



In the matter of:

Complaint No. 20/2025

**M/s Milestone Gears Pvt. Ltd. Unit- V, Plot No. 20-25, Sector-1,
Parwanoo Distt. Solan, Himachal Pradesh- 173220.**

– Complainant

Vs

- 1.The Executive Director (Personal), HPSEB Ltd, Vidyut Bhawan, Shimla- 171004**
- 2.Sr. Executive Engineer, Electrical Division, HPSEBL, Parwanoo, Distt. Solan-173220(H.P)**
- 3.Assistant Executive Engineer, Electrical Sub-Division, HPSEBL, Parwanoo, Distt. Solan-173220(H.P)**

- Respondent

Complaint No20/2025 (Registered on 02/06/2025)

(Orders reserved on 07/07/2025, Issued on 23/07/2025)

Counsel for:

The Complainant: -Sh. Rakesh Bansal, Authorized Representative

The Respondents: -Sh. Kamlesh Saklani, Under Sectt. Law

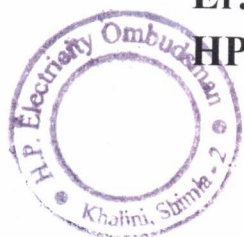
-Sh. Rajesh Kashyap, Advocate

-Er. Vinut Bharadwaj, AE, ESD Parwanoo

QUORUM

Er. Deepak Uppal

HP Electricity Ombudsman



Deepak Uppal



1. Brief Facts of the Case

- a. M/s Milestone Gears Pvt. Ltd. Unit-V bearing Consumer ID 100012000698 is a consumer of HPSEBL under the Electricity Act, 2003 i.e. Section 2 sub-Section 15 as well as under Section 3 (d) of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulation 2013 and the Respondents are distribution licensee under Section 2 sub-section 17 of the Electricity Act, 2003.
- b. It is observed from the contents of submissions that the Complainant is aggrieved of non-redressal of grievances in the complainant No. 1421/202502/01 by the 1d Consumer Grievance Redressal Forum at Kasumpti within stipulated time as per prevalent Regulation.
- c. Further represents through Representation & Rejoinder (*para-4 of Rejoinder*) that he is entitled for rebate during all time slots i.e. **Normal, Night hrs. and Peak hours** in terms of clarifications issued by the Hon'ble HPERC, on approved energy charges provided to existing industries on expansion/ undergoing expansion in terms of prevalent Tariff Orders notified by the Hon'ble Himachal Pradesh Electricity Regulatory Commission, towards increase in connected load from 1799.85 kW to 2800 kW as well as the contract demand from 1550 kVA to 2100 kVA w.e.f. 01.03. 2019.



Ruphal



2. The Complainant filed an Application under Regulation 28(1)(a), of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 in Complaint No. 1421/202502/01 on account of non-redressal of grievances within stipulated time as per prevalent Regulation, by the CGRF Kasumpti which was received and registered on 02/06/2025. The case was listed for admission hearing on 16/06/2025. In order to facilitate further pleadings in a comfortable domain, the specific contentions of the complainant are first restated as under.

3. The Complainant Contends:

- a. That the matter was listed 4 times before the Ld. CGRF i.e. on 12.03.2025, 28.03.2025, 23.04.2025 and 27.05.2025. Each time the Ld. Forum allowed additional time to the respondent to file the reply in the matter. After waiting for more than 90 days, the complainant has exercised his right under Regulation 28(1)(a).
- b. That the respondents/non-applicants have failed to adhere to the provisions of tariff orders notified from time to time by the Himachal Pradesh Electricity Regulatory Commission under the Electricity Act, 2003 and have not given the legitimate rebate on energy charges for the period notified in the tariff orders.

c. That the complainant approached the Consumer Grievances Redressal Forum of HPSEBL, for redressal of his grievance,



Signature



who, as explained above, could not dispose the grievance within the stipulated time period.

- d. That the complainant carried out expansion in his unit, which also involved increase of connected load from 1799.85 kW to 2800 kW as well as the contract demand from 1550 kVA to 2100 kVA w.e.f. 01.03.2019. The complainant's project was also approved and the clearance was granted by the industries department as well. As per the electricity bills issued to the complainant's, the said increase in load was affected from 01.03.2019.
- e. That the complainant as per standard procedure submitted a revised test report for the entire load in his factory which also included the new additions. As per procedure the test report was verified by respondents no. 2 and 3. In addition, even the Chief Electrical Inspector carried out safety inspection for the entire load as per the test report. The complainant does not have in his record the copy of the test report submitted through his electrical contractor, which the Hon'ble Forum may requisition from the respondents, if required, for the logical disposal of the grievance of the complainant.
- f. The Hon'ble Commission in its tariff order dt.01.06.2020 for the year 20-21, notified a rebate of 10% on the consumption proportionate to the increase in contract demand. The relevant provision reads as follows:





"b. For existing industries which have undergone expansion in the FY 2018-19 onwards and/or shall be undergoing expansion in this financial year i.e. FY2020-21, energy charges shall be 10% lower than the approved energy charges corresponding to the respective category for a period of three years for quantum of energy consumption corresponding to proportionate increase in contract demand.

Provided that such expansion if undertaken during 1.07.2019 to 31.05.2020, the energy charges shall be 15% lower than the approved energy charges for the respective category for a period of 3 years for quantum of energy consumption corresponding to proportionate increase in contract demand."

g. The complainant carried out expansion, the detail of change of load in these expansions is detailed below:

Month	Previous load	Increased load
Mar-19	1799.85 kW/ 1550 kVA	2800.00 KW/2100 kVA

The complainant thus became eligible for lower rate of energy charges by 10% for three years for each of this expansion. The detailed working of the sum due on account of this expansion is detailed in Annexure C6.

h. That the complainant wrote a letter on dt. **26.08.2024** to respondent no. 2 on the matter, asking for rebate in respect of increase in contract demand from 1550 to 2100 kVA as per tariff orders.

i. That the respondent No. 3 in response to the complainant's letter dated **26.08.2024** replied through letter dated 30.08.2024 stating that it was necessary to submit the certificate from department of industries in support of the expansion.



