

CONSUMER GRIEVANCES REDRESSAL FORUM, SHIMLA

Complaint No 1453/202512/32

Complaint No 1453/202512/33

M/s Kundlas Loh Udyog

Vs

Himachal Pradesh State Electricity Board Limited & Others

Brief Facts of Complaint:

- (1) 2 No. Complaints bearing No 1453/202512/32 (in short referred to as complaint No 32) and 1453/202512/33 (in short referred to as complaint No 33) respectively, have been before this CGRF under regulation 16, 17 and 18 of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 by M/s Kundlas Loh Udyog a consumer of HPSEBL bearing consumer ID as 100012001845 and address as Village Balyana, P.O Barotiwala, Tehsil Baddi, District Solan-174103;
- (2) Himachal Pradesh State Electricity Board Limited (or the HPSEBL) is the distribution licensee and Respondent herein;

- (3) [REDACTED]

[REDACTED] referred above, the Court in paras 8 and 9 is pleased to order as follows:-

“8. Accordingly, this Court concurs with the submissions made by the learned senior counsel for the respondents that the present petition was not maintainable, as the petitioner [REDACTED]

- (5) In complaint No 32, Complainant is aggrieved by the Demand Notice dated 26.04.2018 (**Annexure C3**) and in complaint No 33,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] by
the HPERC. The Complainants on several grounds have impugned /
disputed these Demand Notices;

- (6) In the instant [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] reserved.

Complainants:

(A) **Complaint No 1453/202512/32**

- (7) That current dispute arose following its application for extension of
connected load and contract demand in 2018. On 26.04.2018, the
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] that it had self-funded the
infrastructure and that it was beyond the scope of section 46 of the
Electricity Act, 2003;
- (8) That the Respondent did not provide bifurcation / justification of
expenses [REDACTED]
[REDACTED]
[REDACTED] transmission line;

- (9) That pursuant to Hon'ble Court's Interim Order in CMP No 3870 of

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] per 5.7.3 of Supply Code.

(B) Complaint No 1453/202512/33

- (11) That the present dispute follows from its application for additional load of [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] before the Hon'ble High Court of Himachal Pradesh;

- (13) That the Hon'ble Court in its judgement dated 27.11.2025 has ruled that this "unjustified and uncalled for" demand constitutes an imperfection or inadequacy under Regulation 3(e) and directed the Complainant to approach this Forum;

- (14) Prayers and Relief sought: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] already deposited with interest as per 5.7.3 of Supply Code.

Common Grounds raised in both complaints –

(15) That the Complainants / consumer is an Extra High Tension (EHT) consumer of the [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]

[REDACTED]s constitutes an illegal double recovery;

(19) Under Regulation 2 of the Regulation 2012 (and former 2005) Regulations, the Complainant is a consumer and not a fresh applicant [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED] distortion made possible by incomplete unbundling of HPSEBL.

(22) While refuting the Reply filed by the Respondent, the Complainant has stated as follows:-

Respondent:

(24) That the Complainant in the garb of challenging the vires of HPERC
 [REDACTED]
 [REDACTED] the Demand Notice of
 the IDC issued under these Regulations;

- (25) That the Respondent being the distribution licensee is bound by the Electricity Act, 2003 and the Regulations framed by the HP Electricity Regulatory Commission;
- (26) That there is no arbitrariness nor any illegality in the action of the Respondent to demand charges and issue Demand Notices which are in strict compliance to the clause 3.2 of the Electricity Supply Code,

(27)

- (28) That it is denied that the present demand is contrary to section 46 of the Electricity Act, 2003. The petitioner has totally misconstrued the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] infrastructure is

wholly misconceived and unsustainable;

- (29) That the grievance alleging flawed application of normative rates is totally misconceived. The normative rates have been fixed and notified by the Hon'ble HPERC in exercise of statutory powers

conferred under the Act and the Regulations framed thereunder and the Respondent is legally bound to apply these rates;

- (30) That the contention of the Complainant that the licensee is estopped from recovering IDC under the HPERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2012 and earlier 2005

[REDACTED]

[REDACTED]

[REDACTED]

- (33) Prayers in both Replies filed by the Respondent: That keeping in view the facts and circumstances, the instant complaints be dismissed.

