



सत्यमेव जयते

ANNUAL ADMINISTRATION REPORT

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**Himachal Pradesh
Electricity Regulatory Commission**

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1. INTRODUCTION

Himachal Pradesh Electricity Regulatory Commission is a statutory organization constituted on 30.12.2000 under the Electricity Regulatory Commission Act, 1998 entered its 5th year of functioning in 2005-06. The Commission had started functioning from 6th January, 2001 with its headquarter at Shimla.

The Commission under the re-enacted Electricity Act, 2003 (36 of 2003) has been guided in its work by the intention of the Parliament to regulate Electricity Sector in the state and bring about transparency in Electricity Industry, promoting competition, safeguarding the interests of consumers and supply of electricity to all areas, rationalization of electricity tariff, promotion of efficiency and economy in industry and to ensure that the entire business of generation, transmission, distribution and supply is conducted on commercial principles and in environmentally benign policies.

The Commission has framed several draft and final regulations to regulate and promote the electricity sector in the State as is mandated by the Act.

2. THE COMMISSION AND ITS SECRETARIAT

The one member Commission was headed by Sh. S. S. Gupta as Chairman w.e.f. 1.4.2005 to 4.1.2006 and thereafter Sh. Yogesh Khanna of the Indian Administrative Service was administered the oath of office of Chairman on 31.1.2006 and he took over the charge of the Commission on the same date.

The Commission during the period continued its efforts for setting up a fair, transparent and objective electricity regulatory regime in the State of Himachal Pradesh. As per requirement of sub section (1) of Section 91 of the Electricity Act 2003, during the year the Secretary of the Commission executed statutory powers and performed such duties as specified by the Commission in its HPERC (Conduct of Business) Regulations, 2005. The Secretary of the Commission also assisted the Chairman in all matters pertaining to Administration, accounts and technical matters including areas of Human Resource Development.

3. THE FUNCTIONS OF THE COMMISSION

The Commission, as per the Electricity Act, 2003 has been assigned the following mandatory functions:-

- To determine the tariff for generation, supply, transmission and wheeling of electricity, wholesale, bulk or retail, as the case may be, within the State: Provided that where open access has been permitted to a category of consumers under section 42, the State Commission shall determine only the wheeling charges and surcharge thereon, if any, for the said category of consumers;
- To regulate electricity purchase and procurement process of distribution licensees including the price at which electricity shall be procured from the generating companies or licensees or from other sources through agreements for purchase of power for distribution and supply within the State;
- To facilitate intra-State transmission and wheeling of electricity;
- To issue licences to persons seeking to act as transmission licensees, distribution licensees and electricity traders with respect to their operation within the State;
- To promote cogeneration and generation of electricity from renewable sources of energy by providing suitable measures for connectivity with the grid and sale of electricity to any person, and also specify, for purchase of electricity from such sources, a percentage of the total consumption of electricity in the area of a distribution licensee;
- To adjudicate upon the disputes between the licensees and generating companies and to refer any dispute for arbitration;
- To levy fee for the purposes of the Act;

- To specify State Grid Code consistent with the Grid Code specified under clause (h) of sub-section (1) of section 79;
- To specify or enforce standards with respect to quality, continuity and reliability of service by licensees;
- To fix the trading margin in the intra-State trading of electricity, if considered, necessary;
- To discharge such other functions as may be assigned to it under this Act.

Similarly, the Commission under section 86(2) of the Electricity Act, 2003 can advise the State Government on all or any of the following matters, namely:-

- (i) Promotion of competition, efficiency and economy in activities of the electricity industry;
- (ii) Promotion of investment in electricity industry;
- (iii) Reorganization and restructuring of electricity industry in the State;
- (iv) Matters concerning generation, transmission, distribution and trading of electricity or any other matter referred by State Government.

4. HUMAN RESOURCES OF THE COMMISSION

4.1 General

The Commission has a relatively small staffing complement taken mostly from HPSEB, which has contributed in different functional areas such as in engineering, economics and financial analysis, accounting, information technology and human resources management

etc. The support staff has provided regular support to the Commission's activities. The Commission had still to notify the final Regulations determining the Service Regulations of the officers and the Staff and the matter was under correspondence between the Government and the Commission.

The Commission during the year continued employment of security staff, office help and other housekeeping functions on outsourcing basis. The total staff strength during the year was 19 and in the absence of adequate staff, the Commission had also engaged consultants in various fields to enhance its efficiency.

The Organisational Chart of the Commission is annexed at **Annexure-I** and list of the staff is at **Annexure-II**.

4.2 Training/Participation in Conference/workshops and meetings

In order to enhance the capacity utilization of the Commission's Human Resources, the Commission after identifying the training needs, sponsored its officers for participating in various conferences/workshops/meetings/trainings etc. organized by Forum of Indian Regulators, Confederation of Indian Industries, Independent Power Producers Association of India, Administrative Staff College of India, SARI – USAID, NTPC etc.

4.3 Computerization

In order to carry studies and for day-to-day enhanced capabilities of the Commission, computers have been procured and provided to all the officers and staff. Computers are interconnected through local area network (LAN) so that information can be exchanged in efficient and reliable mode. A computer network having One Server, 21 desktops, 2 Laptops, 10 Printers and 1 Printer-cum-Photocopier-fax, 1 Projector, an audio-video system and other peripheral hardware together with standard software items have been provided in the office with an aim to facilitate efficient working in the office.

4.4 Website

Important information like statistical data, HPERC Regulations etc. remained up-loaded on the Commission's website <http://www.hperc.org.in> and it provides transparency, easy access and wide publicity to consumers and other stakeholders in respect of various activities being undertaken and maintained by HPERC. Information under the Right to Information Act too has been hosted on the website.

5. ACTIVITIES DURING THE YEAR

5.1 Administration

In order to achieve organizational goals effectively, team culture was promoted in the Commission. The personnel, administration, financial and legal wings are under the Secretary of the Commission and they provide vital support services to the Commission in recruitment of executive and non-executive staff and overseeing operational aids such as fiscal services budget, purchase and procurement, maintenance and care taking, personnel administration, legal matters, training and performance appraisal etc. Sh. B.S. Bakshi in addition to his own assignment functioned as Secretary of the Commission for short periods w.e.f. 27.1.2005 to 4.2.2005 and 16.1.2006 to 8.2.2006, whereas, Sh. Mahesh Sirkek, Director (Tariff Engineering), continued to hold the additional charge of the Secretary of the Commission for most of the period. In order to discharge the administrative functions, the Secretary is assisted by a Personnel-cum-Administrative Officer, Sr. Accounts Officer, two Sr. Assistants and a Sr. Assistant (Accts)-cum-Cashier.

5.2 Recruitment of officers/staff

One post of Sr. Scale Stenographer and another of Jr. Scale Stenographer were filled up during the year 2005-06 on deputation/secondment basis. A peon was also taken on permanent absorption basis whereas the services of another peon were regularized in the Commission.

5.3 Repatriation

Sh. B.M. Gautam, Steno-Typist and Sh. Rajesh Kumar, Driver were repatriated to their parent departments.

5.4 Retirement

Sh. S. S. Gupta, Chairman of the H.P. Electricity Regulatory Commission retired on 5.1.2006 on completion of his tenure.

5.5 Engagement of Consultants

In order to have assistance in technical and legal matters relating to power purchase and procurement agreements, review and approval of grid code, distribution and supply code, load forecast, analysis of T & D losses, networking and server management and legal matters relating to various functions of the Commission, the Commission after seeing the usefulness and economy involved, re-engaged the services of three technical persons as retainer consultants, under HPERC (Appointment of Consultants) Regulations, 2005 framed under Section 91(4) of the Electricity Act, 2003. Apart from them, other Institutional Consultants were also engaged for determination of tariff petition through competitive bidding in the Commission.

5.6 Appointment of Consumer Representative

Sh. Prem Nath Bhardwaj already authorized by the Commission under the Electricity Act, 2003, continued to represent the interest of the consumers as Consumer Representative of the Commission in the proceedings before the Commission. He, however, owing to his personal reasons requested for his relieving w.e.f. 5.1.2006 from the responsibilities assigned to him and as such, he was relieved on 17.2.2006 by the Commission and no other Consumer Representative was appointed thereafter for the period under report.

5.7 Appointment of Ombudsman

Any consumer who is aggrieved by the non redressal of grievances by the Forum for Redressal of Grievances of Consumers can make representation to the Electricity Ombudsman appointed in exercise of the power conferred under sub section (6) of Section 42 of the Electricity Act, 2003 read with Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) Regulations, 2004. Sh. N. R. Gupta, IAS (Retd.) from Jammu Kashmir Cadre discharged functions as Ombudsman under the aforesaid regulations.

5.8 Library

The following books kept and journals etc. were purchased during the period April, 2005 to March, 2006 and kept in the library:-

(I). Books

S.No.	Name of book	Number	Amount(Rs.)
1.	AIR Law Manual (Annual subscription 2005)	12	3420.00
2.	Privatising Power Cuts (Feb. 2005)	01	795.00
3.	Right to Information Act, 2005	03	135.00
4.	Electricity Act, 2003	03	285.00

(II). Journals

S.No.	Name of book	Amount (Rs.)
1.	TERI Regulatory (Annual Subs. Ist Jan. 2004 to 31 Dec. 05)	725.00
2.	International Journal of Regulation and Governance (IJRJ) Annual subc. (Jan. 2004 to Dec. 05)	1800.00

(III). Press Clipping Service

In order to keep the Commission abreast of up-to-date development in the power sector within and outside the State, a daily press clipping service was maintained in the office and put up to the Commission for perusal and suitable action.

5.9. Parliament/Assembly Question/VIP references/

Work relating to answering of Parliament/Assembly Question and VIP references was dealt with on a priority. The need based queries and updating was also accomplished promptly. VIP and Govt. of India/Govt. of HP/CERC references covering various areas of the power sector were processed on a priority, which resulted in active communication with such institutions.

5.10 Implementation of the Right to Information Act, 2005

Under the Right to Information Act, 2005 the Commission designated Smt. Rama Mahajan, Sr. Asstt. as Asstt. Public Information Officer; Sh. J.S. Raitka, Personnel-cum-Administrative Officer, as its Public Information Officer and the Secretary of the Commission, as the Appellate Authority. In pursuance to subsection (1) (b) of Section 4 of the Act, the Commission vide notification dated 4.1.2006 published the required information regarding records and other activities of the Commission on its website.

6. DISPUTE ADJUDICATION BY THE STATE COMMISSION, HIGH COURT, SUPREME COURT AND APPELLATE TRIBUNAL FOR ELECTRICITY

6.1 Cases before the State Commission

In the Commission, the petitions, replies, rejoinders and objections are examined and scrutinized by the Officers and Staff of the Commission with the assistance of Retainer Consultants. During the financial year 2005-06, the Commission received 57 petitions from various petitioners and stakeholders under the Electricity Act, 2003, out of which 25 petitions were decided and disposed of whereas 32 petitions were pending for disposal, whose details are at Annexure V.

6.2 Cases before the Hon'ble High Court/Appellate Tribunal for Electricity, New Delhi and Supreme Court of India

The legal section looks after the work of legal advice, vetting of public notices, show cause notices and circulars etc. It also helped the Commission in preparation and finalisation of various regulations. The section liaised with the Legal Counsels in the High Court, Supreme Court and Appellate Tribunal for preparation of petitions, counter affidavits and apprised the Commission on latest developments of the pending cases. During the year, Mrs. Trisha Sharma and Sh. Naresh Sood were engaged as Standing Counsel-cum-Legal Advisor of the Commission to conduct and defend cases in the Courts/Administrative Tribunals on retainerhip fees basis. Sh. Rajeev Sharma, Sr. Advocate was also engaged to defend the Commission in various cases before the Hon'ble High Court of Himachal Pradesh. Mr. Ranjit Kumar, Mr. Mukul Rohtagi and Mr. Rakesh Kumar Khanna, Sr. Advocates, Ms. Binu Tamta and Mr. Sanjay Sen, Advocates were engaged to prosecute/defend appeals/special leave petitions in the Hon'ble Supreme Court of India and the Appellate Tribunal for Electricity, New Delhi.

As on 31.3.2006, 47 Orders/Regulations of the Commission were challenged in various Courts by utilities and others stakeholders, out of which 39 cases were filed in the High Court and four each in Supreme Court and Appellate Tribunal for Electricity, New Delhi.

A very important case in the year related to the orders of the Commission in the Commission's compliance case No. 15/04 for constitution of a two member committee for investigation of the high cost and excessive completion time taken by the Board for completion of the Larji Hydroelectric Project. Against these orders of the Commission, the HPSEB filed a civil writ petition No. 250/05 in Hon'ble High Court and the High Court in its interim order dated 20.7.2005 stayed the operation of those parts of Commission's orders which had not been implemented or given effect to. Against the aforesaid interim order passed by the Hon'ble High Court, the Commission filed Civil appeal No. 7229 of 2005 (arising out of SLP No. 19571 of 2005) in the Supreme Court of India in September, 2005. The Apex Court allowed the SLP of the Commission on 5th

December, 2005 and directed that since the Appellate Tribunal for Electricity has been constituted and is functional, the Board is to approach the Appellate Tribunal for Electricity within 6 weeks and the writ petition in the High Court was dismissed to enable the Board to avail of the statutory remedy of filing the appeal before the Appellate Tribunal for Electricity.

The HPSEB had approached the Hon'ble High Court of Himachal Pradesh for seeking judicial remedy in form of writs and it obtained ad-interim stay orders against several orders of the Commission. The Commission filed special leave petition No. 11114 and 11116 of 2005 before the Hon'ble Supreme Court of India against the impugned interim orders dated 19.4.2005 and 12.4.2005 passed by the Hon'ble High Court of Himachal Pradesh in civil writ petitions 322/2005 and 61/2004. The Hon'ble Supreme Court after hearing Special Leave Petitions, in its judgment dated 13.5.2005 ordered that the State's High Court should take up the writ petitions for final disposal at an early date in larger public interest of consumers of electricity and decide these cases within an outer limit of three months. The Hon'ble High Court, in view of the directions of the Apex Court expedited hearing in the civil writ petitions pending before it.

