

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA**

**NOTIFICATION**

**Shimla, the 18<sup>th</sup> October, 2021**

**No. HPERC/Secy/438.- WHEREAS** the Himachal Pradesh Electricity Regulatory Commission notified the Himachal Pradesh Electricity Supply Code, 2009 on 26<sup>th</sup> May, 2009, as published in Rajpatra, Himachal Pradesh on 29<sup>th</sup> May, 2009 which was subsequently amended and amendments were published in Rajpatra, Himachal Pradesh on 16<sup>th</sup> August, 2014, 7<sup>th</sup> August, 2018, 5<sup>th</sup> December, 2018 and 4<sup>th</sup> July, 2020 respectively (hereinafter jointly referred to as “the said Code”);

**AND WHEREAS** the Ministry of Power, Government of India has notified the Electricity (Rights of Consumers) Rules, 2020 (hereinafter referred to as “the Electricity Rules, 2020”) and published the same in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i) dated 31.12.2020 which necessitate certain modifications in the existing provisions of the said Code;

**AND WHEREAS** the Commission finds it appropriate to incorporate the provisions of the Himachal Pradesh Electricity Regulatory Commission (Licensee's Duty for Supply of Electricity on Request) Regulations, 2004 in the said Code and consequently repeal these Regulations of 2004 ; and

**NOW, THEREFORE,** the Himachal Pradesh Electricity Regulatory Commission, after considering the recommendations made by the Electricity Supply Code Review Panel as per the proceedings of its meeting held on 16<sup>th</sup> July, 2021, in exercise of the powers conferred under Section 50 and clause (x) of sub-section (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, hereby proposes to amend the said Code as per the following draft amendment Regulations which 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 and suggestions in this behalf should be

addressed to the Secretary, Himachal Pradesh Electricity Regulatory Commission, Vidyut Aayog Bhawan, Block No.-37, SDA Complex, Kasumpti, Shimla-171009.

### **DRAFT REGULATIONS**

1. **Short title and commencement.**- (1) These Regulations may be called the Himachal Pradesh Electricity Supply Code (Fifth Amendment) Regulations, 2021.  
(2) These Regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.
2. **Amendment of para 1.2 under 'CHAPETR-I' of the said Code.-**  
**In para 1.2 -**
  - (i) for sub-para (1.2.4), containing the definition of "applicant", the following shall be substituted, namely:-

“1.2.4 “applicant” means an owner or occupier of any premises who files an application form with a licensee for supply of electricity, increase or decrease in sanctioned load or contract demand, change in title or mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the provisions of the Act, Rules and Regulations made thereunder” ;
  - (ii) for sub-para (1.2.6), containing the definition of “billing cycle”, the following shall be substituted, namely:-

“1.2.6 “billing cycle” or “billing period” means the period, as specified by the Commission, for which regular electricity bills are issued by the licensee for different categories of consumers in different areas of the State;” ;
  - (iii) after sub-para (1.2.17), containing the definition of “demand charges”, the following new sub-para (1.2.17A) and (1.2.17B) shall be inserted, namely:-

“1.2.17A “disconnection” means the physical separation or remote disconnection of a consumer from the distribution system of the distribution licensee;

1.2.17B “distribution main” means the portion of any main with which a service line is, or is intended to be, immediately connected;” ; and
  - (iv) for sub-para (1.2.38), containing the definition of “occupier”, the following shall be substituted, namely :-

“1.2.38 “occupier” means the owner, tenant or person in occupation of the premises where electricity is used or proposed to be used;”.

**3. Amendment of CHAPTER-II ‘SYSTEM OF SUPPLY, CONDITIONS OF SUPPLY AND CLASSIFICATION OF CONSUMERS’ of the said Code.-**

In item (a) of clause (2.1.6.1A) of sub-para (2.1.6)-

- (i) in the table, for the figure and word “415 volts”, the figure and word “400 volts” shall be substituted; and
- (ii) in third proviso, for the figure and word “415 volts”, the figure and word “400 volts” shall be substituted.

