

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

Remand by Hon'ble APTEL
Petition No. 06 of 2023
Date of Hearing:22.05.2024
Date of Order:**23.05.2024**

Petition under Section 86 (1) (b), 86 (1) (c), 86 (1) (e), 86 (1) (f), 86 (1) (K) and 86 (4) of the Electricity Act, 2003 read with Regulation 9 (1) and Regulation 69, Regulation 72, Regulation 74 of the Punjab State Electricity Regulatory Commission (Conduct of Business Regulation), 2005 seeking issuance of appropriate directions/orders(s) against the respondent of quashing/setting-aside the illegal and unlawful demand of Rs. 1,62,42,924/- (Principal Refund Amount Rs. 1,04,07,353/- and Penal Interest Rs. 58,35,571/-) for the period from 28.02.2013 till 02.08.2022 along with Late Payment Surcharge on the same vide recovery notice dated 11.08.2022 sent by PSPCL on account of reduction of 13 paise from the fixed component of tariff due to the capital subsidy availed by the petitioner on 16.04.2009 prior to execution of Long term PPA dated 22.03.2013 AND also for quashing for setting-aside the illegal and unlawful demand of Rs. 1,08,69,120/- (Principal Refund Amount Rs. 64,04,529/- and Penal Interest Rs. 44,64,591/-) for the period from 28.02.2013 till 23.11.2022 along with Late Payment Surcharge on the same vide recovery notice dated 26.12.2022 sent by PSPCL on account of reduction of 08 paise from component of tariff on the wrong pretext that Accelerated Depreciation was availed by the petitioner under PPA dated 22.03.2013 as also the reduction of tariff by 08 paise per unit is wrong and illegal and is liable to be set aside.

AND

In the Matter of : Chandigarh Distillers and Bottlers Ltd. Registered office and works Banur, Tehsil Mohali, Distt. SAS Nagar Head office SOC 140-141, Sector 34-A, Chandigarh.

.....Petitioner

Versus

Punjab State Power Corporation Limited, The Mall, Patiala

.....Respondent

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

Petitioner: Sh. Munish Thakur, Advocate

PSPCL: Ms. Poorva Saigal, Advocate (through V.C.)
Ms. Pallavi Saigal, Advocate (through V.C.)
Sh. Ajay Bansal, Dy. CE/TR-2
Sh. Chandan Parkesh, Sr.Xen

ORDER

The Hon'ble APTEL vide order 19.03.2024 in Appeal No. 60 of 2024 remanded the matter to the Commission for examination in light of the order of the Hon'ble APTEL and the issue decided therein. Notice was issued to Punjab State Power Corporation Limited as well as Chandigarh Distillers and Bottlers Limited to file their respective submissions in writing with a copy to each other. PSPCL has filed its written submissions. However, the Ld. Counsel appearing for Chandigarh Distillers and Bottlers Limited has requested for more time to file its submissions. The same may be filed within two weeks with a copy to PSPCL (through hard copy as well as soft copy).

The petition shall be taken up for hearing on 07.08.2024 at 11:30 A.M.

Sd/- Sd/-
(Paramjeet Singh) (Viswajeet Khanna)
Member Chairperson

Chandigarh
Dated: **23.05.2024**