Pushpal



- j. That the complainant replied to the letter dated 30.08.2024 written by respondent No. 3 stating that the tariff never mandates the requirement of any such certificate as was demanded by him. However, the complainant attached the relevant documents as demanded also.
- k. That the complainant never received any reply to his letter dated 09.09.2024 and has now thus approached the Hon'ble Forum vide this grievance. The complainant has calculated the eligible rebate to Rs. 2114393.94 for a period of three years.
- l. That the complainant approached the Ld. Forum with a grievance regarding non-adjustment of rebates applicable to the complainant for carrying out expansion supported by physically verified electrical expansion. The said rebates were to be provided in the electricity bills issued w.e.f. Mar-19 to Feb-22 for a period of three years @ 10% of the energy charges.
- m. That the complainant had increased his load during the expansion carried out by him from 1799.85 kW/ 1550 kVA to 2800 kW/ 2100 kVA. The additional load was released to the complainant after submission of fresh test report which was physically verified by the competent officers of the respondents as well as the Chief Electrical Inspector.
- n. That the complainant is seeking overhauling of his bills that were eligible for rebate as well as interest on delay in



Pushpal



refunding the rebate, which is a consequential relief, to be granted, if and only if, the principal relief qua inquiry of the shortcoming is upheld by the Hon'ble Ombudsman.

- o. That the respondents were bound by law to issue bills as per the tariff orders, while the tariff is determined under section 62 of the Electricity Act, 2003 by the State Electricity Commissions and is binding on the respondents. The Act of the distribution licensee is a breach of terms under the Himachal Pradesh Electricity Regulatory Commission (General Conditions of Distribution Licence) Regulations, 2004 and can even attract suspension/ termination of the distribution license of the respondents. Therefore, the respondents are required to immediately correct their mistake and compensate the complainant on account of overcharging as well as interest for the period that this overcharged amount has been retained by the respondents.
- p. That section 62(6) of the Electricity Act, 2003, clearly bars any over recovery in terms of price or charge. The Act mandates the payment of interest in such cases. The Hon'ble HPERC under the powers under this section has fixed a rate of interest for such delayed refund of overcharged amounts vide clause 5.7.3 of the Supply Code, 2009, which specifies a rate of 15% simple interest. The complainant is eligible for recovering the overcharged amount along with interest from the respondents



Ruphal



q. That the complainant is also entitled to claim compensation for under the HPERC (Standards of Performance) Regulations for continuously issuing wrong bills to the complainant for long period of time even when it was well within the knowledge of the respondents who themselves had processed and released the additional load to the complainant, while also the tariff orders were well within their knowledge.

r. Prayer

In view of above the complaint prays as below:

- a) To direct the respondents to overhaul past bills while providing for rebate on the basis of eligibility period of rebate and refund the resultant amount to the complainant;
- b) To direct the respondents to pay interest on the amount charged in excess and the amount that is refundable to the complainant, at simple interest @ 15% p.a. on daily basis, from the date of payment on the past amounts refunded with delay and the amount due for refund as per Sub-regulation 5.7.3 of the Supply Code, 2009;
- c) To direct the respondents to compensate the complainant towards cost of the complaint amounting to Rs. 2,00,000/-.
- s. That any other or further orders which this Hon'ble Forum may deem fit and proper, in the facts and circumstances of the case



Suphal



may kindly be passed in favour of the complainant company and against the respondents/distribution licensees.

4. Case called, the matter was heard for admissions on 16/06/2025.

The Authorized Representative for Complainant at the very outset informed during admission hearing that the Id. CGRF had dismissed and disposed the said Complaint No. 1421/202502/01 vide order dt.04.06.2025 with the pretext that in terms of Regulation 19(a) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, the instant matter cannot run concurrently before two authorities and therefore the Forum cannot proceed in the matter. The said order was downloaded from site and taken on record for future reference. In order to have clarity on the findings of Id. CGRF, the said order dt.04.06.2025 is also reiterated as under.

5. CGRF Order No.1421/202502/01 dt. 04/06/2025:

ORDER

(1) Complaint has been filed under regulations 16, 17 and 18 of the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 by Complainant M/s Milestone Gears Pvt. Ltd. Unit-V, Plot No. 20-25, Sector 1, Parwanoo - 173220, Himachal Pradesh, bearing consumer Id. 100012000698;

(2) HPSEBL is the Respondent in the instant matter.



Curhal



- (3) Matter was listed today before the Forum for filing of Reply by Respondent.
- (4) Respondent has not filed the Reply but informs the Forum that the Complainant has filed Representation before the Ld Ombudsman under regulation 28(1)(a) of the ibid HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013;
- (5) Today both the Respondent and Authorised Representative for Complainant inform that Ld Ombudsman has not passed any Orders in the Representation till date;
- (6) In view of the above position brought into its knowledge by the parties, Forum after perusal of regulation 19(a) of the ibid Regulations observes that the instant matter cannot run concurrently before two authorities and therefore it cannot proceed in the matter;
- (7) On aforesaid terms the complaint is Dismissed and disposed without going into its merits. Order is announced before the parties present today on 04.06.2025 at Shimla in open Forum. Complaint No.1421/202502/01 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.

6. After listening to both the parties on 16/06/2025, the matter was admitted to the extent of initiation of proceedings. The Respondent Board was directed to submit reply on or before



Final



30.06.2025 with a copy of reply to the Complainant and Rejoinder if any by the Complainant immediately thereafter the submission of the reply by the Respondent Board. Accordingly, the case was listed for final arguments on dated 07/07/2025 subject to the submission of above documents.

7. Case called, the matter was heard on 07/07/2025. The Respondent Board submitted reply on 21.06.2025 and subsequent rejoinder by the Complainant in the court room on dt. 07.07.2025 which was taken on record. To have an overview on the reply submitted by the Respondents and Rejoinder by the Complainant, the same need to be reiterated first on specific contentions.

8. The Respondent Contends (Reply):

- a. At the outset it is submitted that the complainant has totally misused the process of law by filing the present complaint/representation in the Hon'ble Ombudsman by invoking Regulations 28 (1)(a) of the HPERC (CGRF and Ombudsman) Regulations, 2013.
- b. It is submitted that on the last date of hearing i.e. 27-05-2025, the complainant did not put its appearance before the Id Forum, which is evident from the daily order passed by the Id Forum.
- c. It is submitted that respondents have prayed additional time for filing reply to the complaint and the Id Forum was agreed by allowing time to the respondents to file reply on or before





5.6.2025 and thus the case was listed for argument final hearing on 5-6-2025. Thus, the instant representation is not maintainable in the eyes of law as such liable to be dismissed.