**4. Amendment of CHAPTER-III ‘MATTERS RELATED TO SUPPLY OF ELECTRICITY’ of the said Code.-**

(I) In para 3.1 -

- (i) for sub-para (3.1.1), the following shall be substituted, namely:-

“3.1.1 Save as otherwise provided in the Act, Rules and this Code, the licensee shall, on an application by the owner or occupier of any premises, give supply of electricity to such premises within the timelines specified in this Code.” ;

(ii) in sub-para 3.1.2 -

- (a) for the sub-para (3.1.2), the following shall be substituted, namely :-

“3.1.2 The licensee shall standardise the Application and Agreement form and test report, to be submitted by the applicant under clause (3.1.2.1) of this sub-para and the Commission shall specify the list of documents, to be submitted by the applicant alongwith the Application and Agreement form under clause (3.1.2.2) of this sub-para.” ;

- (b) the existing clause “(3.1.2.1)” shall be re-numbered as “(3.1.2.3) and before this re-numbered clause (3.1.2.3), following clauses shall be inserted, namely :-

“3.1.2.1 For the new connections covered under single part tariff, the Application and Agreement form shall be required to be accompanied, apart from the test report, with only two mandatory documents, namely - (1) identity proof (i.e. Passport, Aadhar Card, voter card etc.) of the applicant; and (2) proof of applicant’s ownership or occupancy over the premises for which new connection is being sought or in the absence of any proof of

ownership or occupancy, any other address proof not given as part of identity proof under (1) above.

3.1.2.2 For the new connections covered under two part tariff, the Commission shall specify the list of documents as per sub-para 3.1.2:

Provided that till such time the Commission specifies such list of documents, the licensee shall continue to entertain the Applications alongwith the documents as per the prevailing practice being followed by it:

Provided further that any other agreement required for supply of electricity, in addition to the normal agreement on Application form, shall also become the part of the Application and Agreement form and there shall not be any requirement of a separate agreement form.” ;

(a) in the re-numbered clause (3.1.2.3), for the words “where an applicant”, the words and sign “an applicant, covered under two part tariff,” shall be substituted; and

(b) after the re-numbered clause (3.1.2.3), the following clauses shall be inserted, namely:-

“3.1.2.4 The licensee shall prominently display on its website and on the notice board in all its offices, the following; namely:-

- (a) detailed procedure for grant of new connection, temporary connection, shifting of meter or, service line, change of consumer category, enhancement of load, reduction of load or change in name, transfer of ownership and shifting of premises etc;
- (b) address and telephone numbers of offices where filled-up application forms can be submitted;
- (c) address of website for online submission of application form;
- (d) complete list of copies of the documents required to be attached with the application; and
- (e) all applicable charges to be deposited by the applicant.

3.1.2.5 Application and Agreement forms for all type of connections as well as modification in existing connection shall be available at all the local offices of the licensee free of cost as well as on its website for free download.

- 3.1.2.6 The licensee shall create a web portal and a mobile app for submission of online application forms.
- 3.1.2.7 The applicant shall have an option to submit an application form in hard copy or an electronic means such as through web portal or mobile app of licensee.
- 3.1.2.8 In case hard copy of the application form is submitted, the same shall be scanned and uploaded on the website within six working hours from its receipt in the licensee's office.
- 3.1.2.9 In case of online application form submitted through web portal or mobile app of licensee, or where the same is uploaded on the website as sub-para (3.1.2.8), the acknowledgement with the registration number shall be generated on submission of application.
- 3.1.2.10 An application, complete with all the required information, shall be deemed to be received on the date of generation of acknowledgement with registration number.
- 3.1.2.11 The application tracking mechanism based on the unique registration number shall be provided by the licensee through web-based application, mobile app and through SMS or by any other mode to monitor the status of processing of the application like receipt of application, site inspection, issuance of demand note, external connection, meter installation and electricity flow.” ;
- (e) for the existing sub-para (3.1.4), the following shall be substituted, namely :-
- “3.1.4 On the receipt of an Application and Agreement form from the owner or occupier of the premises, licensee shall, within the time lines tabulated in the following Table, issue, by a registered post/speed post or through any faster and latest electronic mode and intimation has also been sent through SMS, a demand notice to the applicant, clearly indicating –
- (a) all deficiencies to be made good and the codal formalities to be completed by the applicant; and
  - (b) the exact amount of charges and security to be deposited by the applicant.

