

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA  
NOTIFICATION**

**Shimla, the 10<sup>th</sup> Oct, 2024**

**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 and subsequent five amendments, were published in Rajpatra, Himachal Pradesh on 16<sup>th</sup> June, 2014, 7<sup>th</sup> August, 2018, 5<sup>th</sup> December, 2018, 4<sup>th</sup> July, 2020 and 21<sup>st</sup> January, 2022 respectively (hereinafter jointly referred to as “the said Code”);

**AND WHEREAS** the HPSEBL and other Stakeholders have submitted proposals to carry out amendments in certain provisions of the Himachal Pradesh Electricity Supply Code, 2009 wherein the HPSEBL and the Consumers are facing problems in its implementation;

**NOW, THEREFORE,** the Himachal Pradesh Electricity Regulatory Commission, after considering the recommendations made by the Supply Code Review Panel as per the proceedings of its meeting held on 21<sup>st</sup> June, 2024, 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 should be addressed to the Secretary, Himachal Pradesh Electricity Regulatory Commission, Vidhyut 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 (Sixth Amendment) Regulations, 2024.

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

**2. Amendment of para 1.2 of the said Code.-**

Following new definition shall be inserted, as sub-para 1.2.41A, after sub-para 1.2.41 of the para 1.2 of the said Code:

**“1.2.41A ‘Resident Welfare Association or Association’** means an association comprising all the property owners within a Co-operative Group Housing Society, Multi storied Building, Residential Colony, or a similar body registered with the State Government.”

**3. Amendment of para 1.3 of the said Code.-**

Following proviso shall be added to sub-para 1.3.1.1 of the para 1.3 of the said Code:

*“Provided that the Commission may incorporate/amend the provisions of this Code to align them with the Rules framed by the Ministry of Power, Govt. of India without recommendations of the Supply Code Review Panel.”*

**4. Amendment of para 2.1.6.1(A) of the said Code.-**

**(i)** The words “or joint dedicated feeder” shall be omitted from the para 2.1.6.1(A) of the said Code.

**(ii)** For the existing table under sub-para (a) of para 2.1.6.1(A) of the said Code, the following table shall be substituted:-

SN	Standard Supply Voltage	Maximum Load	Connected	Maximum Demand	Contract
		Common Feeder	Dedicated Feeder	Common Feeder	Dedicated Feeder
1	LT Supply Voltage ( for supplies not involving special category loads)				
	i) Single, 230 Volt	≤15 kW	-	≤15kVA	-
	ii) Three Phase, 0.4kV	50 kW (Sum total of individual connections)	50 kW	50 kVA (Sum total of individual connection)	50 kVA
2	Three Phase 11kV on Dog/equivalent conductor (for supplies not involving special category loads)	7 MW (Sum total of individual connections)	7 MW	5 MVA (Sum total of individual connections)	5 MVA

3	Three Phase 22kV on Dog /equivalent conductor (for supplies not involving special category loads)	14 MW (Sum total of individual connections)	14 MW	10 MVA (Sum total of individual connections)	10 MVA
4	Three Phase 33kV on Wolf/equivalent conductor	21 MW (Sum total of individual connections)	21 MW	20 MVA (Sum total of individual connections)	20 MVA
5	Three Phase 66kV on Panther/ equivalent conductor	40 MW (Sum total of individual connections)	40 MW	40 MVA (Sum total of individual connections)	40 MVA
6	Three Phase 132 kV on Panther/ equivalent conductor	95 MW (Sum total of individual connections)	95 MW	95 MVA (Sum total of individual connections)	95 MVA
7	Three Phase 220 KV on Zebra/equivalent conductor	No limits			

**(iii)** For sub-para (ii) of the first proviso of the sub-para (a) of the para 2.1.6.1(A) of the said Code, following shall be substituted:-

*“(ii) the total quantum of connected load in respect of special category loads does not exceed 750 kW.”*

**(iv)** Following provisos shall be inserted after 4<sup>th</sup> proviso to sub-para (a) of the para 2.1.6.1(A) of the said Code:-

*“Provided further that where an existing consumer is already availing, on the date of the commencement of this Code, a supply voltage lower than the standard supply voltages as mentioned in para 2.1.6.1(A), the consumer shall have the option to shift to the relevant standard supply voltage or to continue availing supply at such lower voltage by paying lower voltage supply surcharge (LVSS) in accordance with the relevant Tariff Order during first year from the date of the commencement of this code and thereafter by paying monthly incremental charges @0.33% of the Energy Charges in addition to the LVSS. If such consumer does not switch to the relevant standard supply voltage after completion of 2 years from the date of the commencement of this code then, after serving a 30 days notice to the consumer, the licensee shall proceed for permanent disconnection, if no application is received from the consumer for shifting his supply to the relevant standard supply voltage prior to the expiry of the notice period:*

*Provided that in case of supply through dedicated feeder metering of consumer shall be done at feeding sub-station as per the proviso to Clause 4.2.2 of this Supply Code:*

*Provided further that in case of domestic consumers, the maximum limit of connected load shall be 20 kW instead of 15 kW at 230 Volt Supply Voltage:*

