

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA**

**NOTIFICATION**

**Shimla, the 9<sup>th</sup> July, 2021**

**No. HPERC/414/(Security Deposit):-** The Himachal Pradesh Electricity Regulatory Commission, in exercise of the powers conferred by clauses (v) and (w) of sub-section (2) of section 181, read with section 47 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, after previous publication, hereby makes the following regulations, namely :-

**REGULATIONS**

**1. Short title and commencement.-** (1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Security Deposit)( Fourth Amendment) Regulations, 2021.

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

**2. Amendment of regulation 3.-**

In proviso to sub-regulation (1) of regulation 3, for the words “required for its own use”, the words “required by it for its own use” shall be substituted.

**3. Amendment of regulation 4.-**

**In regulation 4 of the said regulations –**

(i) in sub-regulation(1), for the words “at the rates worked out” shall be omitted ;

(ii) in sub-regulation (2) –

(a) for the word “is prepared to take”, the word “takes” shall be substituted;  
and

(b) in the existing proviso, for the words “such consumer lying with the licensee”, the words and figure “such consumer lying with the licensee, after making adjustments for the amounts outstanding from the consumer to the licensee, within the timelines given in regulation 8, starting from the date of replacement of postpaid meter with prepaid meter” shall be substituted.

- (iii) in sub-regulation(3), for the words, figures and sign “the amount equivalent to the average bill (excluding arrears but including late payment surcharge, if any) for (n+1.35) months based on the bills raised in relation to the period of twelve billing months (April to March) of the immediately preceding year”, the words, figures and sign “the amount equivalent to the average monthly bill (net of arrears and subsidy, if any) for (n+1.0) months based on the bills raised in relation to the twelve billing months immediately preceding the date of such demand ” shall be substituted;
- (iv) in sub-regulation (4), for the words, figure and sign “in the form of cash/demand Draft (DD) drawn in favour of the licensee” , the words and sign “paid in the form of cash/demand Draft (DD) drawn in favour of the licensee or through electronic mode” shall be substituted ;
- (v) in sub-regulation (5), for the words, figure and sign “in the form of cash/demand Draft (DD) drawn in favour of the licensee” , the words and sign “paid in the form of cash/demand Draft (DD) drawn in favour of the licensee or through electronic mode” shall be substituted;
- (vi) in item (b) of sub-regulation (6), for the words, figure and sign “in shape of cash/demand draft”, the words and sign “in the form of cash/demand draft or through electronic mode” shall be substituted; and
- (vii) in sub-regulation (7), for the words and sign “in shape of cash/demand draft etc.”, the words and sign “in the form of cash/demand draft or through electronic mode” shall be substituted.

#### **4. Amendment of regulation 5.-**

##### **In regulation 5 of the said regulations -**

- (i) in sub-regulation (1), for the words, figure and sign “at the rates worked out in sub-regulation (2) of this regulation”, the words, figure and sign “at the rates as per sub-regulation (2) and sub-regulation (3) of this regulation” shall be substituted ;
- (ii) for sub-regulation (2), the following sub-regulation (2) shall be substituted, namely :-

“(2) The distribution licensee shall recover the initial security deposit per kW or per kVA, as the case may be, as per following table:-

**Table**

<b>Sr. No.</b>	<b>Type of Category</b>	<b>Bi-monthly Billing (Rates in Rs. Per kW/ kVA)</b>	<b>Monthly billing (Rates in Rs. Per kW/ kVA)</b>
1.	2.	3.	4.
1	<b>Tribal areas, remote, difficult and hard areas</b>		
(a)	Domestic	165	-
(b)	Commercial / NDNC		
(i)	Upto 20kVA	165	-
(ii)	Above 20kVA	240	-
(c)	Small & Medium Industrial Power Supply upto 20kVA	300	-
(d)	Irrigation and Drinking Water Pumping Supply (IDWPS)	500	-
2	<b>Rural areas</b>		
(a)	Domestic	240	120
(b)	Commercial / NDNC	350	175
(c)	Irrigation and Drinking Water Pumping Supply (IDWPS)	500	250
3	<b>Urban areas</b>		
(a)	Domestic	340	170
(b)	Commercial / NDNC	-	600
(c)	Irrigation and Drinking Water Pumping Supply (IDWPS)	-	600
4	<b>Small and Medium Industrial Power Supply for all areas</b>		
(a)	Upto 20 kVA (except for tribal, remote, difficult areas)	-	900
(b)	Above 20kVA		
(i)	above 20kVA & upto 50kVA	-	1100
(ii)	above 50kVA	-	1300
5	Large Industrial Power Supply for all areas	-	1800
6	Bulk Supply for all areas	-	1800
7	Temporary Metered Supply for all areas	-	1500
8	Street Lighting Supply for all areas	-	1100
9	Railway Traction Supply for all areas	-	1800

Provided that the Below Poverty Line (BPL) beneficiaries in the State for supply of electricity to them, for residential or domestic usage,

shall pay the initial security deposit equal to “one half” (or “50%”) of the respective rate of initial security deposit, specified in the Table under sub regulation (2) :

Provided further that in cases where the applicant may wish to build up the load in phases but requests for sanction of total contract demand in advance so as to avoid the need for completing the formalities for repeated extensions of load and also to facilitate supply arrangements for the total demand envisaged for the ultimate scenario, the initial security deposit shall be payable in such phases in which he wishes to build up load subject to the permissible time limit of maximum 26 months in accordance with para 3.9 of Himachal Pradesh Electricity Supply Code, 2009.