**Timelines for issuance of the Demand Notice(ref. sub-para 3.1.4)**

Type of service connection requested	Period from date of receipt of application within which demand notice should be issued.
Low Tension (LT) supply	(10) days
11KV supply	(15) days
22 KV supply	(15) days
33KV supply	(30) days
Extra High Tension (EHT) supply	(60) days

(f) for the existing sub-para (3.1.6), the following shall be substituted, namely :-

“3.1.6 Every licensee shall, upon the applicant making good the deficiencies and completion of codal formalities and payment of charges and security, as indicated in the demand notice under sub-para 3.1.4, give supply of electricity to the premises within the following timelines, namely:-

- (a) where no extension of distribution mains or commissioning of new sub-station is required for effecting such supply- (i) within fifteen days in urban areas (ii) within twenty days in rural areas (iii) thirty days in remote areas ;
- (b) in cases where such extension of distribution mains or commissioning of new sub-station is required but there is no requirement of erecting and commissioning a new 33/11kV sub-station, within the timelines tabulated below :-

Type of service connection requested	Period from date of completion of codal formalities required vide demand notice, within which supply of electricity should be provided
Low Tension (LT) supply	(40) days
11KV supply	(30) days
22 KV supply	(30) days
33KV supply	(60) days
Extra High Tension (EHT) supply	(120) days

- (c) in the case of application for new connection, where extension of supply requires erection and commissioning of new 33/11 KV sub-station, the licensee shall, within fifteen days of receipt of application, submit to the Commission a proposal for erection of 33/11 KV sub-station together with the time required for commissioning the sub-station. The Commission shall, after hearing the licensee and the applicant concerned, decide on the proposal and the time frame for erection of the sub-station. The licensee shall erect and commission the sub-

station and commence power supply to the applicant within the period approved by the Commission:

Provided that, where such sub-station is covered in the investment plan approved by the Commission, the licensee shall complete the erection of such sub-station within the time period specified in such investment plan; and

- (d) the licensee may approach the Commission for extension of the timelines as mentioned in clauses (a), (b) and (c) above, in specific cases where the magnitude of extension is such that the licensee will require more time, duly furnishing the details in support of such claim for extension and if satisfied with the justification given by the licensee, the Commission may extend the time for commencing the supply.

- 3.1.6.1 The licensee shall not be responsible for the delay, if any, in extending the supply, if the same is on account of problems relating to right of way, acquisition of land, or the delay in consumer's obligation to obtain approval of the Chief Electrical Inspector for his High Tension or Extra High Tension installation, or for any other similar reasons beyond the reasonable control of the licensee:

Provided that if any dispute arises whether the delay in extending the supply is attributable to the reasons beyond the control of the licensee or not, it shall be decided by the Commission and the decision of the Commission shall be final and binding :

Provided further that the applicant / consumer has reasons to believe and it is within the reasonable control of the licensee to release the connection and that the licensee is deliberately delaying the same, he may approach the Consumer Grievances Redressal Forum, as per the provisions of Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, for redressal of his grievance.

- 3.1.6.2 The licensee shall adhere to the timelines provided under item (a), (b) and (c) of sub-para (3.1.6) failing which the licensee shall be liable to

pay compensation to the applicant as per the provisions of the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards) Regulations, 2010.” ; and

(g) after sub-para (3.1.6), the following new sub-para (3.1.7) and sub-para (3.1.7A) shall be inserted, namely :-

“3.1.7 The licensee shall also provide suitable arrangements like separate queue, sufficient seating arrangement etc. for those senior citizens and physically challenged citizens who may visit the licensee’s office.

