

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA

Vidyut Aayog Bhawan, Block-37, SDA Complex, Kasumpti, Shimla-171009

Shimla the 30th September, 2021

No. HPERC-B(3)-1/2020-705-Vol-VII.- WHEREAS the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013 published in the Rajpatra Himachal Pradesh on 22nd April, 2013, provides that the Commission may make appropriate provisions for promotion to the existing employees appointed on regular basis in the Commission within overall sanctioned strength. These Regulations were further amended vide its First amendment and Second amendment published in the Rajpatra Himachal Pradesh on 18th February, 2020 and 30th June, 2020 respectively;

AND WHEREAS during the implementation of the Regulations, 2013 as amended (ibid), the Commission observed that the provision(s) for promotion made in the amended regulations has created some ambiguity, which needs to be clarified and to further amend of the said Regulations;

AND WHEREAS it necessitates the Commission to amend the provision(s) made for the promotion to the posts of Deputy Director (Law) and Director (Technical Analysis) to avoid the ambiguity and bringing clarity in the provisions and amend the said Regulations;

NOW, THEREFORE, in exercise of the powers conferred by clause (zk) of sub-section (2) of Section 181, read with Section (2) and (3) of Section 91 of the Electricity Act, 2003 (36 of 2003), and also read with Section 21 of the General Clause Act, 1897 (10 of 1897), and all other powers enabling it in this behalf, the Commission proposes to further amend “the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013” published in the Rajpatra, Himachal Pradesh on 22nd April, 2013, and as required by sub-section (3) of Section 181 of the Electricity Act, 2003 and rule 3 of the Electricity (Procedures for Previous Publications) Rules, 2005, the draft amendment regulations are hereby published for information of all the persons likely to be affected thereby; and notice is hereby given that the said draft regulations shall be taken into consideration after expiry of thirty days (30) from the date of publication of this notification, together with any objections or suggestions which may within the aforesaid period be received in respect thereto.

The text of the aforesaid draft regulations is also 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, Shimla-171009.

DRAFT REGULATIONS

1. Short title and commencement.- (1) These Regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) (Third Amendment) Regulations, 2021.
(2) These Regulations shall come into force from the date of its publication in the Rajpatra, Himachal Pradesh.
2. In PART-II of the Schedule-II of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013, in the item at serial number 9-A and serial number-11 under the heading minimum qualification and other eligibility conditions, following shall be substituted, namely:-

9-A	Deputy Director (Law)	By promotion from amongst the Law Officers, who possess Degree in Law from a recognized University with 8 years service, including service rendered in the regulatory affairs of power sector or on adhoc basis on the post of Law Officer, if any.
11.	Director (Technical Analysis)	By promotion from amongst the Joint Directors/Deputy Directors who possess degree in Electrical/Mechanical Engineering or its equivalent from a recognised Institution with 20 years service experience as Electrical/Mechanical Engineering in the relevant discipline and out of the total 20 years, the 12 years experience shall include the service in the regulatory affairs of power sector or service on adhoc basis on the posts of Deputy Directors and above levels, if any.

By Order of the Commission

**Sd/-
Secretary**