

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION
SHIMLA**

NOTIFICATION

Shimla, the 25th August, 2007

No.HPERC/609A.- In exercise of the powers conferred by sub-section (5) of section 42 and 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, after previous publication, hereby makes the following regulations to further amend the Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) Regulations, 2003, published in the Rajpatra, Himachal Pradesh (Extraordinary) dated 24th October, 2003:-

REGULATIONS

1. Short title and commencement- (1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) (Fourth Amendment) Regulations, 2007.

(2) These regulations shall come into force on the 1st day of October, 2007.

2. Amendment of regulation-3.- In regulation 3 of the Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) Regulations, 2003 (hereinafter called "the said regulations"),-

- (i) sub-regulation (2) shall be omitted;
- (ii) for sub-regulation (4), the following sub-regulation (4) shall be substituted, namely,-

“(4) The Forum shall consist of three members, including its Chairperson, to be appointed from amongst persons of ability, integrity and standing, who have knowledge of, and adequate experience and capacity in dealing with problems relating to engineering, finance, commerce, economics, consumer affairs, industrial matters, law or management and out of them.-

(a) two members, to be appointed by the distribution licensee, shall be out of its officers and out of these two,-

- (i) one member possessing degree in electrical engineering and having at least 20 years experience in generation, transmission,

distribution or trading of electricity and who is not below the rank of a Chief Engineer or its equivalent in an organization engaged in the business of generation, transmission, distribution and trading of electricity; and

(ii) one member possessing degree in engineering, finance, commerce, economics, law or management and is not below the rank of a Superintending Engineer, or its equivalent with working experience of at least 20 years in an organization engaged in generation, transmission, distribution or trading in electricity;

(b) one independent member, to be nominated by the Commission, shall be out of the persons who are representatives of the registered voluntary consumer protection organizations or NGOs or consumer activists with experience of at least five years in dealing with the matters concerning “consumer grievances” or “regulatory affairs”;

(iii) for existing sub-regulation (5), the following sub-regulation shall be substituted, namely,-

“(5) The member of the Forum appointed, by the distribution licensee, under sub-clause (i) of clause (a) of sub-regulation (4) of this regulation, shall be the Chairperson of the Forum.”;

(iv) for existing proviso to sub-regulation (6), the following proviso shall be substituted, namely,-

Provided that no member of the Forum shall hold office as such,-

(a) where he is appointed under clause (a) of sub-regulation (4), after he ceases to be the officer of the distribution licensee; and
(b) where he is nominated by the Commission under clause (b) of sub-regulation (4), after he attains the age of sixty-five years.”;

and

(v) in sub-regulation (9), for the words “ as may be determined by the distribution licensee,” the words “as the distribution licensee may, with the prior approval of the Commission, determine” shall be substituted.

3. Amendment of regulation 4.- In sub-regulation (2) of regulation 4 of the said regulations,-

(i) before the existing proviso, the following proviso shall be inserted, namely:

“Provided that the member, nominated by the Commission under clause (b) of sub-regulation (4) of regulation 3, shall be removed from his office, only after the prior approval of the Chairperson of the Commission;” and

- (ii) in the existing proviso, for the opening word “Provided”, the words “Provided further”, shall be substituted.

- 4. Amendment of regulation 5.-** In proviso to regulation 5 of the said regulations, for the words “two months” the words “three months” shall be substituted.
- 5. Amendment of regulation 12.-** In regulation 12 of the said regulations, in the second proviso to sub-regulation (2), for the words, figures and brackets “other member present out of (a) or (b) in sub-regulation (4) of Regulation 3”, the words, figures and brackets “the member appointed under sub-clause (ii) of clause (a) of sub-regulation (4) of regulation 3,” shall be substituted.

By order of the Commission

Sd/-
Secretary.