

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

**Petition No. 47 of 2022**  
**Date of Hearing: 22.03.2023**  
**Date of Order: 28.03.2023**

Petition under Section 86 of the Electricity Act, 2003, seeking Approval of the Procedure for determination of Captive Power Status.

AND

In the matter of: Punjab State Power Corporation Limited.

...Petitioner

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

PSPCL: Sh. Anand K Ganesan, Advocate  
Sh. Baljinder Pal Singh, AE/TR-5  
Sh. J.K Jindal, Sr.Xen/TR-5  
Sh. Amrinder Singh Virk, AEE/OA  
Sh. Gurpreet Singh Tiwana, Sr.Xen

**ORDER**

The petition was taken up for hearing. Vide Order dated 23.01.2023, PSPCL was directed to issue Public Notice extending the date of submission of objections/comments. PSPCL had published the Public Notice on 21.02.2023 against which no further objection/comment was received PSPCL has submitted its response to 1 no. objection/comment received earlier. Vide Order dated 02.03.2023, the Commission had observed that PSPCL has not yet complied with the direction given at Sr. No.10 of the Order dated 23.01.2023 with regard to criteria for verification of consumption in case of change of shareholding pattern in the financial year particularly in case of Association of Persons and PSPCL was directed to submit its comments on this issue within a week. In this regard, the learned counsel for the petitioner submitted that the judgment has been reserved by Hon'ble Supreme Court in the Civil Appeal filed before it against Order dated 07.06.2021 passed by Hon'ble APTEL in Appeal No.131 of 2020 in respect of applicability of proportionality. Accordingly, the learned counsel submitted that except the said point, the revised procedure for verification of Captive Generating Plant status may be approved without amendments.

After hearing the learned counsel for the petitioner, the Order is reserved

Sd/-  
(Paramjeet Singh)  
Member

Sd/-  
(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: **28.03.2023**