Reply to the facts of the case:

- d. That the para No. 1 of the representation insofar as they pertain to the matter of record are not denied rest of the averments which are contrary to the record are wrong and incorrect hence denied.
- e. That the para No. 2.1 of the representation insofar as they pertain to the matter of record are not denied rest of the averments which are contrary to the record are wrong and incorrect hence denied. It is submitted that complainant is not entitled for rebate on the expansion, just on the premise of increase in the only contract demand.
- f. Para 2.2 in reply to this para it is stated that complainant is not entitled for expansion rebate on the basis of the increased in the contract demand without increased in the connected load. However, it is submitted that so far as expansion rebate entitlement qua the complainant is concerned, it is submitted that respondents have already in catena of cases have implemented the decision of the Id Ombudsman qua the rebate, which is based on the physical expansion viz. expansion in terms of the connected load duly



Suphal



authenticated by the test report and electrical inspector as per the mandate of law.

g. Para 2.3: in reply to this para, it is stated that since the complainant is not entitled for rebate, as discussed above, as such the relief of the interest cannot be granted to the complainant.

1. Reply to the details of the grievances

1.1 That the contents of this para are matter of record.

1.2 That the contents of this para are matter of record.

1.3 In reply to the contention of the complainant it is submitted that in similar matter pursuance to the order of the Id Ombudsman, a committee was constituted and the said committee gave its report and that report has been submitted for the approval of the competent authority. As it is submitted that respondents are not denying the eligible consumers to avail the rebate as provided under the tariff orders issued by the Id Commission, however, certain factual aspects are necessary to be ascertained for the extension of the rebate such to verify the physical expansion, as many of the cases the consumers are simple pressing for the expansion rebate on the basis of the enhancement of the contract demand only. As such the act and conduct of the respondents is very much fair and bonafide one.



2. Reply to the grounds/contentions of the complainant:

Supra



2.1 : That the contents of this para so far as they relates to the allegation of the respondents for the breach of the terms of the Conditions of the distribution license Regulation are totally wrong and incorrect hence denied. It is submitted that respondent is a totally regulated entity under the Electricity Act, 2003 and thus complying with the mandate of the Regulations and tariff orders issued by the Id HPERC in its letter and spirit. It is denied that complainant is eligible to interest on the payment of the rebate.

2.2 That the contents of this para are admitted to the extent that as per the mandate of the section 62 (6) of the Electricity Act, 2003 recovery of the electricity dues must be strictly in terms of the tariff order. However, it is submitted that present case does not involve the issue of the wrong or erroneous billing as contemplated by the Complainant, rather it is the issue of the credit of rebate as per the tariff order, which is strictly in terms of the mandate of law. Clause 5.7.3 of the HP Electricity Supply Code is not applicable here as such the contention of interest is totally uncalled for, hence liable to be rejected.

2.3 That the contents of this para are matter of record and subject to the calculations as per the official record of



Final



the respondents duly maintained in its primary office
i.e. sub-division.

2.4 That the contents of this para are wrong and incorrect
hence denied.

2.5 That the contents of this para are wrong and incorrect
hence denied.

- h. It is therefore, most respectfully prayed that there are no merits in the complaint/representation as such in the interest of justice and fair play the same is liable to be dismissed.

9. The Complainant's Additional Submissions (Rejoinder)

- a. That nothing in this rejoinder may be taken as admittance of any contents of the reply unless they are specifically admitted in this rejoinder.
- b. That the respondents have raised the issue of non-maintainability of the representation merely citing that the complainant was not present during one or more of the hearings. The contention of the respondent is totally misplaced as the regulation does not mandate the appearance of the complainant on each and every hearing. The respondents themselves have delayed the filing of reply/ detailed comments on the grievance of the complainant within the time period stipulated in the HPERC (CGRF and Ombudsman) Regulations, 2013, leading to the invoking of the Regulation 28(1)(a) of the



Purhal



said regulations. It is the respondents own fault that the complainant had to approach the Hon'ble Ombudsman under the Regulation 28(1)(c), which is a regulation to protect the consumer interest and the timebound disposal of the grievances. The complainant at no time during the proceedings before the CGRF prayed for adjournment of any hearing. As such, there is no abuse of the process of law and the representation is well within the rights of the complainant under the regulations.

- c. That the respondents reply to 2.2 that the complainant is not entitled for the expansion rebate lacks substance or merits as there is nothing in support of the respondents' contentions placed on record by the respondents. The respondents have issued false statements wherein it has been stated that the complainant has merely carried out expansion in terms of contract demand but not in the connected load. The complainant, as already stated in the complainant and also reflected in the bills issued by the respondents, clearly proves beyond doubt that the connected load of the complainant was also increased from 1799.85 kW to 2800 kW coupled with increase in contract demand.
- d. That the Hon'ble Ombudsman has already ordered the similar relief as the relief sought in this representation to many other consumers and the complainant also meets the



Pushpal



criteria to avail similar relief on the same grounds. The complainant is eligible for rebate during all time slots viz. normal, peak and night hours as per clarifications issued by HPERC from time to time.

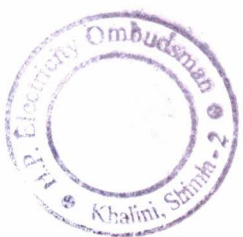
- e. In view of above, it is prayed that the Hon'ble Forum may issue necessary directions to the respondents to grant relief as prayed for in the complaint and in the above submissions and issue orders as may deem fit in the facts and circumstances of the matter.

10. The counsel for Respondents and concerned Assistant Engineer appeared in the Court room along with the relevant record on dt.07.07.2025 and with the mutual Conesus of both the parties, the final arguments were conducted.

11. The Arguments of both during proceedings :

The final arguments were conducted on 07/07/2025 and both the parties were given due opportunity to argue their contentions to the edge.

- a. At the very outset, the authorised Representative for Complainant read out that the complainant carried out expansion in his unit, by increasing connected load from 1799.85 kW to 2800 kW as well as the contract demand from 1550 kVA to 2100 kVA w.e.f. 01.03.2019 and also the test report was verified by respondents no. 2 and 3 as



Suphal



well as, even the Chief Electrical Inspector carried out safety inspection for the entire load as per the test report.

- b. He further argued that in terms of prevalent provisions of Tariff Orders as well as clarificatory letter dt.31.07.2020 issued by the Sectt. HPERC, the complainant thus became eligible for lower rate of energy charges by 10% for three years for peak & Night hrs. along- with interest which he conveyed to Respondents through letter dt.26.08.2024.
- c. The Assistant Engineer present as Respondents in the court room during final arguments confirmed from the record that the expansion so undergone as argued by the Authorized Representative for the Complainant stands verified by the competent authority.
- d. After listening to the facts as per record regarding physical verification and that the expansion as contended in the instant case was recognized by the Respondent Board, this authority was convinced and appreciated Respondent's concern to act within the ambit of provisions.
- e. Another issue in the instant case i.e hit by the limitation was raised and argued by the Id. Counsel for Respondents during final arguments, however, after healthy arguments advanced between the parties and focusing on the retrospective coverage even by the Tariff order dt. **29.03.2023 FY2022-23** (w.e.f. 01.04.2022 to 31.03.2023), got convinced and thereafter, the Id. Counsel for



Pushpal



Respondents ended the arguments with affirmative averments in the court room that the instant matter is not hit by the limitation. Although this issue was not there in the reply submitted by the Respondents, but in the interest of justice was listened to the satisfaction.

