

M/s Snow Hydro Electric Power Project Pvt. Ltd.

V/s
HPSEBL & Others.

ORDER

- (1) Complaint has been filed by M/s Snow Hydro Electric Power Project Pvt. Ltd, in short referred to as M/s Snow HEPPPL who is Generator or Independent Power Producer (or IPP). In the matter Respondent is the HPSEBL, a distribution licensee;
- (2) The Complaint was listed today for admission hearing. Parties argued the matter on maintainability;
- (3) Forum observes that in the instant case, Respondent is not supplying electricity to M/s Snow HEPPPL but on the contrary it is M/s Snow HEPPPL who is supplying electricity to the Respondent distribution licensee as a Generator or IPP under some Agreement (or Power Purchase Agreement or PPA) between parties as also confirmed by the Counsel for M/s Snow HEPPPL;
- (4) Forum has examined the Electricity Act, 2003 and the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 notified on 23.01.2013 by the HP Electricity Regulatory Commission (or the HPERC) and amendments thereto;
- (5) For the reason that M/s Snow HEPPPL is supplying electricity to the Respondent in accordance with an Agreement between the parties, Forum is of the considered opinion that in the matter M/s Snow HEPPPL is not a consumer as is defined in sub-section 2 (15) of the said Act, wherein the consumer is one who is supplied with electricity. Further, Snow HEPPPL cannot also be regarded as a Complainant in accordance with the definition of “complainant” given in sub-regulation 3(d) of the ibid Regulations and therefore the dispute resolution between parties does not fall within the purview of the said Regulations which is only in terms of disputes between consumers and the distribution licensee;

- (6) The instant dispute resolution thus falls within the purview of the terms and conditions of the Agreement / PPA executed between the parties and not in accordance with the ibid Regulations;
- (7) Forum holds and concludes that the instant complaint, not being by a consumer of the Respondent, is thus not maintainable before this Forum;
- (8) Forum gives liberty to M/s Snow HEPPPL to approach the appropriate authority vested with the powers to resolve disputes between the Generator and Distribution licensee;

On aforesaid terms the complaint is dismissed as not being maintainable before this Forum.

Order is announced in open Forum before parties present today

Parties are left to bear their own cost.

Certified copies of this Order be supplied to the parties. The complaint alongwith this Order be consigned to record room for safe custody.

Date: 19.12.2024

Place: Shimla

--Sd--
(Vikas Gupta)
(Member)

--Sd--
(Tushar Gupta)
(Chairman)

**CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI,
SHIMLA-9.**

Complaint No.: - 4000/2024-12/36

Date of Admission: - 09.12.2024

**Quorum: - Er. Tushar Gupta, Chairman
Er. Vikas Gupta, Member**

In ref:-

M/s Snow Hydro Electric Power Project Pvt. Ltd.
Village Dhanotu, P.O. Mahadev, Tehsil, Sunder Nagar,
District Mandi (HP). **Complainant**

V/s.

HPSEBL & Others. **Respondents**

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Chief Engineer (System Operation),
HPSEBL, Kumar House,
Vidyut Bhawan Shimla-4.
3. The Accounts Officer (SL & D) F&A,
HPSEBL, Room No. 112, 1st Floor, F&A Wing,
Kumar House, Vidyut Bhawan Shimla-4. **Respondents**

Final hearing:- 19.12.2024.

Present for:-

Complainant 1. Sh. Sunil Kumar, Advocate

Respondent 1. Sh. Ramesh Kasushal Adv. vice of Sh. Rajesh Kashyap,
Advocate

Date of Decision: -19.12.2024

Notice

Registered

**CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI
SHIMLA-171009.**

No. CGRF/Complaint No. 4000/2024-12/36

Dated

M/s Snow Hydro Electric Power Project Pvt. Ltd.
Village Dhanotu, P.O. Mahadev, Tehsil, Sunder Nagar,
District Mandi (HP).

Complainant

V/s.

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Respondents

Complaint No. 4000/2024-12/36

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HPSEBL, Room No. 112, 1st Floor, F&A Wing,
Kumar House, Vidyut Bhawan Shimla-4.

Respondents

The Certified copy of final order dated 19.12.2024 passed by the Hon'ble Forum in the aforesaid complaint is enclosed find herewith for further necessary action at your end please. The compliance be reported/intimated within one month after the receipt of order in the office.

DA:-As above.

Sd/-

Secretary,
Consumers Grievances Redressal Forum,
HPSEBL, Kasumpti Shimla-9.