**Explanation.-**For the purpose of this regulation,-

- (a) “Remote, Difficult and Hard Areas” means the areas which are declared as remote, difficult and hard areas by the State Government from time to time.
- (b) “Rural Areas” means the areas which are not the urban areas.
- (c) “Tribal Areas” means such areas as may, by order, be declared to be Scheduled Areas under Part-C of the Fifth Schedule to the Constitution of India.
- (d) “Urban Areas” mean the areas covered under a Municipal Corporation, Municipal Council or a Nagar Panchayat set up by the State Government under any law enacted by the State Legislative Assembly and shall also include the area falling under the Cantonment Board constituted by the Central Government under the Cantonment Act, 2006.
- (e) “Below Poverty Line (BPL) beneficiary” means the person belonging to very poor category of persons below poverty line, declared as such, by general or special order, by Central/State Government, from time to time.; and

- (iii) for sub-regulation (3), the following shall be substituted, namely :-
- “(3) The rates of initial security deposit as per sub-regulation (2) of this regulation shall be enhanced by 5% every three years. The rate applicable for the respective categories in the month immediately preceding the date of such enhancement, shall be enhanced by 5% and rounded off to the nearest Rs. 10 per kW or kVA, as the case may be (by ignoring the fraction of 0.5 or less ). The distribution licensee shall circulate such new rates to its field units by 30<sup>th</sup> June of the year 2024 and every three years thereafter for implementation by the field units from 1<sup>st</sup> August of the year 2024 and every three years thereafter.”

**5. Amendment of regulation 6.-**

**In regulation 6 of the said regulations:-**

- (I) under sub-regulation (1) **‘General Review’**-
- (i) for the words “already recovered from him”, the words, sign, brackets and figure “,or demanded under sub-regulation (2) of this regulation from him,” shall be substituted;
- (ii) the following shall be inserted as its first and second provisos, namely :-

“Provided that the annual review in the financial year 2021-22 shall be carried out on 1<sup>st</sup> December, 2021 (instead of July 2021 or soon thereafter) based on the average monthly bill for the twelve billing months immediately preceding the date of such review :

Provided further that in case of connections released after 1st August, 2021, the first review shall be made, on the basis of average monthly bill based on the bills raised till such date of review, on the first day of the quarter immediately succeeding the quarter in which the period of

six months, starting from the date of connection, expires:”;  
and

(iii) in the existing first proviso, for the words “Provided that”, the words “Provided further that” shall be substituted.

(II) For the existing second and third provisos to clause (a) of sub-regulation (2), the following provisos shall be substituted, namely :-

“Provided further that, save as provided in the fourth proviso to this clause, the amount of such demand of additional security deposit shall be payable in four equal quarterly installments and first such installment shall be payable within 60 days from the date on which demand is raised :

Provided further that the amount so payable in quarterly installments in relation to a review shall be payable, independent of the next review, and as such the additional security deposit, if any, already demanded but not recovered shall also be taken into account, in addition to the security deposit/additional security already recovered, while determining the amount recoverable under the next review:”

## **6. Amendment of regulation 8.-**

In sub-regulation (2) :-

(a) for the words, figure and sign “apportioned against the security deposit for the balance connected load/contract demand, as the case may be, worked out at the rates of initial security deposit as applicable for FY 2020-21 or any subsequent period encompassing the effective date of such reduction and the balance amount of security deposit already recovered, if any,”, the words, figure and sign “apportioned, on pro rata basis ( i.e. on per kW / kVA basis of the sanctioned connected load / contract demand), against the

security deposit for the connected load/contract demand, so reduced and the same” shall be substituted ;

- (b) at the end of the para , the following new first proviso shall be inserted namely, :-

“Provided that the amount of security deposit to be retained for the balance connected load / contract demand shall, in no case, be less than the amount worked out, at the rates of initial security deposit applicable on the effective date of such reduction or the same worked out on pro rata basis (per kW or per kVA as the case may be), for (n+1.0) months based on the average monthly bill in relation to the twelve billing months immediately preceding the effective date of such reduction, whichever is higher.”; and

- (c) for existing first proviso, for the words “Provided that”, the words, “Provided further that” shall be substituted.

**By order of the Commission**

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**Secretary**