

Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2002

PUNJAB

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Rule

PUNJAB-STATE-ELECTRICITY-REGULATORY-COMMISSION-CONDUCT of 2002

- Published on 5 February 2002
- Commenced on 5 February 2002
- [This is the version of this document from 5 February 2002.]
- [Note: The original publication document is not available and this content could not be verified.]

Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2002Published vide Punjab Notification No. PERC/Secy/Regulation-1 dated 5.2.2002No. PERC/Secy/Regulation-1. - In exercise of the powers conferred by Section 58 of the Electricity Regulatory Commissions Act, 1998 (Central Act No. 14 of 1998) and all other powers enabling it in this behalf, the Punjab State Electricity Regulatory Commission hereby makes the following regulations, namely :

Chapter I

General

1. Short title, commencement and application.

(1)These regulations may be called the 'Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2002'.(2)These regulations shall come into force on and with effect from the date of their publication in the Official Gazette.(3)Powers provided under these regulations shall be exercised by the Commission subject to notification issued by the State Government under Section 22(2) of the Electricity Regulatory Commissions Act, 1998.

2. Definitions.

(1)In these regulations, unless the context otherwise requires : (a)'Act' means the Electricity Regulatory Commissions Act, 1998 (Act 14 of 1998);(b)'Chairperson' means the Chairperson of the

Punjab State Electricity Regulatory Commission;(c)'Commissioner' means the Punjab State Electricity Regulatory Commission;(d)'Member' means a member of the Punjab State Electricity Regulatory Commission;(e)'Form' means form appended to these regulations;(f)'Officer' means Officer of the Punjab State Electricity Regulatory Commission;(g)'Petition' means and includes all petitions, applications, complaints, appeals, replies, rejoinders, supplemental pleadings, other papers and documents;(h). 'Proceedings' means and includes proceedings of all nature that the Commission may hold in the discharge of its functions under the Act;(i)'Secretary' means Secretary of the Punjab State Electricity Regulatory Commission;(j)'Regulations' means The Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2002.(2)Words or expressions used in these regulations and not defined herein above bear the same meaning as in the Act.(3)The original regulations will be in English and these will be translated in Punjabi.

3. Commission's offices, office hours and sittings.

(1)The location of the offices of the Commission may from time to time be specified by the Commission, by an order made in this behalf.(2)Unless otherwise directed, the headquarters and other offices of the Commission shall open daily, except on Saturdays, Sundays and holidays notified by the Punjab Government. The headquarters and other offices of the Commission shall open at such hours as the Commission may direct from time to time.(3)Where the last day for doing of any act falls on a day on which the office of the Commission is closed and by reason thereof the act cannot be done on that day, it may be done on the next day on which the office is open.(4)The Commission may hold sittings for hearing matters at the headquarters or at any other place on days and time to be specified by the Commission.

4. Quorum.

- The quorum of the Commission in its meetings and proceedings shall be two members, one of whom shall be the Chairperson.

5. Decision through majority of votes.

- All issues which come up in the meetings or proceedings of the Commission shall be decided by majority. The Chairperson shall however, have the right to reserve any decision of the Commission by majority for reconsideration and stay implementation in the meantime.

6. Record of proceedings.

- The proceedings of the meetings of the Commission shall be prepared by the Secretary or any other officer authorized by the Chairperson on that behalf and shall be approved by the Chairperson

7. Language of the Commission.

(1)The proceedings of the Commission shall be conducted in Punjabi, Hindi or English.(2)No petition, document or other material contained in any language other than Punjabi or Hindi or English shall be accepted by the Commission unless the same is accompanied by a translation thereof in Punjabi, Hindi or English.(3)Any translation which is agreed to by the parties to the proceedings or which any of the parties may furnish with an authenticity certificate of the translator, may be accepted by the Commission as a true translation.(4)The Commission in appropriate cases may direct translation of any document which is in a language other than English into English by an Officer or person designated by the Commission for the purpose.

8. Commission to have seal of its own.

(1)There shall be a separate seal indicating that it is the seal of the Commission.(2)Every order or communication made, notice issued or certified copy granted by the Commission shall be stamped with the seal of the Commission and shall be certified by the Secretary or an Officer designated for the purpose.

9. Secretary of the Commission.

(1)The Secretary shall act under the supervision and control of the Chairperson. In particular and without prejudice to the generality of this provision, the Secretary shall have the following powers and perform the following duties:(a)he shall have the custody of the seal and records of the Commission and shall exercise such functions as are assigned to him by these regulations or otherwise by the Commission or the Chairperson;(b)he shall receive or cause to be received all petitions, applications or references on behalf of the Commission;(c)he shall prepare or cause to be prepared briefs and summaries of all pleadings of the parties in cases before the, Commission;(d)he shall assist the Commission in the proceedings relating to the powers exercisable by the Commission;(e)he shall authenticate the orders passed by the Commission,(f)he shall ensure compliance of the order passed by the Commission; and(g)he shall have the right to collect from the Punjab Government or other offices, companies or firms or any other party as may be directed by the Commission, such information as may be considered useful for the purpose of expedient discharge of the functions of the Commission under the Act and place the said information before the Commission.(2)The Commission may delegate to its Officers such functions including functions allowed by these regulations to be exercised by the Secretary on such terms and conditions as the Commission may specify for the purpose.(3)The Secretary, with the approval of the Chairperson, may delegate to any Officer of the Commission any function required by these regulations or otherwise, to be exercised by the Secretary.(4)In the absence of the Secretary, such other Officer of the Commission, as maybe nominated by the Chairperson, may exercise the functions of the Secretary.(5)The Commission shall have the authority, either on an application made by any interested or affected party or suo motto, to review, revoke, recall, revise, modify, amend or alter any order made or action taken by the Secretary or the Officers of the Commission.

10. Representation of Consumer Associations.

(1)It shall be open to the Commission to permit any association or other bodies corporate or any group of consumers to participate in any proceedings before the Commission on such terms and conditions, including in regard to the nature and extent of participation, as the Commission may consider appropriate.(2)The Commission may, as and when considered appropriate, notify a procedure for recognition of associations, groups, forums or bodies corporate as registered consumer associations for the purpose of representation before the Commission.(3)It shall be open to the Commission for the sake of timely completion of proceedings, to allow associations or groups referred to above to make joint representations and affidavits.(4)The Commission may appoint any Officer or any other person to represent interest of the consumers in general or any class or classes of consumers as the Commission may consider appropriate.(5)The Commission may direct payment to the person (other than its Officer) appointed to represent the consumer's interest such fee, cost and expenses by such of the parties in the proceedings as the Commission may consider appropriate.

