

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION**  
**SCO 220-221, SECTOR-34 A CHANDIGARH**

**Petition No.53 of 2017**

**Date of order: 01.12.2017**

Present: Ms. Kusumjit Sidhu, Chairperson  
Sh. S.S.Sarna, Member

In the matter of: Petition under Regulation 45, 46 and 47.2 of PSERC (Electricity Supply Code and Related Matters) Regulations, 2014 read with Regulation 69 and 73 of PSERC (Conduct of Business) Regulations, 2005 and other related/relevant Regulations of this Commission for providing relief to the petitioner to grant extension in the period for completion of formalities in compliance of Demand Notice beyond one year from the date of its issue for filing test report and other related documents for release of extension of load/contract demand.

AND

In the matter of: M/s Savitri Woods-Unit II, Village Adhowal Garhi, Dasuya Road, Hoshiarpur- 146 001 through its partner Sh. Balkishan Bansal s/o Sh.Lal Chand.

.....Petitioner

**Versus**

1. Chairman cum Managing Director, PSPCL, The Mall, Patiala
2. Dy. Chief Engineer/Op. Circle Office, PSPCL, Hoshiarpur;
3. Addl.SE/Op. City Division, PSPCL, Hoshiarpur.
4. Assistant Engineer/Op. Sub Division, Haryana, PSPCL, Hoshiarpur.

.....Respondents

**Order:**

The petition has been filed by Savitri Woods under Regulation 45, 46 and 47.2 of Supply Code, 2014 read with Regulation 69 and 73 of PSERC (Conduct of Business) Regulations, 2005 to grant extension in the

validity period of Demand Notice beyond one year for release of extension of load/contract demand. The petitioner applied for extension in load/demand from 400.910 kW/445 kVA to 1480 kW/1640 kVA and deposited the processing fees on 12.04.2016. After getting the feasibility clearance, the earnest money was deposited on 24.04.2016. The petitioner deposited the 1<sup>st</sup> instalment of ACD (security) on 08.07.2016. Thereafter, PSPCL issued a demand notice on 20.07.2016 directing the petitioner to deposit ₹18,01,152/- along with test report and other documents within six months. All these facts have been admitted by PSPCL.

According to the petitioner, he decided to set up Advanced Automatic Manufacturing Machines for which more time was required to install and to make the machinery operational. Due to these reasons, the petitioner could not submit the test report within the stipulated time. However, the petitioner deposited ₹18,01,152/- as raised in the demand notice and orally requested PSPCL to start the installation work. The petitioner claimed that he was never asked to submit the test report within the period stipulated in the demand notice or get it extended. The petitioner completed the installation of new machinery and requested PSPCL vide letter dated 16.08.2017 to complete the erection work for release of connection as he was ready to submit the test report. However, PSPCL vide letter dated 25.08.2017 intimated the petitioner that the request for extension in the period of demand notice beyond one year cannot be considered as per regulation 6.8.7 of Supply Code, 2014. The petitioner prayed that PSPCL may be directed to provide connectivity by granting extension in the time period for compliance of the demand notice beyond one year.

The petition was admitted vide Order dated 09.10.2017 of the Commission and PSPCL was directed to file reply with copy to the petitioner. PSPCL vide Chief Engineer/ARR & TR Memo No.5349 dated 31.10.2017 filed its reply and submitted that after deposit of charges by the petitioner, installation order dated 30.12.2016 was issued to JE for starting the erection work. However, the petitioner asked the JE not to start the work as the

location of the connection may change due to installation of advanced machinery in the adjoining land/building. PSPCL denied that no notice was served to the petitioner regarding compliance of the demand notice within the stipulated period. PSPCL produced a copy of the notice issued vide Memo No.2914 dated 30.12.2016 directing the petitioner to submit the test report up to 19.01.2017 or get it extended otherwise the application for extension in load/contract demand will be cancelled. PSPCL justified the refusal for extension in the demand notice period in view of provisions of regulation 6.8.7 of the Supply Code, 2014. PSPCL admitted that no other application is pending on the feeder from which the connection to the petitioner is to be released.

The petitioner in its rejoinder dated 27.11.2017 reiterated its submissions made in the petition and submitted that he has already invested ₹2,91,71,416/- in installation of new machinery to implement advanced manufacturing technology. The petitioner prayed that the validity period of the demand notice may be extended otherwise he will suffer huge loss. During hearing on 29.11.2017, the petitioner assured that he will submit the test report and comply with other conditions of the demand notice within a period of two weeks. PSPCL raised no objection to the prayer of the petitioner.

The Commission observes that the petitioner has not only deposited all the charges, as raised in the demand notice, within the validity period but has also incurred huge investment in installing machinery. Keeping in view the facts of the case, the Commission is of the view that in case the validity period of the demand notice is extended and the electricity connection is released to the petitioner, PSPCL will gain through sale of surplus power. At the same time, the right of no other applicant/consumer shall be infringed. Accordingly, the Commission as per the powers conferred under Regulation 46 and 47 of PSERC (Electricity Supply Code and Related Matters) Regulations, 2014 read with regulation 69 of PSERC (Conduct of Business) Regulations, 2005 allows the extension in the validity period of the demand notice issued to the petitioner by PSPCL on 20.07.2016 up to one month from

the date of issue of this order. The petitioner shall comply with all the conditions of demand notice including payment of extension fee as specified in Schedule of General Charges within the extended time period. PSPCL shall release the connection as per the time limits specified in regulation 8 of the Supply Code, 2014.

The petition is disposed of accordingly.

**Sd/-**

**(S.S.SARNA)**  
**Member**

Chandigarh

Dated: 01.12.2017

**Sd/-**

**(KUSUMJIT SIDHU)**  
**Chairperson**