

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

Petition No.31 of 2017

Date of order: 15.05.2017

Present: Shri D.S. Bains, Chairman
Shri S.S. Sarna, Member

In the matter of: Petition seeking approval/concurrence of the Commission on the decision of BoDs on Chief Engineer/Commercial agenda No.81 dated 20.12.2016 regarding release of new connection to M/s HBN Dairies and Allied Services Ltd., Bathinda (A/C No.B/12/GC-12/0267) with request for instalments of defaulting amount.

AND

In the matter of: Punjab State Power Corporation Limited, The Mall Patiala -147001.

.....Petitioner

Order:

1.0 The present petition has been filed by Punjab State Power Corporation Limited (PSPCL) for approval/concurrence of the decision of BoDs of PSPCL regarding release of new connection to HBN Dairies and Allied Services Ltd., Bathinda and allowing recovery of the defaulting amount in instalments. The gist of the submission is as under:

1.1 HBN Dairies and Allied Services Ltd., Bathinda (A/C No.B/12/GC-12/ 0267) had requested PSPCL to recover the outstanding defaulting amount of ₹64 lac in 12 monthly

instalments and also requested permission for release of the new connection with contract demand of 600 kVA at its existing premises.

- 1.2 The connection of the firm was disconnected permanently in 10/2014. The concerned field office i.e. Chief Engineer/DS (West Zone), Bathinda had intimated that an amount of ₹1,23,05,387/- which includes outstanding energy bills amount of ₹63,34,635/- (including surcharge) for four month period + interest amount of ₹18,49,652/- lac + MMC amount of ₹41,21,100/- lac was pending against the firm from the date of disconnection to 21.10.2016. A recovery suit is pending in the Court of Junior Division, Civil Judge, Bathinda to recover the defaulting amount on which expenditure of ₹1.47 lac has also been incurred.
- 1.3 The regulation 34.3 of the Supply Code, 2014 relevant to this case is as under:

34.3 *“Where a consumer has been disconnected for more than 6 months but his service line/feeding line irrespective of voltage has not been dismantled, the connection may be reconnected after clearance of default and recovering the following charges:*

- a) *Entire outstanding amount;*
- b) *Monthly minimum charges for the period of disconnection; and*
- c) *Security (consumption) and reconnection fee as applicable in accordance with Schedule of General Charges.*

Provided the connection can be reconnected without any augmentation of system i.e. it is technically feasible to reconnect the connection from existing system”.

1.4 As per the request of the firm to provide new connection at existing premises and to recover defaulting amount in instalments, on instructions of higher authorities, an agenda No.81/ Commercial dated 20.12.2016 was placed before the BoDs of PSPCL. The proposal as per para 3 of Agenda is as under:

- i) Recovery of 25% of the total outstanding defaulting amount of ₹63,34,635/- (including surcharge) + up to date interest calculated @ 1.5% per month as per clause 21.4 of the General terms and conditions of the Supply Code/ESIM + the expenditure incurred so far on the recovery suit, at the time of release of connection.*
- ii) Recovery of balance amount along with interest in 12 (Twelve) equal monthly installments.*
- iii) The applicant will pay the weekly advance bill for his declared consumption of the new connection till the full recovery of defaulting amount.*
- iv) Compliance of other applicable conditions as per Supply Code, 2014, ESIM and those relating to late payment surcharge as given in Annexure-I Clause No.21 of CC:26/2016 shall be ensured by the field office.*
- v) Further, at any stage if the applicant firm defaults in making 2nd installment, the connection will be disconnected and then the supply will be restored only after the recovery of the total outstanding amount.*

- vi) An undertaking of the applicant firm in this regard will be taken before allowing installments and release of connection.*
- vii) In addition in order to enforce financial discipline, before reconnection of the premises, the disciplinary action must be taken against the delinquent officers/officials for not making the recoveries in time for amount against various energy bill charges from time to time and allowing defaulting amount to accumulate for 5 months period for which requisite action needs to be taken by field office.*

1.5 The agenda was considered by the BoDs in its 52nd meeting held on 21.12.2016 at Mohali with following decision:

“RESOLVED THAT in view of the recommendations of CE/Commercial, approval be and is hereby accorded to release new connection to M/s HBN Dairies and Allied Services Ltd., Bathinda along with recovery of outstanding defaulting amount in instalments as per para 3 of the agenda subject to approval/concurrence from PSERC as the decision involves relaxation to the existing provisions of Supply Code.”

1.6 PSPCL prayed that approval/concurrence may be accorded by the Commission to the decision of the BoDs as reproduced in para 1.5 above.

2.0 After hearing the officers of PSPCL, the petition was admitted and the order was reserved.

3.0 The Commission has examined the contents of the petition and would like to draw the attention of the petitioner towards Order of the Commission dated 04.05.2017 in petition no. 21 of 2017 (suo-

moto) vide which one time settlement scheme has been reintroduced on the same terms and conditions as approved by the Commission vide letter dated 07.05.2015. **The case of HBN Dairies and Allied Services Ltd., Bathinda may be dealt with as per the provisions of one time settlement scheme approved by the Commission. PSPCL is allowed to recover the outstanding amount in 10 equal instalments. This relaxation may be extended by PSPCL to similarly placed persons.**

The petition is disposed of accordingly.

Sd/-
(S. S. Sarna)
Member

Sd/-
(D.S.Bains)
Chairman

Dated: 15.05.2017
Chandigarh