3.1.7A The distribution licensee shall provide all services such as application submission, payment of bills etc. to the senior citizens and physically challenged citizens, covered under single part tariff, at their door-steps. The licensee shall depute its officials to visit the premises of such citizen within two days in case of urban area and within five days in case of rural area, after ascertaining the convenience of such citizen about the time of visit to his / her premises.”

(II) For sub-para (3.3.1) of para 3.3, the following shall be substituted, namely:-

“3.3.1 The applicant requiring supply of electricity from a licensee on a temporary basis will be provided such supply on receipt of Application & Agreement Form, complete in all respect as mentioned in para 3.1, within the timelines specified hereunder:

(i) where no extension of distribution mains or commissioning of a new sub-station is involved, within three (3) working days reckoned from the completion of all the codal formalities and the payment of charges and security amount stated in the demand notice issued as mentioned in sub-para (3.1.4) of this Code; and

(ii) where extension of distribution mains or commissioning of a new sub-station is involved, within the timelines as specified in clause (b) of sub-para (3.1.6) of this Code.”

(III) In sub-para (3.4.1), for the words, figure and brackets “the Himachal Pradesh Electricity Regulatory Commission (Licensee’s Duty for Supply of

Electricity on Request ) Regulations, 2004”, the words, figures and brackets “sub-para (3.1.6) of this Code” shall be substituted.

**(IV) In para 3.5-**

- (i) in sub-para (3.5.1), for the words and brackets “The licensee(s) will standardise the application form(s) for transfer of title, change of category, conversion between various voltage classes and the standardised list of supporting documents to be submitted by the applicants for different services”, the following shall be substituted, namely:-

“The licensee(s) shall standardise the application form(s) for transfer of title, change of category, conversion between various voltage classes. The licensee(s) shall also standardise, duly taking into account the list of documents as per sub-para 3.1.2.1 and 3.1.2.2 of para 3.1, the supporting documents required to be submitted by the applicant for each of such services.” ;

- (ii) in sub-para (3.5.3), for the words, figures and brackets “Regulation 3 of the Himachal Pradesh Electricity Regulatory Commission (Licensee’s Duty for Supply of Electricity on Request ) Regulations, 2004”, the words and figures “sub-para (3.1.4) and sub-para (3.1.6) of this Code” shall be substituted; and

- (iii) for sub-para (3.5.6), the following shall be substituted, namely :-

“3.5.6 Where the applicant requests for shifting of a meter and/or service connection for feeding the same premises or for diversion of existing lines and has, if required under sub-para 3.5.5 of this Code, deposited the cost thereof, the licensee shall adhere to the timelines, as specified in the Himachal Pradesh Electricity regulatory Commission (Distribution Performance Standards), Regulations, 2010.”

**(V) In para 3.6-**

- (i) in sub-para (3.6.1), for the figure “2005”, the figure “2012” shall be substituted; and
- (ii) in sub-para (3.6.2), for the words, figures and brackets “regulation 7 of the Himachal Pradesh Electricity Regulatory Commission (Distribution Licensee’s Standards of Performance) Regulations, 2012”, the words, figure and brackets “the provisions of the Himachal Pradesh Electricity

Regulatory Commission (Distribution Performance Standards) Regulations, 2010” shall be substituted.

(VI) **In para 3.8-**

- (i) in sub-para (3.8.1), for the words and brackets “(Recovery of Expenditure)”, the words and brackets “(Recovery of Expenditure for Supply of Electricity)” shall be substituted;
- (ii) in item (ii) of sub-para (3.8.1), for the words and brackets “(Recovery of Expenditure)”, the words and brackets “ (Recovery of Expenditure for Supply of Electricity)” shall be substituted ; and
- (iii) in sub-para 3.8.2, for the words “one month of the date of termination of the agreement as per”, the words “timelines as specified in” shall be substituted.

5. **Amendment of CHAPTER-IV ‘METER & METERING EQUIPMENTS’ of the said Code.-**

(I) In para 4.1, after sub-para (4.1.1), the following new sub-para (4.1.2) shall be inserted, namely :-

“4.1.2 The licensee shall submit, to the Commission, a comprehensive road map for providing smart pre-payment meter or prepaid meters, separately for new connection and for replacement of existing meters, in a phased manner by taking into account the timeliness/targets, priorities fixed by the Central/State Government. Such road map shall also contain the mode of recovery from the consumers by taking into account the financial assistance available for such purpose from the Central/State Government.