7. STATE ADVISORY COMMITTEE

The Section 87 & 88 of the Electricity Act, 2003 provides for the establishment of a Committee known as the State Advisory Committee to advise the Commission on major questions of policy relating to quality, continuity and extent of service provided by the licensees, compliance by licensees with the condition and requirement of their license, protection of consumers and electricity supply and overall standards of performance by utilities. The Commission by its notification dated 18th June, 2003 reconstituted the State Advisory Committee. The Chairperson of the State Commission is the ex-officio Chairperson of the State Advisory Committee and the Secretary of the Commission is in charge of the functioning of the Committee. During the year, Sh. R.S.S. Chauhan, Formerly Chairman, HPSEB and the member of the State Advisory Committee resigned from the Committee on personal reasons. The composition of the Committee as on 31.3.2006 is shown at **Annexure-III**.



State Advisory Committee in meeting

The fifth meeting of the State Advisory Committee was held at Shimla on 4th October, 2005. The proceedings of the meeting are annexure at b.

8. Finance and Accounts

8.1 Finance

The Commission was initially allocated a budget of Rs. 73.38 lakh for the year 2005-06 and an additional amount of Rs. 80.00 lakh was sanctioned in March, 2006 to meet the expenses of the Members likely to be appointed by the Government of H.P. Out of total sanctioned budget of Rs. 153.38 lakh the Commission spent only to Rs. 61.70 lakh. The following table shows the comparison of budget sanctioned in respect of major heads vis-à-vis the actual expenses.

Expenditure through Treasury

Major expenditure head	Budget sanctioned	Expenditure	Savings
Salaries & Allowance	96.73	52.66	44.07
Other Establishment Expenses	2.24	0.24	2.00
Travelling Expenses	5.13	0.05	5.08

Rents, Rates & Taxes	5.00	0.80	4.20
Other office Expenses	38.28	7.95	30.33
Professional & Consultancy Charges	6.00	0.00	6.00
Total	153.38	61.70	91.68

A major reason for savings in expenditure was non-passing of bills of the Commission by the Treasury under various SOEs, non-approval of staff regulations and non-appointment of staff and Members. In addition, expenditure to the tune of Rs. 53.36 lakh under above SOEs was incurred through the Commission's bank account taking the total expenditure during 2005-06 to Rs. 115.06 lakh. Details of expenditure through bank and treasury is given in the table below:-

Total Expenditure of the Commission for the year 2005-06

(Rs. In lakh)

Major expenditure head	Expenditure through bank	Expenditure through treasury	Total expenditure during 05-06
Salaries & Allowance	2.51	52.66	55.17
Other Establishment Expenses	1.22	0.24	1.46
Travelling Expenses	1.46	0.05	1.51
Rents, Rates & Taxes	8.71	0.80	9.51
Other office Expenses	31.64	7.95	39.51
Professional & Consultancy Charges	7.82	0.00	7.82
Total	53.36	61.70	115.06

8.2 Receipts of the Commission

During 2005-06, a sum of Rs. 176.09 lakh was received towards fees, fines and charges and the same was credited in the Commission's Bank Account, which is being operated pending approval of GIA rules regulating the Commission Fund under section 103 of the Electricity Act. The Govt. has however allowed operation of the Bank Account pending approval of the rules of ERC Fund. The approval of the Fund rules by the state Government is at an advanced stage and the approval is expected shortly.

8.3 Accounts and Audit of State Commission

The Accounts of the Commission for the year 2004-05 were audited by the Audit Party of the Comptroller and Auditor General of India during 3/05. The Audit Party did not submit the Audit Report during FY 2005-06, therefore, the position of outstanding paras remained unchanged, details of which are given below:-

Year	No. of old and new paras	Paras settled upto 2005-06	No. of outstanding paras
2000-02	7	3	4
2002-03	8	7	1
2003-04	8	7	1
Total	23	17	6

8.4 Laying of Accounts of the Commission in Vidhan Sabha

As per section 104(4) of the Electricity Act, the accounts of the Commission are to be laid before the Vidhan Sabha. The accounts of the Commission could not be laid for the year 2001-02 to 2005-06 due to non-finalisation of the format of the accounts by the Govt. of H.P. and in absence of this, the Commission sent the account, to the Govt. of H.P. for the Budget allotted by Govt. by sending the excesses/surrender statement every year.

9. Engineering/Regulatory/Tariff Matters

9.1 Technical Analysis (TA) Division

The Technical Analysis Division is headed by the Executive Director(TA). The Division deals with the preparation and review of cost allocation and rate design proposals, analysis and assessment of T & D losses, evaluation of technical performance and standards of service, load forecasts, power purchase agreements, Grid Code, Distribution Code, Supply Code. The Division has been entrusted with preparation of regulations to be framed by the Commission under section 181 of the Electricity Act, 2003. Besides

above, the Division also looks after the IT Section. The IT Section deals with System Administration, Design, development and updation of HPERC website, Maintenance of Computer Hardware & Software, Computerised audio-video recording system for court proceedings, regular back ups, editing & printing of documents, in-house computer training, searching & downloading information from internet, assessing & proposing fresh IT requirements for the office, networking within the Commission and handling of Internet. The Division undertook the following activities during the year:-

9.2 Formulation of Regulations

As per the requirement of section 181 of the Electricity Act, 2003 and to provide the institutional and legal framework for regulation of the Electricity Sector in the State, the Commission, issued the following regulations during the FY 05-06:

HPERC (Treatment income of other businesses of transmission and distribution licensees) Regulations, 2005

These regulations which were notified in H.P. Rajpatra on 2.12.2005 specify the treatment of other businesses of the transmission and distribution licensee for which prior intimation to the Commission regarding segregation of accounts, financial implications etc. is to be given.

HPERC (Guidelines & Format for tariff filing) Regulations, 2005

These regulations notified in H.P. Rajpatra on 03.11.2005 repealed the HPERC (Guidelines & Format for tariff filing) Regulations, 2001 and specified the revised procedure for tariff filing and the formats on which the tariff filing is to be made by the licensee.

HPERC(Distribution Licensee's Standard of Performance) Regulations, 2005

These regulations were notified in H.P. Rajpatra on 03.11.2005. They specify various standards of performance in respect of the services to be provided by the licensee to the consumers and the amount of compensation payable by the licensee in case of his failure to meet these standards.

HPERC(Appointment of Consultants) Regulations, 2005

These regulations notified in H.P. Rajpatra on 28.7.2005 repealed the previous HPERC (Appointment of Consultants) Regulations, 2001 and specify the revised procedure to be followed for appointment of consultants for the Commission and also the remuneration payable to them.

HPERC (Open Access) Regulations, 2005

These regulations were notified in H.P. Rajpata on 3.6.2005 and lay down various terms and conditions for providing long term and short term open access to the consumers in transmission as well as distribution.

HPERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2005

These regulations, which were notified in Rajpata on 4.4.2005, specify the provisions for reasonable recovery of expenditure from consumers for supply of electricity at low tension, high tension and at extra high tension.

HPERC (Directions for Approval of Hydro Electric Project in the State of Himachal Pradesh), 2005

The directions, which were notified in H.P. Rajpata on 8.4.2005 specify the provisions and procedures for approval required from Commission for setting up new hydro electric projects in the State of Himachal Pradesh.

9.3 Clarification Orders

Consequent to the representations made by the Board, the Commission issued following orders for the clarification of the regulations.

HPERC (Security Deposit) (Removal of Difficulties) [First Order] 2005, notified on 11.10.2005.

HPERC Order on Clarification on Recovery of Expenditure notified on 31.10.2005.

9.4 Amendment to Regulations

In addition to framing of regulations, the Commission issued several amendments to the regulations already notified. The following regulations were notified during the year 2005-06: -

HPERC (Recovery of expenditure for supply of electricity) (First Amendment) Regulations 2005 on 15.12.2005.

HPERC (Guidelines for Establishment of forum for Redressal of the consumers) (Third Amendment) Regulations 2005 on 30.12.2005.

HPERC (Electricity Ombudsman) (Second Amendment) Regulations, 2005 on 20.12.2005.

9.5 Finalisation of H.P. Electricity Grid, Distribution, Supply codes and Standards

The Electricity Act, 2003, requires the State Electricity Grid Code to be consistent with the Grid Code to be specified by the Central Electricity Regulatory Commission (CERC). The Grid Code was notified by the CERC during last quarter of FY 2006. Drafts H.P. Electricity Grid Codes, Distribution Code and Supply Code are under preparation. Standards of Performance to be adhered to by the distribution licensee have been notified.

9.6 Transmission & Distribution loss study

The Commission in its tariff order for FY 2001-02 had directed the HPSEB to appoint consultants to carry out a study with regard to complete and accurate data on T & D loss at various voltage levels and between various consumer classes as well as the break-up of technical and non-technical losses. Unfortunately the response of the HPSEB in the matter was not positive and ultimately the Commission had to appoint the consultants for carrying out the said study at the expenses of the Board. The Contract for carrying out of T & D loss study was awarded to M/s KLG Systel, New Delhi.

9.7 Review of load forecasts, resource plan and power procurement process

Due to non-submission of the annual load forecasts and biannual resource plans and schemes for power procurement, transmission and distribution planning by the HPSEB to the Commission for review, the matter was taken up on the judicial side and the requisite load forecasts, plans and schemes furnished subsequently by the Board are being periodically reviewed by the Commission.

9.8 TECHNICAL AND FINANCIAL ANALYSIS (TFA) DIVISION

The Technical and Financial Analysis Division is headed by Executive Director (TFA). It was headed by Sh. B.S. Bakshi while Sh. Mahesh Sirkek functioned as Director Tariff Engineering. It has the responsibility of financial investigation and analysis of electrical utilities, beside determination of tariff of utilities in the areas of generation/transmission and distribution of electricity, examining power purchase agreements, planning of long

term tariff settings, providing of adequate financial and economic input into tariff process, enforcement of commercial and financial standards, review of the financial performance and compliance reports by utilities. It also maintains close interaction with the Technical Analysis Division, participates in all Commission proceedings and helps it in review and approval of all investments and development of utilities. It also looks after the work relating to consumer affairs of the Commission.

9.9 Review and approval of Power Purchase Agreements

The details of PPAs received and action taken by the Commission during 2005-06 are detailed below:-

S.No.	Name of the Developer	Name of Project	Installed Capacity in MW	District in which located	Action taken by HPERC
1.	Sechi	DLI Power (India) Ltd. Mumbai	4.5	Kullu	Consent granted subject to certain modifications
2.	Toss	Sai Engineering Foundation, New Shimla	5	Kullu	-do-
3.	Sharan	Fourseasons Marketing Pvt. Ltd., New Delhi	2.6	Kullu	-do-
4.	Sarbari	DSL Hydrowatt Ltd., Kolkata	4.5	Kullu	-do-
5.	Haripur Nalla	Continental Intra-Tech Pvt. Ltd., Hyderabad.	1.5	Kullu	-do-

During the FY 2005-06 consent was granted by the Commission for execution of 5 PPAs with a total installed capacity of 18.1 MW.

9.10 Tariff Petition by Uttranchal Jal Vidyut Nigam Ltd., Dehradun

Uttranchal Jal Vidyut Nigam Ltd. (UJVNL) had filed a petition for determination of tariffs for inter-state supply of electricity for H.P. share in the five hydro generating

stations i.e. Chibro, Khodri, Dhakrani, Dhalipur and Kulhal for the FY 2004-05 under sections 64, 62 and 86 of the Electricity Act, 2003.

The Commission after following due process of public hearing, issued an interim order dated 25.5.2005 directing UJVNL to bill HPSEB at the provisional rate of 37 paise per unit till the final decision of the case.

9.11 Tariff Order for FY 2005-06

The first Tariff Order was issued by the Commission on 29.10.2001. Thereafter the HPSEB did not file any petition in the year 2002 & 2003. The Commission issued second tariff order on 2.7.2004, whose applicability expired on 30.6.2005. On 29th June, 2005 the Commission issued its third tariff order for the year 2005-06. The most important feature of third tariff order is that it carried forward the philosophy spelt out in the 2nd tariff order of the Commission. The cost of supply methodology was further fine tuned despite the fact that the Commission received inadequate data from the Board.

9.12 Salient features of the tariff Order of 2005-06:

Following were the salient features of the 2005-06 tariff order:-

- (i) Heavily incentivized advisory directives (aggregating Rs. 50 crores in the first year) were given for Reorganisation of operation circles, establishment of Training Academy, rational Transfer and posting policy of officers/staff, and for the improvement in generation to be provided by way of levy of Reform Surcharge @ 5% on the entire electricity bill excluding the electricity duty in respect of all consumers except BPL beneficiaries. Additional incentives for achieving the milestones in the next ten years were also given. The Board expressed its inability to carry out the changes mandated in the Advisories and therefore this reform surcharge was withdrawn.
- (ii) Two-part kVAh tariff was extended to agricultural and temporary supply category besides CS, NDNCS, SMS and BS Categories which were introduced w.e.f.

1.4.2005; Cross-subsidy was further reduced in line with the Commission's tariff policy and the Electricity Act.

- (iii) Antyodaya category of consumers was extended to all the Below Poverty Line (BPL) beneficiaries with consumption upto 45 units per month and tariff was maintained at 50% of average cost of supply in line with the National Electricity Policy.
- (iv) Duration of 'night time' for availing rebates was increased significantly to 9 hours, from 2100 hours to 0600 hours.
- (v) Concept of prepaid metering; The Board was asked to take up a pilot project for prepaid metering by installing about 250 meters for a period of 6 months each in Shimla, Dharamsala and Mandi. Special introductory tariff for the consumers using pre-paid meters was proposed and a ten-year timeline for replacing all meters with prepaid meters and for unmanning all manned sub-stations of 33 kV and above was proposed. All new substations were to be in unmanned mode.
- (vi) The Board would conduct a public interaction programme for better consumer awareness and education of their rights and obligations as well as to activate consumer interest groups.

The Commission issued 24 directions in this order in addition to the 21 and 26 directions given in the tariff orders of 2001 and 2004-2005 respectively.

9.13 Consumer complaints and its redressal

The information regarding consumer complaints received and redressed by the Himachal Pradesh Electricity Ombudsman, HPSEB and Forum for Redressal of Grievances of the

Consumers of HPSEB during the year 2005-06 is as under:-

Sr. No.	Name of Utility/Organisation	Number of Complaints received during FY 2005-06	Number of complaints redressed during FY 2005-06
1.	Himachal Pradesh Electricity Ombudsman	4	Nil
2.	Forum for Redressal of Grievances of the Consumers of HPSEB	41	20
3.	Himachal Pradesh State Electricity Board	712781	712781

Beside above, the Commission approved the public interaction programme submitted by the HPSEB and directed it to undertake this programme through radio/TV talk, website, electricity bills, seminar/workshops, banners/hoardings, urja mela, distribution of pamphlets/advertisement in Newspapers etc.

