

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

**Petition No. 64 of 2017
Date of Order:07.05.2018**

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

In the matter of: Petition under Section 142 of the Electricity Act, 2003 for non implementation of the Orders of the Punjab State Electricity Regulatory Commission in full passed in Petition No. 54 of 2013 for refund of security (works) with interest.

AND

In the matter of: SEL Manufacturing Company Ltd., Village Shekhan Mazara, Rahon-Machhiwara Road, Distt. S.B.S. Nagar, through its President (Engg.) Pardeep Kumar Aggarwal.

...Petitioner

Versus

Punjab State Transmission Corporation Ltd.,
Patiala

...Respondent

ORDER

The petitioner SEL Manufacturing Company Ltd. (SEL) has filed the present petition under Section 142 of Electricity Act, 2003 for non implementation of the Orders of the Commission in full passed in Petition No. 54 of 2013 for refund of security (works) with interest and

inter alia praying that Orders may be also passed by the Commission directing Punjab State Transmission Corporation Ltd (PSTCL) to pay interest on labour charges amounting to Rs.1,06,41,237/- for the period 22.05.2009 to 28.11.2016 along with balance refundable amount of labour charges and balance amount of 132 KV Bay in excess to actual expenditure.

2. The petition was admitted by the Commission vide Order dated 13.02.2018 directing that notice be issued to the respondent (PSTCL) to file the reply by 06.03.2018 with a copy to SEL (through email and hard copy) and directing the petitioner to file rejoinder, if any, by 26.03.2018 with a copy to PSTCL. The Petition was fixed for hearing/arguments on 04.04.2018.

3. PSTCL in compliance to the Commission's Order dated 13.02.2018, vide Memo No. 630/FA/Comml.-95 dated 05.03.2018, filed its reply to the petition. In response to the same SEL filed its rejoinder to the reply filed by PSTCL which was received on 23.03.2018.

4. After hearing the parties on 04.04.2018, Order was reserved vide Order dated 06.04.2018 directing PSTCL to submit details of actual expenditure booked against the work of 132 KV bay along with the copies of the correspondence carried out with the petitioner and SEL to submit the copies of all the letters written to PSPCL/PSTCL within a week.

5. In compliance to the Order dated 06.04.2018, SEL filed its submissions on 11.04.2018 along with copy of the letter dated 10.06.2015 addressed to Dy. CE, Operation Circle, PSPCL,

Nawanshahar reiterating the relief prayed for in the petition and PSTCL filed its submissions vide Memo No. 985/FA/Comml.-95 dated 12.04.2018, whereby annexing the copies of the correspondences made with SEL after the Commission's Order dated 22.11.2013 passed in Petition no. 54 of 2013 along with details of Actual Expenditure incurred on electrical works only for erection of 132 KV bay at Jadla Sub-station for giving supply to SEL.

6. The submissions of the petitioner are summarized as under:

- i) That the petitioner had applied for 14364.28 KW/10370 KVA CD at 132KV on 19.08.2008. A demand notice for the same was issued by the respondent on 14.01.2009 and compliance thereof was made by the petitioner by depositing Rs. 2,52,75,020/- as cost of 132 KV line & Rs. 53,25,000/- to-words cost of 132 KV Bay;
- ii) That in view of the delay on the part of the respondent in erecting 132 KV line, SEL requested to release partial load of 3999 KVA at 11 KV as a stop gap arrangement on account of SEL's urgency for commissioning its plant to which the respondent agreed and released 3999 KVA at 11 KV on 20.02.2009;
- iii) That after waiting for release of the remaining load and conversion to 132 KV for a long time, SEL filed petition no. 7 of 2013 before the Commission wherein after hearing the parties, Orders were passed by the Commission inter alia that PSPCL shall pay interest to SEL for the total amount

deposited by it on account of security (works) as well as security (consumption) since PSPCL failed to seek approval of the Commission for extension of period of 120 days in terms of Supply Code (2007) Reg. 6.3(b);