Chapter II

General Rules Concerning the Proceedings before the Commission

11. Proceedings before the Commission.

(1)The Commission may from time to time hold such proceedings, as it may consider appropriate in the discharge of its functions under the Act. The Commission may appoint an Officer or any other person whom the Commission considers appropriate to appear as Commission's representative in the proceedings.(2)All matters which the Commission is required under the Act to undertake and discharge through hearing of the affected parties and such other matters as the Commission may consider appropriate shall be transacted through such proceedings, in the manner specified under the Act and these regulations.

12. Authority to represent.

- A person may authorize an advocate or a member of any statutory professional body holding a certificate of practice as the Commission may from time to time specify to represent him and act and plead on his behalf before the Commission. The person may also appear himself or through his authorized employee before the Commission. The Commission may from time to time specify the terms and conditions subject to which a person may authorize any other person to act and plead on his behalf.

13. Initiation of Proceedings.

(1)The Commission may initiate any proceedings suo motto or on a petition filed by any affected or interested person.(2)The Commission shall issue a notice initiating the proceedings, and may give

such orders and directions as may be deemed necessary, for service of notices to the affected parties, for the filing of replies and rejoinder in opposition or in support of the petition in such form as the Commission may direct. The Commission may, if it considers appropriate, issue orders for publication of the petition inviting comments on the issues involved in the proceedings in such form as the Commission may direct.(3)While issuing the notice of inquiry, the Commission may, in appropriate cases, designate an Officer of the Commission or any other person whom the Commission considers appropriate to present the matter in the capacity of a petitioner in the case.

14. Petitions and pleadings before the Commission.

- All petitions to be filed before the Commission shall be typewritten, cyclostyled or printed neatly and legibly on one side on white paper and every page shall be consecutively numbered and signed. The contents of the petition should be divided appropriately into separate paragraphs, which shall be numbered serially. The petition shall be accompanied by such documents, supporting data and statements as the Commission may specify.

15. General Headings.

- The general heading in all petitions before the Commission and in all publications and notices shall be in the Punjab State Electricity Regulatory Commission - Form- 1 (Annexed to Regulations) or as otherwise prescribed by the Commission from time to time.

16. Affidavit in support.

(1)Every petition filed shall be verified by an affidavit and every such affidavit shall be in the Punjab State Electricity Regulatory Commission Form-2 (Annexed to Regulations) or as otherwise prescribed by the Commission from time to time.(2)Every affidavit shall be drawn up in the first person and shall state the full name, age, occupation and address of the deponent and the capacity in which he is signing and shall be signed and sworn before a person lawfully authorised to take and receive affidavits.(3)Every affidavit shall clearly and separately indicate statements, which are true to the:(a)knowledge of the deponent;(b)information received by the deponent; and(c)belief of the deponent.(4)Where any statement in affidavit is stated to be true to the information received by the deponent, the affidavit shall also disclose the source of the information and a statement that the deponent believes that information to be true.

17. Presentation and scrutiny of the pleadings, etc.

(1)All petitions shall be filed in seven copies and each set of the petition shall be complete in all respects. The fees as may be specified by the Commission and revised from time to time shall be payable along with the petition.(2)All petitions shall be presented in person or by any duly authorised agent or representative at the headquarters or such other filing centre or centres as may be notified by the Commission from time to time and during the time notified. The petitions may also be sent by registered post acknowledgement due to the Commission at the place mentioned

above. The vakalatnarna in favour of the Advocate, and in the event the petitions are presented by an authorized agent or representative the document authorizing the agent or representative, shall be filed along with the petition, if not already filed on the record of the case.(3)Upon the receipt of the petition, the Receiving Officer of the Commission designated for the purpose shall acknowledge the receipt by stamping and endorsing the date on which the petition has been presented and shall issue an acknowledgement with stamp and date to the person filing the petition. In case the petition is received by registered post, the date on which the petition is actually received at the office of the Commission shall be taken as the date of the presentation of the petition.(4)The presentation and the receipt of the petition shall be duly entered in the register maintained for the purpose by the office of the Commission.(5)The Receiving Officer may decline to accept any petition which does not conform to the provisions of the Act or the regulations or directions given by the Commission or is otherwise defective or which is presented otherwise than in accordance with the regulations or directions of the Commission:Provided that no petition shall be refused for defect in the pleadings or in the presentation, without giving an opportunity to the person filing the petition to rectify the defect within the time which may be given for the purpose. The Receiving Officer shall advise in writing the person filing the petition of the defects in the petition on filed.(6)A party aggrieved by any order of the Receiving Officer in regard to the presentation of the petition may request the matter to be placed before the Secretary of the Commission for appropriate orders.(7)The Chairperson or any Member as the Chairperson may designate for the purpose shall be entitled to call for the petition presented by the party and give such directions regarding the presentation and acceptance of the petition as he considers appropriate.

18. Admission and Registration of a petition.

(1)If on scrutiny, the petition is not refused or any order of refusal is rectified by the Secretary or by the Chairperson or the Member of the Commission designated for the purpose, the petition shall be duly registered and given a number in the manner to be specified by the Commission.(2)As soon as the petition and all necessary documents are lodged and the defects and objections, if any, are removed and the petition has been scrutinized and numbered, the petition shall be put up before the Commission for preliminary hearing and admission.(3)The Commission may admit the petition for hearing without requiring the attendance of the party but shall not pass an order refusing admission without giving the party concerned an opportunity of being heard.(4)If the Commission admits the petition, it may give such orders and directions, as may be deemed necessary, for service of notices on the respondent and other affected or interested parties, for filing of replies and rejoinder in opposition or in support of the petition in such form as the Commission may direct and for the petition to be placed for hearing before the Commission.