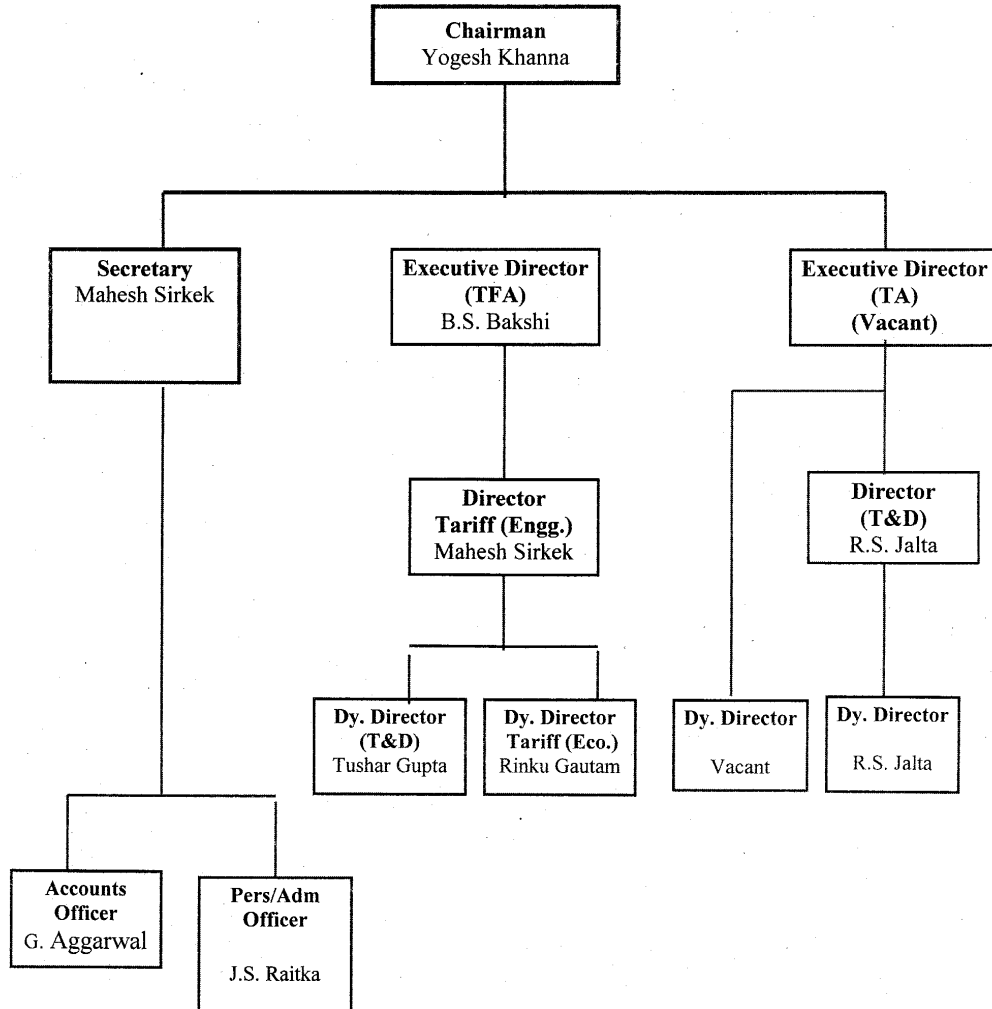
10. Agenda for 2006-07

The agenda of the Commission for 2006-07 was as follows:

- Finalisation of Himachal Pradesh Electricity Grid, Distribution and Supply Codes.
- Review of load forecasts.
- Completion of Transmission and Distribution Loss study in HPSEB.
- To empower consumers so that they play an effective role in the power sector reform process.
- To finalise the remaining regulations as required under section 181 of the Electricity Act, 2003.
- Review of Public Interaction Programm (PIP).
- Tariff order on the ARR & Tariff Filing expected for the year 2006-07.
- Review and Approval of Power Purchase Agreements.
- Review of implementation of various regulations and directions issued by the Commission.
- Creation of database/RIMS.

ANNEXURE-I

ORGANISATION CHART (PROFESSIONAL STAFF AS ON 31.3.2006)



ANNEXURE-II

STAFF OF THE COMMISSION AS ON 31.3.2006

Sr. No.	Designation	Name
1.	Secretary	B.S. Bakshi Mahesh Sirkek
2.	Executive Director (TFA)	B.S. Bakshi
3.	Director Tariff (Engg.)	Mahesh Sirkek
4.	Director (T & D)	R.S.Jalta
5.	Dy. Director Tariff (Eco.)	Rinku Gautam
6.	Personnel-cum-Administrative Officer	J.S. Raitka
7.	Accounts Officer	Gulshan Aggarwal
8.	Private Secretary to Chairman	Vakil Singh
9.	Personal Assistant to Secretary Personal Assistant to Executive Director (TFA) Personal Assistant to Ombudsman	Mohinder Singh Thakur Satish Gharu N.K. Vinayak
10.	Sr. Scale Stenographer	B.S. Kanwar B.M. Gautam (repatriated on 30.8.05) Gurvinder Kaur (joined on 19.9.05)
11.	Jr. Scale Stenographer working against the post of personal Assistant	Dinesh Kumar (joined on 6.10.05)
12.	Sr. Assistant	Sushil Kashyap Rama Mahajan Kamal Dilaik
13.	Driver	Om Prakash Rajesh Kumar (Repatriated on 31.10.05)
14.	Peon	Manmohan Kishori Lal

ANNEXURE-III

STATE ADVISORY COMMITTEE MEMBERS AS ON 31.3.2006

Sr. No.	Name and Address	Designation in the Committee
1.	Chairman, H.P. Electricity Regulatory Commission, Shimla.	Ex-Officio Chairman
2.	Principal Secretary, Food, Civil Supplies & Consumer Affairs, Govt. of H.P., Shimla-171002.	Ex-Officio Member
3.	Chairman, HPSEB, Vidyut Bhawan, Shimla-171004.	Industry
4.	Sh. R.S.S. Chauhan, Formerly Chairman, HPSEB, Stokes Place, Shimla-171002.	Consmer (Member till 3.2.2006)
5.	Sh. Dhian Chand, Managing Director, Kufri Hotel Pvt. Ltd., Kufri, Shimla-171012.	Commerce
6.	Sh. R.K. Gupta, Sewa Niwas, Engine Ghar, Sanjauli, Shimla-171006.	Consumer
7.	Sh. Gajender Haldea, Chief Advisor, National Council of Applied Research, Parsila Bhawan, 11, Inderprastha Estate, New Delhi-110002.	Academy and Research Chief Group
8.	Sh. Sachit Jain, Executive Director, Wardhman Spinning & General Mills Ltd., Sai Road, Tehsil Nalagarh, Distt. Solan, H.P.	Consumer
9.	Kr. M.P. Singh, Kanwar Cottage, Dharamsala, Distt. Kangra, HP-176125	Consumer
10.	Labour Commissioner to the Government of Himachal Pradesh, Himrus Building, Shimla-171002.	Labour

11.	Sh. S.C. Thakur, Retd. Member, HPSEB Naggar. Distt. Kullu, H.P.	Electricity Ombudsman
12.	Sh. Rakesh Nath, Chairman, BBMB, Madhya Marg, Sector-19B, Chandigarh	Industry
13.	Sh. K.Ramanathan, Distinguished Fellow, The Energy & Resource Institute, Darbari Seth Block, Habitat Place, Lodhi Road, New Delhi-110003.	Academic and Research Group
14.	Sh. Santosh Kumar, President Sirmour-Consumer Protection Society, Shivechandna Niwas, Behind ITI Shansherpur, Paonta Sahib, Distt. Sirmour-173025	Consumer
15.	Mr. Alok Sharma, Chairman, HP State Council Confederation of Indian Industries, Sector 31A, Chandigarh-160047.	Consumer
16.	Sh. H.L. Sharma, Prof. CSK, HP Agriculture University, Palampur, Distt. Kangra-176062.	Agriculture
17.	Ms. Mala Singh, Councillor, Municipal Corporation, Shimla.	Consumer

ANNEXURE IV

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION

Record Note of Discussions of 5th Meeting of State Advisory Committee (SAC) of the HPERC held on 4th October 2005

Venue: Hotel Holiday Home, Shimla-171 002.

List of participants is enclosed as Annexure-A to this record note of discussion. At the outset the Secretary, HPERC extended heartiest welcome to all the members of the State Advisory Committee to the 5th meeting. He explained the delay in convening the meeting of the SAC predominantly due to pre-occupation with pre and post Tariff Order activities and developments. He informed about the sudden demise of Shri Ashok Mahajan, Retd. Executive Director, HPERC. The members observed two minutes silence to pay tribute and offer prayer to God Almighty to grant peace to the departed soul. The members passed a resolution to offer their heartfelt condolences to the bereaved family and prayer to God Almighty to give them strength to bear this irreparable loss.

1. Welcome/Key note address by Chairman

The Chairman extended warm and hearty welcome to all the members. The Chairman, then, introduced and welcomed Mr. Harinder Chand Thakur as the new Member of the committee, who brings with him a very rich bouquet of experience, exposure and vision of the power sector. He also informed about the notable absence of members who could not attend the meeting due to their pre-occupation.

At the outset he reminded the members to remain focused on the Preamble and Reasons and Objects of the Electricity Act, 2003, the essence being distancing the Electricity Board from the government, rationalisation of electricity tariff in a professional and independent manner, promotion of competition and protection of consumer interests. He had the following to say in his address :-

“The independent regulation remains cornerstone of reforms in the sector in general and the investment in particular. The National Electricity Policy has since been notified on 12-2-2005. Some of the key features of the policy which are of interest include the full development of hydro potential, support to life-line customers, extension of ABT to State, time bound reduction of T&D losses, promotion of competition, pre-paid metering, unmanned sub-stations, use of IT in power sector solutions, promotion of

non-conventional energy resources, redundancy in transmission system, 3rd party meter testing arrangement, budgetary provisions for subsidy, MYT framework etc. The policy lays overly emphasis on distribution as the most critical segment of the electricity business chain and for achieving efficiency gains, it directs the proper restructuring of distribution utilities as an essential pre-requisite. It further directs that adequate transitional financing support would also be necessary for these utilities. Such support should be arranged linked to attaining of pre-determined efficiency improvement and reduction in cash loss and putting in place appropriate governance structures for insulating the service providers from extraneous interference while at the same time ensuring transparency and accountability. It further goes on to stipulate that the Central Government would also assist the States, who develop a clear road map for turnaround, in arranging transition financing from various sources which shall be linked to pre-determined improvements and efficiency gains aimed at attaining financial viability and also putting in place appropriate governance structures. The policy vindicates what I had said in the last key note address that in the processes of carrying forward the reforms, we must understand that we are not just dealing with the technical and economic problems but also deeper institutional and governance problems. It has been acknowledged that 90% of the problems in the sector are related to governance and human resources.

The Commission issued the 3rd tariff order for FY 2005-06 on 29-6-2005, the Board having missed the ARR and tariff filings for FY 02-03 and 03-04. The key features of the tariff order for FY 2005-06 were reduction of cross-subsidy in line with the Commission's tariff philosophy, national electricity policy and the provisions of Section 61 of the Act. The two part time of use tariffs were extended to all categories with connected load above 20 KW except street lighting supply and temporary metered supplies. The standard supply voltages for different categories were introduced and rebates/surcharge for higher or lower voltages rationalised. The pre-paid metering introduced and designed as a special introductory tariff; nighttime concession extended by 3 hours. Harmonic penalty introduced for the first time. The reform surcharge at 5% was levied in respect of all consumer classes except BPL families. The Commission also advised the Board to diversify into other plausible businesses for optimum utilization of its human resources. On the request of the Member (Fin.) of the Board at the time of presentation of its tariff petition heavily incentivised advisory directives worth Rs.50 crores were given on reorganisation of Operation Circles, establishment of training academy, transfer and postings of officers/staff and improvement in generation. The Commission also developed road map for the next 10 years which laid down action plan to achieve year-wise milestones. This road map was intended for further posing to the Central Government for arranging adequate transition financing to enable the Board to turn- around.

The Commission issued 24 directions in this order and saved other 21 Nos. and 26 Nos. given in the tariff orders for 2001-02 and 2004-05 respectively. As the Board regretted its inability to implement the advisory directives contained in section 9, the reforms surcharge of 5% was declared non est and inoperative ab initio in the Commission's order of 9-9-2005. The bills for the month of July onwards in respect of domestic and agricultural consumers have, however, been issued by the Board after taking the subsidy into consideration even while the Commission has issued no consequential order because the GOHP had not deposited the subsidy amount in advance as provided in the Act. He informed that the following developments have taken place in the past 9 months.

1. The Commission ordered, in larger public interest, the constitution of a committee in March, 2005 comprising of Mr. R N Agarwal, former Chairman BBMB and Mr. C L Aggarwal, a former General Manager of Thein Dam Project to investigate and enquire into the high cost escalation and excessive construction period of Larji Project to enable the Commission to formulate its opinion as to the reasonability of the cost as the Larji Project which was included in the tariff petition for FY 2005-06;
2. The Commission tendered two statutory advices to the State Government of H.P. on re-organization and restructuring of the Electricity Board during this period;
3. The Board has established the Forum for Redressal of Grievances of the Consumers as per sub section (5) of section 42 of the Act. The Forum is functional.
4. The Board has assailed some of the directions given in the 3 tariff orders in the Hon'ble High Court; and stated to have filed appeal against the tariffs per se in the Hon'ble Appellate Tribunal for Electricity. The Hon'ble High Court has ordered stay on the implementation of directions. The Commission has filed SLP in the Hon'ble Supreme Court of India against the Larji petition as well as some other stay orders of the Hon'ble High Court, which has been admitted by the Apex court;

5. The Central Government has allowed the HPSEB to continue to function as STU or a licensee upto 10-12-2005 u/s 172 of the Act.