- iv) That PSPCL filed a Review petition bearing no. 40 of 2013 against the Order dated 09.05.2013 passed by the Commission in petition no. 7 of 2013, pleading for shifting the onus of paying interest onto PSTCL as total amount of security (works) deposited by SEL was transferred by PSPCL to PSTCL. The Commission vide Order dated 30.08.2013 held that PSTCL shall be liable to pay interest to SEL for the total amount deposited by the company (SEL) as cost of line/security (works) from the date(s) of deposit to the actual date of payment;
- v) That PSTCL filed Review petition no. 54 of 2013 to wriggle out of its liability to pay interest to the petitioner. The said review petition was virtually dismissed by the Commission with a little modification to its earlier Order dated 30.08.2013. Vide this Order the Commission decreed that “PSTCL shall be liable to pay the interest to the firm (SEL) for the total amount deposited by SEL as cost of line/security (works) after 120 days from the last date of deposit of the amount to actual date of payment.”;
- vi) That the final picture that emerges from the Orders passed by the Commission in petition no. 7 of 2017, Review

petition no. 40 of 2013 and Review petition no. 54 of 2013 is as under:-

- a. PSPCL shall be liable to pay interest to the firm (SEL) for the total amount deposited by SEL as security (consumption) /ACD from the date of deposit to actual date of payment;
- b. PSTCL shall be liable to pay interest to the firm (SEL) for total amount deposited by the firm (SEL) as cost of line/security (Works) after 120 days from the last date of deposit of the amount to actual date of payment. Interest shall be paid in terms of Regulations 6, 17 and 19.3(b) of Supply Code 2007 as amended from time to time;
- vii) That the petitioner has no issue with PSPCL regarding the above mentioned Orders passed by the Commission but PSTCL has not fully complied with these Orders. Out of the total amount of Rs. 2,52,75,020/- deposited as cost of 132 KV line, a sum of Rs.1,41,39,938/- on account of cost of material was refunded on 01.10.2013. Subsequently interest on the said amount was also paid. However, Rs. 1,06,41,237/- on account of labour charges were retained by PSTCL expecting some solution to Right of Way for the 132 KV line. However, when no solution could be found possible, SEL requested PSTCL vide its letter dated 06.09.2016 to refund this amount with interest. PSTCL did not refund the full principal amount but refunded Rs.1,04,86,401/- on

28.11.2016 (interest also being payable on this amount for the period 22.05.2009 to 28.11.2016) which is a gross violation of the Order passed by the Commission in petition no. 54 of 2013. Requests were made to CE/TL, PSTCL Patiala and ASE/TLSC Mohali vide letters dated 6.9.2016 & 2.11.2017 in this regard wherein no response was received;

- viii) That no refund has been made by PSTCL out of the amount of Rs. 53,25,000/- deposited by SEL as cost of 132 KV Bay after deducting actual expenditure, if any, incurred for this work. Balance amount was required to be refunded with interest in accordance with Supply Code (2007) Reg. 19.7. Letters were written on 02.11.2017 to ASE Grid const. division Jalandhar as well as to ASE civil works division Mohali with copy to CETL, PSTCL Patiala raising the above issue but so far no response is received;
- ix) That as per Orders of the Commission in petition no. 54 of 2013, interest was payable on total amount of security (works) deposited by the petitioner from 120 days after the last date of deposit;
- x) That the petitioner is running its business by taking loan from the banks and paying hefty amount of interest on loan amount and as per the calculation of the petitioner, the refundable amount is more than one crore rupees.

The petitioner prayed that action may be initiated against the respondent under Section 142 of the Electricity Act, 2003 for not complying with the orders of the Commission in full. Further, orders may

also be passed directing PSTCL to pay interest on labour charges amounting to Rs.1,06,41,237/- for the period 22.05.2009 to 28.11.2016 along with balance refundable amount of labour charges and balance amount of 132 KV bay in excess to actual expenditure.

7. The submissions made by PSTCL in its para wise reply to the petition, are summarized as under:

- i) That apart from the Orders mentioned by the petitioner in its petition, the Commission also passed the following Orders against petition no. 7 of 2013:
 - a. 132 KV SC line from 132 KV Sub-Station, Jadla to SEL Manufacturing Company Limited, Sekhon Majara shall be erected as per approved route-plan;
 - b. The petitioner shall be responsible for paying compensation to land owners as per the mutually agreed rates which may be decided in consultation with local administration and land owners;
 - c. All material required for construction of this line shall be procured and made available at site to TLSC Organization of PSTCL by the petitioner as per requirement to be worked out and conveyed to the petitioner by S.E./TLSC,PSTCL, Patiala. The material shall be as per specifications/design of PSTCL;
 - d. The erection of the line shall be done by TLSC Organization of PSTCL on labour rates to be borne by

the petitioner. After deduction of these charges, the balance out of total amount deposited by the petitioner shall be refunded to the petitioner by PSPCL;