4.1.2.1 In case the existing meters are to be replaced by any new technology meters, the licensee shall take adequate measures to create consumer awareness regarding the advantages of such replacement. The Licensee shall issue a public notice in at least four daily newspapers. Such information shall also be displayed in conspicuous manner on the licensee’s website and the licensee shall indicate the area wise schedule of dates for replacement of such meter.”

(II) **In para 4.2 –**

(i) after sub-para (4.2.1), following new sub-para (4.2.1.1), shall be inserted, namely :-

“4.2.1.1 The licensee shall make available on its website, the list of meter manufacturers and their authorized vendors from whom the consumers can purchase the tested and sealed meters.” ; and

- (ii) in sub-para (4.2.3), for the words and figure “IP class 55 and the consumer will not be responsible for the protection of the meter from theft or damage.”, the following words, signs and figure shall be substituted, namely:-

“IP class 55. If the meter is installed outside the consumer’s premises, licensee shall be responsible for safe custody of the meter, and if the same is installed within the consumer’s premises, the consumer shall be responsible for the safe custody of meter.”

**(III) The sub-para (4.3.5) of para 4.3 shall be omitted.**

**(IV) In para 4.4 –**

- (i) for existing sub-para (4.4.2), the following shall be substituted, namely:-

“4.4.2 (a) on receipt of the complaint from the consumer about their meter readings not being commensurate with his consumption of electricity, stoppage of meter, damage to the seal, burning or damage of the meter, etc., the licensee shall test the meter at site within the timelines as specified in the schedule to the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards) Regulations, 2010 ; and

- (b) no fee for testing shall be initially charged from the consumer. However, if on testing, the meter is found to be defective or burnt due to the reasons attributable to the consumer, including but not limited to, overloading, short circuit in consumer’s wiring, physical damage, the consumer shall bear the cost of new meter and test fee shall be charged from the consumer through subsequent bills.” ;

- (ii) for the existing sub-para (4.4.3), the following shall be substituted, namely:-

“4.4.3 (a) in case of testing of meter, removed from the consumer premises for the purpose of testing in the licensee’s laboratory, the consumer would be informed, through email or SMS or any other electronic mode, of

the date and time to be present at the site for testing, at least seven days in advance;

(b) after testing the meters, the signature of the consumer, or his authorized representative, if present, would be obtained on the Test Result Sheet and a copy thereof shall be supplied to the consumer; and

(c) the licensee shall give a copy of the meter test report to the consumer duly signed by both the licensee or their authorised representative(s) and the consumer, and retain one such copy as acknowledgment. However, if the consumer chooses not to be present at the site for testing, the licensee will carry out such testing and shall give the copy of the meter test report to the consumer for signing.” ;

(iii) for the existing sub-para (4.4.4), the following shall be substituted, namely:-

“4.4.4 If a consumer disputes the results of testing carried out by the licensee, the meter shall be got tested at a third party testing facility selected by the consumer from the list of third party testing agencies approved by the Commission. If it is successfully established that the results of this test are contrary to the results of the test performed by the licensee, then the cost of undertaking such test shall be borne by the licensee. However, in case it is established that the results of this test are the same as the results of the test performed by the licensee, then the cost of undertaking such test shall be borne by the Consumer. The meter test results and the meter data shall be issued by the third party to the licensee as well as to the consumer after such test has been completed. The results so issued shall be final and binding on both the parties i.e. the consumer and the licensee.

