

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

Petition No. 47 of 2021
Date of hearing: 10.11.2021
Date of Order:23.11.2021

Petition under section 43 of the Electricity Act, 2003 read with Regulation 5.1 of the Supply Code, 2014 and other relevant rules and regulations as approved by the Commission including 68,69,70,71 and 72 and other relevant provisions of Chapter XIII of the Conduct of Business Regulations 2005 as amended up to date and the provisions of the Electricity Act, 2003 for directing the Respondents to render respective permanent Domestic Supply Electricity connection to the Petitioners for their residential houses in the colony.

AND

In the matter of: Mr. Sanjeev Thakur, S/o Sh. Shobha Ram Thakur, R/o Kothi No. 99, R.K.M City, Sector-112, Sahibzada Ajit Singh Nagar, Mohali and Ors.

.....Petitioner.

Versus

Punjab State Power Corporation Ltd. the Mall, Patiala

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

Petitioner: Sh. Aditya Grover, Advocate

PSPCL: Sh. Deepak Gupta, SE/TR-2
Sh. Mukesh Kumar, ASE/TR-5
Sh. Gurpreet Singh Sandhu, ASE Mohali
Sh. Paramjeet Singh, AEE, Mohali

ORDER

PSPCL has filed its reply to the petition vide memo No. 7505 dated 26.10.2021. It has been submitted by PSPCL that as per Regulation 6.7.1 of the Supply Code 2014, the LD system of the colony was to be laid by the developer and the electric connections to the residents of the colony are to be released from the LD system erected by the developer. The developer has not taken NOC and has absconded leaving the LD system incomplete and therefore PSPCL has not released the electricity connections to the petitioners.

The learned counsel for the petitioners has submitted that the petitioners cannot be denied electricity connections merely because the developer has not fulfilled the conditions of license. The petitioners are facing acute hardships due to non-supply of permanent electricity connections by PSPCL. It was also submitted that

electricity is being supplied to the residents by the developer through his temporary connection for which the developer is raising the bills and collecting the charges from the residents. The learned counsel assured that a Resident Welfare Association of the colony shall be formed which would take the electricity connection for common services from PSPCL.

An office memo No.7566 dated 13.10.2021 from Dy.CE/DS, Mohali to SE/Regulations, PSPCL appended with the written submission dated 26.10.2021 of PSPCL mentions that a temporary connection was given to the developer on 30.10.2019 against which defaulting amount of Rs.3.09 lakh is outstanding as on 09.10.2021. Further, again a 49.80kW temporary connection was given to the developer on 12.11.2020 against which a defaulting amount of Rs.5.76 lakh is outstanding as on 09.10.2021. Above mentioned written submission also states that UUE charges have been imposed on the developer for illegally selling electricity in the colony. However, above mentioned memo dated 13.10.2021 states that no data related to UUE case is available. The officer representing PSPCL failed to satisfactorily explain the release of 2 nos. temporary connections to the developer, especially sanctioning of a higher capacity connection of 49.80kW load for temporary requirement without verifying the ground position. Upon a query by the Commission regarding the present status of misuse of electricity by the developer and the status of the UUE, the officer representing PSPCL assured that the detailed position would be intimated expeditiously after personally verifying the same. It was directed to furnish the same within a week. Since the matter requires detailed investigation also, PSPCL was directed to conduct a thorough inquiry into this matter regarding sanctioning of 49.80kW load for temporary requirement of the developer specially in view of the fact that the developer was already a defaulter of the earlier temporary connection. List of officers responsible for the same and action taken against them by PSPCL be indicated. PSPCL to submit its report within one month. Further, PSPCL is also directed to file its submissions regarding total number of temporary or permanent electricity connection being released alongwith the latest status of LD system in the colony.

After hearing the counsel for the petitioners and the officers of PSPCL, the Commission directs PSPCL to release electricity connections to the petitioners in the residential colony, RKM City situated at Sector-112, Sahibzada Ajit Singh Nagar, Mohali, after recovery of service connection charges/other applicable charges as per

the Cost Data approved by the Commission subject to the final Order in the present petition. A separate account of the expenditure incurred by PSPCL on release of these connections may be kept and the amount may be recovered from the developer or the delinquent officials/officers as per the applicable law. PSPCL shall ensure legitimacy and credentials of the Resident Welfare Association to safeguard its commercial interests.

GMADA issued the license to the developer to develop the colony in question and also obtained the requisite documents from the developer. GMADA is a necessary party for proper adjudication of the matter in the present petition and is therefore impleaded as a respondent in the petition. Notice be issued to GMADA to file its reply within two weeks with a copy to PSPCL (through hard copy and soft copy) and to indicate action taken by it to ensure compliance of licensing condition relating to obtaining NOC from PSPCL and completing the LD system. Further, GMADA is also directed to provide the correct name and address of the Developer and details of bank guarantees held by it for ensuring completion of infrastructure in the colony and ensure compliance of licensing conditions.

The petition shall be taken up for hearing on 29.12.2021 at 11.00 AM.

Sd/-

(Paramjeet Singh)
Member

Sd/-

(Anjuli Chandra)
Member

Sd/-

(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **23.11.2021**