- ii) That in Compliance to the Commission's Orders against petition no. 54 of 2013, out of Rs. 2,52,75,020/- deposited as cost of 132 KV line by the petitioner, Rs. 1,41,39,938/- as principle amount and Rs. 1,19,89,066/- as interest on total deposit from 01.06.2009 to 30.09.2013 was refunded to the firm vide Cheque nos. 845005 dated 01.10.2013 & 110153 dated 15.01.2014 respectively;
- iii) That the expenditure incurred on survey work & stubbing of 1 no. tower amounting to Rs.6,48,481/- has been deducted from the amount deposited by the petitioner. The balance amount of Rs.1,04,86,601/- (2,52,75,020 - 1,41,39,938 - 6,48,481) was retained as per Orders of the Commission against petition no. 7 of 2013 towards labour for execution of line work;
- iv) That as per the above Orders, the petitioner was required to arrange the material for construction of this line at site and pay compensation to land owners for making available the right of way, but the same was not complied with by the petitioner in spite of reminders issued vide letter no. 2333/34 dated 06.07.2015, 3371/72 dated 03.11.2015, 1797/1800 dated 28.06.2016. As admitted by the petitioner, since no solution to ROW seemed possible, refund of balance amount

was sought by the petitioner vide letter dated 6.09.2016 which was immediately made to him after completing departmental formalities vide Cheque No.729077 dated 28.11.2016 for Rs. 1,04,86,601/-. Hence, there is no violation of the Commission's Orders by PSTCL, rather the petitioner itself could not comply with the Orders of the Commission passed against petition no. 7 of 2013 as explained above. Therefore, no interest is payable on the amount retained by PSTCL for completing the work and the same was immediately refunded to the petitioner on his request.

- v) That the duly approved cost of 132 KV bay is got deposited from the consumers on normative basis. The calculation for the same includes cost of land, cost of earth filling, cost of main trenches, cost of building, cost of bus bar & earthing material etc. on lump sum basis which already stands incurred at the sub-station during its execution and cannot be booked to the individual estimate. The then approved cost of 132KV bay of Rs. 53,25,000/- was deposited by the petitioner out of which Rs.5,00,000/- were transferred to Civil Construction Division, Ludhiana (PSPCL) for Civil works & all the works already stand executed. In view of the above, no refund is admissible to the petitioner on this account.

In view of the above submissions, PSTCL stated that no interest/principle is refundable to the petitioner.

8. The petitioner filed rejoinder to the para-wise reply filed by PSTCL. The submissions made in the rejoinder, in brief, are as under:

- i) That as per Order dated 22.11.2013 of the Commission passed in petition no. 54 of 2013, interest is payable to the petitioner by PSTCL on total amount of security (works) deposited by the Petitioner from 120 days after the last date of deposit. After accounting for all the expenditures incurred by the respondent, an amount of Rs.1,41,39,938/- out of Rs.2,52,75,020/- relating to material part of Security (works) was refunded by PSTCL. Subsequently interest was also paid on this partial amount. An amount of Rs.1,06,41,237/- related to Labour was retained by PSTCL to carry out the work depending on Right of Way. Since no solution for Right of Way could be found by the respondent, the petitioner requested the respondent on 06.09.2016 to refund the balance amount of labour part amounting Rs.1,06,41,237/- with interest as per Commission's Order passed in petition no. 54 of 2013. The respondent refunded the amount of Rs.1,04,86,401/- on 28.11.2016 but no interest was paid on this amount till date, whereas the Orders were to pay interest on total amount of security (works) deposited by the petitioner which is a gross violation of the Order of the Commission;

- ii) That the respondent has tried to wriggle out of their responsibility to pay interest on the plea that petitioner did not provide the material to them for construction of line. The question of providing material did not arise as the respondent themselves failed to secure Right of Way. The petitioner asked for refund of security (works) only after losing all hope of getting the line constructed from the respondent. The Commission in its Orders in petition no. 54 of 2013 citing Supply Code Reg. 6.3(b) and 19.3(b) dismissed the claims made by the respondent earlier also hence, the petitioner cannot be made to suffer for failures on the part of the respondent;
- iii) That there is no force in the plea submitted by respondent. As per the provisions of Supply Code 2007 Reg. 19.7 it is mandatory for the respondent to work out the actual expenditure incurred on 132 KV Bay and adjust it against Rs.53,25,000/- deposited for this work. For every work to be done IWR is issued to JE for maintaining accounts of the work & in the division office Form-27 is maintained. To arrive at actual expenditure, there is no difficulty and is readily available. Balance amount after adjusting actual expenditure is to be refunded to the petitioner with interest in accordance with Supply Code Regulations *ibid*.