19. Service of notices and processes.

(1)Any notice or process to be issued by the Commission may be served by any one or more of the following modes as may be directed by the Commission:(a)service by any party to the proceedings;(b)by hand delivery through a messenger;(c)by registered post with acknowledgement due.(d)by publication in newspaper in cases where the Commission is satisfied that it is not reasonably practicable to serve the notices, processes, etc. on any person in the manner mentioned

above; and (e) in any other manner as considered appropriate by the Commission. (2) The Commission shall, however, be entitled to direct in each case as to who shall bear the cost of such service and publication. (3) Every notice or process required to be served on or delivered to any person may be sent to the person or his agent empowered to accept service at the address furnished by him for service or at the place where the person or his agent ordinarily resides or carries on business or personally works for gain. (4) In the event any matter is pending before the Commission and the person to be served has authorised an agent or representative to appear for or represent him or her in the matter, such agent or representative shall be deemed to be duly empowered to take service of the notices and processes on behalf of the party concerned in all matters and the service on such agent or representative shall be taken as due service on the person to be served. (5) Where a notice is served by a party to the proceedings either in person or through registered post, an affidavit of service shall be filed by the party with the Commission giving details of the date and manner of service of notices and processes. (6) Where any petition is required to be published, it shall be published in such publications and in such form and manner as the Commission may direct. (7) Save as otherwise provided in the Act or in the regulations and subject to any direction which the Commission or the Secretary or the Officer designated for the purpose may give, the petitioner, applicant or any other person whom the Commission makes responsible for the conduct of the proceedings shall arrange service of all notices, summons, and other processes and for advertisement and publication of notices and processes required to be served. The Commission may also effect service or give directions for effecting service in any other manner as it considers appropriate. (8) In default of compliance with the requirements of the regulations or directions of the Commission as regards the service of notices, summons or processes or the publication thereof, the Commission may either dismiss the petition or give such other or further directions, as it considers appropriate. (9) No service or publication required to be done shall be deemed invalid by reason of any defect in the name or description of a person provided that the Commission is satisfied that such service is in other respects sufficient, and no proceeding shall be invalidated by reason of any defect or irregularity unless the Commission, on an objection taken, is of the opinion that substantial injustice has been caused by such defect or irregularity or there are otherwise sufficient reasons for doing so.

20. Filing of reply, opposition, objections, etc.

(1) Each person to whom the notice of inquiry or the petition is issued (hereinafter the respondent) and who intends to oppose or support the petition shall file the reply and the documents relied upon within such period and in such number of copies as may be fixed by the Commission. In the reply filed, the respondent shall specifically admit, deny or explain the facts stated in the petition or notice of inquiry and may also state such additional facts as he considers necessary for just decision of the case. The reply shall be signed and verified and supported by affidavit in the same manner as in the case of the petition. The respondent shall also indicate whether he wishes to participate in the proceedings and be orally heard. (2) The respondent shall serve a copy of the reply along with the documents duly attested to be true copies on the petitioner or his authorised representative and file proof of such service with the office of the Commission at the time of filing the reply. (3) Where the respondent states additional facts as may be necessary for the just decision of the case, the Commission may allow the petitioner to file a rejoinder to the reply filed by the respondents. The

procedure mentioned above for filing of the reply shall apply mutatis mutandis to the filing of the rejoinder.(4)Every person who intends to file objection or comments in regard to a matter pending before the Commission pursuant to the publication made for the purpose (other than the persons to whom notices, processes, etc. have been issued calling for reply) shall deliver to an Officer designated by the Commission for the purpose the statement of objection or comments with copies of the documents and evidence in support thereof within the time fixed for the purpose.(5)The Commission may permit such person or persons who file objection or comments as provided in clause (4) above as the Commission may consider appropriate to participate in the proceedings before the Commission if, on the report received from the Officer, the Commission considers that the participation of such person or persons will facilitate the proceedings and the decision in the matter.(6)Unless permitted by the Chairperson, the person filing objection or comments shall not necessarily be entitled to Participate in the proceedings to make oral submissions. However, the Commission shall be entitled to take into account the objections and comments filed after giving such opportunity to the parties to the proceedings as the Commission considers appropriate to deal with the objections or comments.

21. Hearing of the matter.

(1)The Commission may determine the stages, manner, the place,. the date and the time of the hearing of the matter as the Commission considers appropriate.(2)The Commission may decide the matter on the pleadings of the parties or may call for the parties to produce evidence by way of affidavit or lead oral evidence in the matter, as the Commission may consider appropriate.(3)If the Commission directs or permits oral evidence of a party, it may, as and when considered necessary or expedient, grant an opportunity to the other party to cross-examine the persons giving evidence.(4)The Commission may, if considered necessary or expedient, direct that the evidence of any of the parties be recorded by an Officer or person designated for the purpose by the Commission(5)The Commission may direct the parties to file written note of arguments or submissions in the matter.

22. Power of the Commission to call for further information, evidence, etc.

(1)The Commission may, at any time before passing orders on the matter, require the parties or any one or more of them or any other person whom the Commission considers appropriate to produce such documentary or other evidence as the Commission may consider necessary for the purpose of enabling it to pass orders.(2)The Commission may direct the summoning of the witnesses and production of any document or other material objects admissible as evidence, requisition of any public record from any office, examination by an Officer of the Commission of the books, accounts or other documents or information in the custody or control of any person which the Commission considers relevant to the matter.

23. Penalty for giving false evidence or interrupting the proceedings of the Commission

(1) In accordance with section 193 of the Indian Penal Code, 1860, who ever intentionally gives false evidence in any of the proceedings of the Commission or fabricates false evidence for the purpose of being used in any of the proceedings shall be punishable as per law. (2) In accordance with section 228 of the Indian Penal Code, 1860, who ever intentionally offers any insult or causes any interruption in any of the proceedings of the Commission, shall be punishable as per law.

24. Reference of issues to others.

(1) At any stage of the proceedings, the Commission shall be entitled to refer such issue or issues in the matter as it considers appropriate to persons including but not limited to, the Officers and consultants of the Commission whom the Commission considers as qualified to give expert advice or opinion. (2) The Commission may nominate from time to time any person including, but not limited to, the Officers and the consultants to visit any place or places for inspection and report on the existence or status of the place or any facilities therein. (3) The Commission, if it thinks fit, may direct the parties to appear before the persons designated in clause (1) or (2) above to present their respective views on the issues or matters referred to. (4) The report or the opinion received from such person shall form a part of the record of the case and the parties shall be given the copies of the report or opinion given by the person designated by the Commission. The parties shall be entitled to file their version and comments to the report or the opinion. (5) The Commission shall duly take into account the report or the opinion given by the person and the reply filed by the parties while deciding the matter, and if considered necessary, the examination before the Commission of the person giving the report or the opinion. The Commission shall, however, not be bound by the report or the opinion given as conclusive.

