

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

Petition No. 05 of 2022  
Date of Hearing: 21.09.2022  
Date of Order: 23.09.2022

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 read with Section 94 of the Electricity Act, 2003, for seeking setting aside/quashing of the order / letter dated 12.05.2021 issued by the respondent No. 1 / Punjab State Power Corporation Ltd. vide which the Power Purchase Agreement (PPA) dated 17.05.2019 executed between PSPCL and the petitioner for purchase of power from 1.5 MW biogas based Power project of the petitioner has been wrongly and illegally terminated.

With further prayer of Project specific extension of period of commissioning of the petitioner Company's biogas based 1.5 MW Power project upto 12.02.2024, as the delay in commissioning is occurring due to the reasons which were beyond the control of the petitioner, force majeure events and faults of the respondent No. 1/ PSPCL.

In the matter of: M/s SAB Industries Limited  
.....Petitioner  
Versus  
Punjab State Power Corporation Ltd. (PSPCL) and Ors.  
.....Respondents

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

M/s SAB  
Industries  
Limited : Sh. Tajinder Joshi, Advocate

PSPCL: Sh. Suparna Srivastava, Advocate  
Sh. Rupinderjit Singh, CE/ARR&TR  
Sh. Ravi Luthra, SE/TR-2  
Sh. Gurvinder Singh, Sr.Xen/TR-5  
Sh. Baljinder Pal Singh AE/TR-5  
Sh. Hardeep Singh, Sr.Xen/Biomass  
Sh. Dharamvir Kamal, Addl.SE

PEDA: Sh. Aditya Grover, Advocate

**ORDER**

The petition was taken up for hearing. The Ld. Counsel appearing for PSPCL submitted that the implementation agreement (IA) executed by the petitioner with PEDDA has expired which has not been further extended. Moreover, there is no physical progress on the ground by the petitioner. The Ld. Counsel for the petitioner submitted that the petitioner requested PEDDA for extension of the implementation agreement (IA) and PEDDA asked the petitioner to extend the Bank Guarantee. The petitioner has extended the Bank Guarantee upto 28.02.2024 and shall take up the matter of further extension of the implementation agreement (IA) with PEDDA. The Ld. Counsel for PEDDA submitted that upon receipt of application by the petitioner for extension in IA, PEDDA shall submit its report in this regard before the Commission. The same be submitted by PEDDA within 10 days with a copy to the petitioner and PSPCL (through hard copy & soft copy). The petitioner as well as PSPCL may submit their comments on the report submitted by PEDDA within a week thereafter with a copy to PEDDA (through hard copy & soft copy).

The petition shall be taken up for hearing on 12.10.2022 at 11.00 AM.

Sd/-  
(Paramjeet Singh)  
Member

Sd/-  
(Viswajeet Khanna)  
Chairperson

Chandigarh  
Dated: 23.09.2022