With the above submissions, the petitioner reiterated the relief prayed for in the petition.

SEL, further vide letter dated 11.04.2018, in compliance to the Order dated 06.04.2018; impressed that the respondents wrote many letters to the petitioner for securing Right of Way and that the respondents were trying to shirk their own responsibility in this regard and trying to hold the petitioner responsible for non erection of 132 KV line. In fact the respondent has been knocking the wrong door for providing Right of Way instead of moving as per provisions of "The Works of Licensees Rules, 2006" framed under the Electricity Act, 2003. The respondent was required to take action as per para 3 (i) (b) of these Rules extracted as under:

"Provided that in case where the owner or occupier of the building or land raises objections in respect of works to be carried out under this rule, the licensee shall obtain permission in writing from the District Magistrate or the Commissioner of Police or any other officer authorized by the State Government in this behalf, for carrying out the works" .

SEL also stated that it never refused to pay compensation as per law.

9. PSTCL filed its submissions vide Memo No. 985/FA/Comml.-95 dated 12.04.2018, whereby annexing the copies of the correspondence made with SEL after the Commission's Order dated 22.11.2013 passed in petition no. 54 of 2013 along with details of Actual Expenditure incurred on electrical works only for

erection of 132 KV bay at Jadla Sub-station for giving supply to SEL.

PSTCL in its submission also stated that the said actual expenditure as incurred does not include the cost of land, Sub-station yard earthing, bus bar, main trenches, battery & battery charger, DCDB and Control room space for panel. The expenditure incurred by PSTCL for construction of these fixed assets, cannot directly be booked to the newly constructed private bay, but the charging of the bay depends on the availability of these fixed assets, which otherwise could have been utilized only for departmental works. Considering the entire laid infrastructure, the charges for private bay are presently being deposited on normative basis which are duly approved by the Commission.

10. Commission's Findings and Order:

The present petition has been filed for action under Section 142 of the Electricity Act, 2003 against PSTCL for non-implementation of the Order of the Commission for refund of Security (works) with interest in Petition No.54 of 2013. The petitioner applied for a load of 14364.28 kW with a contract demand of 10370 kVA and the same was approved at 132 kV Supply Voltage. The demand notice was issued on 14.01.2009 and the compliance was made by the petitioner by depositing Rs. 2,52,75,020/- as cost of the line and Rs. 53,25,000/- as cost of 132 kV bay. However, the connection was held up due to Right of Way (RoW) problem. In view of delay in erection of 132 kV line, a

partial load of 3999 kVA was released on 11 kV at the request of the petitioner.

The petitioner filed a petition No.7 of 2013 before the Commission praying for issue of direction to PSPCL and PSTCL to erect 132 kV line at the earliest. The Commission constituted a committee to find a suitable solution to the issues involved in erection of the line and in its Order dated 09.05.2013 decided as under:

*“The petitioner, PSTCL and PSPCL made their submissions in detail and all ways and means for erecting the line keeping in view the resistance of the land owners to the erection of line as per approved route of 132 kV transmission line, were discussed during hearing. **After hearing all parties and with their mutual consent, it was decided as under:-***

- 1) 132 kV SC line from 132 kV Sub-station, Jadla to SEL Manufacturing Company Limited, Sekhon Majara shall be erected as per approved route-plan.
- 2) **The petitioner shall be responsible for paying compensation to land owners as per the mutually agreed rates which may be decided in consultation with local administration and land owners.**
- 3) All material required for construction of this line shall be procured and made available at site to TLSC Organization of PSTCL by the petitioner as per requirement to be worked out and conveyed to the

petitioner by SE/TLSC, PSTCL, Patiala. The material shall be as per specifications/design of PSTCL.