The Chairman further explained that the Board has accumulated cash loss of about Rs. 900 crores. The debt assets ratio is 3:2 with outstanding debt amounting to RS. 2550 crores and the assets worth Rs. 1654 crores. It has to raise loans to repay and service the debt. It is in a deep deadly debt trap. In spite of the efforts of the commission to bail it out of the red by allowing return on net fixed assets/equity, depreciation etc. year through year, it has not responded positively. An amount of Rs. 170 crores of the GPF has also been used up in its working capital expenditure. An amount of Rs. 72 crores of the pension fund has also been similarly appropriated to itself. Out of some 70 directions-cum-orders given in the tariff orders of 2001-02, 2004-05 and 2005-06, it has complied with only some 8 or 10 directions which were of not much consequence. It has been militating against and assailing the various directions and the orders of the Commission through Civil Writ Petitions in the High Court. Some 40 such Civil Writ Petitions are pending in the Hon'ble High Court for the last about 4 years with only stay order on all of them and none having been finally decided by the Hon'ble High Court. The Civil Writ Petitions continue to be filed even after the Appellate Tribunal has become functional on 21.7.2005."

Action HPSEB

2. Report of the Secretary

The Secretary in his report, informed the members that besides the points mentioned by the Chairman in his address, the following developments have also taken place in past nine months since the last meeting

1. The Commission has finalized 7 Regulations, issued 4 amendment Regulations, 4 draft regulations and one draft amendment regulation.
2. The Commission has initiated T&D loss study to assess aggregate technical and commercial loss for each operation circle of HPSEB;

3. In pursuance of the directions of the Hon'ble High Court in the CWP filed by the Commission, meetings were held between the Commission and the Government, though some headway was made initially, outstanding core issues have, however, not been settled finally so far;
4. The budget allocation continues to be too inadequate and paltry with Rs.73.38 lacs allocated against the demand of Rs.4.68 crores. The bills of the Commission other than that of salary are not being entertained by the Government Treasury;
5. The Commission continues to work under the gravest stress and severest constraints of manpower shortages, skills, capacity and budget;
6. The Commission approved public inter-action programme for the Board at a total cost of Rs.2.12 crores to bring about more awareness amongst the consumers of Himachal.
7. Approved 5 PPAs bringing the total number to 24 PPAs with aggregate capacity of 99 MW.
8. Approved tariff for UJVNL supply to H.P. on provisional basis at 37 paise/kwh w e f 16.12.2004;
9. On persistent follow up and monitoring of its directions, the Commission has succeeded in further bringing down the rate of interest @ 8.5% from the 1st phase reduction to 10.5% in respect of one tender in respect of Baspa Stage II Project. JPHP is following up with other lenders also for reduction to 8.5%.
10. The Board obtained stay from the High Court against some directions contained in the tariff order for the financial year 2005-06. Several affected parties filed applications in the Commission mentioning that since the tariff, advisories and directions cum orders were quid pro quo and mutually inclusive, the Commission must stay the tariff part also till such time the stay on directions continues and after hearing the parties, the Commission ordered stay on the rest of the Tariff order. The Board appealed against this order in the High Court and has obtained stay.
11. Administrative And Other Issues

Under the new Act, the Commission is to discharge multifarious functions listed under Section 86 of the Electricity Act, 2003. On the issue of 62 additional posts proposed for creation by the Commission for technical, tariff and financial analyses, administrative and IT and legal areas to the State Government, for approval dated 20.1.04, the State Govt. has not accorded approval and

the Commission is continuing to function with meager existing 30 posts of various categories created on 9.5.2001. The total staff strength as on date is only 19 (8 officers and 11 employees).

12. Difficulties being faced by the Commission

Despite the various issues relating to the approval of the staff regulations, creation of additional posts in the Commission, providing addition budget, appointment of Secretary, providing vehicles and other facilities to the officers of the Commission etc. having been referred to the State Govt. from time to time, they are yet to be settled. Due to the uncertainties regarding the service conditions and the severe budgetary constraints, the Commission is unable to provide the perks and facilities to the officers and staff, commensurate with their counterparts in the Board and other organizations. Therefore, no officer is willing to join the Commission, which does not augur well for the State since the regulator would be a key player in the power sector reforms.

The Commission takes pride in its limited but highly competent and motivated executives and staff of the Commission. They have proved their regulatory credentials in a most effective manner and contributed their best to take the Commission to new heights. The Secretary took this opportunity to thank them all on behalf of the Commission for their invaluable contributions during the last four and half years.

3. **Confirmation of the minutes of the meeting of the 4th State Advisory Committee held on 20th January 2005.**

As was decided in the meeting of 20.1.2005, since no comments had been received on the draft minutes within a period of 1 month, the minutes of the 4th meeting were deemed to have been confirmed by the members.

4. **While discussing the issues raised in the Keynote address of the Chairman, the following points were raised**

- a) To the objection raised by Kr. Shamsheer Singh, about certain "objectionable" word in the keynote address, the Chairman directed to replace the word 'Militating' with 'assailing'. Kr. Shamsheer Singh also denied that Member (F&A) of the Board had requested for incentivised advisory directives. He was requested by the Chairman to refer to para 9.1.2 of the tariff order, which had not been questioned by the Board. He also regretted that there was no mention of the need for improving the strained relations between the Board and the Commission.

- b) Shri. R.S.S.Chauhan while appreciating the efforts undertaken by the Commission, commented on the big brotherly attitude of the Commission towards the Board and stated that the tariff order should be confined to the tariff fixation and related issues and not to be an administrative report. He further suggested that the bitter pill should be sugar coated. He further enquired whether the requisite quorum for the SAC meeting, was there, to which the Chairman confirmed that the requisite quorum as per the Regulations, was there.
- c) Sh.H.C.Thakur felt that the Board and the Commission should both aim at consumer interest and work together. The Board cannot be changed overnight and doors for reconciliation should not be closed.
- d) Prof.R.K.Gupta commented that the Board and the Commission both have done well. The Board is working under certain conditions and need time to tune up to be expectations of the Commission. He wondered if, instead of the Board going to the High Court so often, some or all members of the SAC can do reconciliation between the Board and the Commission. To this Sh.R.S.S.Chauhan responded that SAC's role is purely advisory and to take up this matter, a total change in the regulations shall be required by way of amendments.
- e) To the above points, the Chairman stressed that in the 5 years of existence of the Commission and the reforms, there is not a single direction issued by the Commission, which is not in the best interest of the consumers of the H.P., H.P.Govt or the Board. He further stated that the Board had exercised its fundamental right by going to the High Court, which cannot be disputed, and it is for the utility to use the regulator in the manner best suited to relieve itself of some of the pressure. He appreciated the efforts of Sh.Vineet Chaudhary, former Member (Finance) of the Board who succeeded in building bridges between the Board and the Commission and kept the lines of communication open. The Chairman emphasised the need for the Regulator and the regulated entity to accept each other. They have their respective roles to play. The Commission's job is not a very pleasant one and no one relishes in dispersing unpleasantness.
- f) Kanwar Shamsher Singh stated that the Board is going to play a very important role in future and hence some do's and don'ts and rules need to be fixed as both the Board and the Commission have same objective and limited time.

- g) Sh.H.C.Thakur intervened and stated that there is nothing wrong in the directions issued by the Commission. The differences are on the question of road map to implement them. Also there is nothing wrong in the concept to bring the Board to a level of financial viability and to distance it from the Govt. and hence the directions are absolutely correct. Sh.R.S.S.Chauhan while agreeing to Sh.H.C.Thakur stated that the delivery part is getting difficult. There is certain inertia built in the system.. A holistic view of the entire situation needs to be taken and overdose of the pill should be avoided.
- h) Sh.Rakesh Bansal representing CII and Sh.D.N.Bansal, Member (OP) of the Board, though not having voting right, were allowed to give their suggestions, with the consent of the members. Sh.Rakesh Bansal pointed out that there is a gap between the perceptions of the Commission and the implementation by the Board. To this, Ms Mala Singh suggested that there should be a bridge of understating between the Board and the Commission.
- i) The Chairman clarified that wrong deductions and unjustified conclusions are being drawn from the proceedings of the Commission. The Commission works under severest strain with handful of five or six officers. The intention is not to humiliate or belittle anyone inside or outside the Court. To this, Kanwar Shamsheer Singh stated that they have the fullest regard and appreciation for the Commission which has played a very important role and the Board has benefited from its orders and individually and collectively, the Board has very high regard for the Commission

Action HPERC/HPSEB

4. The matters arising: -

(a) Guidelines for Load Forecast, Resource Planning and Power Procurement.

The Chairman informed that the committee constituted by the Board by way of corrective mechanism, which is headed by a Chief Engineer of the Board is constantly correcting the forecasts, The 1st meeting has already been held and the actual consumption is being constantly

compared with the forecasts and the corrections applied to contain the forecasts within the range of provability specified by the Commission.

Action HPSEB

(b) Proposed Grid and Supply Codes

The Chairman informed that the draft grid code is nearing finalization. The draft prepared by the consultants was not consistent with the IEGC and therefore, a Committee comprising of Officers of the Board and the Commission was constituted which has suitably amended the draft. The final publication has been held back to ensure consistency with the Indian Electricity grid code to be notified by CERC. The next date of the hearing relating to the matter has been fixed on 26 October 2005. The supply code is in the process of being finalised and the draft regulations would be sent for prior publication shortly.

Action HPERC

c) Difficulties and Problems being experienced by the HPERC

The Chairman mentioned that the issues have been taken up with the State Govt. from time to time and though some issues have been settled, the approval of staff regulations remains unresolved. The matter is, however, subjudice in the Hon'ble High Court.

(d) Views on matter relating to Quality, Continuity and extent of services provided by the Board.

Sh.D.N.Bansal informed that the consumer satisfaction survey done by the Commission indicates that the consumer satisfaction is much better in H.P. as compared to the other States. He further informed that the refundable advance of approximately Rs.90 lacs from Vardhman Group shall be adjusted as consumer contribution to the extent of the cost of 66KV terminal bay constructed at Katha sub-Station for providing power to the Vardhman Unit and the balance shall be refunded on reconciliation. To a query from Sh.R.S.S.Chauhan about impact of closure of Nathpa Jhakri Project, Kr.Shamsher Singh explained that the closure of Project has had no impact till date but its power would be required from November onwards. He informed that the Board proposed to increase the banking arrangement with Delhi and Haryana to meet the winter shortage. Also, the Govt. of India is being approached for increasing the entire un-allocated share during winter. Sh.Rakesh Bansal stated that power availability is better, peak load restrictions have been reduced and the supply situation is satisfactory.

Action HPSEB

Prof R.K.Gupta complained that energy meters are not available on demand. One-room premises used for some unemployed youths are charged at commercial rate even if they are part of the residential buildings. He emphasized on the development of the remaining hydro potential in the State. He reiterated that there should be no need for NOC from various agencies for obtaining connections. The billing dates should be such as to allow atleast 15 days for the consumers to make payment. The bills are being delivered late. Spot billing and more bill collection centres should be opened. He welcomed the direction relating to senior citizens in the tariff order.

Kr.Shamsher Singh highlighted the need for the consumers to reciprocate with responsibility and to fulfil obligation on their part. He stated that consumers are categorised on the basis of the consumption and, therefore, domestic tariff cannot be extended to the commercial enterprises. He stated that the board is taking suitable measures to provide facility to Senior citizens for easy bill collection. The board would take steps to ensure that consumers get clear 15 days to make payment of bill.

Action HPSEB

Shri Dhian Chand mentioned that some officials of the Board are not able to handle the TOU meters properly and there is need for educating staff about such meters. Shri Santosh Kumar informed that there were voltage fluctuations in Paonta area and many interruptions without notice. He also stressed that there should be more bill collection centres as long queues are seen outside the existing centres. Sh.M.P.Singh while agreeing to the comments of Sh.R.K.Gupta stated that old poles in the Macloedganj area of Dharamshala area are traffic hazard and suitable action needs to be taken in this regard.

Action HPSEB

Ms Mala Singh pointed that though the Court had directed to remove street lights from the trees, it has not been implemented in the CPWD area in Phagli of Shimla Town. Sh.D.N.Bansal informed that to improve the system in Lower Bazar area, a pilot project to replace the overhead 11KV lines and L.T. distribution system with ABC cable has been framed with an estimated cost

of Rs.60 lacs. The work is proposed to be done on turnkey basis for which tenders have floated and one due for opening on 5.10.2005.

Action HPSEB

The Chairman observed that the Commission, had in its order, in a case, ruled that the requirement of NOC is in direct conflict with the universal service obligation imposed under the provisions of the Act and therefore was struck down by the Commission. However, the Board appealed against the order and the matter is pending in the High Court. He also clarified that no direction under section 108 has been received from the State Govt. in this respect.

(e) Setting up of the Forum for Redressal of Grievances of Consumers

The Chairman informed that the Consumer Redressal Forum has been established and started functioning w.e.f. 28th June 2005. Kanwar Shamsheer Singh informed that the forum was proving to be very useful and working satisfactory but he felt that there was some contradiction between the rules framed and notified by the Ministry of Power by the Govt. of India on 8th June 2005, and the regulations, which need to be looked into.

Action HPERC/HPSEB

4. Tariff Order for 2005-06

Prof.R.K.Gupta questioned as to why the domestic tariffs were increased despite the fact that the Board had not sought any increase. He stated that the Board needs to change its working and should avoid constructing political projects which have high generation cost.

Sh.R.S.S.Chauhan stated that the consumers want quality power but are not willing to pay for the same. He defended the high employee cost of the Board citing very harsh topographic conditions in the State. Sh.Rakesh Bansal, on behalf of CII, stated that this tariff order has been harsh on the Industry mainly on account of increase in demand charges and that the level of fixed charges varies widely such that unit cost comes to Rs. 2.50 to Rs.6/- per KVAG. He also pointed that concept and implementation of harmonics is very complicated and requires more time and this direction is likely be misused to harass the consumers. He expects the Board would get more revenue approved. Sh.Dhian Chand also agreed that hike was large such cases.

Sh.H.C.Thakur pointed that both demand and supply be taken into consideration. He stressed that Hydro Projects do not have purely revenue earning aspect. The environment and ecological factors are also there. There is no study to the effect that after establishment of HEP it has benefited or adversely affected the people living in adjoining areas. The Commission's role is also to look at the direct and indirect costs, social and environmental factors, employment cost etc.

