



**HIMACHAL PRADESH ELECTRICITY OMBUDSMAN**  
**SHARMA SADAN, BEHIND KEONTAL COMPLEX, SHIMLA-171002**  
Phone: 0177-2624525, email: [ombudsmanelectricity.2014@gmail.com](mailto:ombudsmanelectricity.2014@gmail.com)

In the matter of:

**Complaint No. 18/2023**

**- Review Application**

**in**

**-Complaint No. 11/2023**

1. **Executive Director (Personnel) HPSEB Ltd & others , Vidyut Bhawan Complex, Shimla, HP-171004.**
2. **The Sr Executive Engineer Electrical Division, HPSEB Ltd, Gagret, District Una, HP-177201**
3. **The Assistant Executive Engineer Electrical Sub-Division, HPSEB Ltd, Tahliwala, District Una HP-174507**

**-Applicant/Respondent**

**Vs**

**M/S Vardhman Ispat Udyog, Village Bathri, Tehsil Haroli, Near Tahliwala, Distt. Una-HP.**

**-Non-Applicant/ Complainant**

**Dated: 22/08/2023 (12:00 PM)**

**Present for:**

**The Applicant /Respondents: Sh.Kamlesh Saklani Law Officer,  
Sh. Rajesh Kashyap Advocate**

**Er. Ashwani Sharma, AE**

**The Non-Applicant/ Complainant: Sh. Rakesh Bansal**

**Interim Order**

**(Last heard on 27/07/2023)**

Case called, heard both the parties. Applicant/Respondent Board has filed a Review Application under Regulation 37 clause 8(i) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum at Kasumpti & Ombudsman) Regulation 2013 registered on dated 03/07/2023, against final order dated 03/06/2023 passed by this court in case no. 11/2023. Non-Applicant/ Complainant submitted reply which stands received on dated 12/07/2023.

The Applicant/Respondents Board expressed their ambiguity on the implementation of tariff in the instant matter and by citing examples of cases held in some other courts/forum added to the discussions that since the matter appears to be on categorization of consumer from HT-2 to EHT, does not fall in the jurisdiction of this court, as the tariff determined authority is Hon'ble Himachal Pradesh Electricity Regulatory Commission. Both the parties had different views on interpretation of the tariff. The Applicant /Respondent Board was of the view that the tariff applicable in the instant case is at supply voltage i.e at 33 KV whereas, the Non-Applicant/ Complainant was of the firm view that the applicable tariff shall be at standard supply voltage i.e 132 KV. As such, the contentions of both Applicant /Respondent Board and Non-Applicant/Complainant were contrary to each other which construed misconception on the interpretation of the tariff by each one against the same Regulation/supply code/ tariff. After long

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deliberations on the said issue , no one could supplement their contentions with documentary proof. Applicant/Respondent Board prayed expeditiously before this court to allow seeking clarification on the prevalent Regulations/Codes from Hon'ble Himachal Pradesh Electricity Regulatory Commission on the following specific issue :-

**"If the sanctioned contract demand of consumer is 14 MVA and standard supply voltage is 132KV, whereas the consumer is being fed from 33KV supply voltage, which tariff is to levied for energy charges and demand charges whether tariff of HT-2 consumer or EHT consumer. Also, under such circumstances, whether the consumer falls under HT-2 category or EHT category when the supply voltage is at 33KV irrespective of sanctioned Contract Demand/availed Contract Demand."**

This court after listening both the parties asserted that the prayer made by the Applicant/Respondent Board is quite legitimate as the misconception on the interpretation of the tariff shall be injury to the system and needs to be clarified as prayed by the Applicant/Respondent Board. This being review petition against the final order which already stands issued on dated 03/06/2023 and as per the provisions of Regulation 37 clause 8(i) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum at Kasumpti & Ombudsman) Regulation 2013 has a limited scope of review as such the prayer granted and the proceedings of this court are kept in abeyance till clarification is sought in the said matter by the Applicant/Respondent Board subject to the condition that the Applicant/Respondent Board shall submit in this court on or before 22/08/2023 the proof of initiation of clarification with Hon'ble Himachal Pradesh Electricity Regulatory Commission thereof or otherwise this court shall start with the proceedings without any further delay.



The case is listed for hearing on 22/08/2023 at 12:00 PM or immediately thereafter.

Given under my hand and seal of this office.

Electricity Ombudsman  
Dated: 28/07/2023

No. HPEO/(Case No. 18/2023)/2023-24- 1427 -30