4) The erection of the line shall be done by TLSC Organization of PSTCL on labour rates to be borne by the petitioner. *After deduction of these charges, the balance out of total amount deposited by the petitioner shall be refunded to the petitioner by PSPCL.*

5) *PSPCL was required to seek approval of the Commission for extension of period of 120 days in terms of proviso to Regulation 6.3(b) of the Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2007, but has failed to do so. Therefore, PSPCL shall be liable to pay interest to the petitioner for the total amount deposited by the petitioner as cost of line/security (works) and security (consumption)/ACD in terms of Regulation 6,17 and 19.3 (b) of the Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2007 as amended from time to time".[Emphasis added]*

PSPCL filed a review petition No.40 of 2013 and the Commission in its Order dated 30.08.2013 decided as under:-

“After going through the submissions made by the petitioner and the respondents, the Commission decides, as under:

i) The Commission in para 4 of its Order dated 09.05.2013, in case of Petition No.7 of 2013, had decided that the erection of the line shall be done by TLSC Organization of PSTCL on labour rates to be borne by the firm (SEL), and after the deduction of these charges, the balance out of the total amount deposited by the firm (SEL) shall be refunded to the firm by PSPCL. Now, it is evident from the submissions made by PSPCL and PSTCL that the amount deposited by the firm (SEL) for erection of 132 kV line has been lying with PSTCL and as admitted by PSTCL during hearing, it has used the material procured by it for the 132 kV line of SEL at its other works. **Therefore, the balance out of the total amount deposited by the firm (SEL), after deduction of labour charges, shall be refunded to the firm (SEL) by PSTCL and not by PSPCL.**

i) (a) PSPCL shall be liable to pay interest to the firm (SEL) for the total amount deposited by the firm (SEL) as security (consumption)/ACD from the date of deposit to actual date of payment.

(b) **PSTCL shall be liable to pay interest to the firm (SEL) for the total amount deposited by the firm (SEL) as cost of line/security (works) from the date(s) of deposit to the actual date of payment.**

Interest shall be paid in terms of Regulations 6, 17 and 19.3 (b) of the Punjab State Electricity Regulatory Commission

(Electricity Supply Code and Related Matter) Regulations, 2007, as amended from time to time”. [Emphasis added]

Thereafter, PSTCL filed a Review Petition No.54 of 2013 and the Commission in its Order dated 22.11.2013 modified its Order dated 30.08.2013 as under:-

“PSTCL shall be liable to pay the interest to the firm (SEL) for total amount deposited by the firm (SEL) as cost of line/security (works) after 120 days from the last date of deposit of the amount to actual date of payment”.

Thus, as per the orders of the Commission mentioned above, PSTCL was required to refund the cost of the line/Security (works) after retaining the labour charges and also pay interest on total amount deposited by the petitioner after 120 days from the date of last deposit to actual date of payment. The claim of the petitioner is that PSTCL has not implemented the orders of the Commission. According to the petitioner, out of the total amount of Rs. 2,52,75,020/- deposited as cost of the 132 kV line, a sum of Rs. 1,41,39,938/- as cost of material was refunded by PSTCL on 01.10.2013 and subsequently, interest on this amount was also paid. PSTCL retained Rs.1,06,41,237/- on account of labour charges expecting resolution of RoW issue. Since the issue of RoW remained unresolved so the petitioner requested PSTCL to refund the labour charges with interest. The petitioner alleged that PSTCL refunded only Rs. 1,04,86,401/- on 28.11.2016 without payment of interest for the period 22.05.2009 to

28.11.2016, thus violating the Orders of the Commission passed in Petition No.54 of 2013. Secondly, PSTCL has not made any refund out of Rs. 53,25,000/- deposited as cost of 132 kV bay after deducting the actual expenditure incurred for this work.