25. Procedure to be followed where any party does not appear.

(1) Where, on the date fixed for hearing or any other date to which such hearing may be adjourned, any of the parties or his authorised agent or representative does not appear when the matter is called for hearing, the Commission may, in its discretion, either dismiss the petition for default when the petitioner or the person who moves the Commission for hearing is in default or proceed ex parte against the party in default and hear and decide the petition. (2) Where a petition is dismissed in default or decided ex parte, the person aggrieved may file an application within 30 (thirty) days from the date of such dismissal or being proceeded ex parte, as the case may be, for recall of the order passed, and the Commission may recall the order on such terms as it thinks fit, if the Commission is satisfied that there was sufficient cause for the nonappearance when the petition was called for hearing.

26. Orders of the Commission.

(1) The Commission shall pass orders on the petition and the Chairperson and the Members of the Commission, who hear the matter and vote on the decision, shall sign the orders. (2) The reasons given by the Commission in support of the orders, including those by the dissenting Member, if any, shall form part of the order. (3) All orders and decisions issued or communicated by the Commission shall be certified under the signature of the Secretary or an Officer empowered in this behalf by the

Secretary and bear the official seal of the Commission.(4)All final orders of the Commission shall be communicated to the parties to the proceedings under the signature of the Secretary or an Officer c empowered in this behalf by the Secretary.

27. Interim Orders.

- The Commission may pass at any stage, in any proceeding before it, such interim orders, including interim ex-parte orders that it may consider appropriate, to, amongst other things, protect the interest of any of the parties to the proceedings or any other person including consumers or any class or classes of consumers.

28. Inspection of records of proceedings and supply of certified copies.

(1)All the records of the proceeding including documents, statements, photographs, recordings whether audio or video, shall be exclusive property of the Commission and can not be copied, printed, screened, published, quoted or broadcasted without prior and written approval of the Commission.(2)Records of every proceeding shall be open for inspection by the parties or their authorised representatives at any time either during the proceeding or after the orders are passed, subject to payment of fee and compliance with other terms the Commission may direct.(3)Records of every proceeding, except those parts which for reasons specified by the Commission are confidential or privileged or otherwise not to be disclosed to any person, shall be open for inspection by any person other than the parties to the petition either during the proceeding or after the orders have been passed, subject to such person complying with such terms as the Commission may direct from time to time including in regard to time, place and manner of inspection and payment of fees.(4)Any person shall be entitled to obtain certified copies of the orders, decisions, directions and reasons in support thereof given by the Commission as well as of the pleadings, papers and other parts of the records of the Commission to which he is entitled subject to payment of fee and compliance with other terms which the Commission may direct.

Chapter III

Tariffs

29. Scope.

- These regulations shall apply with the provisions of Sections 22 and 29 of the Act;(a)in determining the tariff for electricity for whole sale, bulk, grid or retail as the case may be(b)in determining the tariff for the use of the transmission facilities; and(c)in regulating power purchase and procurement process by the transmission and distribution utilities including the price at which power shall be purchased from Generating companies, Generating stations or other sources for transmission, sale, distribution and supply in the State.

30. Requirement of approval by Commission for the tariff.

(1) No generating company functioning in the State except the generating companies owned or controlled by the Central Government and the generating companies which have a composite schedule of generation and sale of electricity in more than one state, shall fix any tariff for supply of electricity without the approval of such tariff by the Commission. (2) Neither the Board (or any of its successor entities) nor the utilities for transmission (intra-State transmission), distribution and supply of power shall charge any tariff without prior approval of the Commission; Provided that the existing tariff being charged by generating companies and other utilities shall, subject to any specific order passed by the Commission in this behalf to the contrary, continue to be charged until the revised tariff is notified by the Commission., without prejudice to the powers of the Commission under Section 22 of the Act.

31. Requirement of Commission's approval for sale agreement by generating companies.

- Any generating company located within the Punjab State, except the generating companies owned or controlled by the Central Government and the generating companies which have a composite scheme of generation and sale of electricity in more than one State, proposing to enter into any agreement for supply of electricity within the State of Punjab with any buying party shall get the approval of the Commission for the tariff before entering into such contract.

32. Tariff Fixation Guidelines.

(1) The Commission shall determine by regulations, the terms and conditions from time to time, including mechanism for fixation of tariff, and in doing so, shall be guided by the following: (a) the principles and their applications provided in Sections 46, 57 and 57 (A) of the Electricity (Supply) Act, 1948 and the Sixth Schedule thereto; (b) in the case of the Board or its successor entities, the principles under Section 59 of the Electricity (Supply) Act 1948; (c) that the tariff progressively reflects the cost of supply of electricity at an adequate and improving level of efficiency; (d) that the factors which would encourage efficiency, economical use of the resources, good performance, optimum investments and other matters which the Commission considers appropriate for the purposes of this Act; (e) the interests of the consumers are safeguarded and at the same time the consumers pay for the use of electricity in a reasonable manner based on the average cost of supply of energy; (f) the electricity generation, transmission, distribution, and supply are conducted on sound commercial principles; and (g) National power plans formulated by the Central Government. (2) Where the Commission departs from factors specified in sub sections (a) to (f), they shall record the reasons for such departure in writing. (3) The Commission, while determining the tariff under this Act, shall not show undue preference to any consumer of electricity, but may differentiate according to the consumer's load factor, power factor, total consumption of energy during any specified period or the time at which the supply is required or the geographical position of any area, the nature of supply and the purpose for which the supply is required. (4) The holder of each licence and other persons including the Board, who are authorized to transmit, sell, distribute

or supply electricity wholesale, bulk or retail in the State, shall observe the methodologies and procedures specified by the Commission from time to time in calculating the expected revenue from charges which are permitted to be recovered and in determining the tariff to collect those revenues.(5)If the Punjab Government requires the grant of any subsidy to any consumer or class of consumers in the tariff determined by the Commission under this section, the Punjab Government shall pay the amount to compensate the person affected by the grant of subsidy in the manner the Commission may direct as per provisions of sub-section (5) of Section 29 of the Act, to implement the subsidy provided for by the Punjab Government.(6)The Commission shall be guided by such directions in the matter of "Cross subsidy" considered in Regulation 32 (3) above and 'direct subsidy' considered in Regulation 32 (5) above, as matters of policy involving public interest as the Punjab Government may give to the Commission in writing according to Section 39 of the Act.(7)The tariff allowed in any financial year shall be subject to the adjustment in any tariff to be fixed for subsequent period, if the Commission is satisfied for reasons to be recorded in writing that such adjustments for the excess or shortfall (i.e. in the "Expected revenue amounts" - actually realized vis-a-vis estimated amounts) is necessary and the Commission is further satisfied that such excess or shortfall is not on account of any reason attributed to the Utility/ Board or any of its successor entities. Such excess or shortfall shall be treated as defend revenue or expense while fixing the tariff.