*Provided further that in case of common feeder, the name of feeder from where, the load to the consumer has been proposed to be released shall be recorded in the consumer database along-with details of the existing consumers/PAC Commitment with their connected load and contract demand so as to adhere to the limit of connected load and contract demand for respective supply voltage as indicated above. Licensee shall maintain the proper record of such common feeders having number of consumers and their connected load/contract demand, PAC issued to the consumers and reduction of connected load/ contract demand:*

*Provided further that where the connected load for single part consumers or contract demand for two part consumers exceeds the relevant ceiling limit specified in sub-para(a) of clause 2.1.6.1(A), the appropriate higher voltage at which such limits can be adhered to, shall be considered as standard supply voltage and there shall be no minimum limits for supply of power at a particular voltage.”*

**(v)** Following explanation shall be inserted after sub-para (b) of the para 2.1.6.1(A) of the said Code:-

**“Explanation.-** *For the purposes of this sub-para,-*

*“ ‘Dedicated feeder’ means the electric supply line emanating from the secondary voltage of the sub-station of the licensee through which electricity is, or is intended to be, supplied to a single consumer.”*

**5.** The existing para 2.1.6.1(B) of the said Code shall be omitted.

**6. Amendment of para 2.1.6.1(C) of the said Code.-**

For sub-para (iii) of the para 2.1.6.1(C) of the said Code, the following shall be substituted:-

*“(iii) Where the connected load or contract demand is to be enhanced, the standard supply voltage under sub-para 2.1.6.1 (A) shall be re-determined as per the provisions under the said para based on enhanced connected load and enhanced contract demand.”*

**7. Amendment of Explanation para succeeding to para 2.1.6.1(C) of the said Code.-**

For the “Explanation” para succeeding to para 2.1.6.1(C) of the said Code, the following shall be substituted:-

*“Explanation.- For the purposes of sub-para 2.1.6.1(A), “special category loads” means furnace loads and mass induction heating loads and shall also include any other load as the Commission may, after taking into consideration electrical characteristics and its impact on the distribution system, by order, declare it to be a special category load”*

**8.** The existing para 2.1.6.2 of the said Code shall be omitted.

**9. Amendment of para 2.1.6.3 of the said Code.-**

For the letters/numbers “2.1.6.2” in the para 2.1.6.3 of the said Code, the letters/numbers “2.1.6.1(A)” shall be substituted.

**10. Amendment of para 3.1.4 of the said Code.-**

For the figure “60” in the sixth row and second column of the table under para 3.1.4 of the said Code, the figure “45” shall be substituted.

**11. Amendment of para 3.1.6 of the said Code.-**

(i) For the sub-para 3.1.6(a) of the para 3.1.6 of the said Code, the following shall be substituted:

*“(a) where no extension of distribution mains or commissioning of new sub-station is required for effecting such supply— (i) not exceeding three (3) days in metropolitan areas, (ii) within seven (7) days in other urban/municipal areas, (iii) within fifteen (15) days in rural areas, (iv) 30 days in other rural areas having hilly terrain;”*

(ii) For the figure “120” in the sixth row and second column of the table under sub-para (b) of para 3.1.6 of the said Code, the figure “90” shall be substituted.

(iii) Following explanation shall be added at the end of the para 3.1.6 of the said Code:

**“Explanation:**

*For the purpose of this para 3.1.6, all areas excluding areas covered under 3.1.6 (a) (i) and 3.1.6 (a) (ii) having height above 1000m from Mean Sea Level shall be considered as Hilly Areas. ”*

**12. Amendment of para 3 of the said Code.-**

Following new paras shall be inserted, as sub-para 3.1A and sub-para 3.1B, after sub-para 3.1 of the para 3 of the said Code:

**“3.1A Special provisions for release of connection(s) to the consumers residing under Resident Welfare Association**

(A) *The provisions contained in the Regulation 6 of the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2012 shall be applicable with regard to making arrangements for release of connection(s) to the consumers residing under Resident Welfare Association. The developer/Association shall also provide suitable land for Sub-station for providing supply.*

(B) *After the arrangements as per para (A) above have been made, the following provision shall be applicable for release of connection(s):-*

(a) *Within the area covered under an Association, the distribution licensee shall provide either a single point connection for the Association or individual connections for each and every owner, on the basis of choice of the majority of the house or flat owners in such Association and the choice shall be ascertained by means of a transparent ballot to be held by the distribution licensee;*

*Provided that if more than fifty percent of the owners prefer individual connection then individual connection shall be given to each owner.*

(b) *the metering, billing, and collection shall be done separately for*

(i) *individual electricity consumption sourced from the distribution*

- licensee;
- (ii) individual consumption of backup power supplied by the Association; and
  - (iii) electricity consumption for common area of such Association sourced from the distribution licensee.
- (c) In the case of a single point connection, the Association shall be responsible for metering, billing, and collection and for individual connections, these responsibilities shall vest with the distribution licensee.
- (d) In the case of a single point connection:
- (i) the charges deducted through pre-payment meters or bills raised by the Association for individual electricity consumption shall be on no-profit-no-loss basis.
  - (ii) the distribution licensee's tariff for single point connection to Associations shall not exceed the average billing rate for low tension domestic category.
  - (iii) the total billing done by Association for the electricity supplied by the distribution licensee shall not exceed the overall tariff paid to the distribution licensee.
  - (iv) an additional amount as specified/fixed by the Commission may be charged towards the sub-distribution network cost incurred for providing electricity up to the premises of the individual consumer."

