

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

Petition No. 66 of 2021
Alongwith IA No. 24 of 2021
Date of Hearing: 07.12.2021
Date of Order: 15.12.2021

Petition under Section 94 and other relevant provisions of the Electricity Act, 2003 read with condition No. 24 of the General Conditions of Tariff passed by this Commission and other relevant rules and Regulations as approved by the Commission including 64,68,69,70,71 and 72 and other relevant provisions of Chapter XIII of the Conduct of Business Regulations 2005 as amended up to date for clarifying/Interpreting the applicability of provisions of the tariff orders regarding charging 25% increase energy charges from the petitioner for the period 2010 onward.

And

In the matter of: M/s International Hospital Ltd. having its registered office at Fortis Memorial Research Institute, Sector 44, Gurgaon 122001 and having a Multi-speciality Hospital at Amritsar under name of Fortis Escorts Hospital, situated at Majitha Verka Bypass, Amritsar through its authorized signatory, Mr. Deepak Narang.

.....Petitioner

Versus

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

..Respondent

Present: Sh. Viswajeet Khanna, Chairperson
Ms. Anjali Chandra, Member
Sh. Paramjeet Singh, Member

Petitioner: Sh. Tajender Joshi, Advocate

PSPCL: Sh. Gurchain Singh Banga, CE/ARR&TR
Sh. Deepak Gupta, SE/TR-2
Sh. Mukesh Kumar, ASE/TR-5
Sh. Vipin Vij, AEE
Sh. Ayush

ORDER

The petition was taken up for hearing on admission. After hearing the learned counsel for the petitioner, the Commission deems it appropriate to obtain a reply and examine the submissions of PSPCL.

The petitioner has also filed an application alongwith the petition for interim injunction. It has been submitted that the PSPCL authorities issued a supplementary

demand of Rs. 6,48,05,617/- based on an inspection conducted on 28.10.2020 and on account of additional 25% levy on Energy Charges since 01.02.2010 till date. PSPCL officials conducted visits to the hospital to check the Electricity connection on 15.07.2011 and on 05.04.2019 and everything was found to be in Order by the concerned officials. There was no communication to the Hospital regarding the category of electricity connection or any charges /levies for the electricity tariff. On 28.10.2020 the electricity connection of the hospital was inspected by the Additional Superintending Engineer/enforcement and on the basis of this inspection PSPCL issued letter No. 1451 dated 26.11.2020 raising a demand of Rs. 6,48,05,617/- on account of old pending dues for the period of 01.02.2010 to 22.10.2020. The hospital was not getting 'continuous supply' and was subject to frequent power cuts and was never informed about the additional charges for a period of almost 11 years from Feb 2010 till October 2020. The hospital offers a public service that benefits a large section of the society and any financial penalty without any fault of the hospital will have an adverse effect on its ability to continue its services to the community. The petitioner has prayed for an interim injunction/necessary directions against disconnection or suspension of electricity connection of the hospital till the final adjudication of the petition. The petitioner has also raised the issue that it has applied to PSPCL to change the connection to the normal connection without a dedicated line so as to avoid the additional 25% charge now being imposed. PSPCL has yet to affect the change.

Keeping in view the facts of the present matter, PSPCL is restrained from disconnecting or suspending the electricity connection of the hospital till the next date of hearing. PSPCL shall file its reply to the petition addressing the issues raised by the petitioner within two weeks with a copy to the petitioner (through hard copy & soft copy).

The petition shall be taken up for hearing on admission on 19.01.2022 at 11.30 AM.

Sd/-
(Paramjeet Singh)
Member

Sd/-
(Anjuli Chandra)
Member

Sd/-
(Viswajeet Khanna)
Chairperson

Chandigarh
Dated: **15.12.2021**