

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA

NOTIFICATION

No.HPERC-H(1)25

Shimla, the 28th January, 2025

The Himachal Pradesh Electricity Regulatory Commission, in exercise of the powers conferred by sub-section (1) and clause (zp) 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 and after previous publication, hereby makes the following Regulations to amend the Himachal Pradesh Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2024, namely:-

REGULATIONS

1. Short Title and Commencement. (1) These Regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) (First Amendment) Regulations, 2025.

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

2. Amendment of Regulation 5. In Regulation 5 of the Himachal Pradesh Electricity Regulatory Commission (Deviation Settlement Mechanism and Related Matters) Regulations, 2024 (hereinafter referred to as “the Principal Regulations”), in clause (M), in proviso, for the figure, brackets and word “4 (Four)”, the figure, brackets and word “6 (Six)” shall be substituted.

3. Amendment of Regulation 10. In Regulation 10 of the Principal Regulations, in sub-regulation (1), for clause (ii), the following clause shall be substituted, namely:-

“ (ii) in case, for any day, the amount of deviation charges payable by various State Entities under Regulation 7 falls short of the total amount payable by SLDC for that day for the State as a whole as per the weekly bill(s) raised by NRLDC/NRPC, the amount payable for that day by the concerned State Entity(ies) shall be increased proportionately to cover-up such shortfall for that day.

Explanation.—

(a) The proportionate increase on these lines shall be carried out on daily basis only i.e. separately for each day and separately for the charges under each of the said Regulations, even though the bills are otherwise to be raised on weekly basis.

(b)The adjustment shall be made based on the total amount payable for a day by each State Entity (ies) under Regulation 7 of these Regulations and shall, for the purpose of such adjustment, not be netted out with the amount receivable by that State Entity for that day.”.

4. Amendment of Regulation 12. In Regulation 12 of the Principal Regulations,-

- (i) in sub-regulations (1) and (2), for the figure, brackets and word “4 (Four)”, the figure, brackets and word “6 (Six)” shall be substituted; and
- (ii) for sub-regulation (3), the following sub-regulation shall be substituted, namely:-

“(3) All payments to the buyer/seller entitled to receive any amount as per the bill of charges issued by SLDC shall be made within 6 (Six) working days of the receipt of payments in the “State Deviation Pool Account” from State Entity (ies), or from NRPC in case of negative bills, beyond which buyer/seller shall be entitled for simple interest @ 0.04% for each day of delay:

Provided that—

- (i) in case of delay in the payment of charges for Deviations into the State Deviation Pool Account and interest, if any, thereon, beyond eight days from the date of issuance of the Bill of charges, the buyer(s)/ seller(s) who have to receive payment for Deviation or interest there on shall be paid from the balance available, if any, in the State Deviation Pool Account. In case the balance available is not sufficient to meet the payment to such buyer(s)/ seller(s), the payment from the State Deviation Pool Account shall be made on pro rata basis from the balance available in the Fund in accordance with the directions issued under Regulation 15.; and
- (ii) the liabilities of the defaulting State Entities to pay interest for the delay in payments to “the State Deviation Pool Account” shall remain till interest is not paid; irrespective of the fact that buyer/seller who have to receive payments have been paid from the “State Deviation Pool Account” in part or full.”.

By order of the Commission

**Sd/-
Secretary**