- f. The contention of the Complainant to avail rebate on peak and night hrs. was not reiterated as the same was argued and agreed by the Respondents in case No.07/2025, 08/2025 and many other similar cases.
- g. Regarding interest as contended by the Complainant, the Respondents had some misconception which were argued and cleared that the excess amount to be considered for computation of interest in terms of governing Tariff order shall be considered reckon from the date the Complainant applied after the notification in terms of governing Tariff orders i.e. 06.06.2020(w.e.f. 01.06.2020 to 31.05.2021), 31.05.2021(w.e.f. 01.06.2021 to 31.03.2022) or 29.03.2023 (w.e.f. 01.04.2022 to 31.03.2023) in the instant case till it remains as an excess amount with the Respondents thereafter before the rebate is released. Both Id. Counsel for Respondents and Concerned Assistant Engineer showed satisfaction on this account.



12. The deliberations made by the Assistant Engineer representing Respondent Board and participation in discussions were appreciable. Both Id. Counsel for Respondent Board and the

Purphal



Authorized Representative for Complainant advanced their arguments to the brim. After hearing both the parties at length, the order was kept reserved for examining the contentions and averments made by both the parties during final arguments to the depth before issuance of final order.

13. The case file bearing Complaint No. 1421/202502/01 and orders passed on dated 04/06/2025 by the Consumer Grievance Redressal Forum Kasumpti, Shimla-171009 have been requisitioned and gone through and the relevant extract from para (1) to para (7) of the said order reiterated under the “**para-5**” above to arrive at legitimate conclusion.
14. The documents annexed and placed on record, arguments offered by both the parties have also been gone through in depth.
15. The appropriate Acts, Supply Codes, Tarif Orders have been referred to for clarity.
16. The contentions of the Complainant detailed under **para-‘3’**, response of Respondent Board detailed under **para-‘8’** & Rejoinder under **para-‘9’** and Arguments conducted at length & placed under **para-‘11’**, gathers considered opinion to originate the following issues and for the sake of brevity, the detailed analysis also have been done along with findings of the issues while delving contentions **on merit**.



Suphal



17. Issues in Hand:

Issue No-1:

Whether the instant Representation is non-maintainable?

Issue No-2:

Whether the Complainant is eligible for expansion rebate in the present circumstances in the instant case?

Issue No-3:

Whether rebate during night-hours consumption in addition to night hour concession is applicable in the instant case for existing industry undergone expansion in terms of prevalent provisions/ clarifications, as contended in the instant case?

Issue No-4:

Whether rebate during peak-hours for existing industry undergone expansion, is applicable in terms of prevalent provisions/clarifications in the instant case?

Issue No-5:

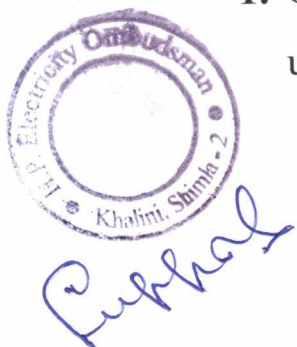
Whether the Complainant is entitled to avail the payment of interest as contended?

18. Findings on the Issues:

Issue No-1:

1. On the Issue of maintainability, the Respondent submits as under:

- a. that the complainant has totally misused the process of law by filing the present complaint/representation in the Hon'ble Ombudsman by invoking Regulations 28 (1)(a)





of the HPERC (CGRF and Ombudsman) Regulations, 2013.

- b. that on the last date of hearing i.e. 27-05-2025, the complainant did not put its appearance before the Id Forum, which is evident from the daily order passed by the Id Forum.
 - c. It is submitted that respondents have prayed additional time for filing reply to the complaint and the Id Forum was agreed by allowing time to the respondents to file reply on or before 5.6.2025 and thus the case was listed for argument final hearing on 5-6-2025. Thus, the instant representation is not maintainable in the eyes of law as such liable to be dismissed.
2. While going through the record, called from CGRF read with submissions made by the Complainant, it has been observed that the said matter was first listed before the Id. CGRF on dt. 12.03.2025 and thereafter reference to the date of issue of said order on 04.07.2025, appears that the time period specified as per Regulation 26 (5) could not be adhered to, may be due to some unavoidable reasons which have not been taken as a supportive measure while the order dt.04.7.2025 was issued.
3. In view of above imaginary contentions of the Respondents which also shows even their attribution to delay as is apparent from the record, this authority is not convinced and further affirms to the extent that under these circumstances the



Fuphal



Complainant exercised his right within the legitimacy to file the said representation under Regulation 28 (1)(a) of the HPERC (CGRF and Ombudsman) Regulations, 2013. Hence, the ground taken in the instant case for non-maintainability by the Respondents does not sustain.

4. Another issue in the instant case i.e. hit by the limitation was raised and argued by the Id. Counsel for Respondents during final arguments. Although, this issue was not there in the reply submitted by the Respondents, but in the interest of justice was listened to the satisfaction. After the healthy arguments advanced between the parties and focusing on the retrospective coverage even by the Tariff order dt. **29.03.2023 FY2022-23** (*w.e.f. 01.04.2022 to 31.03.2023*), got convinced and thereafter, the Id. Counsel for Respondents ended the arguments with affirmative averments in the court room with an assertion that the instant matter is not hit by the limitation.
5. This authority draws inference in the interest of justice that unless the Representation filed, falls beyond the jurisdiction of this authority which could be pronounced at the very outset as non-maintainable or unless adjudicated, this authority feels judicious to honor the 'Hierarchy of Adjudication System' and proceeds.
6. In view of foregoing findings, the instant case is held maintainable to the extent of initiation of proceedings and further, in the interest of justice, this authority feels it



Prakash



judicious to examine **the contentions on merit** under following issues for legitimate analysis.

This closes the findings on issue-1

Issue No-2:

1. The Complainant contends:

- a. That the complainant carried out expansion in his unit, which also involved increase of connected load from 1799.85 kW to 2800 kW as well as the contract demand from 1550 kVA to 2100 kVA w.e.f. 01.03.2019.
- b. That the complainant's project was also approved and the clearance was granted by the industries department as well.
- c. That as per the electricity bills issued to the complainant's the said increase in load was affected from 01.03.2019. The complainant thus became eligible for lower rate of energy charges by 10% for three years for each of this expansion in terms tariff order dt.01.06.2020 for the year 20-21. The detailed working of the sum of Rs.21,14,393/- due on account of this expansion is detailed in Annexure C6.
- d. That the complainant as per standard procedure submitted a revised test report for the entire load in his factory which also included the new additions. As per procedure the test report was verified by respondents no.



