

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION  
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH**

**Petition No. 6 of 2014  
Date of Order: 29.04.2014**

In the matter of: Petition under section 142 of the Electricity Act, 2003 for taking necessary action against the respondents for not complying with the Order dated 24.10.2013 passed by the Commission in Petition No.46 of 2013

And

Further for issuance of necessary directions to the respondent to release the electricity connection to the petitioner on 11 KV supply.

AND

In the matter of : Punjab State Federation of Co-operative House Building Societies Ltd. (HOUSEFED PUNJAB) through its Managing Director, SCO No.150-152, Sector 34-A, Chandigarh.

Versus

1. PSPCL through its Chairman-cum- Managing Director, The Mall, Patiala
2. Chairman-cum- Managing Director, PSPCL, The Mall, Patiala
- 3.. Chief Engineer, Commercial, PSPCL, The Mall, Patiala
4. Deputy Chief Engineer (Operation Circle), PSPCL, Mohali.

Present: Smt. Romila Dubey, Chairperson  
Er. Virinder Singh, Member  
Er. Gurinder Jit Singh, Member.

**ORDER**

The petition has been filed by the Punjab State Federation of Co-operative Housing Building Societies Limited ( Housefed Punjab) through its Managing Director under Section 142 of the Electricity Act,2003 for taking necessary action against the respondents for non-compliance with the Order dated 24.10.2013 passed by the Commission in Petition No. 46 of 2013 and for issuing necessary directions to the respondents to release the electricity connection to the Group Housing Complex of the petitioner at Banur , District

SAS Nagar. The petitioner has submitted that it applied for release of electricity connection for contract demand of 3625 kVA with connected load of 3262.708 kW at 11 kV supply voltage. It was specifically mentioned in the application that the flats are to be handed over to the allottees before 31.12.2012. The Chief Engineer / Commercial, PSPCL issued a letter to SDO/OP, sub division, Banur, to check the load calculations as per Commercial Circular No. 35/2009. Thereafter, the AEE, PSPCL, Banur issued a letter to the petitioner that the load demanded works out to be 4953.564 kW and this can be released on 66 kV supply voltage for which petitioner was required to construct a 66 kV Sub-Station. Thereupon, the petitioner filed a petition, being Petition No. 46 of 2013, before this Commission challenging the calculations of load. The said petition was disposed of by the Commission vide Order dated 24.10.2013. The operative part of the Order is as under:-

“Thus, the assertion of PSPCL to release load on 66 kV by assuming the load as 4953.564 kW, calculated as per the guidelines issued vide CC No. 35/2009 is not in accordance with the relevant provisions of CoS. The guidelines issued vide CC No. 35/2009 are for design and planning of LD system and cannot be used to determine the supply voltage which is to be decided as per Clauses 4 and 5 of CoS.

The Commission, therefore, directs that PSPCL shall first calculate actual load of individual occupants/consumers as per clause 9 of CoS and depending upon the total load of the colony arrived at as per clause 9 of CoS, the supply voltage shall be determined as per clauses 4 and 5 of CoS and connection of electricity supply shall be released, accordingly.”

The petitioner has further submitted that the matter was pursued with PSPCL for carrying out calculations of the load as per clause 9 of Conditions of Supply. The petitioner wrote many letters in this regard. The petitioner has submitted that as per clause 9 of CoS, the load comes to 3672 kVA which is less than 4000 kVA and as such, the connection has to be released on 11 kV supply voltage. The petitioner has further submitted that the official of PSPCL visited the site on 15.11.2013 and checked the load without joining any official

of the petitioner. No calculation sheet was got signed from any official of the petitioner and no copy of the same was supplied to the petitioner. The PSPCL has stated that the load is more than 4000 kVA and can be released on 66 kV supply line. During discussion with the C.E./Commercial, Patiala and S.E. Mohali of PSPCL, it was revealed that the load of the Housing Complex has been worked out as per the presumptions and assumptions of PSPCL officials and not as per the directions of the Commission in its Order in Petition No. 46 of 2013. The petitioner requested the Chairman-cum- Managing Director, PSPCL vide letter No. 7714 dated 26.11.2013 that load be got checked from some independent agency of the Corporation, but no action has been taken. Then the petitioner submitted a detailed load calculation sheet prepared by its Electrical Consultant vide letter no. 8582 dated 23.12.2013. Load as per these calculations in terms of clause 9 of CoS comes to 3672 KVA. A DO letter no. 8831 dated 06.01.2014 from Sh. Arunjit Singh Miglani, I.A.S., Registrar, Co-Operative Society to CMD, PSPCL failed to settle the issue.

From the letter dated 17.12.2013 from C.E./ Commercial to Dy. C.E./ OP, Mohali, received by the petitioner through e-mail dated 08.01.2014, it is revealed that it had been presumed that at least 50% of 2 BHK and 3 BHK shall install minimum one number AC and thus the load calculated would fall under the supply voltage category of 66 kV. However, calculated load has not been mentioned in this letter. The petitioner has further submitted that it was mentioned by the petitioner in its letter dated 26.11.2013 that the petitioner is providing CFL lamps in the flats before handing over the possession to the allottees as per guidelines of Government to save energy. No MCB has been installed for ACs. The number of shops have been reduced from 36 to 20. It was requested to calculate the load taking into account these facts. But it is evident that load has been calculated without taking into account the above said facts. The load calculation sheet has never been provided to the petitioner in spite of request dated 09.01.2014.