(C) In case of any conflict between the provision refer to para-(A) and para (B), the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2012 shall prevail in respect of the matters concerning the arrangements/infrastructure to be provided and for the purpose of giving connection(s) and their metering and billing the provisions contained in this code read with para (B) of this Regulation shall prevail.

**3.1B** On the request of an Association or an owner of the flat or house in an Association or any other consumer, the distribution licensee shall provide a separate connection for supply of electricity for Electric Vehicle charging system as per relevant applicable provisions; ”

**13. Amendment of para 3.3 of the said Code.-**

For the words/letters and figure “three (3) working days” in sub-para 3.3.1(i) of the said Code, words/letters and figure “forty eight (48) hours” shall be substituted.

**14. Amendment of para 3.9 of the said Code.-**

(i) The words “alongwith the facility of temporary contract demand” appearing at Column No. 3 of the Sr. No. 5 of the table under sub-para (iv) of the para 3.9 of the said Code shall be omitted.

(ii) The words “or temporary reduction of total sanctioned contract demand” appearing in first proviso of the sub-para (iv) of the para 3.9 of the said Code shall be omitted.

**15.** Para 3.10 of the said Code shall be omitted.

**16. Amendment of para 4.4 of the said Code.-**

Following proviso shall be added to the sub-para 4.4.2(a) of the para 4.4 of the said Code:

*“Provided that in case of complaint by a consumer regarding meter reading not being commensurate with his consumption of electricity, distribution licensee shall install an additional meter within five days from the date of receipt of the complaint, to verify the consumption, for a minimum period of three months.”*

**17. Amendment of para 4.4.8 of the said Code.-**

Following new para shall be inserted after sub-para (iii) of the para 4.4.8:-

*“(iv) In case of CT/PT meters where the accuracy of the meter and accuracy of metering equipment is not involved and it is a case of incorrect connections, defective CTs/PTs, genuine calculation & mistakes etc., charges would be adjusted in favour of the Licensee / consumer as the case may be for the period the mistake/defect continued.”*

**18. Amendment of para 5.2.1.4 of the said Code.-**

(i) In the para 5.2.1.4 the words “every month” shall be substituted with the words “a day”.

(ii) Following paras shall be inserted after the para 5.2.1.4:-

*“5.2.1.4.1 After the installation of smart meters, no penalty shall be imposed on the consumer, based on the maximum demand recorded by the smart meter, for the period before the installation date.*

*5.2.1.4.2 In case maximum demand recorded by the smart meter exceeds the Sanctioned Load in a month, the bill, for that billing cycle, shall be calculated based on the actual recorded maximum demand and consumers shall be informed of this change in calculation through Short Message Service or mobile application :*

*Provided that the revision of the Sanctioned Load, if any, based on the actual recorded maximum demand shall be as under:*

*(a) in case of increase in recorded maximum demand, the lowest of the monthly maximum demand, where the recorded maximum demand has exceeded the sanctioned load limit at least three times during a financial year, shall be considered as the revised Sanctioned Load, and the same shall be automatically reset from the billing cycle in next financial year; and*

*(b) in case of reduction of maximum demand, the revision of sanctioned load shall be done in accordance with the Supply codes/ Standard Operating Procedures issued by the respective Regulatory Commission.”*

**19. Amendment of para 5.2.9 of the said Code.-**

After sub-para 5.2.9.2 of the para 5.2.9, following new sub-para shall be inserted:-

*“5.2.9.2A In case consumers covered under single part tariff is provided with Smart Meters and are not covered under prepayment mode, 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 intimation has also been sent through SMS, to such consumers shall be considered as delivered.”*

**20. Amendment of para 7.1.1 of the said Code.-**

Following new para shall be inserted after para (h) of the para 7.1.1:-

*“(i) in case the consumer, availing supply at a lower voltage compared to the standard supply voltage as mentioned in para 2.1.6.1(A), does not opt for relevant standard supply voltage within a period of 2 years from the date of commencement of this code {5th proviso to sub-para (a) of the para 2.1.6.1(A)}.”*

**21. Amendment of para 7.1.2 of the said Code.-**

Following new proviso shall be inserted after 2<sup>nd</sup> proviso to the para 7.1.2:-

*“Provided further that in case of Smart Pre-payment meters the disconnection of the consumer shall not be considered as temporary disconnection if the balance in consumer’s account is exhausted and supply is restored on recharge by the consumer within a period of seven days from the date of exhaustion of its balance amount. The reconnection charges shall not be leviable and the fourth proviso below shall not be applicable in the instant case. However, this shall not be applicable in case disconnection is done as per provisions of clause (b) to (i) of sub-para 7.1.1, where the connection shall be disconnected through system as well as physically.”*

**By order of the Commission**

Sd/-

**Secretary**