Punhal



2 and 3. In addition, even the Chief Electrical Inspector carried out safety inspection for the entire load as per the test report.

- e. That the complainant wrote a letter on dt. **26.08.2024** to respondent no. 2 on the matter, asking for rebate in respect of increase in contract demand from 1550 to 2100 kVA as per tariff orders.

2. After referring to the documents placed on record, the specific contentions of the Complainant under para-2.1&2.2 read with para-3.3 of submissions, detailed arguments conducted on the contentions, placed under the **para "11"** above, the prevalent tariff orders issued by the Hon'ble Commission during respective financial years (**refer para-3(f) above**), this authority at the very outset feels it appropriate to deliberate first on the analogy of expansion.

3. That the Hon'ble Commission also emphasizes the word **"Production"** in case of **New Industries** and **"Expansion"** in case of **Existing industries**. If such quotes of respective Tariff orders are analyzed with microscopic eyes, it clearly gives meaning that as the word **"Production"** in case of new industries points to **new machinery installed attributing to** consumption so is the word **"Expansion"** in case of existing industries attributes to installation of some more equipment corroborating **consumption and** consumption in electrical terms plays an effective role to substantiate **investment** while a new industry starts production or

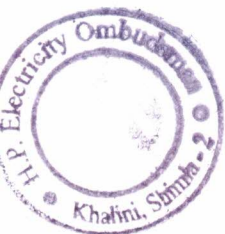


Signature



an existing industry undergoes expansion, which is relevant. It is also pertinent to mention here that the word “**Production**” in case of new industries, principally fetches the same meaning as is fetched by the word “**Expansion**” in case of existing industries. As the word “**Production**” qualifies consumption in case of new industries so is the word “**Expansion**” attributes consumption in case of existing industries.

4. It has been observed that the Hon’ble Commission in principle is also concerned with the substantial energy consumption with view point to validate investment for expansion by the individual if read with para 6.28.4 “Petitioner’s Response” & para 6.28.5 “Commission’s Observation” in the Tariff Order dt. 15.03.2024 for FY- 25.
5. It is observed from above that for judicious landing of contentions to the “Universal” platform, the term “Expansion” being the pivot on which the spindle of Contract Demand is revolving, must be delved in clear terms so as to pave the way for prudent judgement.
6. While analyzing the word expansion, this authority also deduces that the term expansion is being taken differently by different entities. Some may take it in terms of ‘Physical Expansion’ whereas some may take it in terms of ‘Electrical Expansion’ with substantial increase in consumption pattern attributing to expansion. The fact cannot be denied that in respect of utilities such as distribution licensee, the term expansion gives its precise meaning only if considered in terms of electrical expansion not in terms of mere



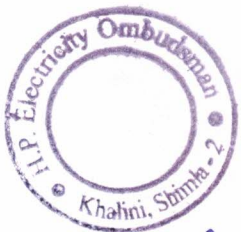
Purhal



physical expansion or otherwise the very purpose of existence of such utilities is defeated which are vested to give benefits/rebates to their beneficiaries/consumers in electrical terms in consonance with the provisions of relevant Tariff Orders.

7. After thorough scrutiny of the above subject, this authority draws considered opinion that whether new industry likely to start production or existing industry likely to undergo expansion, must be authenticated by the competent authority in each stage of enhancement when the question of “**Expansion Rebate**” arises so as to justify the investment made by the Consumers when they intend to avail such rebate.
8. It was conceded after going through the Complainant’s submission that the Complainant is also well concerned with the term verification by the competent authority when the question of availing rebate on expansion arises and honors verification by the competent authority as a mandate & precedence for settlement in such cases where an existing industry or otherwise undergoes expansion.
9. It was meticulously observed that the Complainant in para-2.2 of his submissions has categorically mentioned regarding physical verification carried out by the competent authority towards expansion as contended. The relevant extract of the submissions is reproduced as under:

“2.2 The complainant had increased his load during the expansion carried out by him from 1799.85 kW/ 1550 kVA to 2800 kW/ 2100 kVA. The additional load was



Suphal



released to the complainant after submission of fresh test report which was physically verified by the competent officers of the respondents as well as the Chief Electrical Inspector."

10 Before asserting conclusive findings on the issue, this authority after visualizing the crux of averments presented by both the parties during arguments, feels pertinent to mention that in electrical analogy, an increase in contract demand increases the capacity to draw more power but doesn't automatically increase consumption which will only arise if one operates more or larger loads. But the request for an increase in contract demand when the industry undergoes expansion must be certified/verified by the competent authority to the rank of Chief Electrical Inspector and other officers authorized for the purpose when contended for expansion rebate, in the **very beginning before the start of each stage of enhancement**, to authenticate the legitimate purpose of **investment** for the type of loads/additions of the machinery attributing to the increase in consumption which are likely to come up as a result of expansion for which the contract demand had been requested to be enhanced so as to construe this expansion as judicious in electrical terms to facilitate beneficiary to avail requisite rebate in consonance with prevalent tariff orders.

11 The Assistant Engineer present as Respondents in the court room during final arguments confirmed that in the instant case as contended by the Complainant, the expansion so undergone





as mentioned above under para-1(a) and reiterated as above under para- 9, stands verified by the competent authority.

12 After listening to the facts as per record regarding physical verification and expansion as contended in the instant case was recognized by the Respondent Board, this authority is convinced without any doubt that the Complainant in the instant case is entitled to avail expansion rebate for the expansion carried out as contended and appreciates Respondents to act within the ambit of provisions and in line with reply submitted in para- 2.3.

13 In view of foregoing findings, this authority concludes that in the instant case since the expansions as contended by the Complainant stands physically verified by the Respondents as agreed during arguments, the contention of the Complainant is held tenable.

This closes the findings on Issue-2.

Issue No-3:

1. After resorting to the findings under **Issue-2** on applicability of rebate in the case of Expansion undergone as above, this authority feels it appropriate to examine the eligibility of the Complainant in respect of Expansion rebate during **Night hrs. consumption** in addition to Night hr. concession.
2. The Complainant contends under para-4 of his Rejoinder (ref. Rejoinder para-9(d) above) that the complainant is eligible for rebate during all time slots viz. Normal, Peak and Night hours as



Suphal



per clarifications issued by HPERC from time to time and also attached all relevant correspondence with Rejoinder i.e. letter No.5358 dt. 03.07.2020, No.664 dt. 04.07.2020, No.6553 dt. 24.07.2020, No.1097 dt. 31.07.2020 (Clarificatory Letter issued by Hon'ble HPERC), No. 7747-59 dt.24.08.2020 (directions to field officers by Respondent Board for implementation of clarification). The same were taken on record for further cognizance in the interest of justice.