The petitioner has submitted that it is very much clear, in view of above submissions, that the respondents are intentionally avoiding release of electricity connection on 11 kV supply line and thus violating the Order dated 24.10.2013 passed by the Commission in petition No. 46 of 2013.

The petitioner has prayed that action be taken against the respondents under section 142 of the EA, 2003 for willfully violating the Order passed by the Commission and that directions be issued to the respondents to immediately release the electricity connection on 11 kV supply line in the interest of justice.

The petition was admitted vide Order dated 26.02.2014. The petitioner and C.E. /Commercial of PSPCL were directed to jointly inspect the site and make joint assessment of connected load of the individual houses/commercial establishments as per earlier clause 9 of the CoS (now Regulation 5.9 of the Supply Code), without any assumptions/presumptions and file the report by 07.03.2014. PSPCL submitted vide memo dated 10.03.2014 that the Commission may consider to allow Dy. C.E./DS, Mohali in place of C.E./Commercial, PSPCL, Patiala to jointly inspect the site alongwith S.E./ Housefed so as to prepare the site report as per Order dated 26.02.2014 of the Commission. PSPCL further prayed to grant a time of 15 days to file reply and to direct Dy. CE/DS, Mohali to prepare the joint report with S.E. / Housefed and submit the same. The Commission after hearing the parties on 18.03.2014 allowed time upto 31.03.2014 to file the joint report to be prepared after joint inspection of site by S.E./Enforcement, PSPCL, Patiala and S.E. / Housefed. The joint report on calculation of load was filed by EIC/Commercial vide No. 1407 dated 31.03.2014. The load as per joint report has been calculated to be 3602.42 kVA. EIC/ Commercial has however, not concurred with the report in his letter dated 31.03.2014 and has again expressed that the total load of the Housing Complex of Housefed at Banur needs to be catered at 66 kV supply voltage for which the developer needs to create its own 66 kV sub-station .

The Commission after hearing the arguments of both parties on 01.04.2014, closed the further hearing of the petition. Order was reserved and the petitioner & PSPCL were directed to file the written submissions by 09.04.2014. The petitioner filed written submissions on 11.04.2014 but PSPCL has not filed any written submissions in compliance with Order dated 02.04.2014.

**Findings and decision of the Commission:-**

The Commission in its order dated 24.10.2013 in Petition No. 46 of 2013 directed PSPCL to first calculate the actual load of individual occupants/consumers as per clause 9 of CoS and depending upon the total load of colony arrived at as per clause 9 of CoS, the supply voltage shall be determined as per clause 4 and 5 of CoS and connection of electricity supply shall be released accordingly.

The petitioner in the present petition under Section 142 of the Electricity Act, 2003 has prayed to initiate action against PSPCL for non-compliance of the orders dated 24.10.2013 of the Commission and to issue directions to immediately release the electrical connection on 11 kV supply line.

While admitting the petition, the Commission in its order dated 26.2.2014 directed the petitioner and CE/Commercial, PSPCL to jointly inspect the site and make joint assessment of the connected load of individual houses/commercial establishments as per clause 9 of CoS (now sub-Regulation 5.9 of the Supply Code) without any assumptions/presumptions and file the status report by 07.03.2014.

During hearing on 18.03.2014, PSPCL submitted that Commission may allow Dy. CE/DS Circle, Mohali in place of CE/Commercial to jointly inspect the site along with SE/HOUSEFED. With the consent of parties, the Commission vide order dated 19.03.2014 directed SE/Enforcement, PSPCL, Patiala and SE/HOUSEFED to jointly inspect the site and submit the report up to 31.03.2014.

PSPCL filed the joint inspection report along with comments vide EIC/Commercial Memo No. 1406 dated 31.3.2014 addressed to CE/ARR & TR, PSPCL with copy to Secy./PSERC. In the joint inspection report submitted by Dy.CE/Enforcement, PSPCL, Patiala and SE/House Fed Punjab, Chandigarh, it has been reported that the load of HOUSEFED complex Banur comprising of 912 flats of various categories work out to be 3242.178 kW i.e 3602.42 kVA including load of Commercial shops and external development works/machinery as per clause 9 of CoS.

The argument of PSPCL that the houses have not been occupied, so actual load can not be calculated is not tenable since sub Regulation 5.9 of the Supply Code provides that in case actual load of the appliances connected to the wiring is not specified i.e not available, the standard wattage ratings as mentioned in sub Regulation 5.9 of the Supply Code are to be taken. So load calculated in the joint report is strictly as per these Regulations.

PSPCL in its comments has mentioned that less no. of shops have been shown and some plastic plates over switch boards have been fixed to hide the connected load. No such observations have been made in the joint report. So no cognizance can be taken of such allegations.

Accordingly the supply voltage of the HOUSEFED Complex at Banur, is determined as 11 kV and further action to release individual connections shall be initiated by PSPCL as per Rules and Regulations after completion of requisite formalities.

The petition is disposed of.

Sd/-  
**(Gurinder Jit Singh)**  
Member

Sd/-  
**(Virinder Singh)**  
Member

Sd/-  
**(Romila Dubey)**  
Chairperson

**Chandigarh**  
**Dated: 29.04.2014**