Action HPERC

Kanwar Shamsher Singh assured that the Board would not harass the industry regarding the harmonics but he advised the Industry representative to ensure that the industries installed suitable filters in the interest of the supply system. He mentioned that subsidy roll back was included in the bills in view of the Govt. directions. He, however, emphasized that the uncovered gap under ARR needs to be covered through some special measures.

The Chairman while responding to the various comments of the members, interalia, pointed out that anybody can question the prudence of the costs considered in the tariff petition filed by the Board in the public hearings; but political considerations impose certain limitations. The Commission is conscious of the problems of Small and L.T. Industries and would address this in the next tariff order. He stated that 2 part tariffs are energy efficient tariffs to match with efficient energy management by the end users. Commission would rationalize the frills in the next tariff order. As regards the roll back of subsidy, the Commission has written three letters to the State Govt. but not received any response from the Govt. and therefore no consequential orders can be issued.

5. Regulations framed by HPERC under The Electricity Act, 2003.

As regard the regulations framed by HPERC under the Electricity Act 2003 Kr.Shamsher Singh suggested that they be prepared in consultation with the Board. The Chairman explained that a period of one month is given after the publication of draft regulations so as to enable the stakeholders to forward their comments. As regards the recovery of the expenditure Kr.Shamsher Singh informed that the Board is recovering the cost as per regulations. Sh. Rakesh Bansal requested to look into the formula for computation of total cost to be recovered.

Action HPERC/HPSEB

6. Views on protection of consumer interest and report on Consumer Satisfaction Survey conducted by ORG-MARG.

The Chairman mentioned that consumer participation was not forthcoming in the State and there was an urgent need to set up consumer groups/NGOs especially for the unorganised domestic consumers. He read out some of the suggestions proposed by the Chairman, CERC in regard to consumer awareness and grievance redressal.

Action HPERC

7. Views on standards of performance regulations

Kr.Shamsher Singh mentioned that they have conveyed their comments on the draft regulations. Sh.H.C.Thakur stated that he has already conveyed his comments in writing to the Commission. Sh. R.S.S.Chauhan wanted to know how the mental agony of an affected person can be quantified for determining the compensation. He mentioned that there were some minor spelling errors, which need to be corrected.

Action HPERC

8 Agenda for the future

Sh.R.S.S. Chauhan wanted the Commission to monitor the compliance of its regulations on a regular basis, lest they remain on paper only. The Chairman assured to look into this.

Action HPERC

The meeting ended with the vote of thanks to the Chair.

Secretary

LIST OF PARTICIPANTS

Members of State Advisory Committee

1. Sh.S.S.Gupta, Chairman, HPERC. (In chair)
2. Sh.R.S.S.Chauhan, Former Chairman, HPSEB.
3. Kanwar Shamsher Singh, Chairman, HPSEB.
4. Sh.Dhian Chand, Chairman, PHDCCI
5. Sh.H.C.Thakur, Retd.Member, HPSEB.
6. Kr.M.P.Singh.
7. Ms.Mala Singh, Councilor, Municipal Corporation, Shimla.
8. Sh.R.K.Gupta.
9. Sh.Santosh Kumar.
10. Sh.H.L.Sharma.

Secretary of State Advisory Committee

1. Sh.Mahesh Sirkek, Secretary, HPERC.

HPERC:

1. Sh.B.S.Bakshi, Executive Director.
2. Sh.Ranvir Jalta, Director.
3. Sh.Tushar Gupta, Dy.Director
4. Ms Rinku Gautam, Dy.Director
5. Sh. J.S. Raitka, Personnel-cum-Administrative Officer
6. Sh.Gulshan Aggarwal, Accounts Officer.

Others:

1. Sh.D.N.Bansal, Member (OP), HPSEB.
2. Sh.Sudhir Chander, Chief Engineer(Commercial),HPSEB.
3. Sh.Rakesh Bansal, CII.
4. Sh.S.K.Sud, Consultant.
5. Sh.G.P.Attri, Consultant.

ANNEXURE-V

Details of petitions registered and disposed off during FY 2005-06

2005						
S.N.	Case No.	Petitioner	Respondent	Subject	Date of filing	Date of disposal
1	149/05	Sh.Roshan Lal Sood, R/o MIG 250, Sector, IV, Parwano, Solan.	1. HPSEB. 2. AEE, ESD, Parwano	Petition under section 57 of EA, 2003 read with HPERC CHMP & CBR	07.04.2005	08.04.2005
2	178/05	1. HPSEB 2. M/s Fourseasons Marketing Pvt. Ltd. New Delhi	-	Application for approval of PPA in respect of Sharan HEP (2.6 mw), Distt.Kulu	26.04.2005	Approved on 19.05.2005
3	179/05	1. HPSEB 2. M/s Sai Engineers Foundation, Sai Bhawan, Sec.IV, New Shimla.	-	Application for approval of PPA in respect of Toss HEP (5 MW) Distt.Kullu.	26.04.2005	Approved on 19.05.2005
4	196/05	M/s Cleridge Moulded Fibre Ltd. Villa Malku Majra, PO Bhund, Nalagarh, Distt.Solan	1. HPSEB 2. AEE ESD Nalagarh	Complaint u/s 142 of EA, 2003 read with CHMP Regulation 9.0	21.05.2005	Adjourned Sine Die on 13.07.2005
5	198/05	M/s Pragati Paper Industries Ltd., Kala Amb, The Nahan, Sirmaur.	1. HPSEB 2. AEE, ESD, Kala Amb.	Complaint under section 142 of EA, 2003 read with CHMP Regulation 9.0	21.05.2005	9.12.2005
6	208/05	Chief Engineer (Comm) HPSEB, Shimla	-	Regarding banking arrangement for the next interchange cycle.	4.6.2005	11.07.2005
7	216/05	Chief Engineer (Comm) HPSEB, Shimla	-	Review petition HPERC (Recovery of Exp. For supply of expenditure) regulation, 05	15.6.2005	21.06.2005
8	228/05	M/s Amar Floor Mills, 30, Industrial Area Section A, Parwano	1. HPSEB 2. SE (o) Solan 3. XEN (E) Parwano. 4. AEE, ESD, Parwano	Petition under clause 3.3 of HPERC (CHMP) read with CBR 01 & EA, 2003.	28.06.2005	11-07.2005
9	241/05	M/s Pragti Paper Industrie Ltd. Kala Amb,	1. HPSEB 2. AEE, ESD, Kala Amb	Complaint under section 142 of the EA, 2003 for non-compliance of Tariff Order dated 2.7.2004	16.07.2005	31.08.2005
10	248/05	1. CIL, Chandigarh 2. BBN Ind.Association, Baddi. 2. PIA, Parwano	HPSEB	Petition for review of tariff for commercial. SMS and LS category supply (Industry mini Mills) Reforms Surcharge and Harmonic injection penalty under TO, 2005- 06 dated 29.6.2005	27.07.2005	03.09.2005

11	249/05	HP Steels Manufacturer Asso.	HPSEB	Petition for Review of Tariff for large industrial power supply (including mini steels mills) (LS) under Tariff Order - 2005-06 dt. 29.6.2005 and reducing the widening gap between the HT and EHT Tariff in this category.	28.07.2005	03.09.2005
12	250/05	HPSEB thro' Chief Engineer (Comm)	HPSEB	Review petition under section 94(1) (f) of EA, 03 read with Regulation 63 of the HPERC (CBR) Regulations, 2005 for review of Tariff Order dt.29.6.05 passed in tariff proceedings for year 2005-06	28.07.2005	03.09.2005
13	252/05	1. M/s Ruchira Paper Ltd. 2. M/s JB Rolling Mills. 3. M/s Neelkantha Ispat Udyog Pvt. Ltd. 4. Jay Aay Alloys Pvt. Ltd. 5. Amba Metals 6. Vashist Alloys 7. Saboo Tor (P) Ltd. 8. Saboo Ispat Pvt. Ltd. 9. Saboo Sylender Ltd. 10. Pasupati S&W Mills Ltd. 11. M/s Pragati Paper Ltd. 12. M/s Gold Plus Pvt. Ltd. All based at Kala Amb, Nahan, Sirmaur, HP.	HPSEB	Review petition in the matter of withdrawal of order HPERC/D(TE) 472/MS/2005-1357 dated 03.05.05 regarding tariff order for FY 2005-06 dated 28.6.05	28.7.05	03.09.2005
14	253/05	1. HPSEB thro' CE(Comm) 2. M/s DSL Hydrowatt Ltd. Baddi, Distt.Solan.	-	Application for the approval of Power Purchase Agreement in respect of Sarbari HEP HEP (4.50 MW)	30.07.2005	01.09.2005
15	258/05	M/s Shivathene Linopack (A Unit of M/s Shivalet Agro Poly Products Ltd.) Plot NO.1-A, Sector 3, Industrial Area, Parwanoo.	1. HPSEB. 2. AEE,ESD, Parwanoo.	Complaint against wrong, illegal & unjustified supplementary demand for Rs. 12,60,000/-	6.08.2005	12.08.05
16	268/05	Suo Motu Notice	HPSEB thro' Secretary	Reg. Contravention of section 45, 46 and 47 of the EA, 03 readwith HPERC (Security Deposit) Regulation, 05 and Regulation 4 (1) of HPERC, Gen. Conditions of Distribution Licensee) Reg.04	18.08.05	Pending

17	269/05	Suo Motu Notice	Pabber Valley Corpn. Ltd. HPSEB Vidyut Bhawan, Shimla.	Reg. Contravention of HPERC (Approval of Hydro Electric Projects in the State of HP) Direction NO.5 issued under sub-regulation (3) of Regulation 7 of HPERC (Terms and Conditions for Determination of Tariff) Regulation, 2004	18.08.05	Pending hearing
18	270/05	Suo Moto Notice	HPJVNL, HPSEB Vidyut Bhawan, Shimla	Reg. Contravention of HPERC (Approval of Hydro Electric Projects in the State of HP) Direction NO.5 issued under sub-regulation (3) of Regulation 7 of HPERC (Terms and Conditions for Determination of Tariff) Regulation, 2004	18.08.05	Pending hearing
19	277/05	M/s Hitkari Industris, Plot No.18, Sector-1, Industrial Area Parwanoo.	1.HPSEB 2. AEE, HPSEB ESD, Parwanoo	Complaint under section 142 of the EA, 03 for non compliance by the respondents of order dated 03.08.2002 passed in complaint No.3 of 2002.	25.08.2005	Pending
20	286/05	Sh.Desh Bandhu Sood, President of the Citizens Rights Protection Forum, Shimla	HPSEB	Petition under sub-regulation (2) of Regulation 4 of the HPERC (Terms and conditions for the determination of Tariff) Regulation, 2004 for a stay on the tariff order for the year 05-06	06.09.2005	09.09.2005
21	288/05	M/s Neelkanth Udyog Pvt. Ltd. Teh. Nahan, Distt. Sirmaur.	HPSEB	Petition for stay of tariff order for HPSEB for FY (2005-06) for SMS and LS category supply (including steel mills) Ltd. 29 th June, 2005.	08.09.05	09.09.2005
22	291/05	Sh.P.N.Bhardwaj, Consumer Representative, ARCADIA, Dharampur, Solan, HP.	HPSEB	Petition under HPSEB (Terms and conditions for the determination Tariff) Regulation, 2004.	08.09.05	09.09.2005
23	297/05	1. HPSEB 2. M/s Continental Intra-Tech Pvt. Ltd., 203,Meridian Plaza Ammerpet, Hyderabad-500016(AP)	-	Petition under the provisions of Section 86 (1) (b) of the EA,03, readwith the draft guidelines issued by the Commission for the approval of the Power Purchase Agreement" to be executed by the HPSEB and M/s Continental Intra-Tech Pvt. Ltd. 203, Meridian Plaza Ammerpet, Hyderabad -500016 (AP) in respect of Haripur Nallah Small Hydro Electric Project being executed in the Private Sector in the State of HP.	24.09.05	13-10-05

24	303/05	Suo Motu Notice	HPSEB thro' its Secretary, Vidyut Bhawan, Shimla-5.	Contravention of HPERC (Security Deposit) Regulations, 2005 issued on 30 th March 2005 by the HPERC under section 181 read with Section 47 of the Electricity Act, 2003	28.09.05	Pending
25	MA No.313/05 In Case No.253/05	1. HPSEB 2. MS DSL Hydrowatt Ltd.	-	Application for deletion of State Govt. guarantee	15.10.05	29.10.2005
26	MA No.314/05 In case No.130/04	1. HPSEB 2. M/s Usaka Hydro Powers Pvt. Ltd.	-	Application for deletion of State Govt. guarantee	15.10.05	5.11.2005
27	Petition No.315/05	HPSEB thro Chief Engineer (Comm)	-	Clarification petition on regulation No.HPERC/419/dt. 14.05 approved by HPERC as HPERC(Recovery of Expenditure for Supply of Electricity) Reg.05	20.10.05	31.10.2005
28	Petition n No.317/05	SUO Motu Notice	HPSEB thro' Secretary	Contravention of HPERC (Recovery of Expenditure for Supply of Electricity) Regulation,05 - Notice u/s 142 of EA, 03.	22.10.05	Pending
29	Petition No.320/05	1. HPSEB 2. M/s Ravipati Venkateshwara Rao, Hyderabad.	-	Joint petition seeking approval of PPA for Gumma-II Hydro Electric Project (2.5MW)	26.10.05	Pending
30	Petition No.321/05	1. HPSEB 2. M/s Vamshi Industrial Power Ltd., New Shimla	-	Joint petition seeking approval of PPA for Drididhar HEP (5 MW)	26.10.05	Pending
31	Petition No.322/05	1. HPSEB 2. M/s Tarini Hydro Electric Project	-	Joint petition seeking approval of PPA for Kurpan Hydro Electric Project (5 MW)	26.10.05	Pending
32	Petition No.323/05	1. HPSEB 2. M/s Excel Cars Ltd., New Delhi.	-	Joint petition seeking approval of PPA for Rakchad HEP (5 MW)	26.10.05	Pending
33	Petition No.334/05	Suo Motu Notice	HPSEB thro' Secy, Shimla.	Contravention of HPERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2005	16.11.2005	Pending
34	Petition No.336/05	M/s Tanu Alloys Products, Village and PO Gagret, Tehsil Amb, Distt. Una, HP.	1. HPSEB thro' Secy, Shimla 2. AEE, HPSEB Sub-Division Gagret, Tehsil Amb, Distt. UNA HP.	Complaint against the wrong, illegal and unjustified demand of Rs. 92,65740/- on account of expenditures for supply of Electricity and against the wrongful and illegal acts of withholding the Electricity connection in favour of the complaint/Firm. Under Section 142 of the Electricity Act, 2003 for contravention of the HPERC (Recovery of expenditures for supply of electricity), regulations, 2005.	17.11.05	09.12.2005