4.4.4.1 The list of third party agencies approved by the Commission shall be available on the website of the licensee as well as in its various offices.”;

(iv) for the existing sub-para (4.4.5), the following shall be substituted, namely:-

“4.4.5 Replacement of defective or burnt or stolen meters shall be done –

(a) either on consumer’s complaint or upon inspection by the licensee, if the meter is prima facie found to be defective or burnt or stolen not due to the reasons attributable to the consumer, the licensee shall restore

supply through a new meter at its own cost within the timelines as specified in the schedule to the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards) Regulations, 2010 ;

(b) if, after investigation, it is found that the meter has become defective or burnt or stolen due to causes attributable to the consumer, the necessary charges shall be recovered from the consumer as specified in the schedule to the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards) Regulations, 2010 ; and

(c) within a time period, to be specified in the schedule to the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards) Regulations, 2010; and

(v) in sub-para (4.4.7), the existing provision shall be numbered as '(a)' and for the sign ".", appearing at the end, the sign and word ";and" shall be substituted and thereafter, the following new item '(b)' shall be inserted, namely:-

“(b) non-availability of meter shall not be a reason for delay in restoration of supply. The licensee shall ensure the adequate availability of stock of meters for the purpose.”

#### **6. Amendment of CHAPTER-V 'BILLING' of the said Code.-**

(I) In item (a) of sub-para 5.1.1 under para 5.1, for the figure “2005”, the figure “2012” shall be substituted.

#### **(II) In para 5.2 –**

(i) the sub-para (5.2.1) shall be substituted with the following, namely ;-

“5.2.1 The licensee shall issue bills to the consumers based on actual meter reading for the electricity supplied or for services rendered for every billing cycle and all the consumers will effect payments to the licensee within the time specified in para 5.3 :

Provided that in exceptional case, for the consumers covered under single part tariff, the licensee may issue the bills on the average consumption for maximum of two consecutive cycles. In case, the average bills are issued on average consumption basis for more than two consecutive cycles, the consumer shall not be responsible for making payments:

Provided further that in force majeure condition or any other extraordinary situation beyond the control of the distribution licensee, the licensee may issue the bills on average basis beyond the period of two consecutive cycles.” ; and

(ii) after sub-para (5.2.1.2), following sub-para (5.2.1.3), sub-para (5.2.1.4) and sub-para (5.2.1.5), shall be inserted, namely :-

“5.2.1.3 Tariff for each category of consumers shall be displayed on licensee’s website and consumers shall be notified the changes in tariff(s) and other charges through licensee’s website, within seven days from the date of the such tariff order(s) of the Commission. Such changes shall subsequently also be reflected in the energy bills.

5.2.1.4 In case of smart meters, the meters shall be read remotely at least once in every month and in case of other pre-payment meters, the meters shall be read by an authorized representative of the licensee at least once in every three months. The data regarding energy consumption shall be made available to the consumer, through website or mobile App or SMS, etc. Consumers having smart prepayment meters may also be given the data access for checking their consumption on real time basis.

5.2.1.5 For post payment meters, in case of connection covered under single part tariff, if the meter is inaccessible to the meter reader on two consecutive meter reading dates, the consumer shall have the option to send the picture of the meter indicating the meter reading and date of meter reading through registered mobile number or through e-mail. In such a case, licensee may not send any notice or provisional bill to the consumer. In such cases, the licensee shall also take steps to shift the meter to a suitable place so that it remains accessible for taking the meter reading and the consumer shall also cooperate with the licensee in this regard. ” ;

(iii) in the existing sub-para (5.2.8), for the words “twenty one days”, the words “ten days” shall be substituted ;

(iv) for the existing sub-para (5.2.9), the following shall be substituted, namely :-

“5.2.9 The licensee shall, for delivery of bills adopt fastest, cost effective, reliable and assured mode including the electronic mode like e-mail. Soon after

sending the bill, intimation in this regard shall also be sent through SMS etc.

5.2.9.1 In case of single part tariff, where the bills are generated through spot billing, the bills shall be delivered by hand and subsequently, the intimation shall also be given to the consumer through SMS or email or both. In cases where spot billing is not done, the bills shall be delivered by hand or by post. In case of hand delivery, record of delivery of the bill will be maintained at the designated office of the licensee.