3. On examining the above clarificatory correspondence and essence of prevalent Tariff orders passed by the Hon'ble Commission prior and after 31.05.2021, it has been observed that all Tariff Orders passed on and after 31.05.2021, categorically mentions as ***"In case of night hours, night-time concession shall only apply."*** However, reference to the Tariff Orders prior to 31.05.2021, do not provide any clear understanding on the said contentions of the Complainant and this authority feels it necessary to delve the issue to the depth on merit to arrive at legitimate conclusion.
4. It has been observed that the clarificatory letter dt. 31.07.2020, issued by the Sectt. HPERC regarding clarification on rebate to the Industries during night hr. consumption in addition to night time concession in tariff Orders for FY-19, FY-20 and FY21 sought by the Chief Engineer Commercial, appears quite promising in the instant case for prudent judgement. The relevant extract of letter dt.31.07.2020 is also reproduced for the sake of record and reference as under:





(Ref. 2nd para of letter)

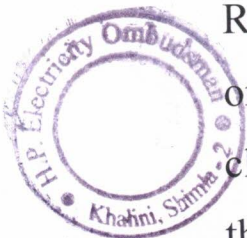
"The Commission considers this as an inadvertent error and for which the respective Consumers cannot be held responsible i.e. they can't be asked to pay through arrears"

(Ref. last para of letter)

"In this regard, I have been directed to inform that the clarification given for referred letter at Sr no.1 stands withdrawn and the respective eligible consumers be continue to avail the benefits of night time concession as well as reduced energy charges after considering for rebate for the night energy consumption as per prevailing practice till issuance of the next tariff order i.e. for FY 22."

5. The above relevant extract confines focus on the hierarchy of letters attached with the Rejoinder (letters dt. 24.07.2020, 31.07.2020 & 24.08.2020), which reminds the steps taken by the Respondent Board on clarification sought through letter dt. 31.07.2020 in the interest of consumer and thereafter imparting instructions through letter dt. 24.08.2020 for implementation of the mandate of the Hon'ble Commission in letter and spirit.

6. After further referring to the submissions made by the Complainant, the reply submitted by the Respondents, Rejoinder submitted by the Complainant, documents placed on record and the contentions read with above stated clarificatory letter dt. 31.07.2020 issued by the Sectt. HPERC, this authority feels it unambiguous to first examine the spirit

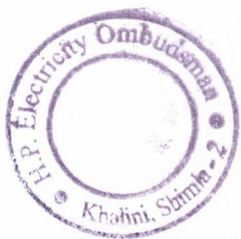


Ruphal



of clarificatory letter dt. 31.07.2020 being pivotal to the relief sought in the instant case.

7. While focusing on crux, the clarificatory letter dt.31.07.2020 reveals that the said clarification was not issued by any authority of Hon'ble HPERC other than the Secretary HPERC who is appointed under Section-97 of the Electricity Act 2003 to serve as a primary communication channel between the Commission and external entities such as licensees, other regularity bodies, government departments and public.
8. Further examining of said letter reveals that the Hon'ble Commission has conveyed very specific directions to Respondent Board on the clarification sought which reads as ***"the respective eligible consumers be continue to avail the benefits of night time concession as well as reduced energy charges after considering for rebate for the night energy consumption as per prevailing practice till issuance of the next tariff order i.e. for FY 22."*** and while the Tariff Order for FY-22 was notified on 31.05.2021(effective from 01.06.2021 to 31.03.2022), categorically provides that ***"In case of night hours, night-time concession shall only apply."*** which is quite revealing that the earlier directives of Hon'ble Commission issued through clarificatory letter dt.31.07.2020 under the hand & Seal of Sectt. HPERC were statutory in nature and remained operative till issuance of tariff order for FY22. Hence, with view point of this authority, cannot be ignored.



Ruphal



9. This authority acknowledges from the record that the Respondent Board after seeking clarificatory letter dt.31.07.2020, imparted necessary instructions to the concerned field officers through letter dt.24.08.2020 for its implementation. This action of the Respondent Board construes acceptance of above clarification as statutory in nature and further deduces that only after understanding the austerity of the letter dt.31.07.2020, the Respondents considered it worth for implementation.
10. After further analysis it has been observed that the contentions on relief sought by the Complainant was replica of earlier relief allowed in case No. 07/2025 & 08/2025 on Night time consumption under the behest of clarificatory letter dt.31.07.2020 after resorting to detailed arguments at that point of time on the **letters dt. 24.07.2020, 31.07.2020, 24.08.2020** annexed by the Respondents along with reply in respect of said representations 07/25 & 08/25 and acceptance among both the parties, cannot be ignored and allowed in the instant case also with considered opinion that the clarification as per record was sought by the Respondent Board, not by the Complainant and further directions for implementations were also given by the Respondent Board through letter dt.24.08.2020, construes clarification as statutory and considered worth for implementation by the Respondents.





11. In view of forgoing discussions, this authority concludes that the clarificatory letter dt. 31.07.2020 issued through the hands of authoritative platform of Hon'ble HPERC which remained valid till issuance of next Tariff order FY 22 & as per record not withdrawn on any point of time prior to the issuance of tariff order for FY22 as mandated in the clarification and further directions imparted by the Respondent Board vide letter dt.24.08.2020 to all field officers for implementation, makes Complainant eligible for availing rebate in terms of prevalent Tariff Orders on **Night time consumption** in addition to Night hour concession in case of above expansion as contended. In terms of conclusive findings, the Contention of the Complainant is sustained in the instant case.

This closes the findings on issue-3.

Issue No.-4:

1. The Complainant contends under para-4 of his Rejoinder (ref. **Rejoinder para-9(d) above**) that the complainant is eligible for rebate during all time slots viz. **Normal, Peak and Night hours** as per clarifications issued by HPERC from time to time.
2. Before landing to conclusion on the contention of complainant to avail rebate on "**Peak**" hrs. while undergone Expansion in the said period as placed in **para-1 under Issue-2**, let us first refer to the prevalent tariff orders, wherein, it has been observed that the Tariff orders prior to 31.05.2021 are silent on the issue





of rebate both in the case of Night hr. consumption over the night hr. concession as well as rebate during peak hours. The rebate on Night hrs. for the said period as contended has been sustained in terms of comprehensive findings under **Issue-3** in due cognizance to the clarification sought through letter dt. 31.07.2020 issued under the hand of Sectt. HPERC, on the directions/approval of the Hon'ble Commission for the said purpose.