35	Petition No.338/05	Jaiparkash Hydro Power Limited, C-16 Sector-1, SDA Housing Colony, New Shimla – 171009.	-	Application for Determination of Tariff for Sale of Power from Baspa-II, 300 MW Hydro Power Plant located on River Baspa (tributary of River Satluj), District Kinnaur (HP), to Himachal Pradesh State Electricity Board.	21.11.05	Pending hearing
36	Petition No.340/05	HPSEB thro' Chief Engineer (Comml)	-	Petition praying for extension of time period up to 31.01.2005 for filing Tariff Petition for FY 2006-07	24.11.05	09.12.2005
37	Petition No.345/05	HPSEB thro' Chief Engineer (Comml)	-	Filing of ARR & Tariff Petition for the year 2006-07 under section 86 & 64 of the Electricity Act, 2003 and HPERC (Terms & conditions of determination of Tariff) Regulations, 2004.	30.11.2005	Pending
38	Petition No.347/05	HPSEB thro' Chief Engineer (Commercial)	-	Petition for approval of extension of energy banking arrangement with Punjab State Electricity Board for next inter-exchange cycle i.e. November, 2005 to September, 2006 and fresh banking arrangement with DTL for the period December, 2005 to August 2006 under the provision of section 86(b) of the Electricity Act, 2003 read with Regulation 27 of HPERC (Conduct of Business) Regulations and the amendment of Guidelines for load Forecasts, Resource Planning and Power Procurement issued by HPERC Notification dated 1.6.2002.	7.12.05	Closed and converted into two petitions i.e. 21/06 and 30/06 of which are pending hearing
39	Review Petition No.357/05	M/s Jala Shakti Ltd., D-411, Kanchanjunga Block Aditiya Enclave, ameerpur, Hyderabad – 500016.	1. HPSEB 2. HIMURJA, Shimla.	Review of Tariff approved in the power purchase agreement executed/to be executed between the HPSEB and the IPPs for SHEPs as a consequence to the notification with respect to mandatory release of water downstream the diversion structure	09.12.05	Pending
40	Suo Motu Notice /Case No.358/05	Suo Motu Notice	HPSEB	Contravention of directions contained in the tariff order issued on 29 th June, 2005	12.12.05	Pending

41	Petition No.359/05	M/s Ashoka Alloys Steel Ltd, R/o at Village Missarwala, Tehsil Paonta Sahib, Distt.Sirmaur, HP.	1. HPSEB thro Secy 2. AEE, HPSEB,ESD,D haula Kuna,Paonta Sahib,	Complaint under secitn 142 of the EA,03 readwith regulation 8 of HPERC	15.12.05	Pending
42	Petition No.362/05	1. HPSEB 2. M/s Growel Energy Company Ltd.	-	Application seeking approval of PPA in respect of Ani HEP (5 MW)	20.12.05	Pending
		2006				
43	Petition No.02/06	M/s Jai Jawala Steels Pvt. Ltd. Village Sansiwala, PO Barotiwala, Distt.Solan, HP.	HPSEB	Complaint under section 142 of EA,03.	04.01.06	Pending
44	Petition No.04/06	M/s Rupana Paper Mills Pvt. Ltd., 1398, 1st Floor, Sector 40-B, Chandigarh (Punjab) located at Plot No.264, Village Bir Palasi, Ropar Road, Nalagarh, Distt. Solan, HP.	HPSEB	Complaint under section 142 of EA,03.	04.01.06	Pending
45	Petition No.06/06	M/s Boarkar Packaging Pvt. Ltd., Nalagarh Road, Near Chikni River Bridge, Nalagarh, Distt Solan, HP.	HPSEB	Complaint under section 142 of EA,03.	04.01.06	Pending
46	Petition No.21/06	HPSEB		Filing of petition for approval of extension of Energy Banking Arrangement with Punjab State Electricity Board for next inter exchange cycle i.e. Nov.2005 to Sept.,06	4-2-06	Being examined by ED(TFA)
47	Petition No.22/06	Coordination Committee Palampur,through/Anand Sharma, Adv.	JHPL and another	Application for extension of time for filing objections to the tariff petition filed by JHPL.	8.2.06	Clubbed with Case No.338/05 as it was relating to that case.
48	PetitionNo.23/06	HPSEB thro Chief Engineer (Comm)	-	Review petition under section 94 (f) of EA,03, for review of impugned order dated 4.1.06	8.2.06	Pending
49	PetitionNo.26/06	HPSEB thro' Chief Engineer (Comm)	-	Review petition under section 94(f) of the EA,03 for review of impugned order dated 23.12.05	8.2.06	09.02.2006
50	Petition No.28/06	UJVNL	HPSEB	Dispute between UJVNL and HPSEB relating to payment of arrears towards energy supplies @ 35 p. w.e.f. 1.4.04 to 15.12.04. in line with Hon'ble HPERCs order on ARR of HPSEB for the FY 2004-05.	6.2.2006	Pending

51	PetitionNo.30/06	HPSEB thro' Chief Engineer (Comml)	-	Petition for approval of extension of Energy Banking Arrangement with DTL for the inter exchange cycle i.e. Dec., 05 to Aug. 2006 under the provision of section 86 (b) of EA,03	15.2.06	Pending
52	PetitionNo.31/06	HPSEB thro' Chief Engineer (Comml)	-	Petition for purchase of Energy against Govt. of HP's entitlement in liu of equity participation NJHPS through PTC during the period Nov, 2005 to March, 2006 in terms of the provision of section 86(b) of EA.	15.2.06	Being examined by ED(TFA)
53	Petition No.38/06	M/s IND SPHINX Precision Ltd. 28, Sector s-d5, Parwanoo The. Kasauli, Distt. Solan, HP	HPSEB and another	Complaint under section142 of the EA, 2003 r/w regulation4.8 (2) and 11 of HPERC (Security Deposit Reg. 2005 against the wrongful and illegal acts of withholding excess amount of Security deposit of Rs. 3,65,500/- by the respondents.	25.2.2006	Pending
54	MA No.56/06 in Comp.case No.181/04	HPSEB thro' Chief Enmgineer (Comml)	-	Tariff Order for 2005-06 and filing of ARR for FY 06-07 u/s 86 and 64 of EA, 03 - Prayer for extension of TO FY 05-06	9.3.06	Disposed of on 18.3.2006
55	PetitionNo.65/06	1.HPSEB 2. M/s Vamshi HEP Ltd, Hyderabad	-	Application for approval of PPA for Iku-II HEP (5 MW)	10.3.06	Pending
56	PetitionNo.66/06	1.HPSEB 2. M/s Vamshi HEP Ltd, Hyderabad	-	Application for approval of PPA for Upper Khauli HEP (5 MW)	10.3.06	Pending
57	PetitionNo.67/06	1.HPSEB 2. M/s Vamshi HEP Ltd, Hyderabad	-	Application for approval of PPA for Baner-III HEP (5 MW)	10.3.06	Pending

विषय सूची

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1 परिचय

हिमाचल प्रदेश विद्युत विनियामक आयोग एक वैधानिक संगठन है जिसका गठन विद्युत विनियामक आयोग अधिनियम, 1998 के अधीन 30.12.2000 को किया गया था। आयोग द्वारा 6 जनवरी, 2001 से अपना कार्य प्रारम्भ किया गया। आयोग का मुख्यालय शिमला में स्थित है।

विद्युत अधिनियम, 2003 (2003 का 36वां) के अधीन आयोग, राज्य में विद्युत क्षेत्र को विनियमित करने, विद्युत उद्योग में पारदर्शिता लाने, एतद् सम्बन्धी प्रतियोगिता को बढ़ावा देने, उपभोक्ताओं के हितों की रक्षा करने, सभी क्षेत्रों को विद्युत आपूर्ति प्रदान करने, विद्युत प्रभार को युक्तिसंगत बनाने, विद्युत उद्योग में कार्य कुशलता तथा मितव्ययता लाने तथा विद्युत उत्पादन, संचारण, वितरण तथा आपूर्ति सम्बन्धी समस्त कार्यक्लापों को वाणिज्यिक सिद्धान्तों तथा पर्यावरण हितैषी नीतियों के अनुरूप चलाना सुनिश्चित करता है।

आयोग द्वारा राज्य में विद्युत क्षेत्र को बढ़ावा देने तथा विनियमित करने के उद्देश्य से विभिन्न प्रारूप तथा अन्तिम अधिनियम तैयार किए गये हैं।

2 आयोग तथा इसका सचिवालय

1.4.2005 से 4.1.2006 की अवधि के दौरान इस एक सदस्यीय आयोग का कार्य श्री एस०एस० गुप्ता की अध्यक्षता में सम्पन्न किया गया। तत्पश्चात् 31.1.2006 को भारतीय प्रशासनिक सेवा के अधिकारी श्री योगेश खन्ना द्वारा अध्यक्ष पद ग्रहण किया गया। आयोग का निरन्तर यह प्रयास रहा है कि हिमाचल प्रदेश में निष्पक्ष, पारदर्शी तथा उद्देश्य मूलक विनियामक प्रक्रिया स्थापित की जाए। विद्युत अधिनियम 2003 की धारा 91 की उप धारा (1) के अनुरूप आयोग के सचिव द्वारा अपनी वैधानिक शक्तियों का प्रयोग करते हुए वर्ष के दौरान उन सभी कर्तव्यों का निर्वहन किया गया जिन्हें हिमाचल प्रदेश विद्युत विनियामक आयोग (कार्य सम्पादन) विनियम, 2005 के अधीन विनिर्दिष्ट किया गया था। सचिव द्वारा मानव संसाधन विकास सहित प्रशासनिक, लेखा तथा तकनीकी मामलों में भी अध्यक्ष को सहयोग दिया गया।

3 आयोग के कार्य

आयोग को विद्युत अधिनियम, 2003 के अधीन निम्नलिखित कार्य सौंपे गये हैं :-

- राज्य के अन्दर विद्युत उत्पादन, आपूर्ति, संचारण एवं व्हीलिंग हेतु थोक, बहुल या खुदरा का शुल्क निर्धारित करना। यह उपबन्धित है कि जहां धारा 42 के अधीन किसी उपभोक्ता वर्ग को खुली पहुंच की अनुमति प्रदान की गई हो ऐसी स्थिति में राज्य आयोग उपभोक्ताओं के ऐसे वर्ग के सम्बन्ध में केवल व्हीलिंग प्रभार तथा उस पर लगने वाला प्रभार, यदि कोई हो तो, का ही निर्धारण करेगा।
- राज्य के भीतर विद्युत आपूर्ति एवं वितरण हेतु उत्पादन करने वाली कम्पनियों अथवा लाईसैंसधारियों अथवा किन्हीं अन्य स्रोतों से अनुबन्ध द्वारा किस कीमत पर विद्युत प्राप्त की जाए तथा वितरण लाईसैंसधारियों सम्बन्धी विद्युत क्रय तथा प्राप्ति प्रक्रिया को विनियमित करना।
- राज्य के भीतर विद्युत संचारण तथा व्हीलिंग की सुविधाएं उपलब्ध करवाना।
- राज्य के भीतर संचारण, वितरण तथा विद्युत व्यापारियों को लाईसैंस जारी करना।
- नवीनीकृत ऊर्जा स्रोतों तथा सह उत्पादन को विकसित करने हेतु उन्हें ग्रिड से जोड़ने के लिए उपयुक्त उपाय करना, किसी व्यक्ति को बिजली बेचने, तथा इसके साथ ही ऐसे स्रोतों से बिजली क्रय करने हेतु वितरण लाईसैंसधारी के क्षेत्र में उपयोग में लाई जाने वाली कुल बिजली की प्रतिशतता निर्धारित करना।
- लाईसैंसधारियों व उत्पादक कम्पनियों के मध्य विवादों का निर्णय करना, किसी विवाद को मध्यस्थ निर्णय के लिए भेजना।
- अधिनियम के उद्देश्यों की पूर्ति हेतु शुल्क लगाना।
- धारा 79 की उप-धारा (1) के खण्ड (एच) के अन्तर्गत निर्दिष्ट ग्रिड कोड के अनुरूप राज्य ग्रिड कोड को निर्दिष्ट करना।

- लाईसैंसधारियों द्वारा प्रदान की जाने वाली सेवाओं में गुणवत्ता, निरन्तरता तथा विश्वसनीयता के मानक तय करना अथवा उन्हें लागू करना।
- यदि आवश्यक हो तो राज्य के भीतर व्यापार में व्यापारिक मार्जिन निर्धारित करना।
- ऐसे अन्य सभी कार्यों का निर्वहन करना जो इस अधिनियम के अन्तर्गत उसे सौंपे जाए।

इसके साथ ही विद्युत अधिनियम 2003 की धारा 86(2) के अधीन आयोग राज्य सरकार को निम्नलिखित समस्त अथवा किसी भी मामले में परामर्श प्रदान करेगा :-

- (i) विद्युत उद्योग की गतिविधियों में प्रतिस्पर्धा, दक्षता एवं मितव्ययता को बढ़ावा देना।
- (ii) विद्युत उद्योग में निवेश को बढ़ावा देना।
- (ii) राज्य में विद्युत उद्योग का पुर्नसंगठन तथा पुननिर्माण।
- (iv) विद्युत उत्पादन, संचारण, वितरण, व्यापार अथवा अन्य सम्बन्धित सभी मामले जो कि राज्य सरकार द्वारा आयोग को भेजे जाएं।