ORDER

- (34) Forum has gone through the complaints and the record before it. It has examined the relevant provisions of the Electricity Act, 2003, various relevant Regulations framed by the HP Electricity

[REDACTED]

Forum has also gone through the writ petitions filed by the

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] placed on record and

arguments adduced by both the parties;

(35) At the outset Forum observes that the Complainants had in the year 2018 and in the year 2021 applied for enhancement of load / contract demand and against this the Respondent had raised the impugned Demand Notices;

(36) Forum further observes that the Complainants on various grounds has [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] Forum to be as

follows:-

(37) That because the Complainants / consumer had originally in 2005 established its own dedicated 66 kV substation and bore the entire associated expenditure and thereafter its electricity connection at 66

[REDACTED]

further that the normative rates applied by the Respondent are not

applicable in the present case and still further that distribution level

[REDACTED]

[REDACTED]

[REDACTED] and is also a violation of section 46 of the Electricity Act, 2003 and violation of regulation 18(2)(b) (formerly 6(2)) which is with regard to account of expenditure;

(39) At the outset Forum is inclined to delve upon the writ petitions

[REDACTED]

[REDACTED]

[REDACTED] however the writ petitioners / Complainants herein have raised the ibid writs based upon the HPERC (Recovery of Expenditure for Supply of

[REDACTED]

[REDACTED] against

enhancement of loads applied for by the Complainants in the years

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] by the HPERC under the Electricity Act, 2003. The Complainants, while clearly denying challenge to the vires of the Regulations, have challenged the

(42)

[REDACTED]

best known to them however, Complainant preferred the instant

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

previous recovery against the 2005 Regulations was challenged in

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] to

the Complainants;

(46) In [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On aforesaid terms the complaints are disposed as '**Dismissed**'.

Parties are left to bear their own costs.

Order is announced before the parties present today on 24.06.2026 at Shimla in open Forum.

Certified copies of this Order be supplied to the parties.

The complaint along with this Order be consigned to record room for safe custody.

Date: 24.06.2026

Shimla

--Sd--

**Madan Lal Dhiman
(Member)**

--Sd--

**Harinder Kumar Thakur
(Chairperson)**

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI, SHIMLA-9.

No. CGRF/Complaint No. 1453/202512/32-1453/202512/33

Dated:-

Complaint No.: - 1453/202512/32-1453/202512/33
Date of Admission: - 26.12.2025
Quorum: - Er. Harinder Thakur, Chairman.
Er. Madan Dhiman, Member.

M/s Kundlas loh udyog
Vill Balyana P.O Barotiwala
Tehsil Baddi Distt Solan

Complainant

V/s.

1. The Sr. Executive Engineer,
Electrical Division,
HPSEBL, Baddi,
Distt. Solan (HP).
2. The Assistant Engineer,
Electrical Sub-Divison,
HPSEBL, Barotiwala,
Distt. Solan (HP).

Respondents

Complaint Regarding: -
Final hearing: -

05/06/2026

Present for: -

Complainant

1. Sh. Rakesh Bansal, Authorized Representative.

Respondent

1. Sh. Rajesh Kashyap, Advocate
2. Sh. Kamlesh Saklani, Deputy Secretary

Date of Decision: -

24.06.2026

Notice

Registered

CONSUMERS GRIEVANCES REDRESSAL FORUM AT KASUMPTI SHIMLA-171009.

No. CGRF/Complaint No. 1453/202512/32-1453/202512/33 **Dated:-**

M/s Kundlas loh udyog
Vill Balyana P.O Barotiwala
Tehsil Baddi Distt Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1453/202512/32-1453/202512/33

1. The Sr. Executive Engineer,
Electrical Division,
HPSEBL, Baddi,
Distt. Solan (HP).

2. The Assistant Engineer,
Electrical Sub-Divison,
HPSEBL, Barotiwala,
Distt. Solan (HP).

Respondents

The Certified copy of final order dated 24.06.2026 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.

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