

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA
Vidyut Aayog Bhawan, Block-37, SDA Complex, Kasumpti, Shimla-171009.**

NOTIFICATION

No. HPERC- (H)(1)-1/2012.

Shimla the 5th June, 2024.

WHEREAS, the Himachal Pradesh Electricity Regulatory Commission has notified the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 on 23rd January, 2013 and the same were published in the Rajpatra on 28th January, 2013 (hereinafter referred to as “the said Regulations”). The said Regulations came into force from 28th day of January, 2013;

AND WHEREAS, apart from Forum established at headquarter level by the Distribution Licensee, the Commission has made a provision in the said Regulations to establish additional Forum for each of its operation circles and the jurisdiction thereof in relation to the consumers, for ease of excess for the consumers to address their grievances; and the Commission, in order to make the additional Forums more effective and for speedy redressal of grievances of the consumers, has decided further to amend the said Regulations;

NOW, THEREFORE, the Himachal Pradesh Electricity Regulatory Commission, in exercise of the powers conferred under clauses (r) and (s) of sub-section (2) of section 181 read with sub-sections (5) to (7) of section 42 of the Electricity Act, 2003 (36 of 2003) (Act for short) and all other powers enabling it in this behalf, proposes further to amend the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 and as required by sub-section (3) of section 181 of the said Act and rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005, the draft amendment Regulations are hereby published for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft amendment Regulations will be taken into consideration after the expiry of thirty (30) days from the date of publication of this Notification in the Rajpatra, Himachal Pradesh, together with any objections or suggestions which may, within the aforesaid period, be received in respect thereto.

The text of the aforesaid draft amendment Regulations is available on the website of the Commission i.e. <http://www.hperc.org>.

The objections or suggestions in this behalf should be addressed to the Secretary, Himachal Pradesh Electricity Regulatory Commission, Vidyut Aayog Bhawan, Block-37, SDA Complex, Kasumpti-171009 (HP).

DRAFT REGULATIONS

- 1. Short title and commencement.-** (1) These Regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (Third Amendment) Regulations, 2024.
(2) These Regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.
- 2. Amendment of Regulation 3.-** In Regulation 3 of the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013 (hereinafter referred to as the “said Regulations”), in sub-regulation (1), for clause (f), the following clause shall be substituted, namely:-
“(f) “Forum or Additional Forum” means a Forum established by the distribution licensee under sub-section (5) of Section 42 of the Act, in accordance with the guidelines contained in these Regulations;”.
- 3. Amendment of Regulation 9.-** In Regulation 9 of the said Regulations, after sub-regulation (2), the following proviso shall be inserted, namely:-
“Provided that the leave of the Chairperson of the Consumer Grievances Redressal Forum, Shimla shall be sanctioned/allowed by the Commission.”.
- 4. Amendment of Regulation 23.-** In Regulation 23 of the said Regulations, for sub-regulation (3), the following sub-regulations shall be substituted, namely:-
“(3) The grievance under this regulation shall, so far as practicable, consistently with the interests of justice, be continued from day to day until its conclusion, unless the Forum finds the adjournment of the grievance beyond the following day to be necessary for reasons to be recorded in writing.

(3A) Every grievance under this regulation shall be conducted as expeditiously as possible and endeavour shall be made to conclude the grievance within 45 days from the date of filing of the same:

Provided that the Forum shall be bound to meet at least once in a month to undertake the proceedings in the matter.”.

5. Amendment of Regulation 32. In Regulation 32 of the said Regulations, in sub-regulation (2), for the existing table, the following table shall be substituted, namely:-

“Table

Sl. No.	Nature of Representation	Applicable fees for each representation in (Rs.)
1.	In relation to Low Voltage (LV) power supply applicable for single part tariff consumer.	Nil
2.	In relation to Low Voltage (LV) power supply applicable for two part tariff consumer.	100/-
3.	In relation to High Voltage (HV) power supply	10,000/-
4.	In relation to Extra High Voltage power supply	25,000/-”

6. Amendment of Regulation 33.- In Regulation 33 of the said Regulations, for sub-regulation (1), the following sub-regulation shall be substituted, namely:-

“(1) The representation may be entertained by the Ombudsman only if all of the following conditions are satisfied that:-

- (a) it has been filed by the complainant being the aggrieved consumer or the association representing the consumer/s;
- (b) the complainant has, before making a representation to the Ombudsman approached the Forum constituted under sub-section (5) of Section 42 of the Act, for redressal of his grievance;
- (c) the representation by the Complainant, in respect of the same grievance, is not pending in any proceedings before any court, tribunal or arbitrator or any other authority ; or a decree or award or a final order has not been passed by any such court, tribunal arbitrator or authority;
- (d) the representation is not in respect of the same cause of action which was settled or dealt with on merits by the Ombudsman in any previous proceedings whether or not received from the same complainant or along with one or more complainants or one or more of the parties concerned with the cause of action;

- (e) the complainant is not satisfied with the redressal of his grievance by the Forum or the Forum has rejected the grievance or the licensee has not implemented the Forum's Order;
- (f) the representation is made within one month from the date of receipt of the order of the Forum:
 - Provided that the Ombudsman may entertain a representation beyond one month on sufficient cause being shown by the complainant that he had reasons for not filling the representation within the aforesaid period of one month;
- (g) the complainant has deposited with the Ombudsman, an amount equal to 50% of the amount assessed by the Forum, if any; and
- (h) the complainant has paid such fees as specified in the Table given in sub-regulation (2) of regulation 32.”.

By order of the Commission

Sd/-
Secretary