4 आयोग के मानव संसाधन

4.1 सामान्य

आयोग में अधिकारी/कर्मचारी वर्ग प्रायः हिमाचल प्रदेश राज्य विद्युत बोर्ड से प्रतिनियुक्ति पर लिये गये हैं जो इंजीनियरिंग, अर्थ व्यवस्था तथा वित्तीय विश्लेषण, लेखा, सूचना तकनीक तथा मानव संसाधन प्रबन्ध आदि विभिन्न कार्यशील क्षेत्रों में अपना योगदान प्रदान कर रहे हैं। इनके द्वारा आयोग की गतिविधियों के संचालन हेतु नियमित सहायता प्रदान की जा रही है। आयोग द्वारा कर्मचारी वर्ग तथा अधिकारियों के सम्बन्ध में अभी तक अन्तिम विनियम अधिसूचित नहीं किए गए हैं इस सम्बन्ध में सरकार तथा आयोग के मध्य पत्राचार चल रहा है। वर्ष के दौरान आयोग द्वारा सुरक्षा कर्मियों, कार्यालय सहायता तथा अन्य आन्तरिक कार्यों के निष्पादन हेतु वाह्य स्त्रोतों (सर्विस प्रोवाइडर) के माध्यम से जारी रखी। वर्ष के दौरान आयोग में कुल 19 कर्मचारी कार्यरत रहें तथा अधिकारियों की पर्याप्त संख्या के अभाव में आयोग द्वारा कार्य कुशलता बढ़ाने के उद्देश्य से विभिन्न क्षेत्रों में परामर्शदाताओं की सेवाएं भी ली गई।

आयोग का संगठनात्मक चार्ट परिशिष्ट-1 पर तथा कर्मचारियों की सूची परिशिष्ट-11 पर संलग्न है।

4.2 प्रशिक्षण / सम्मेलन / कार्यशालाओं तथा बैठकों में भाग लेना

आयोग के मानव संसाधन की क्षमता बढ़ाने के लिये आयोग द्वारा अपनी प्रशिक्षण आवश्यकताओं को ध्यान में रखते हुए फोरम ऑफ इंडियन रेगुलेशनस, कन्फेडरेशन ऑफ इंडियन इंडस्ट्रीज़, इंडिपेन्डेंट पॉवर प्रोड्यूसर्स एसोसिएशन ऑफ इंडिया, एडमिनिस्ट्रेटिव स्टॉफ कॉलेज ऑफ इंडिया, एस.ए.आर.आई.-यू.एस.एड, एन.टी.पी.सी. आदि संस्थानों में अपने अधिकारियों को विभिन्न सम्मेलनों / कार्यशालाओं / बैठकों / प्रशिक्षण आदि में भाग लेने हेतु भेजा गया।

4.3 कम्प्यूटरीकरण

आयोग की दिन प्रतिदिन की कार्य क्षमता बढ़ाने तथा अध्ययन के दृष्टिगत आयोग के सभी अधिकारियों तथा कर्मचारियों को कम्प्यूटर उपलब्ध करवाए गये हैं। कम्प्यूटरों को लोकल एरिया नेटवर्क (LAN) के साथ जोड़ा गया है ताकि सूचना का आदान-प्रदान प्रभावी एवं विश्वसनीय रूप से किया जा सके। आयोग को एक सर्वर, 21 डेस्कटॉप, 2 लैपटॉप, 10 प्रिंटर तथा एक प्रिंटर कम फोटोकॉपीयर कम फैक्स, 1 प्रोजेक्टर, दृश्य-श्रव्य सिस्टम तथा अन्य वाह्य हार्डवेयर एवं मानक सॉफ्टवेयर आइटमों द्वारा लैस किया गया है।

4.4 वैबसाईट

आयोग की वैबसाईट <http://www.hperc.org.in> में सांख्यिकीय आंकड़े, हिमाचल प्रदेश विद्युत नियामक अधिनियम आयोग विनियम आदि महत्वपूर्ण सूचनाएं समाविष्ट की गई हैं जिनके माध्यम से हिमाचल प्रदेश विद्युत नियामक आयोग द्वारा उपभोक्ताओं तथा अन्य लाभार्थियों के लिए आरम्भ की गई विभिन्न गतिविधियों के बारे में सुलभ जानकारी, विस्तृत प्रचार-प्रसार तथा पारदर्शिता उपलब्ध करवाई गई है। इस वेबसाईट में सूचना के अधिकार अधिनियम के अधीन दी जाने वाली सूचना को भी शामिल किया गया है।

5 वर्ष के दौरान गतिविधियां

5.1 प्रशासन

संगठनात्मक उद्देश्यों की प्रभावी प्राप्ति के उद्देश्य से आयोग में मिलकर कार्य करने की संस्कृति को बढ़ावा दिया गया है। कार्मिक, प्रशासनिक, वित्तीय तथा विधि शाखाएं आयोग के सचिव के अधीन कार्य कर रही हैं, जो आयोग के कार्यपालकों, तथा गैर कार्यपालक कर्मचारियों की भर्ती, वित्तीय सेवाएं, बजट, क्रय एवं प्रापण, अनुरक्षण एवं देख-भाल कार्मिक प्रशासन, विधि सम्बन्धी मामलों, प्रशिक्षण तथा कार्य निष्पादन मूल्यांकन जैसी संचालन सहायता के क्षेत्र में महत्वपूर्ण योगदान प्रदान कर रही है। श्री बी०एस० बक्शी द्वारा अपने निर्धारित कार्य के अतिरिक्त 27.1.2005 से 4.2.2005 तथा 16.1.2006 से 8.2.2006 की अल्पावधि के दौरान आयोग के सचिव का कार्य किया गया, जबकि, श्री महेश सरकैक, निदेशक (टेरिफ इंजीनियरिंग) द्वारा अधिक समय तक आयोग के सचिव का कार्यभार सम्भाला गया। प्रशासनिक कार्यों के निष्पादन हेतु सचिव को एक कार्मिक एवं प्रशासनिक अधिकारी, वरिष्ठ लेखा अधिकारी, दो वरिष्ठ सहायकों, एक वरिष्ठ सहायक (लेखा) एवं कैशियर द्वारा सहयोग प्रदान किया जा रहा है।

5.2 अधिकारियों/कर्मचारियों की भर्ती

वर्ष 2005-2006 के दौरान एक सिनियर स्केल स्टेनोग्राफर तथा एक जूनियर स्केल स्टेनोग्राफर के पदों को प्रतिनियुक्ति/ सैकिन्डमेंट आधार पर भरा गया। एक सेवादार को भी स्थाई तौर पर नियुक्त किया गया तथा इसके साथ ही एक अन्य सेवादार की सेवाएं नियमित की गईं।

5.3 प्रत्यावर्तन

श्री बी०एम० गौतम, स्टेनोटाईपिस्ट तथा श्री राजेश कुमार, चालक को उनके मूल विभाग में वापिस भेजा गया।

5.4 सेवानिवृत्ति

श्री एस०एस० गुप्ता, अध्यक्ष, हिमाचल प्रदेश विद्युत नियामक आयोग अपनी सेवा अवधि पूर्ण करने के उपरांत दिनांक 5.1.2006 को सेवानिवृत्त हो गये।

5.5 परामर्शदाताओं की सेवाएं

विद्युत अधिनियम, 2003 की धारा 91(4) के अधीन विनिर्मित हिमाचल प्रदेश विद्युत नियामक आयोग (परामर्शदाताओं की नियुक्ति) विनियम, 2005 के अधीन विद्युत क्रय तथा प्रापण अनुबंधों, ग्रिड कोड, लोड फोरकास्ट, वितरण एवं संचारण क्षति विश्लेषण, नेटवर्किंग तथा सर्वर प्रबन्धन एवं आयोग के विभिन्न कार्यों से सम्बन्धित तकनीकी तथा विधि मामलों में सहायता प्रदान करने के उद्देश्य से आयोग द्वारा मितव्ययता एवं उपयोगिता के दृष्टिगत तीन तकनीकी व्यक्तियों की सेवाएं रिटेनर परामर्शदाता के रूप में ली गई। इनके अतिरिक्त आयोग में प्रतिस्पर्द्धात्मक निविदाओं के आधार पर शुल्क याचिका के निर्धारण हेतु भी अन्य संस्थागत परामर्शदाताओं की सेवाएं ली गई।

5.6 उपभोक्ता प्रतिनिधि की नियुक्ति

विद्युत अधिनियम, 2003 के अधीन उपभोक्ताओं के हितों की आयोग की कार्यवाही के दौरान पैरवी करने के उद्देश्य से आयोग द्वारा पूर्व में प्राधिकृत श्री प्रेम नाथ भारद्वाज की सेवाएं उपभोक्ता प्रतिनिधि के रूप में जारी रखी गई। अपने व्यक्तिगत कारणों से श्री भारद्वाज द्वारा 5.1.2006 से उन्हें सौंपे गये दायित्वों से पदभार मुक्ति के लिए आवेदन किया गया। उन्हें आयोग द्वारा दिनांक 17.2.2006 को पदभार मुक्त किया गया तत्पश्चात् रिपोर्टाधीन अवधि के लिए किसी भी उपभोक्ता प्रतिनिधि की नियुक्ति नहीं की गई।

5.7 ओमबड्समैन की नियुक्ति

कोई भी उपभोक्ता अपनी उपभोक्ता सम्बन्धी शिकायतों का फोरम द्वारा निराकरण न किए जाने की स्थिति में हिमाचल प्रदेश विद्युत नियामक आयोग (विद्युत ओमबड्समैन) विनियम, 2004 के अधीन नियुक्त विद्युत ओमबड्समैन के समक्ष अपना प्रतिवेदन प्रस्तुत कर सकता है। उपरोक्त विनियमों के अधीन जम्मू एवं काश्मीर संवर्ग के (सेवानिवृत्त) भारतीय प्रशासनिक सेवा के अधिकारी श्री एन०आर० गुप्ता द्वारा ओमबड्समैन के कार्यों का निर्वहन किया गया।

5.8 पुस्तकालय

अप्रैल, 2005 से मार्च, 2006 की अवधि के दौरान निम्नमिलिखि पुस्तकें तथा जर्नल आदि खरीदे गये तथा उन्हें पुस्तकालय में रखा गया :-

(1) पुस्तकें

क्र० सं०	पुस्तक का नाम	संख्या	राशि (रु०)
	ए.आई.आर. लॉ मैनुअल (वार्षिक चन्दा 2005)	12	3420.00
2	प्राइवाइटाइजिंग पॉवर कटस् (फरवरी, 2005)	01	795.00
3	राइट टू इन्फोरमेशन एक्ट, 2005	03	135.00
4	विद्युत अधिनियम, 2003	03	285.00

(II) जर्नल

क्र०सं०	पुस्तक का नाम	राशि
1	टी.ई.आई. रेगुलेटरी (वार्षिक चन्दा 1 जनवरी, 2004 से 31 दिसम्बर, 2005)	725.00
2	इन्टरनेशनल जर्नल ऑफ रेगुलेशन एण्ड गर्वनेन्स (आई.जे.आर.जे.) वार्षिक चन्दा (जनवरी, 2004 से दिसम्बर, 2005)	1800.00

(III) समाचार पत्र कतरन सेवा

राज्य के अन्दर तथा बाहर विद्युत क्षेत्र में होने वाली अद्यतन गतिविधियों की आयोग को समयक जानकारी प्रदान करने के उद्देश्य से कार्यालय में दैनिक समाचार पत्र कतरन सेवा आरम्भ की गई है। इन्हें आयोग के अवलोकनार्थ एवं उपयुक्त कार्यवाही हेतु प्रस्तुत किया जाता है।

5.9 संसद/विधान सभा प्रश्न/अतिविशिष्ट व्यक्ति संदर्भ

संसद/विधान सभा प्रश्न तथा अतिविशिष्ट व्यक्तियों से प्राप्त संदर्भों का प्राथमिकता के आधार पर निपटान किया गया। प्रश्नों तथा अद्यतन जानकारी पर भी तुरंत ध्यान दिया गया है। अतिविशिष्ट व्यक्तियों, भारत सरकार तथा हिमाचल प्रदेश सरकार तथा केन्द्रीय विद्युत विनियामक आयोग से प्राप्त संदर्भों पर प्राथमिकता के आधार पर कार्यवाही की गई है जिसके परिणाम स्वरूप उन संस्थाओं के साथ कारगर संवाद स्थापित हुआ है।

5.10 सूचना का अधिकार अधिनियम, 2005 का कार्यान्वयन

सूचना का अधिकार अधिनियम, 2005 के अधीन आयोग द्वारा श्रीमती रमा महाजन, वरिष्ठ सहायक को सहायक लोक सूचना अधिकारी, श्री जे०एस० रेटका कार्मिक एवं प्रशासनिक अधिकारी को लोक सूचना अधिकारी तथा आयोग के सचिव को अपीलीय प्राधिकारी नियुक्त किया गया है। अधिनियम की धारा 4 की उप धारा (1) (ख) के अनुरूप आयोग द्वारा अपनी दिनांक 4.1.2006 की अधिसूचना के तहत आयोग के रिकार्ड तथा अन्य गतिविधियों को अपनी वेबसाईट में प्रकाशित किया गया है।

6 राज्य आयोग उच्च न्यायालय, उच्चतम न्यायालय तथा विद्युत सम्बन्धी न्यायाधिकरण द्वारा विवादों का अधिनिर्णय

6.1 राज्य आयोग के समक्ष मामले:-

आयोग में याचिकाओं, उत्तरों, प्रति-प्रत्युत्तरों तथा आपत्तियों को रिटेनर परामर्शदाताओं की सहायता से आयोग के अधिकारियों तथा कर्मचारियों द्वारा परीक्षण तथा छान-बीन की जाती है। वित्त वर्ष 2005-06 के दौरान आयोग द्वारा विद्युत अधिनियम 2003 के अधीन विभिन्न याचिकादाताओं तथा लाभार्थियों से 57 याचिकाएं प्राप्त हुई जिनमें से 25 याचिकाओं का निर्णय द्वारा निपटारा किया गया। 32 याचिकाएं अन्तिम निर्णय हेतु लम्बित पड़ी है जिनका विवरण परिशिष्ट V पर दिया गया है।

6.2 माननीय उच्च न्यायालय/विद्युत अपील न्यायाधिकरण, नई दिल्ली तथा उच्चतम न्यायालय के समक्ष मामले:

