy after the second wave. Various consumers are requesting for extension of demand notice validity period. A similar request was received from M/s CN IFFCO Pvt. Ltd., Village-Sehjomajra, Rattipur, District-Ludhiana, vide which, the firm has stated that in view of the situation of COVID-19 and the lockdowns, some of the regulatory clearances like Building Plans Approval, Canal Water Piping Design and PWD Road Cut etc. were delayed and therefore, compliance of Demand Notice for payment of charges on 132 KV Switching station on LILO etc. also got delayed for which extension in validity period of Demand Notice is necessitated for another 1 year i.e. from 24.7.2021 to 23.7.2022.

2.1 That M/s CN IFFCO Pvt. Ltd., applied for regular load of 4845KW/4010 KVA three phase 132 KV under LS-General category for which Demand Notice was issued vide DN No. 1038 dated 24.7.2020 and was valid for 6 months. On the requests received from the firm, the validity period of this Demand Notice was first extended upto 23.4.2021 and further extended upto 23.7.2021 as per the provisions of Regulation 6.8.7 (a) of Supply Code-2014 (amended upto date). Therefore further extension, as requested by the firm, is not permissible under the provisions of Supply Code-2014. The case of M/s CN IFFCO Pvt. Ltd. does not fall under the relaxations provided by the Commission under Petition no. 11 of 2021 and therefore, further extension cannot be provided. However, the firm has intimated that the compliance of Demand notice could not be made due to delay in some of their

regulatory clearances in view of the situation of COVID-19 and the Lockdowns. Therefore, the case was put-up to CMD, PSPCL for consideration and keeping in view the 2nd wave of Covid-19 pandemic and subsequent lockdowns imposed by Punjab Govt., the CMD, PSPCL has approved the extension in validity period of demand notice for another 6 months i.e. upto 23.01.2022 subject to the approval from the Commission.

2.2 PSPCL has prayed that:

- i. The present interlocutory application may kindly be allowed and the approval given by PSPCL for extension in validity period of demand notice for another 6 months i.e. upto 23.01.2022 in instant case i.e. M/s CN IFFCO Pvt. Ltd. Village-Sehjomajra, Rattipur, District-Ludhiana may kindly be ratified.
- ii. It is further prayed to temporarily relax the provisions of Regulation 6.8.7(a) of the Supply Code-2014 for extension in validity period of demand notices of all categories of consumers (except AP) in public interest due to impact of 2nd wave of Covid-19 pandemic as under:
  - a. The validity period of all Demand Notices (except AP), whose original validity period or extended validity period falls during the period from 01.03.2021 to 30.06.2021, may further be extended for a maximum period of one year from the date of issue of commercial circular provided that consumer/ applicant have availed all the eligible extension(s) as permissible under Regulation 6.8.7(a) of Supply Code-2014 & allowed under CC 18/2021 dated 29.04.2021 and the maximum period of one year from the date of issue of demand notice has already lapsed on the date of issue of

commercial circular. The consumer/applicant shall submit the request for extension in the validity period of demand notice along with demand notice extension fee as specified in Schedule of General Charges. Further, the extension in the demand notice period in such cases shall be subject to fresh technical feasibility, wherever applicable.

- b. The validity period of all Demand Notices (except AP) issued during the period from 01.03.2021 to 30.06.2021 or all Demand Notices (except AP), whose original validity period or extended validity period falls during the period from 01.03.2021 to 30.06.2021 but the maximum period of one year from the date of issue of demand notice has not lapsed on the date of issue of commercial circular, may be extended for a further period of six months beyond the maximum period of one year from the date of issue of demand notice provided that the consumer/applicant has availed all the permissible extension(s) as specified under Regulation 6.8.7(a) of Supply Code-2014 and the validity of the demand notice has not lapsed on the date of issue of commercial circular in this regard. The consumer/applicant shall submit the request for extension in the validity period of demand notice along with demand notice extension fee as specified in Schedule of General Charges.

### **Observations and Decision of the Commission**

3. The Commission has examined the submissions made by PSPCL in the petition, the arguments addressed by the representative appearing for PSPCL and the other documents adduced on the record. The Commission, considering the seriousness of the impact of lockdown on account of COVID-19, relaxed the

provisions of Regulations 6.8.7 (a) of the Supply Code 2014 and allowed extension in the validity period of the demand notices as detailed in the Order dated 22.04.2021. PSPCL has submitted in the present IA that due to devastating effect of second wave of COVID-19 the entire country was forced again into a lockdown and the businesses and industries are still not fully revived. PSPCL has referred in this regard to the case of M/s CN IFFCO Pvt. Ltd, to state that in view of the given COVID-19 situation some of the Regulatory clearances like building plans approvals, Canal water piping design and PWD Road Cut etc were delayed and compliance of Demand Notice for payment of charges on 132 KV switching station on LILO etc. also got delayed for which extension in validity period of demand notices is required from 24.07.2021 to 23.07.2022. The prayer of PSPCL for relaxing the provisions of Regulation 6.8.7 (a) of the Supply Code, 2014 for extension in validity period of demand notices of all categories of consumers (except AP) due to impact of second wave of COVID-19 on the solitary representation of M/s CN IFFCO Pvt. Ltd. is not tenable. PSPCL has referred and relied upon Annexure-B i.e. Letter No. 7/56/2020/2H4/2142 dated 30.04.2021 issued by Government of Punjab, Department of Home Affairs and Justice containing the consolidated guidelines regarding COVID appropriate behaviour and restrictions to be implemented w.e.f 1<sup>st</sup> May 2021 till 15<sup>th</sup> May 2021. Para No. 02 of the aforesaid guidelines pertain to exemptions which are detailed as under:

- I. Hospitals, veterinary hospitals and all establishments both in public and private sector related to manufacture and supply of all medicines and medical equipment. Transportation of all personnel of these

establishments shall be allowed subject however to production of identity cards.

- II. E-commerce and movement of all goods.
- III. Chemist shops and shops dealing with supply of essential goods, milk, bread, vegetables, fruit, dairy, and poultry products like eggs, meat etc.
- IV. 'To and fro' movement of passengers travelling by air, trains and buses on production of travel documents.
- V. Construction activities in both urban and rural areas.
- VI. Agricultural including procurement, horticultural, animal husbandry, and veterinary services.
- VII. Vaccination out-reach camps.
- VIII. Activities of manufacturing industry and services given below including movement of all their employees/workers and vehicles carrying them upon production of requisite permission from their employers:-
  - a) Telecommunication, internet services, broadcasting and cable services, IT and IT enabled services.
  - b) Petrol pumps and petroleum products, LPG, petroleum and gas retail and storage outlets.
  - c) Power generation, transmission and distribution units and services.
  - d) Cold storage and warehousing services.
  - e) All Banking/RBI services, ATMs, Cash Vans and Cash handling distribution services.

A perusal of the above exemptions clearly negates the plea of PSPCL for extension in the validity period of demand notices. Moreover, the

request for extension in the validity period of demand notices has not been substantiated and is not supported by any other convincing evidence in support of its contention. Thus, the IA is without any merit and is accordingly dismissed.

The IA is disposed of accordingly.

Sd/-

(Paramjeet Singh)  
Member

Sd/-

(Anjuli Chandra)  
Member

Sd/-

(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: 24.01.2022