3. However, the applicability for rebate during '**Peak**' hrs. further requires detailed analysis.
4. Before proceeding further, this authority feels it legitimate to examine the essence of Tariff order FY-22 dt. 31.05.2021 first. The relevant extract is reiterated as under:

(d) Tariff Order passed on 31.05.2021 by the Ld HPERC for FY 2021-22 (applicable w.e.f 01.06.2021 to 31.03.2022)-

Quote

.....

.....

13. Rebate for New and Expansion Industries:

- a. For new industries which have come into production between 01.04.2018 to 30.06.2019, the energy charges shall be 10% lower than the approved energy charges for the respective category for a period of three years.
- b. For new industries which have come into production between 01.07.2019 to 31.05.2020, the energy charges shall be 15% lower than the approved energy charges for the respective category for a period of 3 years.
- c. For new industries which have come into production between 01.06.2020 to 31.05.2021, the energy charges shall be 10% lower than the approved energy charges for the respective category for a period of 3 years.
- d. For new industries coming into production on or after 01.06.2021, the energy charges shall be 15% lower than the approved energy charges for the respective category for a period of 3 years.



Signature

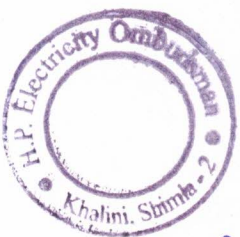


- e. *For existing industries which have undergone expansion during 01.04.2018 to 30.06.2019 and/or during 01.06.2020 to 31.05.2021, energy charges shall be 10% lower than the approved energy charges corresponding to the respective category for a period of three years for quantum of energy consumption corresponding to proportionate increase in contract demand. Provided that such expansion if undertaken during 1.07.2019 to 31.05.2020 and/or shall be undergoing expansion on or after 01.06 2021, the energy charges shall be 15% lower than the approved energy charges for the respective category for a period of 3 years for quantum of energy consumption corresponding to proportionate increase in contract demand.*
- f. *It is clarified that the above-mentioned rebate on energy charges shall be applicable during normal and peak hours. In case of night hours, night time concession shall only apply.*
- g. *In case of units registered under HP Industrial Policy 2019, but not falling under the respective category of small, medium, large industrial power supply as notified by the Commission, the rebate on energy charges (as per relevant tariff category) shall be applicable for new units as well as for existing units which have undergone expansion similar to the applicability of rebate on Industrial power supply.*

.....

5. Scrutiny of the said order reveals that the said order as per clause 13('a'to 'e') is applicable in case of **Rebate for New and Expansion Industries** and which as per clause 13(f) is applicable during **Normal & Peak hrs.** and in case of Night hours, Night time concession shall only apply.
6. After digging the relevant tariff orders in depth, it has been observed that the privilege to avail rebate on '**Peak**' hrs. remained elusion till the notification of tariff order dt.31.05.2021 for FY 2021-22 and now the said Tariff Order addresses the rebate on '**Peak**' hrs. in case of 'New Industries' and 'Expansion Industries' under para 13(f), which is reiterated as under:

13(f) "It is clarified that the above-mentioned rebate on energy charges shall be applicable during normal and peak hours.

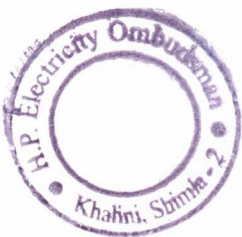


Pushpal



In case of night hours, night time concession shall only apply.”

7. After further scrutiny to the austerity of the positive intention of Hon'ble Commission in tariff order dt.31.05.2021 to allow rebate on Peak hours, indicates the legitimate inclination of Hon'ble Commission to allow such rebate during **'Peak hrs.'**
8. After examining the relevant part of Tariff order dt.31.05.2021, this authority draws considered opinion that Hon'ble Commission in the said Tariff Order persuaded to give such rebate during **'Peak hrs.'** even for the industries fulfilling the expansion criteria w.e.f. 01.04.18 to 30.06.2019 [ref. 13 (e & f) under para-4 above] and continued the same pace of provisions in **Tariff order dt.29.03.2022** also under **para-13f** covering the range of expansion w.e.f. 01.04.18 to 30.06.2019 allowing 10% rebate during **Normal & Peak Hrs.(para h).**
9. In view of forgoing analysis, it is observed that silence of the tariff orders on this aspect of eligibility of rebate during Peak hrs. prior to 31.05.2021 construes, the industries might be or might not be privileged to avail such rebate. But after the advent of Tariff order dt. 31.05.2021 which incorporates expansion period w.e.f. 01.04.18 to 30.06.2019 also, has transparently cleared the intention & inclination of Hon'ble Commission towards such privileges and hence, makes



Puphal



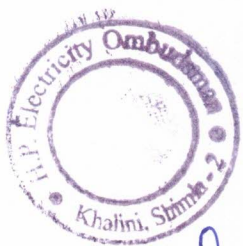
Complainant eligible to avail such rebates during 'peak hrs'.in the instant case also which is covered within the ambit of said Tariff order dt. 31.05.2021 and 29.03.2022 etc.

10. In view of above exhaustive findings, the contention of the Complainant to allow rebate during Peak hrs. in the instant case is held tenable.

This closes the findings on issue No-4

Issue No.-5

1. While going through the contentions it has been observed that the Complainant under para-3.2 of representation read with para-3.4&relief sought under para 4(b) in his submissions contends his eligibility to avail interest on the excess amount refunded/ likely to be refunded to him.
2. This authority is of the considered opinion that unless the status of above contentions such as "Rebate on Night hour Concession, Peak Hour and status of undergone "Expansion" in the instant case is recognized by the Respondent Board, the Complainant does not become entitle to such rebate/refund as well as its consequential benefits i.e interest etc.
3. It has been observed that the Assistant Engineer appeared as Respondents has confirmed from the record during arguments that in the instant case as contended by the Complainant, **the expansion so undergone stands verified by the competent authority.**



Puphal



4. This authority appreciates respondents to act within the ambit of provisions to avert litigations and also recognitions of expansions (**ref. findings Issue-2**) as legitimate in the instant case.

