

COURT-2

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY  
(Appellate Jurisdiction)

APL No. 198 OF 2016 & IA No. 1325 OF 2025

**Dated: 4th September, 2025**

Present : Hon`ble Mr. Sandesh Kumar Sharma, Technical Member  
Hon`ble Mr. Virender Bhat, Judicial Member

In the matter of:

Sihor Steel Rerolling Mills Association .... Appellant(s)

Versus

Gujarat Electricity Regulatory Commission & Ors. .... Respondent(s)

Counsel on record for the Appellant(s) : Sakie Jakharia  
for App. 1

Counsel on record for the Respondent(s) : Suparna Srivastava  
for Res. 1

Ranjitha Ramachandran  
Anand K. Ganesan  
Swapna Seshadri  
Ashwin Ramanathan  
Harsha Manav  
Srishti Khindaria  
for Res. 2

Anushree Bardhan  
Ranjitha Ramachandran  
Anand K. Ganesan  
Swapna Seshadri  
Poorva Saigal  
Shubham Arya  
for Res. 3

## **ORDER**

**IA No. 1325 OF 2025**  
(For Modification after Judgement)

It has been pointed out by the Learned Counsel for the Appellant that the peak hour timings have been incorrectly typed in paragraph No. 15 of the judgement as 7 AM to 9 AM in place of 7 AM to 11 AM. Accordingly the timings in the said paragraph are hereby corrected by stating that timings for the peak hours be read as 7 AM to 11 AM instead of 7 AM to 9 AM. The corrected paragraph shall be read as under :-

*“15. It is evident that the Appellant had drawn attention of the Commission to the tariff order dated 31<sup>st</sup> March, 2015 where it was mentioned that the issue of change in designated peak hours shall be examined by the Commission separately. However, manifestly no such detailed examination has been done by the Commission on this issue. The Commission has simply gone by the response submitted by the 2<sup>nd</sup> Respondent. No independent empirical study has been undertaken by the Commission to ascertain whether it is necessary to continue prescribing 7 AM to 11 AM as peak hours, thereby permitting the Distribution Licensees to levy Time of Use charges for consumption of electricity during those hours. Even the response of the 2<sup>nd</sup> Respondent before the Commission was*

*not based on any specific study on this aspect. The 2<sup>nd</sup> respondent had merely contended that no change in the present peak hours time zone is required as these are in place since very long and the consumers have set their consumption pattern accordingly. The mere fact that this time zone was being treated as peak hour for very long does not in itself justify its continuation for all times to come. It was incumbent upon the Commission to take note of the objections raised by the Appellant Association and to undertake a detailed study to determine whether or not to continue specifying this time zone as peak hour.”*

IA is allowed and accordingly disposed of.

Virender Bhat  
Judicial Member

Sandesh Kumar Sharma  
Technical Member (Electricity)

*Js/mkj*