

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA

NOTIFICATION

Shimla, the 03rd December, 2018

No. HPERC/438-Supply Code.- WHEREAS with a view to rationalize the provisions contained in the Himachal Pradesh Electricity Supply Code, 2009 the Distribution Licensee (HPSEBL), the Parwanoo Industries Association and the Divisional Commissioner, Shimla Division proposed certain amendments in the said Supply Code made in exercise of the powers conferred by Section 50 and clause (x) of sub section (2) of Section 181 of the Electricity Act, 2003 (36 of 2003);

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission (in short 'the Commission') notified the draft Regulations to amend the said Supply Code, published in the Rajpatra, Himachal Pradesh dated 2nd February, 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. The said draft Regulations also included the proposal to insert sub-para 3.1.2.1 in para 3 of the said Supply Code dispensing with the pre-condition of furnishing the "No Objection Certificate" of the Development Authority of the area concerned, before the release of the connection to the applicant Consumer(s). A notice for inviting suggestions and objections for the public and stakeholders was published in the leading newspapers viz, "The Amar Ujala" and "Hindustan Times" on 4th February, 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 said Supply Code, for their consideration and recommendations thereon;

AND WHEREAS, in response to above public notice, the Commission received no comments/suggestions in relation to the issue of the "No Objection Certificate" but received response on other issues 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 WHEREAS 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 makes the following regulations to amend the Himachal Pradesh Electricity Supply Code, 2009:-

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

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

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh

2. Amendment in para 3.1 – In para 3.1.2 of Himachal Pradesh Electricity Supply Code, 2009, the following sub-para 3.1.2.1 shall be inserted namely:-

“3.1.2.1 In case of a new connection, where an applicant is unable to produce “No Objection Certificate” for seeking electricity connection, from the Statutory Authority (ies) like the Panchayat, Municipality or the Town and Country Development Authority (by whatever name called), the licensee shall not refuse electricity connection to an applicant seeking electricity connection, only for want of such “No Objection Certificate” and shall, release the electricity connection to such applicant on the submission of the undertaking/ declaration to the extent that the licensee may disconnect the electricity connection under reference, in the event of a legally binding order issued by the Statutory Authority (ies) for disconnection of supply owing to any default/non-compliance of statutory provisions. However, such connections shall be regularised by the Licensee only on the submission of the sanction letter from the concerned statutory authority of the area. This shall be without prejudice to any other rights of the licensee including that of getting its payment due as on the date of disconnection”.

BY ORDER OF THE COMMISSION

**Sd/-
Secretary**