

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA  
NOTIFICATION**

**Shimla, the 31<sup>st</sup> July, 2018**

**No. HPERC/Secy/151.-** WHEREAS the Himachal Pradesh Electricity Regulatory Commission had notified the Himachal Pradesh Electricity Supply Code, 2009, which was published in the Rajpatra, Himachal Pradesh, dated 29<sup>th</sup> May, 2009.

AND WHEREAS with a view to rationalize the provisions contained in the said Code the Distribution Licensee (HPSEBL), the Parwanoo Industries Association and the Divisional Commissioner Shimla Division, have proposed certain amendments;

AND WHEREAS accordingly, the Commission notified the draft Regulations to amend the Himachal Pradesh Electricity Supply Code, 2009 published in the Rajpatra, Himachal Pradesh dated 2<sup>nd</sup> Feb., 2018, as required under sub-section (3) of section 181 of the Electricity Act, 2003, rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005. A notice for inviting suggestions and objections from the public and stakeholders was published in the leading newspapers viz. "The Amar Ujala" and "Hindustan Times" on 4<sup>th</sup> Feb., 2018 and also hosted it on the Commission's website. The Commission also circulated the draft Regulations to the Supply Code Review Panel, constituted under para 1.3 of the Himachal Pradesh Electricity Supply Code, 2009, for their consideration and recommendations thereon;

AND WHEREAS in response to above public notice, the Commission received response from various stakeholders vis-à-vis the comments/recommendations of the Supply Code Review Panel, which have been duly considered by the Commission while finalizing these Regulations;

NOW, THEREFORE, in exercise of the powers conferred by section 50 and clause (x) of subsection (2) of section 181 of the Electricity Act, 2003 (36 of 2003), read with section 21 of the General Clauses Act, 1897 (10 of 1897), and all other powers enabling it in this behalf, the Himachal Pradesh Electricity Regulatory Commission hereby amends the Himachal Pradesh Electricity Supply Code, 2009 as under:-

**The Himachal Pradesh Electricity Supply Code (Second Amendment)  
Regulations, 2018.**

**1. Short title and commencement.-** (1) These regulations may be called the Himachal Pradesh Electricity Supply Code (Second Amendment) Regulations, 2018.

(2) These regulations (excepting regulation 3) shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh, and the regulation 3, save as specifically provided in the note to be inserted in clause (a) of para 3.10 of the Himachal Pradesh Electricity Supply Code, 2009, shall come into force from the first day of the month of April, 2019.

**2. Amendment of para 3.9:-** In para 3.9.1 of the Himachal Pradesh Electricity Supply Code, 2009 (hereinafter referred as “the said Code”):-

- (a) in column (2) of the table, for the words “six months” occurring against Serial No. (i) the words “twelve months” shall be substituted; and
- (b) after the existing proviso, the following proviso shall be added, namely:-

“Provided further that where the delay in taking connection is considered to be beyond the reasonable control of the applicant, the authority designated by the distribution licensee, which shall not be lower than the rank of the concerned load sanctioning authority for the respective categories of loads, may, on the request from the applicant, relax, with suitable conditions, the time limits, specified in Column (2) in the table against Serial Nos. (i) and (ii) to the extent it may consider appropriate”.

**3. Amendment of para 3.10:-** For the sign “;” occurring after clause (a) of para 3.10 of the said Code, the sign “:” shall be substituted and thereafter the following provisos shall be inserted, namely:-

“Provided that the consumer shall not be eligible for temporary revision of contract demand to a value other than the full sanctioned contract demand for a total period of more than six months in one financial year:

Provided further that in cases involving part period of a year e.g. if a consumer takes the connection, or the consumer gets his permanent sanctioned contract demand revised, during the middle of a year, the adjustments shall be made on pro-rata basis.

**Note:** The Distribution Licensee shall, immediately after the publication of the Himachal Pradesh Electricity Supply Code (Second Amendment) Regulations, 2018, in the Rajpatra, Himachal Pradesh, issue suitable detailed procedural instructions within the framework of the above provisions to its field units for the smooth implementation of aforesaid provisions w.e.f 01.04.2019.”

**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 percent per annum, or where the rate is fixed by the Commission at the rate so fixed, on daily basis” shall be substituted.

**5. Substitution item (iii) of para 6.1.9:-** For the existing item (iii) of para 6.1.9 of the said Code, the following item (iii) shall be substituted; namely:-

“ (iii) If the Assessing Officer is still of the view that unauthorized use of electricity has taken place, he shall give due consideration to the facts submitted by the person referred to in item (i) of this para and pass a speaking order within thirty days of personal hearing, as to whether a case of unauthorized use of electricity is established or not. The speaking order shall also contain the brief of inspection report, submissions made by the said person in his written reply or in oral submissions made during personal hearing and reasons for acceptance or rejection of the same. In case, the Assessing Officer in its order concludes that unauthorized use of electricity has taken place, he shall assess the electricity consumption and electricity charges as per the procedure given in Annexure-A.”

**By order of the Commission**

Sd/-

**Secretary**