5. After examining the documents placed on record and arguments conducted, this authority asserts that the interest as contended, if eligible, shall attract the following provisions, the very specific parts are reproduced as under:

a. Very specific part of the relevant extract of clause 5.7.3 of supply code 2009 is reproduced for analyzing applicability of the complainant for availing interest in the instant case subject to above which provides as under:

*"-----if the amount paid by the consumer is in excess of the revised bill, such **excess amount will be refunded through** adjustment first against any outstanding amount due to the licensee and then against the amount becoming due to the licensee immediately thereafter. The licensee will pay to such consumer interest on the excess amount-----
---"*

b. Regulation 26a(ii) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Ombudsman)

*"----to return to the complainant **the undue charges** paid by the complainant along with interest at the rate-----"*

6. In the instant case, this authority draws considered opinion from the above specific part of clause 5.7.3 of supply code that subject to eligibility of rebate, the amount to be refunded shall be construed as an excess/undue amount paid by the Complainant or excess amount remained with the Respondent Board and warrants refund (of excess amount) with interest,



Referral



reckoning interest from the date the Complainant applied after the notification of the prevalent Tariff orders till it remained as an excess amount with the Respondents thereafter before the same was released.

7. While scrutinizing relief sought by the Complainant in respect of interest @15% towards refund claimed, it is observed that the complainant has overlooked the prospective effect of amended Regulation 26(ii) notified on 20th January, 2022 of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Ombudsman) (Second Amendment) in respect of the period of relief sought in the instant case, and relied upon clause 5.7.3 of Supply Code (2nd Amendment) dt. 31st July, 2018 in isolation, which is reproduced as under:

“4 Amendment of para 5.7.3- In para 5.7.3 of the said code, for the words “interest on the excess amount at twice the SBI’s Short Term PLR prevalent on the first of April of the relevant year” the words “simple interest on the excess amount @15% per annum, or where the rate is fixed by the Commission at the rate so fixed, on daily basis” shall be substituted.”

8. Whereas the complainant has not given cognizance to the rate of interest i.e. 12% for the period falling within the scope of amended Regulation 26a(ii) notified on 20th January, 2022 of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Ombudsman) (Second Amendment) which is read as under:

“12. Amendment of Regulation 26.-

(1) In Sub-clause (ii) of clause(a) of Sub-regulation (2), for the words and figure “15percent”, the words and figure “12 percent” shall be substituted;”





9. From the above analysis, it is conceived that subject to admissibility of the contentions, for the claim of interest on refund sought, needs computation of interest in terms of clause 5.7.3 of Supply Code (2nd Amendment) dt. 31st July, 2018 @15% for the period applicable read in conjunction with Regulation 26(ii) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Ombudsman) (Second Amendment) notified on 20th January, 2022 @12% for the period falling within the scope of amended Regulation 26a(ii) in terms of above provisions giving due cognizance to the prospective effect of such amendments.
10. After resorting to above analysis/findings under Issue-2 and the **confirmation of the physical verification** by the concerned Assistant Engineer from the record in the court room during final arguments of the 'Expansion' carried, , this authority is convinced in principle to allow interest **reckoning from the date the Complainant applied after the notification in terms of governing Tariff orders i.e 06.06.2020**(w.e.f. 01.06.2020 to 31.05.2021), **31.05.2021**(w.e.f. 01.06.2021 to 31.03.2022) **or 29.03.2023** (w.e.f. 01.04.2022 to 31.03.2023) **till it remains as an excess amount with the Respondents thereafter before the rebate is released.**
11. In terms of above findings, let us first confirm the viable status of entitlement of Complainant to avail interest in the instant case, which is as under:
- a. In terms of findings under **Issue-3 (rebate on Night hr. consumption)**, under the ambit of clarificatory letter dt. 31.07.2020, the Complainant is eligible for rebate on **"Expansion"** during **Night-hours** in addition to night hour concession, hence entitled for interest in terms of above





findings under **(para-5&10)**, as and when the excess amount on this account is refunded.

- b. In terms of findings under **Issue-4 (Peak Load)**, the Complainant is also eligible for rebate on '**Expansion**' during **Peak Hours** in the instant case, hence entitled for interest in terms of above findings under **(para-5&10)**.

12. In view of foregoing analysis/ conclusive findings under **para-11** above, the contentions of the Complainant for availing interest are sustained as eligible.

This closes the findings on issue -5.

13. -Order:

1. The Respondent Board is directed to overhaul the accounts of the Complainant within 15 days excluding holidays from the date of issue of this order, with due adherence to the directives such as the Expansion rebate including Peak and Night hrs. be settled in terms of governing Tariff orders i.e. **06.06.2020**(w.e.f. **01.06.2020** to **31.05.2021**), **31.05.2021**(w.e.f. **01.06.2021** to **31.03.2022**) or **29.03.2023** (w.e.f. **01.04.2022** to **31.03.2023**) in due cognizance to the findings under Issue-2 read with findings under Issue-3&4.

2. The Respondent Board is further directed to:

- a. Pay interest as admissible in terms of findings under Issue-5 for the above amount of rebate, reckoning from the date the Complainant applied after the notification of the prevalent Tariff orders as above, till it remains as an excess amount with the Respondents thereafter before the release of rebate.

b. that the amount of interest be computed in terms of clause **5.7.3** of Supply Code (**2nd** Amendment) dt. **31st** July, 2018 for



Ruphal



the period till applicable under this code and thereafter in consonance with the Regulation 26a(ii) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Ombudsman) (Second Amendment) notified on 20th January, 2022 for the period of interest falling within the scope of amended Regulation 26a(ii) giving due cognizance to the prospective effect of such amendments. Both Supply Code and Regulation 26a(ii) for above provisions be read in conjunction, not in isolation.

3. Under the powers drawn in terms of Regulation 37(3)(d)(e) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, both Complainant and Respondents are directed to keep awareness of the subsequent Amendments/clarifications issued or to be issued by the Government and Hon'ble Commission respectively from time to time and not let such type of amount piled up in future to avert litigations and violations thereof.
4. The Respondent Board is directed to adhere to above time limit for settlement as per provisions to avert intervention of Regulation 37 (6) of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 for appropriate action by the Commission under the provisions of the Electricity Act, 2003 and brunt on individuals.
5. The Respondent Board in due cognizance to adherence to above time limit is also at liberty to adjust in the ensuing bills in terms of prevalent provisions and amendments thereof.
6. No cost to litigation.



Ruphal



7. In terms of above findings, the Complaint filed by M/s Milestone Gears Pvt. Ltd. Unit- V, Plot No. 20-25, Sector-1, Parwanoo Distt. Solan, Himachal Pradesh- 173220 is hereby disposed of.
8. The case file is consigned to record room and order is also placed at site as well as conveyed telephonically for the convenience of reference.

Given under my hand and seal of this office.

Dated: 23/07/2025

Shimla



[Signature]
23/07/2025
Electricity Ombudsman