

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION,
SHIMLA

In the matter of –

Violation of the regulation 3(4) (a)(ii) and 3(6) of the
HPERC (Guidelines for Establishment of Forum for
Redressal of Grievances of Consumers) Regulations, 2003.

Suo Motu Case No. 148/2010

(Passed on 28.08.2010)

CORAM
YOGESH KHANNA,
CHAIRMAN

ORDER

The HPERC (Guidelines for Establishment of Forum for Redressal of Grievances of Consumers) Regulations, 2003, framed under sub-section (5) of section 42 and section 181 of the Electricity Act, 2003 require the Distribution Licensee, in this case the HPSEB, to constitute the Forum of Grievances of the Consumers in accordance with the provisions laid therein. The Members to be appointed thereto are to possess the qualifications and are not below of the rank of a Superintending Engineer, or its equivalent, with working experience of at least of 20 years. The said Members are to hold office for a term of 3 years. The Commission observed that the respondent Board has been changing the Members, before the completion of their tenure as Members and also been appointing the persons, not fulfilling the requisite qualifications/experience as Members in violation of the said regulations. The Commission asked the Board to show cause, in terms of section 142 of the electricity Act, 2003, as to why the proceedings may not be initiated against it for contravening the aforesaid provisions.

When the matter came up for hearing on 28.8.2008, Dr. M.P. Sood, Executive Director (Per), HPSEB, submits that orders of Mumtaj Khan as Member of the Forum were issued inadvertently and no motive whatever can be attributed for the same. Immediately after noticing the mistake, the

appointment of Mumtaz Khan, as Member has been withdrawn. He further assures that a suitable person fulfilling the requirement of the regulations shall be appointed by the 6th September, 2010

Keeping in view the sincere regret expressed and the assurance given by the respondent Board to abide by the regulations framed by this Commission, the show cause notice served under section 142 of the Electricity Act,2003 is withdrawn.

(Yogesh Khanna)
Chairman.