

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

Petition No. 33 of 2024
Date of Hearing: 23.10.2024
Date of Order: 24.10.2024

Petition under Section 86 (1) (b) and (f) of the Electricity Act, 2003 for Adjudication and Recovery of the amount payable by M/s Indian Acrylics on Account of the Generators event of default in terms of Article 13.1.0 (c) (d) read with Article 13.4.0 of the Power Purchase Agreement dated 04.05.2006.

And

In the matter of: Punjab State Power Corporation Limited, The Mall,
Patiala-147001
...Petitioner

Versus

M/s Indian Acrylics Limited SCO 49-50, Sector 26
Madhya Marg, Chandigarh.
....Respondent

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

PSPCL: Ms. Poorva Saigal, Advocate (through VC)
Ms. Harmohan Kaur, CE&ARR/TR
Sh. Ashish Bansal, Sr.Xen/Hydel
Sh. Harjeet Singh, ASE/TR-5

M/s Indian
Acrylics Limited: Sh. Aditya Grover, Advocate (through VC)

ORDER

The petition was taken up for hearing on admission. The respondent has filed short reply dated 08.10.2024 on the issue of maintainability of the petition. The Ld. Counsel for the petitioner has submitted that in terms of the PPA dated 04.05.2006 the respondent failed to supply power with effect from September 2015. Therefore, PSPCL has terminated the PPA and has sought a sum of Rs. 9.07 Crore as damages/compensation under Article 13.4.0 read with Article 13.3.0 and Article 2.1.3 of the PPA alongwith carrying cost and late payment surcharge. The Ld. Counsel for the respondent has submitted that PSPCL did not act well within the time stipulated in the PPA and woke up after a period of 8 years.

After hearing the Ld. Counsel for the parties it is not disputed that the issue raised in the petition pertains to a dispute between the licensee and the generating company. Section 86 (1) (f) of the Electricity Act 2003, confers powers on the Commission to adjudicate upon the disputes

between the licenses and generating companies. The petition is admitted. The respondent may file its reply on merits within two weeks with a copy to the petitioner and the petitioner may file rejoinder thereto, if any, within one week thereafter (through hard & soft copy).

The petition shall be taken up for hearing on 04.12.2024 at 11.30 AM.

Sd/-
(Paramjeet Singh)
Member

Sd/-
(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **24.10.2024**