

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

Petition No. 01 of 2025
Date of Hearing: 19.02.2025
Date of Order: 19.02.2025

Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Rule 10,69,71 and 73 of the PSERC (Conduct of Business) Regulations 2005 read with section 94 of the Electricity Act, 2003, for seeking setting aside/quashing of the letter memo no. 2110 dated 11.12.2024 issued by the respondent/Punjab State Power Corporation Ltd. vide which the Power Purchase Agreement dated 11.07.2012 and Supplementary PPA dated 18.04.2023 executed between the petitioner and PSPCL for sale of 6 MW surplus power to PSPCL from petitioner Company's Non-Fossil fuel based 10 MW co-generation Power Project situated at village Sandharshi, Rajpura, District, Patiala, has been wrongly and illegally terminated.

And

In the Matter of 1. M/s NV Distillers and Breweries Pvt. Ltd, having its registered office at 10th Floor, Vandana Building, II, Tolstoy Marg, New Delhi- 11001 through Sh. Pankaj Garg, Additional Director of the Company.
 ...Petitioner

Versus

2. Punjab State Power Corporation Limited, The Mall, Baradari, Patiala-147001
 ...Respondent

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

Petitioner: Sh. Tajender Joshi, Advocate

ORDER

The petition was taken up for hearing on admission. The Ld. Counsel appearing for the petitioner submitted that the petitioner executed power purchase agreement dated 11.07.2012 and supplementary PPA dated 18.04.2023 with PSPCL for sale of 6MW surplus power from its Non-fossil fuel based 10 MW Co-generation Power Project situated at village Sandharshi, Rajpura District Patiala. As per Article 2.1.1 of the PPA, PSPCL has agreed to purchase and accept all energy made available at the interconnection point from the Co-generation facility and as per Article 2.1.3 of the PPA the generating company is under an obligation to continue to supply surplus power to PSPCL during the term of the agreement. It has been further submitted that PSPCL has wrongly

and illegally terminated the PPA vide letter dated 11.12.2024 which is liable to be set aside. After hearing the Ld. Counsel for the petitioner, petition is admitted. Notice be issued to the respondent to file its reply within two week with a copy to the petitioner (through hard & soft copy). The petitioner may file rejoinder thereto, if any, within one week thereafter (through hard & soft copy).

The Ld. Counsel for the petitioner has further submitted that after the termination of the PPA, PSPCL is not purchasing power from the petitioner which is resulting in irreparable loss and injury to the petitioner and requested for a direction to PSPCL to purchase the power from the project as per the terms of the PPA pending the petition. Keeping in view the facts of the matter, the operation of the letter dated 11.12.2024 issued by PSPCL is stayed till the next date of hearing.

The petition shall be taken up for hearing on 07.05.2025 at 11.30 AM.

Sd/-
(Paramjeet Singh)
Member

Sd/-
(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **19.02.2025**