In case of consumers covered under single part tariff and where the billing is carried out through spot billing system, the bills for such consumers shall be uploaded on the website of licensee immediately, but not later than three days from the date of spot billing.

5.2.9.2 In case consumers covered under two part tariff, the bills shall be sent through e-mail and intimation in this regard shall also be sent through SMS or any other electronic mode. The bills sent through e-mail, for which the intimation has also been sent through SMS, to such consumers shall be considered as delivered.

5.2.9.3 In case of pre-payment metering, the licensee shall issue the bill, to the consumer on his or her request and the licensee shall make available on its website, the bill showing the deposits made.

5.2.9.4 The billing details of one year for all categories of consumers shall be made available on the licensee's website.” ;

(v) for the existing sub-para (5.2.10), the following shall be substituted, namely:-

“5.2.10 In case a consumer covered under single part tariff does not receive bill, he may make provisional payment on the basis of self assessment. In such a case, the licensee shall not issue notice for disconnection on account of non-payment and the late payment surcharges shall be applicable only for the deficit amount:

Provided that the licensee shall, within 90 days of notification of these regulations, develop a procedure for self assessment billing by the consumer, and shall submit the same to the Commission for its approval:

Provided further that for the excess or deficit payment made in case of self assessment by the consumer, the licensee shall effect the

adjustment of the excess or deficit amount, as the case may be, in the electricity bills of the immediately succeeding months.”;

(vi) in sub-para (5.2.11), for the words “within ten days”, the words, figure and brackets “within the timelines as specified in the Himachal Pradesh Electricity regulatory Commission( Distribution Performance Standards), Regulations, 2010.” shall be substituted ; and

(vii) the existing sub-para (5.2.12) shall be omitted.

**(III) In para 5.3 –**

(i) in sub-para (5.3.1)-

(a) for the sign “.” appearing at the end in item (ii), the sign “:’ shall be substituted and thereafter the following proviso shall be inserted, namely :-

“Provided that the bill shall be delivered to the consumer at least 10 days prior to the due date of payment” ;

(b) after this sub-para, the following new sub-para (5.3.1A) shall be inserted, namely:-

“5.3.1A The licensee shall establish online portal as well as sufficient number of collection centres at suitable locations with necessary facilities where consumer can deposit the billed amount with ease. In addition, the licensee shall also provide drop boxes at suitable locations separately for each sub-division where the consumers having bills upto Rupees five thousand, can drop Cheques / Bank Drafts towards payment of their bills”;

(c) in sub-para (5.3.2), for the words “The payments of the bills”, the words and sign “The consumer shall have the option to pay the bill through online or offline mode. In case of online mode, the payment may be made through licensee’s website or mobile app and for offline mode of payment, the payments of the bills” shall be substituted ; and

(d) for existing sub-para (5.3.5), the following shall be substituted, namely:-

“5.3.5 The licensee shall ensure adequate publicity of the addresses/locations and working hours of the collection centers including those of the banks where consumers can make payments.

5.3.5.1 The Bills amounting to more than Rupees five thousand shall be paid online or by depositing, through local cheque, at the collection centres. However, in exceptional cases for rural areas, the in-charge of concerned

sub-division may accept the payment in cash upto an amount of Rupees seven thousand.

5.3.5.2 For payment of bills not exceeding Rupees five thousand in case of single part tariff, the cheque may be dropped in the drop boxes provided at different locations/centres of the respective sub-division. Even though the licensee shall take every care to collect the cheques deposited in the drop boxes on every working day, it shall not be responsible for any loss due to any delay/misplacement in case the cheque of more than Rupees five thousand are dropped in the drop boxes. The cheque dropped in the drop boxes in areas of respective sub-division only will be entertained and in case any cheque is dropped in a drop box not pertaining to that sub-division, the same shall not be entertained.”