PSTCL in its reply submitted that compliance of the Orders of the Commission has been made since out of Rs. 2,52,75,020/- deposited as cost of 132 kV line by the petitioner, Rs. 1,41,39,938/- as principal amount along with interest on total deposit amounting to Rs. 1,19,89,066/- for the period 01.06.2009 to 30.09.2013 has been refunded to the petitioner vide cheques dated 01.10.2013 and 15.01.2014. The expenditure incurred on survey work and stubbing of 1 No. tower amounting to Rs. 6,48,481/- has been deducted and the balance amount of Rs. 1,04,86,601/- was retained as cost of labour charges for execution of the line as per Order of the Commission in petition No.7 of 2013. PSTCL pointed out that as per Orders of the Commission dated 09.05.2013, the petitioner was required to arrange the material for construction of the line and also pay compensation to land owners for making available the Right of Way (RoW) which was not complied with by the petitioner. After failure to find solution to RoW issue, the petitioner requested for refund of labour charges vide letter dated 06.09.2016, the same was refunded vide cheque dated 28.11.2016. Regarding refund of excess amount got deposited from the petitioner on account of 132 kV

bay, PSTCL submitted that the cost of 132 kV bay was got deposited on normative basis since it includes proportionate cost of land, earth filling, main trenches, building, cost of bus bar and earthing material etc. on lump sum basis and no refund is admissible to the petitioner on this account. So, no violation of the Commission's Orders has been made by PSTCL. On the directions of the Commission, PSTCL submitted 12 number copies of the letters addressed/written to the petitioner between 05.05.2012 to 28.06.2016 wherein the petitioner was repeatedly asked to sort out the issue regarding Right of Way (RoW) in coordination with PSTCL officers and also to procure/arrange the material so that the erection of the line can be taken in hand. On the other, the petitioner submitted a copy of the letter dated 10.06.2015 addressed to Dy. Chief Engineer, Nawanshahar indicating that it is the duty of the licensee to lay the line.

As per para 2 of the order of the Commission dated 09.05.2013 in petition no. 07 of 2013, it was mutually agreed by the parties that the petitioner shall be responsible for paying compensation to land owners as per mutually agreed rates which may be decided in consultation with local administration and land owners. Thus, the responsibility to settle the issue with land owners was entrusted to the petitioner. Further, as per para 3 of the ibid order of the Commission, all material required for construction of the line was to be procured by the petitioner.

As per orders of the Commission dated 22.11.2013 in petition No.54 of 2013 read with order dated 30.08.2013 in petition No.40 of 2013, the Commission directed PSTCL to retain the labour charges and refund the balance amount to the petitioner with interest after 120 days from the date of last deposit to actual date of payment. Accordingly, PSTCL retained Rs. 1,04,86,601 as labour charges and refunded Rs. 1,41,39,398/- as principle amount after deducting the expenditure of Rs. 6,48,481/- out of the total amount of Rs. 2,52,75,020/- deposited by the petitioner as cost of the 132 kV line. PSTCL also paid interest amounting to Rs. 1,19,89,066/- on total amount deposited by the petitioner which includes labour charges for the period 01.06.2009 to 30.09.2013. Thus, PSTCL has made the compliance of the Orders of the Commission dated 30.08.2013 and 22.11.2013. The labour charges retained by PSTCL as per the order of the Commission has also been refunded as and when the petitioner asked it after failure to settle RoW issue. Therefore, as the default is on the part of the petitioner, no interest charges are payable by PSTCL.

Whereas cost of 132 kV bay is concerned, PSTCL submitted that actual expenditure incurred on electrical works only for erection of 132 kV bay at Jadla substation is Rs. 28,48,408/- and it does not include proportionate cost of land, yard earthing, bus bar, main trenches, battery & battery charger etc. In view of this, the charges on normative basis as approved

by the Commission are being recovered from the consumers. PSTCL is directed to add the normative proportionate cost of the common assets viz land, building etc on lump sum basis as approved in the cost data by the Commission while calculating cost of line bay and accordingly work out the total expenditure on the erection of 132 kV bay at Jadla substation. The excess amount on account of cost of 132 kV bay deposited by the petitioner, if any, shall be refunded alongwith interest on the excess amount as per Supply Code by PSTCL within 30 days. In case, the petitioner is not satisfied with the amount calculated by PSTCL for 132 kV bay as directed above, the petitioner shall be free to approach the grievances settlement mechanism of the licensee as per law.

As discussed above, the petitioner failed to satisfy the Commission regarding any contravention of the direction/orders of the Commission by the respondent and thus no action under section 142 of the Electricity Act, 2003 is warranted.

The petition is disposed of accordingly

Sd/-

(Anjuli Chandra)
Member

Sd/-

(S.S. Sarna)
Member

Sd/-

(Kusumjit Sidhu)
Chairperson

Chandigarh

Dated: 07.05.2018