33. Procedure to obtain tariff approval.

- Utilities engaged in generation, transmission, distribution and supply of electricity who are required to get their tariff approved by the Commission, shall evolve tariff proposals based on the terms and conditions notified by the Commission and shall submit the same for approval, in accordance with the regulations and procedure to be prescribed by the Commission.

34. Furnishing of documents to assess the calculations.

(1)Notwithstanding the above, the Commission shall be entitled to require the licensees / utilities to give such other or further information, particulars and documents as the Commission may consider appropriate to enable the Commission to assess the licensee's / utility's calculation.(2)The licensee/utility shall forthwith supply all the information, particulars and documents directed to be furnished by the Commission.(3)The Commission may get the books and records of the utilities concerned, examined by its Officers and/or by Consultants at any point of time during the pendency of the petition or otherwise. The report of the Officers/Consultants shall be made available to the parties concerned and they shall be given opportunity to offer comments on the reports in the manner prescribed in the regulations.

35. Approval by the Commission.

- The Commission may approve the proposed tariff on such stipulations as may be considered appropriate and as may be prescribed in the order. One of the conditions for approval shall always be that in case of any dispute involving generating companies or transmission utilities, in regard to matters concerned with tariff, the same shall be subject to Arbitration by the Commission.

36. Publication of tariff.

- The utilities concerned shall publish the tariff as approved by the Commission. The tariff published shall be in force until any amendment to the tariff is approved by the Commission and published.

37. Amendment to tariff.

- All applications for amendment to tariff shall be made in such form as the Commission may direct from time to time, and the provisions of Chapter 11 in so far as they are applicable shall apply to the proceedings for amendment to tariffs.

38. Penalty for tariff charges different from approved tariffs.

- Any utility found to be charging a tariff different from the one approved by the Commission shall be deemed to have not complied with the directions of the Commission and shall be liable to penalties under Section 45 of the Act, without prejudice to any other penalty to which it may be liable under any other Act. Any excess charges of tariff by any utility in any year shall be dealt with as per the directions of the Commission.

39. Procedure for review/revision of tariff.

- The Commission, on its own or on an application by the licensee or the utility, on being satisfied that there is need to review the tariff of any utility, shall initiate the process of revision in accordance with the procedure as may be prescribed. The proceedings for suo moto review of the tariff shall be the same as set out in Chapter 11 of these regulations.

40. Periodic returns to monitor implementation.

- The utilities shall submit periodic returns as may be prescribed, containing operational and cost data to enable the Commission to monitor the implementation of its order and reassess the bases on which tariff was approved.

Chapter IV

Licence

41. Application for licence.

- The Commission may, if considers appropriate, advertise in newspapers or otherwise notify in such other appropriate manner as the Commission may decide inviting applications for grant of licence.

42. Form of draft licence.

(1)The Commission may, from time to time, prescribe the form of licences to be issued and these forms of licences may, with such variation as the circumstances of each case require, be used for the purposes of these regulations.(2)The applications for licence shall be made in accordance with the provision of the Act and these regulations(3)Every application for a licence shall be signed by or on behalf of the applicant and addressed to the Secretary or such other Officer as the Commission may designate in this behalf and shall be accompanied by:(a)six copies, in print, of the draft licence as proposed by the applicant with the name and address of the applicant and of his agent (if any) printed on the outside of the draft;(b)three copies, each signed by the applicant, of maps of the proposed area of transmission or supply and, in the case of supply, of the streets or roads in which the supply of energy is to be made, which shall be so marked or colored as to define any portion of such area and streets or roads which are under the administrative control of any local authority and shall be on a scale as the Commission may from time to time specify;(c)a list of local authorities invested with the administration of any portion of the area of supply;(d)an approximate statement describing lands if any which the applicant proposes to acquire for the purpose of the licence and the means of such acquisition;(e)an approximate statement of the capital proposed to be expended in connection with the utility and such other particulars as the Commission may require;(f)a copy of the Memorandum and Articles of Association, Annual Accounts for the last three years or other similar documents as may be required;(g)a receipt of such processing fee, as the Commission may require.

43. Copies of maps and draft licence for public inspection.

- The applicant shall keep at his own office and of his agents (if any) and at the office of every local authority invested with the administration of any portion of the proposed area of supply:(a)copies of the maps referred to in clause 3 (b) of Regulation 42 for public inspection; and(b)a sufficient number of copies of the draft licence to be furnished to all persons applying for them at a price to be notified by the Commission from time to time.

44. Contents of draft licence.

- The draft licence shall contain the following particulars:(a)A short title descriptive of the proposed utility together with the address and description of the applicant and if the applicant is a company, the names of all the directors of the company;(b)Type of licence applied for;(c)Locations of the proposed service area;(d)A description of the proposed area; and(e)Such other particulars as the Commission may specify.

45. Acknowledgement of application.

- On receipt of the application, the Receiving Officer shall note thereon the date of its receipt and shall send an acknowledgement to this effect.

46. Calling for additional information.

- The Commission or the Secretary or any other officer designated for the purpose may, upon scrutiny of the application, require the applicant to furnish within a period to be specified by it, such additional information or particulars or documents as considered necessary for the purpose of dealing with the application.

47. Notifying the due filing of the application.

- If the Commission finds the application to be complete, accompanied by the requisite information, particulars and documents, and finds that the applicant has complied with all the requirements for making the application and furnishing of information particulars and documents, the Commission or the Secretary shall certify that the application is ready for being considered for grant of licence.

48. Advertisement of application and contents thereof.

(1)The applicant shall, within fourteen days from the date of filing of the application publish notice of his application by public advertisement, and such advertisement shall contain such particulars as the Commission may specify.(2)The advertisement shall be headed by a short title corresponding to that given at the head of the draft licence and shall give the addresses of the offices at which copies of maps therein referred to may be inspected and the copies of draft licence perused or purchased and shall state that every local authority, utility or person, desirous of making any representation with reference to the application to the Commission, may do so by letter addressed to the Secretary or such Officer as the Commission may designate in this behalf, within three months of the date of issue of the first advertisement.(3)The Commission may direct that notice of the application be served on the Central Government, the Punjab Government, the local authority or any other authority or person or body as the Commission may direct and in such other manner, as the Commission may consider appropriate.

