

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH**

Petition No. 26 of 2016

&

I.A. No.18 of 2016 &

I.A. No. 10 of 2017

Date of hearing: 20.04.2017

Present: Shri D.S. Bains, Chairman
Shri S.S. Sarna, Member

In the matter of: 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 and clause 85 of CERC (Terms and Conditions for Tariff determination from Renewable Energy Sources) Regulations, 2012 (adopted by this Commission in its Order dated 19.07.2012 in suo-motu Petition No. 35 of 2012) read with Article 19.1.0 of the Power Purchase Agreement dated 31.03.2015 and Article 10 of the Implementation Agreement dated 28.03.2015 and Section 94 of the Electricity Act, 2003, for seeking Project Specific extension of period of commissioning of the project upto 31.08.2016 with applicable tariff of ₹7.65 per kWh

AND

In the matter of : Omega Infraengineers Private Limited.

----Petitioner

Versus

1. Punjab State Power Corporation Limited.
2. Punjab Energy Development Agency (PEDA),

----Respondents

For Petitioner: Shri Tajender Joshi, Advocate
Shri Ravaljeet Singh Ruppal, Director
Shri Vikas Kashyap, Project Coordinator

For PSPCL: Shri Mayank Sharma, Advocate
Shri Mohinder Singh, Sr. XEN/IPC

For PEDA: Shri Sunil Chaudhary, Technical Executive

ORDER

The Commission noted that on the last date of hearing (09.03.2017) four representative of PEDA, namely S/Shri Aditya Grover, Advocate, R.K. Gupta, Sr. Manager, Lovkesh Khanna, PA and Chaudhary, Executive, were

present, when the case was heard and the matter was adjourned to 20.04.2017 in open Court.

An interim order dated 14.03.2017 was uploaded on the web site of the Commission on 14.03.2017 itself wherein it was stated that the case is adjourned to 20.04.2017. Thus, there was no confusion regarding the date of hearing. However, PEDDA instead of requesting the Commission immediately regarding the confusion, (if any) as to the date of hearing, chose to send an e-mail to the effect only in the late evening of 19.04.2017. Further, PEDDA did not care to comply with the directions of Commission to file a reply by the given date i.e. 24.03.2017.

The Ld. Counsel for the petitioner, the Learned Counsel and representatives of PSPCL were present. On behalf of PEDDA only Shri Sunil Chaudhary, Technical Executive, PEDDA was present. The Commission took stern notice of the last minute e-mail and non-submission of its reply in time by PEDDA. It was noted by the Commission that one of the objects of the Electricity Act, 2003, is the speedy disposal of the petitions. However, it noticed with anguish that PEDDA, instead of assisting the Commission for expeditious disposal of the case, is indulging in delaying tactics. The Commission further observed that nobody is above law and that the law of the land is to be enforced strictly without exception.

The Commission directs that the Dy. General Manager of PEDDA be present in person on the next date of hearing along with S/Shri R.K. Gupta, Sr. Manager, Lovkesh Khanna, PA and Sh. Sunil Chaudhary, Tech. Executive in larger public interest and to assist the Commission in deciding the matter judiciously.

The petition shall be taken up for arguments on 25.04.2017 at 11.30 A.M.

**Sd/-
(S.S. Sarna)
Member**

**Sd/-
(D.S. Bains)
Chairman**

Chandigarh
Dated: 21.04.2017