

CONSUMER GRIEVANCES REDRESSAL FORUM, SHIMLA

Complaint No 1453/202311/33

M/s Kundlas Loh Udyog

Vs

Himachal Pradesh State Electricity Board Ltd and Ors

ORDER

- (1) Complaint is filed under Regulations 16, 17 and 18 of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 by M/s Kundlas Loh Udyog, Village Balyana, PO Barotiwala, Tehsil Baddi, District Solan (HP), bearing consumer ID 100012001845;
- (2) The complaint was listed today for admission hearing.
- (3) The Complainant during the admission hearing today has submitted before the Forum that the complaint is with regard to the tariff being allowed by the Respondent which is applicable to 66kV and has argued on untenable propositions that the Complainant is entitled to tariff under the large industrial power supply based on contract demand as applicable for 132kV.
- (4) On bare perusal of the complaint, the Forum also finds that the Complainant has also argued on other propositions, which are based upon and include the provision of LVSS specified under code 2.1.6 of HP Supply Code, 2009, the considerations that may have been adopted by the Ld. HPERC in para 8.2.6 of its MYT Orders for FY 15 to FY 19 (**Annexure C3**) and the letters by Chief Engineer Commercial (**Annexure C4 / C5**).
- (5) The Forum from bare perusal of the relevant provisions of Tariff Orders (**Annexure C11**) and Regulations, clearly does not find support in favor of the Complainant's arguments.
- (6) The Forum finds that the complaint filed by the Complainant is argumentative and is for specific tariff. The Forum observes that

this Forum is not vested with jurisdiction to interpret Tariff Orders which have been passed by Ld. HPERC under section 62 and 64 of the Electricity Act. 2003 and are passed in accordance with Regulation framed by the HPERC under section 61 of the Act.

- (7) The Forum also does not find any sufficient cause of action which needs to be determined by this Forum.
- (8) In view of aforesaid it is clear in the mind of the Forum that the Forum is not vested with any jurisdiction to interpret tariffs / Tariff Orders passed by the Ld HPERC, the jurisdiction of which otherwise falls strictly in the purview of the Ld HPERC.
- (9) Accordingly the Complaint is disposed of with liberty to the Complainant to approach the Ld. HPERC in the matter.

On aforesaid terms, complaint is disposed as dismissed.

Order is announced before the parties present today on 21.11.2023 at Shimla in open Forum.

Parties are left to bear their own costs.

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: 21.11.2023

Shimla

**--Sd--
Anil Sharma
(Member)**

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

**--Sd--
Tushar Gupta
(Chairperson)**

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

Complaint No.: - 1453/202311/33

Date of Admission: -02.11.2023

**Quorum: - Er. Tushar Gupta, Chairman
Er. Vikas Gupta, Member
Sh. Anil Kumar Sharma Member**

In ref:-

M/s Kundlas Loh Udyog,
Vill. Balyana, P.O. Barotiwala,
Tehsil Baddi, Distt. Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

1. The Executive Director (Pers.),
HPSEBL, Vidyut Bhawan,
Shimla-171004.
2. The Sr. XEN, (E) Division Barotiwala,
HPSEBL, Baddi, Distt. Solan, (H.P.)
3. The Assistant Engineer,
Electrical Sub-Division
HPSEBL, Barotiwala,
District Solan (H.P.).

Respondents

Final hearing:- 21.11.2023.

Counsels:-

Complainant 1. Sh. Rakesh Bansal, (Authorized Representative)

Respondent 1. Sh. Rajesh Kashyap, Advocate

2. Sh. Kamlesh Saklani, U.S. Law

Date of Decision: -21.11.2023

Notice

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

No.CGRF/Complaint No. 1453/202311/33

Dated:-

M/s Kundlas Loh Udyog,
Vill. Balyana, P.O. Barotiwala,
Tehsil Baddi, Distt. Solan (HP).

Complainant

V/s.

HPSEBL & Others.

Respondents

Complaint No. 1453/202311/33

1. The Executive Director (Pers.),
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2. The Sr. XEN, (E) Division Barotiwala,
HPSEBL, Baddi, Distt. Solan, (H.P.)
3. The Assistant Engineer,
Electrical Sub-Division
HPSEBL, Barotiwala,
District Solan (H.P.).

Respondents

The Certified copy of final order dated 21.11.2023 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.