**(IV) In para 5.4 –**

(i) in sub-para (5.4.1), for the sign “.” appearing at the end, the sign “:” shall be substituted and thereafter, the following proviso shall be inserted, namely:-

“Provided that in case of post payment meters, when a domestic consumer gives prior information to call centre or concerned sub-division of the licensee, either in writing or through other means about his continued absence from residence, the licensee shall not send any notice or provisional bill to such consumer, if he pays the fixed charges for such period in advance and his supply line shall not be disconnected:

Provided further that the licensee shall provide the acknowledgment, within two working days, to such consumer who has given the prior information about his absence.” ;

(ii) after sub-para (5.4.1), the following new sub-para ‘(5.4.2)’ shall be inserted, namely :-

“5.4.2 The rebate shall be provided by the licensee to the consumers in case of advance payment, at the following rates -

- (i) where the advance payment, after adjusting the dues already billed to him, exceeds Rupees two thousand but does not exceed Rupees three thousand, the rebate shall be allowed at a flat rate of Rupees twenty ;
- (ii) where the advance payment, after adjusting the dues already billed to him, exceeds Rupees three thousand, the rebate shall be allowed at

the rate of Rupees ten for every amount of rupees one thousand, or part thereof, subject to the condition that the total amount of rebate for any such advance payment shall not exceed Rupees fifty; and

(iii) the rebate for an advance payment shall be allowed at the above rates only once and not on recurring basis. However, if the consumer makes another advance payment, the rebate on such other advance payment shall also be allowed at the above rates subject to the condition that the total amount of such rebate in a year shall not exceeds rupees three hundred.” ; and

(iii) in sub-para (5.7.5), for the words, figure and brackets, “the Himachal Pradesh Electricity Regulatory Commission (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers) Regulations , 2003”, the words, figure and brackets “the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013” shall be substituted.

**7. Amendment of CHAPTER-VII ‘DISCONNECTION AND RE-CONNECTION OF POWER SUPPLY’ of the said Code.-**

(I) For the sub-para (7.1.6) of para (7.1), the following shall be substituted, namely:-

“7.1.6 In case the consumer desires his connection to be disconnected permanently, he shall apply for the same on plain paper giving full details or the format specified in Annexure-C of this Code either through hard copy or electronic mode. The licensee shall carry out special reading and prepare final bill, including all arrears up to the date of such billing, within five days from such request. The disconnection shall be done immediately after payment of the final bill and the amount accrued due to the consumption between the date of final reading and the permanent disconnection, if any, may be adjusted against the security amount deposited with the licensee. The balance security deposit shall be refunded to the consumer within such period as specified in the Himachal Pradesh Electricity Regulatory Commission (Security Deposit) Regulations, 2005. The No Dues Certificate shall be issued to the consumer, within seven days after adjustment/payment of the security deposit and payment of balance dues, if any, in case the amount of dues exceeds the amount of security deposit.” ; and

**(II) In sub-para 7.2.1 of para 7.2 –**

- (i) for the words and sign “twenty-four hours”, the words, figure and brackets “the timelines as specified in the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards), Regulations, 2010,” shall be substituted; and
- (ii) in the **“Note.”** under sub-para (7.2.1), for the words and figure “24 hours”, the words, figure and brackets “the timelines as specified in the Himachal Pradesh Electricity Regulatory Commission (Distribution Performance Standards), Regulations, 2010,” shall be substituted.

**8. Amendment of ‘CHAPTER-IX ‘MISCELLANEOUS’ of the said Code.-**

**After para (9.7), the following new para “9.8 Repeal and Savings” shall be inserted, namely:-**

**“9.8 Repeal and Savings.-** (1) The Himachal Pradesh Electricity Regulatory Commission (Licensee’s Duty for Supply of Electricity on Request) Regulations, 2004, are hereby repealed.

(2) Notwithstanding such repeal –

- (a) anything done or any action taken or purported to have been done or taken including any appointment made, or any document or instrument executed or any direction given under the repealed Regulations, shall, in so far as it is not inconsistent with the provisions of these Regulations, be deemed to have been done, taken, made or given under the corresponding provisions of these Regulations ; and
- (b) all appointments made, and documents executed, before the commencement of these Regulations, shall continue to have effect till the expiry of the period for which such appointment has been made or the document has been executed.

**By order of the Commission**

-Sd/-  
**Secretary**