49. Objections.

(1)Any person intending to object to the grant of the licence shall file objection within the time and in the manner provided for in the Act, in these regulations and as the Commission may direct. The objection shall be filed in the form of a reply and the provisions of Chapter 11 dealing with a reply shall apply to the filing of such objections.(2)When applicable, the applicant shall apply for and obtain the no objection certificate(s) required from the Central Government or the Punjab Government; as the case may be, before the application can be placed for hearing by the Commission for grant of the licence.

50. Local Inquiries and Hearings.

(1)If the applicant has duly arranged for the publication of the notice of the intended application and the time for filing of the objection is over and after the applicant has furnished to the Commission

the no objection, if required, from the Central Government, the Commission may proceed to place the application for regular hearing.(2)The Commission shall give the notice of inquiry or hearing to the applicant, the persons who have filed objections, the Central Government, the Punjab Government and such other authority, person or body as the Commission considers appropriate.(3)If any person objects to the grant of a licence applied for under the Act, the Commission shall, if either the applicant or the objector so desires, cause a local inquiry to be held of which the notice in writing shall be given to both the applicant and the objector:Provided that, the Commission may refuse such an inquiry if in its opinion the objection is of a trifling or vexatious nature.In case of such local inquiry, a memorandum of results of the local inquiry made shall be prepared and shall be signed by the applicant, the Officer or person designated for the purpose and such other person as the Commission may direct.(4)The hearing on the application for grant of licence shall thereafter proceed as far as possible in the same manner as provided in Chapter-11.

51. Approval of draft licence.

(1)After inquiry if any and the hearing, the Commission may decide to grant or refuse the licence and if it decides to grant the licence, it may do so by approving the draft licence with such modification changes or additions and subject to such other terms and conditions as the Commission may direct.(2)When the Commission has approved a draft licence either in its original form or in a modified form, the Secretary or any other Officer specified by the Commission, shall inform the applicant of such approval and of the form in which it is proposed to grant the licence and the conditions to be satisfied by the applicant including the fees to be paid for the grant of file licence.

52. Notification of grant of licence.

- On receiving an intimation in writing from the applicant that he is willing to accept licence in the form approved by the Commission and after the applicant satisfies the conditions specified for the grant, of the licence, the Commission shall publish the licence or such part or gist thereof as the Commission considers appropriate.

53. Date of commencement and duration of licence.

- The licence shall commence from the date, and be valid for the duration, that the Commission may specify at the time of its issue.

54. Deposit of maps.

- When a licence has been granted, three sets of maps showing, as regards such licence, the particulars specified in Regulation 42, shall be signed and dated to correspond with the date of the notification of the grant of the licence by Secretary or any other Officer designated by the Commission. One set of such maps shall be retained as the deposited maps by the said Officer and the other two sets given to the licensee.

55. Deposit of printed copies.

(1) Every person who is granted a licence shall within thirty days of the grant thereof, (a) have adequate number of copies of the licence printed; (b) have adequate number of maps prepared showing the area of supply specified in the licence; and (c) arrange to exhibit a copy of such licence and maps for public inspection at all reasonable times at his head office, at his local offices (if any) and at the office of every local authority within the area of supply. (2) Every such licensee shall, within the aforesaid period of thirty days, supply free of charge one copy of the licence and the relevant maps to every local authority within the area of supply and shall also make necessary arrangements for the sale of printed copies of the licence to all persons applying for the same, at a price to be notified by the Commission from time to time.

56. Preparation and submission of accounts.

(1) Every licensee shall cause the accounts of his utility to be made up to the thirty-first day of March each year. (2) Such licensee shall prepare and render an annual statement of his audited accounts in accordance with the provisions of the Act, within a period of six months from the aforesaid date, or such extended period as the Commission may authorise after it is satisfied that the time allowed is insufficient owing to any cause beyond the control of the licensee and the statement shall be rendered in such numbers of copies as the Commission directs. (3) The accounts shall be made in such forms as the Commission may direct from time to time. All the forms shall be signed by the licensee or his accredited and duly authorised agent or manager. (4) The Commission may by special or general order direct that, in addition to the submission of the annual statements of accounts in the form prescribed, a licensee shall submit to the Commission or such other authority as it may designate in this behalf such additional information as it may require for the purpose.

57. Model Conditions of Supply.

(1) The Commission may direct, from time to time, the model conditions of supply to be adopted by the licensee, with such variations as the Commission may direct and the licensee shall furnish to the Commission the finalized conditions of supply for approval. (2) The licensee shall always keep in his office an adequate number of printed copies of the sanctioned conditions of supply and shall, on demand, sell such copies to any applicant at a price not exceeding normal photocopying charges.

58. Contravention of Licence.

(1) The Commission may pass such orders, as it thinks fit, in case of the contravention or the likely contravention of the licence terms or conditions by the licensee. (2) The Commission may follow, as far as possible, the general procedure prescribed in Chapter 11 of these regulations in dealing with a proceeding arising out of a contravention or likely contravention by a licensee

59. Revocation of the licence.

(1) It shall be a condition of the licence that the Commission shall have the power to revoke in the circumstances specified under section 4 of the Indian Electricity Act, 1910 and the consequences provided in the said Act on such revocation shall follow, (2) The proceedings for revocation of the licence or for passing of any other orders in lieu of such revocation may be initiated by an order passed by the Commission which the Commission may initiate suo moto or on application of the licensee or on receipt of any complaint or information from any person. (3) The Commission may give notice of the proceedings for the revocation of the licence to the licensee and to such other persons, authorities or bodies as it may consider necessary. (4) The inquiry by the Commission on the revocation of the licence, in so far as it is applicable, shall be in the same manner as provided in Chapter 11 of the regulations. (5) The licensee shall be given not less than three months notice in writing to show cause against the proposed revocation and the notice to show cause issued to the licensee shall clearly state the grounds on which the Commission proposes to revoke the licence. (6) If the Commission decides to revoke the licence, the Commission shall give the notice of the revocation to the licensee specifying the effective date from which such revocation shall take effect. The notice for revocation of licence, shall be in such form as the Commission may direct. The Commission may, at its discretion, order refund in part, the annual license fee in case of revocation of licence. (7) The Commission may, instead of revoking the licence, pass any other order imposing further terms and conditions subject to which the licence is permitted to operate thereafter.

