

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

Petition No. 46 of 2022
& IA No. 24 of 2022.
Date of Hearing: 19.10.2022
Date of Order: 27.10.2022

Petition under regulations 44, 45, 46 of PSERC (Electricity Supply code and related matters), Regulations, 2014, read with regulation 69 of the Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2005, for seeking interpretation / clarification regarding category, out of categories mentioned in explanation (b) of section 126 of the Act, under which unauthorized use of electricity as mentioned in second proviso to regulation 36.1.3 of the Punjab State Electricity Regulatory Commission (Electricity Supply code and Related Matters) Regulations, 2014 falls, because as per Annexure 8 attached with the Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2014, the method to calculate the electricity charges in case of unauthorized use of electricity is different for each category...

Further petition under section 94 and other relevant provisions of the Electricity Act, 2003, for staying the further proceedings pursuant to the alleged notice issued by the PSPCL on account of alleged un-authorized of electricity, till the clarification/ interpretation is provided by this Hon'ble Commission.

AND

In the matter of: Kamaljeet Kaur wife of Kirpal Singh, Adjacent Phase VIII, Focal Point village Nichi Mangli, Ludhiana (Electricity A/c No. 3003540471), through her authorized representative K.D. Parti.

....Petitioner

Versus

Punjab State Power Corporation Limited., through its Managing Director, The Mall, Patiala

....Respondent

Commission: Sh. Viswajeet Khanna, Chairperson
Sh. Paramjeet Singh, Member

Petitioner: Sh. K.D. Parti, Authorized Representative.

PSPCL: Sh. Rupinderjit Randhawa, CE/ARR&TR
Sh. Ravi Luthra, SE/TR-2
Sh. Gurvinder Singh, Sr.Xen/TR-5

ORDER

The petition was taken up for hearing on admission. The representative appearing for the petitioner submitted that the method to calculate the electricity charges in case of Unauthorized Use of Electricity (UUE) is different for each category as per Annexure-8 of the Supply Code, 2014 and requested to issue clarification for making assessment of electricity charges in case Unauthorized Use of Electricity falls under second proviso to Regulation 36.1.3 of the Supply Code, 2014.

The method of assessment of electricity charges and related issues in case of Unauthorized Use of Electricity has been provided in Section 126 of the Electricity Act, 2003 read with Regulation 36 of the Supply Code, 2014. As per the laid down procedure, provisional assessment order was issued on 20.05.2022 and final order of assessment was issued on 12.07.2022. In case the petitioner is aggrieved by the final order, the remedy under Section 127 of the Electricity Act, 2003 is to prefer an appeal before Appellate Authority. The petitioner is free to raise the issues before the Appellate Authority. In view of the above, the present petition is not maintainable at this forum.

The petition is accordingly dismissed.

Sd/-
(Paramjeet Singh)
Member

Sd-
(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **27.10.2022**