60. Amendment of the licence granted.

(1) Application by the licensee or Punjab Government or Local Authority concerned for alternation or an amendment to the terms and conditions of the licence granted shall be made in such form as may be directed for the purpose by the Commission. The application shall be supported by an affidavit as provided in Chapter 11 of the regulations. (2) Unless otherwise specified in writing by the Commission, each application for an amendment or alternation in the licence shall be accompanied by a receipt of such fee as the Commission may require, paid in the manner directed by the Commission. (3) Unless otherwise specified in writing by the Commission, the procedure prescribed in these regulations for grant of licence, in so far as it can be applied, shall be followed while dealing with an application for amendment or alternation of the licence.

61. Regulation of licensee's purchase of power.

(1) The licensee shall file with the Commission in complete form, copies of all Power Purchase Agreements already entered into by the licensee. (2) The Commission shall be entitled to direct that the licensees shall establish to the satisfaction of the Commission that the purchase of power by the licensees is under a transparent power purchase procurement process and is economical and the power is necessary for the licensee to meet its service obligation. (3) The licensee shall apply to the Commission for approval of draft Power Purchase Agreement that the Licensee proposes to enter into. The Commission may pass orders: (a) approving the agreement; or (b) approving the agreement with modifications proposed to the terms of the agreement; or (c) rejecting the agreement. (4) The provision of clauses (2) and (3) above or any action taken therein shall not, in any manner, prejudice

the exercise of functions and powers of the Commission under any of the other provisions of the Act, the regulations and orders to be issued from time to time.

Chapter V

Arbitration of Disputes

62.

(1)The Arbitration of disputes arising between the parties shall be determined by the Arbitration in accordance with the Arbitration and Conciliation Act, 1996 or any amendment thereof in respect of the matters lying within the jurisdiction of the Commission as contained in Section 22 of the Act, may be commenced by the Commission on the application of any of the parties or persons concerned.(2)The Commission shall issue notice to the concerned parties and to such other persons as the Commission considers appropriate to show cause as to why the disputes on the matters as specified in the notice should not be adjudicated and settled through Arbitration.(3)The Commission may, after hearing the parties to whom notices have been issued and if Satisfied that no reason or cause has been shown against the proposed Arbitration, pass an order directing that the disputes or the matter be referred for adjudication and settlement through Arbitration either by the Commission or by a person or persons to be nominated by the Commission.If the Commission decides to refer the matter to Arbitration by a person or persons other than the Commission, the reference shall be:(a)to a sole Arbitrator if the parties to the dispute agree on the name of the Arbitrator; or(b)if the parties are unable to agree on the name of a sole Arbitrator, the sole Arbitrator to be designated by the Commission. In special circumstances, taking into account the nature of the disputes, the value involved and the public importance of the case, the Commission may also refer the case to three Arbitrators, one of whom shall be nominated by each of the parties to the dispute and the third by the Commission:Provided that if any of the parties fails to nominate the Arbitrator within the time allowed by the Commission, the Commission shall nominate the Arbitrator for the party.(4)The Commission may on the application of any party or suo moto terminate the mandate of any Arbitrator:(a)if the Arbitrator refuses, fails or neglects to act ; or(b)if the Arbitrator resigns; or(c)if otherwise the Commission considers it appropriate to do so.(5)If the Arbitrator whose mandate was terminated was appointed by the Commission, the Commission shall appoint an Arbitrator to fill up the vacancy so created. If the Arbitrator whose mandate was terminated was appointed by any party, the Commission may direct the party concerned to appoint an Arbitrator to fill up the vacancy so created within such time as the Commission may direct. If the party fails to appoint an Arbitrator within the time allowed by the Commission, the Commission shall appoint an Arbitrator.(6)The Commission shall not nominate a person as Arbitrator to whom any of the licensees or the other concerned person in the arbitration has a reasonable objection on grounds of possible bias or similar reasons, if the Commission considers the objection to be valid and justified.(7)In case the Commission acts as an Arbitrator, the procedure for adjudication and settlement to be followed shall be, as far as possible, the same as in the case of hearing before the Commission provided for in Chapter II.(8)In case the Commission nominates an Arbitrator or Arbitrators to adjudicate and settle the dispute, such Arbitrator or Arbitrators may, subject to any directions given by the Commission, follow such procedure, as they may consider appropriate that is

consistent with the principles of natural justice and gives fair opportunity to the parties to arbitration.(9)The Arbitrator after hearing the parties shall pass a speaking award giving reasons for the decision on all issues arising for adjudication and forward the award to the Commission within such time as the Commission may specify.(10)The Commission shall give notice of the award given by Arbitrator or Arbitrators appointed by the Commission to the parties concerned and shall give an opportunity to the parties to file objection to the award and reply to the objections within such time as the Commission may specify..(11)The Commission shall proceed to hear the parties on the award. The procedure to be followed by the Commission shall be, as far as possible, the same as in the case of hearing before the Commission provided for in Chapter II of these regulations ;Provided that the hearing shall be confined to the objections raised to the award given by the Arbitrator.(12)The Commission shall be entitled to pass appropriate orders as it thinks fit after giving an opportunity for hearing the parties.(13)The cost of the Arbitration, and proceedings before the Commission shall be borne by such parties and in such sums as the Commission may direct.(14)The Commission may pass such interim orders in the matter as the Commission may consider appropriate at any time before or during the proceedings of the Arbitration.

Chapter VI

Investigation, Inquiry, Collection of Information, etc.

63.

(1)The Commission may make such order or orders as it thinks fit for collection of information, inquiry, investigation, entry, search, and seizure and without prejudice to the generality of its powers in regard to the following:(a)The Commission may, at any time, direct the Secretary or any one or more Officers or Consultants or any other person as the Commission considers appropriate to study, investigate or furnish information with respect to any matter within the purview of the Commission under the Act;(b)The Commission may for the above purpose give such other directions as it may deem fit and specify the time within which the report is to be submitted or information furnished;(c)The Commission may issue or authorize the Secretary or an Officer to issue directions to any person to produce before it and allow to be examined and kept by a specified Officer of the Commission specified in this behalf the books, accounts and other documents specified in the directions or to furnish to an Officer specified information for the purpose of examination by the Commission;(d)If any such report or information obtained in these regulations appears to the Commission to be insufficient or inadequate, the Commission or the Secretary or an Officer authorized for the purpose may give directions for further inquiry, report and furnishing of information;(e)The Commission may direct such incidental, consequential and supplemental matters be attended to which may be considered relevant in connection with the above.(2)In connection with the discharge of the functions under the Act and regulations there under, the Commission may, if it thinks fit, direct a notice of inquiry to be issued and proceed with the matter in a manner provided under Chapter 11 of these regulations.(3)The Commission may, at any time, take the assistance of any institution, Consultants, Experts, Engineers, Chartered Accountants, Advocates, Surveyors and such other Technical and Professional persons, as it may consider necessary, and ask them to study, investigate, inquire into any matter or issue and submit report or

reports or furnish any information. The Commission may determine the terms and conditions for engagement of such professionals.(4)If the report-or information obtained in terms of the above regulations or any part thereof is proposed to be relied upon by the Commission forming its opinion or view in any Proceedings, the parties in the proceedings shall be given a reasonable opportunity for filing report or information.

Chapter VII

Miscellaneous

64. Review of the decisions, directions and orders.

(1)The Commission may on its own or on the application of any of the persons or parties concerned, within 90 days (Ninety days) of the making of any decision, direction or order, review such decision, direction or order and pass such appropriate orders as the Commission thinks fit.(2)An application for such review shall be filed in the same manner as a petition under Chapter 11 of these regulations.

65. Continuance of proceeding after death, etc.

(1)Where in any proceedings any of the parties to the proceedings dies or is adjudicated as an insolvent or in the case of a Company under liquidation or winding up, the proceedings shall continue with the succession-in-interest, the executor, administrator, receiver, liquidator or other legal representative of the party concerned.(2)The Commission may, for reasons to be recorded, treat the proceedings as abated in case the Commission so directs and dispenses with the need to bring the successors-in-interest etc., on the record of the case.(3)In case any person wishes to bring on record the successors-in-interest etc., the application for the purpose shall be filed within 90 days (Ninety days) from the event requiring the successors-in-interest to come on record.

66. Proceedings to be open to public.

- The proceedings of the Commission shall be open to the public;Provided that the admission to hearing shall be subject to availability of sitting accommodation.Provided further that the Commission may, if it thinks fit, and for reasons to be recorded in writing, order at any stage in the proceedings of any particular case that the public generally or any particular person or group of persons shall not have access to or be or remain in the room or building where the proceedings are being held.

67. Publication of petition.

(1)Where any application, petition, or other matter is required to be published under the Act or these regulations or as per the directions of the Commission, it shall unless the Commission otherwise orders or the Act or regulations otherwise provide, be advertised not less than 5 days (Five days) before the date fixed for hearing.(2)Except as otherwise provided, such advertisements shall

give a heading describing the subject matter in brief.(3)Such advertisement to be published shall be approved by the Officer of the Commission designated for the purpose.

68. Issue of orders and practice directions.

- Subject to the provisions of the Act and these regulations, the Commission may, from time to time, issue orders and practice directions in regard-to the implementation of the regulations and procedure to be followed and various matters, which the Commission has been empowered by these regulations to specify or direct.

69. Inherent power of the Commission.

(1)Nothing in these regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for ends of justice or to prevent the abuse of the process of the Commission.(2)Nothing in these regulations shall bar the Commission from adopting in conformity with the provisions of the Act, a procedure, which is at variance with any of the provisions of these regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing deems it necessary or expedient for dealing with such a matter or class of matters.(3)Nothing in these regulations shall, expressly or impliedly bar the Commission to deal with any matter or exercise any power under the Act for which no regulations have been framed, and the Commission may deal with such matters and exercise such powers and functions in a manner it thinks fit.

70. General power to amend.

- The Commission may, at any time and on such terms as to costs or otherwise as it may think fit, amend any defect or error in any proceeding before it, and all necessary amendments shall be made for the purpose of determining the real question or issue arising in the proceedings.

71. Power to remove difficulties.

- If any difficulty arises in giving effect to any of the provision of these regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

72. Power to dispense with the requirement of the regulations.

- The Commission shall have the power, for reasons to be recorded in writing and with notice to the affected parties, dispense with the requirements of any of the regulations in a specific case or cases subject to such terms and conditions as may be specified.

73. Extension or abridgment of time prescribed.

- Subject to the provisions of the Act, the time prescribed by these regulations or by order of the Commission for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by order of the Commission.

74. Effect of non-compliance.

- Failure to comply with any requirement of these regulations shall not invalidate any proceeding merely by reason of such failure unless the Commission is of the view that such failure has resulted in miscarriage of justice

75. Costs.

(1) Subject to such conditions and limitation as may be directed by the Commission, the cost of and incidental to all proceedings shall be awarded at the discretion of the Commission and the Commission shall have full power to determine by whom or out of what funds and to what extent such costs are to be paid and give all necessary directions for the aforesaid purposes. (2) The costs shall be paid within 30 days (Thirty days) from the date of the order or within such time as the Commission may, by order, direct. The order of the Commission awarding costs shall be executed in the same manner as the decree or order of a Civil Court.

76. Enforcement of orders passed by the Commission.

- The Secretary shall ensure enforcement and compliance of the orders passed by the Commission, by the persons concerned in accordance with the provisions of the Act and regulations and if necessary, may seek the orders of the Commission for directions. PERC Form - 1 (See Regulation 15) General Heading for Proceedings before the Punjab State Electricity Regulatory Commission File No. Case No. (To be filled by the office) In The Matter of (Gist of the purpose of the petition or application) and In The Matter of (Names and full address of the petitioner/applicants and names and full addresses of the respondent) PERC Form - 2 (See Regulation 16) Before the Punjab State Electricity Regulatory Commission File No. Case No. (To be filled by the office) In The Matter of (Gist of the purpose of the petition or application) and In The Matter of (Names and full address of the petitioners/ applicants and names and full addresses of the respondent) Affidavit verifying the petition / application

1. Son of _____ aged _____ residing at _____ do solemnly affirm and say as follows:

a) I am a Director/Secretary of Ltd., the petitioner in the above matter and am duly authorised by the said petitioner to make this affidavit on its behalf b) I solemnly affirm at.....on this day of..... that.....(i) the contents of the above petition are true to my knowledge and I believe that no part of it is false and no material has been concealed therefrom. (ii) that the statement made in

paragraphs..... of the petition herein now shown to me are true to my knowledge and that(iii)the statement made in paragraphs.....are based on information received from.....and I believe them to be true. Identified before me by :I solemnly affirm at.....on this day of.....that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from. Deponent