आयोग के विधि प्रभाग द्वारा कानूनी नोटिसों, कारण बताओ नोटिसों तथा परिपत्रों आदि की जांच की जाती है। इसके द्वारा विभिन्न विनियमों को तैयार करने तथा उन्हें अन्तिम रूप देने में भी आयोग की सहायता की जाती है। इस अनुभाग द्वारा उच्च न्यायालय, उच्चतम न्यायालय तथा अपील न्यायाधिकरण में दायर की जाने वाली याचिकाओं तथा शपथ पत्र तैयार करने में कानूनी सलाहकारों के साथ सम्पर्क स्थापित किया जाता है तथा साथ में यह आयोग को लम्बित मामलों की अद्यतन स्थिति से भी अवगत करवाता है। वर्ष के दौरान श्रीमती त्रिशा शर्मा तथा नरेश सूद की सेवाएं न्यायालयों/प्रशासनिक ट्रिब्यूनल में चल रहे मुकदमों में पैरवी करने के लिए स्टैंडिंग कॉउंसल-कम विधि परामर्शदाता के रूप में रिटेनरशिप

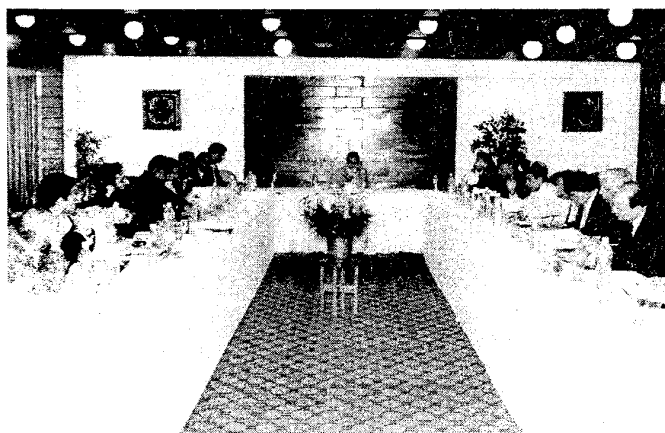
फीस के आधार पर ली गई थी। श्री राजीव शर्मा वरिष्ठ एडवोकेट की सेवाएं भी माननीय उच्च न्यायालय हिमाचल प्रदेश में चल रहे विभिन्न मुकदमों में आयोग का पक्ष रखने के लिए ली गई थी। इसके साथ ही उच्चतम न्यायालय तथा विद्युत अपील न्यायाधिकरण, नई दिल्ली में चल रहे मामलों, अपीलों तथा स्पेशल लीव पिटिशनों के सम्बन्ध में आयोग का पक्ष प्रस्तुत करने तथा उनकी पैरवी हेतु श्री रंजीत कुमार, श्री मुकुल रसतोगी, श्री राकेश कुमार खन्ना, वरिष्ठ एडवोकेट, श्रीमती बीनू ताम्टा तथा संजय सेन एडवोकेटों की सेवाएं भी ली गईं। 31.3.2006 तक 47 आदेशों/विनियमों को उपभोक्ताओं तथा अन्य लाभार्थियों द्वारा विभिन्न न्यायालयों में चुनौती दी गई जिनमें से 39 मामले उच्च न्यायालय तथा चार-चार मामले उच्चतम न्यायालय तथा विद्युत अपील न्यायाधिकरण नई दिल्ली में दायर किए गये।

वर्ष के दौरान आयोग के आदेशों से सम्बन्धित एक महत्वपूर्ण मामला आयोग के अनुपालन मामला संख्या 1504 रहा जिसके तहत बोर्ड द्वारा लारजी जल विद्युत परियोजना पूर्ण करने में लिया गया अधिक समय तथा उच्च लागत की छान-बीन करने हेतु दो सदस्यीय समिति गठित करना था। आयोग के आदेशों के खिलाफ हिमाचल प्रदेश राज्य विद्युत बोर्ड द्वारा माननीय उच्च न्यायालय में सिविल याचिका संख्या 250/05 दायर की गई तथा उच्च न्यायालय द्वारा अपने अन्तरिम आदेश दिनांक 20.7.2005 में आयोग के आदेशों के उन भागों के कार्यान्वयन पर रोक लगा दी गई जिन्हें लागू नहीं किया गया था अथवा जो प्रभावी नहीं थे। माननीय उच्च न्यायालय द्वारा पारित उपरोक्त अन्तरिम आदेशों के विरुद्ध आयोग द्वारा उच्चतम न्यायालय में सितम्बर, 2005 को सिविल अपील संख्या: 7229 (2005 की) (2005 की स्पेशल लीव पिटिशन संख्या 1957, से सम्बद्ध) दायर की। शीर्ष न्यायालय द्वारा 5 सितम्बर 2005 को इस विशेष सिविल याचिका को स्वीकार करते हुए निर्देश दिये कि, क्योंकि विद्युत अपील न्यायाधिकरण का गठन किया जा चुका है तथा इस द्वारा अपना कार्य भी आरम्भ किया जा चुका है अतः बोर्ड को 6 सप्ताह के भीतर मामला विद्युत अपील न्यायाधिकरण के समक्ष प्रस्तुत करना होगा इसके साथ ही उच्च न्यायालय में दायर याचिका खारिज की गई ताकि बोर्ड को विद्युत अपील न्यायाधिकरण के समक्ष वैधानिका रूप में अपील दायर करने का अवसर मिल सके।

हिमाचल प्रदेश राज्य विद्युत बोर्ड द्वारा न्यायाधिकार उपाय के रूप में माननीय उच्च न्यायालय में याचिका दायर कर आयोग के बहुत से आदेशों के विरुद्ध एड-इन्टेरिम स्टे आदेश प्राप्त किए। माननीय उच्च न्यायालय द्वारा सिविल याचिका संख्या 322/2005 तथा 61/2004 के सम्बन्ध में दिनांक 19.4.2005 तथा 12.4.2005 को जारी आदेशों के विरुद्ध माननीय उच्चतम न्यायालय में स्पेशल लीव पेटिशन संख्या 1114 तथा 11116 (2005 की) दायर की। माननीय उच्चतम न्यायालय द्वारा इनकी सुनवाई के पश्चात् राज्य के उच्च न्यायालय को आदेश दिए कि विद्युत उपभोक्ताओं के व्यापक सार्वजनिक हित को ध्यान में रखते हुए वह अधिक से अधिक तीन मास के भीतर अपना निर्णय दें। शीर्ष न्यायालय के निर्देशों के दृष्टिगत माननीय उच्च न्यायालय द्वारा उसके समक्ष लम्बित सिविल याचिकाओं पर तुरन्त सुनवाई आरम्भ की गई।

7 राज्य सलाहकार समिति

विद्युत अधिनियम, 2003 की धारा 87 व 88 में यह प्रावधान किया गया है कि राज्य परामर्श समिति के नाम से अभिहित एक समिति का गठन किया जाए जो आयोग को लाईसैंसधारी द्वारा प्रदान की जाने वाली सेवाओं की गुणवत्ता, निरन्तरता तथा मात्रा से सम्बन्धित नीति के मुख्य प्रश्नों, लाईसैंसधारी द्वारा लाईसैंस की अपेक्षाओं के अनुरूप कार्य करने, उपभोक्ताओं के हितों की रक्षा तथा विद्युत आपूर्ति तथा उपयोग के सम्बन्ध में समग्र मानक तय करने के बारे अपना परामर्श देगी। आयोग द्वारा दिनांक 18 जून, 2003 को जारी अधिसूचना के अधीन राज्य परामर्श समिति का पुनर्गठन किया गया। राज्य आयोग के अध्यक्ष इस समिति के पदेन अध्यक्ष के रूप में कार्य कर रहे हैं तथा आयोग के सचिव समिति के कार्य संचालन प्रभारी हैं। वर्ष के दौरान श्री आर०एस०एस० चौहान, पूर्व अध्यक्ष, हिमाचल प्रदेश राज्य विद्युत बोर्ड द्वारा व्यक्तिगत कारणों से राज्य सलाहकार समिति की सदस्यता से त्यागपत्र दिया गया। समिति का गठन (31.03.2006 को) परिशिष्ट-III पर दर्शाया गया है।



राज्य सलाहकार समिति की बैठक

राज्य सलाहकार समिति की पांचवीं बैठक दिनांक 4 अक्टूबर, 2005 को शिमला में आयोजित की गई थी। बैठक की कार्यवाही परिशिष्ट--IV पर संलग्न है।

8 वित्त एवं लेखा

8.1 वित्त

वर्ष 2005-06 के लिए आयोग को प्रारम्भ में 73.38 लाख रुपये का बजट आवंटित किया गया था। मार्च, 2006 में 80.00 लाख रुपये का अतिरिक्त बजट स्वीकृत किया गया ताकि हिमाचल प्रदेश सरकार द्वारा नियुक्त किए जाने वाले सदस्यों के कार्यालय पर होने वाले व्यय की पूर्ति की जा सके। 153.38 लाख रुपये के कुल बजट में से आयोग द्वारा मात्र 61.70 लाख रुपये व्यय किए गये।

निम्नलिखित तालिका में मुख्यशीर्ष के अधीन स्वीकृत बजट तथा वास्तविक व्यय का विवरण दिया गया है :-

ट्रेजरी के माध्यम से व्यय

(रुपये लाख में)			
मुख्य व्यय शीर्ष	स्वीकृत बजट	व्यय	बचत
वेतन एवं भत्ते	96.73	52.66	44.07
अन्य स्थापना व्यय	2.24	0.24	2.00
यात्रा व्यय	5.13	0.05	5.08
किराया, दरें एवं कर	5.00	0.80	4.20

कार्यालय सम्बन्धी अन्य व्यय	38.28	7.95	30.33
व्यवसायिक एवं परामर्श सम्बन्धी व्यय	6.00	0.00	6.00
योग	153.38	61.70	91.68

व्यय में बचत का मुख्य कारण ट्रेजरी द्वारा विभिन्न एस. ओ. ई. के अधीन आयोग के बिलों को पारित नहीं करना, कर्मचारी विनियम का अनुमोदन न होना, कर्मचारी वर्ग तथा सदस्यों की नियुक्त न होना रहा। उपरोक्त एस. ओ. ई. के अतिरिक्त 53.36 लाख रुपये का व्यय आयोग के बैंक खाते से किया गया। इस प्रकार वर्ष 2005-06 के दौरान कुल 115.06 लाख रुपये का व्यय हुआ। ट्रेजरी तथा बैंक के माध्यम से किए गये व्यय का विवरण नीचे दी गई तालिका में दर्शाया गया है :

वर्ष 2005-06 के दौरान आयोग का कुल व्यय

(रुपये लाख में)

मुख्य व्यय शीर्ष	बैंक के माध्यम से व्यय	ट्रेजरी के माध्यम से व्यय	वर्ष 2005-06 के दौरान कुल व्यय
वेतन एवं भत्ते	2.51	52.66	55.17
अन्य स्थापना व्यय	1.22	0.24	1.46
यात्रा व्यय	1.46	0.05	1.51
किराया, दरें एवं कर	8.71	0.80	9.51
अन्य कार्यालय व्यय	31.64	7.95	39.51
व्यवसायिक एवं परामर्श सम्बन्धी व्यय	7.82	0.00	7.82
योग	53.36	61.70	115.06

8.2 आयोग की प्राप्तियां

वर्ष 2005-06 के दौरान 176.09 लाख रुपये की राशि शुल्क, दण्ड तथा प्रभार के रूप में प्राप्त हुई जिसे आयोग के बैंक खाते में जमा करवाया गया जिसे विद्युत अधिनियम की धारा 103 के अधीन निधि के नियमों की अनुमति प्राप्त न होने तक संचालित किया जा रहा है। सरकार द्वारा ई. आर.सी. निधि नियमों के अनुमोदन होने तक बैंक लेखा संचालित करने की

अनुमति प्रदान की गई है। राज्य सरकार द्वारा निधि सम्बन्धी नियमों का अनुमोदन अग्रिम स्थिति में है तथा इनका अनुमोदन शीघ्र प्राप्त होने की आशा है।

8.3 राज्य आयोग के लेखे तथा लेखा परीक्षा:

आयोग की वर्ष 2004-05 की लेखा परीक्षा मार्च, 2005 के दौरान भारत सरकार के लेखा नियंत्रक तथा महालेखाकार के लेखा परीक्षा दल द्वारा की गई। लेखा परीक्षा दल द्वारा वित्त वर्ष 2005-06 की लेखा परीक्षा रिपोर्ट अभी तक प्रस्तुत नहीं की गई है। अतः बकाया पैरों की स्थिति यथावत रही जिनका विवरण नीचे दिया जा रहा है:

बकाया पैरों का विवरण

वर्ष	पुराने तथा नये पैरों की संख्या	वर्ष 2005-06 तक निपटाये गये पैरे	बकाया पैरों की संख्या
2000-02	7	3	4
2002-03	8	7	1
2003-04	8	7	1
योग	23	17	6

8.4 आयोग के लेखों को विधान सभा में प्रस्तुत करना:

विधुत अधिनियम की धारा 104(4) के अधीन आयोग के लेखे विधान सभा में प्रस्तुत किए जाने अनिवार्य है। आयोग के वर्ष 2001-02 से 2005-06 तक के लेखे विधान सभा में प्रस्तुत नहीं किए जा सके क्योंकि एतद् सम्बन्धी प्रपत्र को हिमाचल प्रदेश सरकार द्वारा अन्तिम रूप नहीं दिया गया तथापि आयोग द्वारा अधिक्य तथा समर्पण विवरण सहित प्रति वर्ष विवरण बजट हेतु राज्य सरकार को भेजा जाता है।

9 तकनीकी/विनियामक/टैरिफ मामले

9.1 तकनीकी विश्लेषण (टी.ए.) प्रभाग

तकनीकी विश्लेषण प्रभाग कार्यकारी निदेशक (टी.ए.) के अधीन कार्य कर रहा है। तकनीकी विश्लेषण प्रभाग लागत आवंटन तथा रेट डिजाइन प्रपोजल तैयार करने तथा उनकी संवीक्षा करने, संचारण एवं वितरण क्षति का आंकलन तथा विश्लेषण, तकनीकी निष्पादन तथा सेवा मानकों का मूल्यांकन, लोड फोरकास्ट, विद्युत क्रय अनुबंधों, ग्रिडकोड, वितरण कोड, आपूर्ति कोड से सम्बन्धित कार्य करता है। प्रभाग को विद्युत अधिनियम, 2003 की धारा 181 के अधीन आयोग द्वारा निर्मित किए जाने वाले सभी विनियमों को तैयार करने का दायित्व सौंपा गया है। उपरोक्त के अतिरिक्त यह प्रभाग आई.टी. अनुभाग का कार्य भी देखता है। आई.टी. अनुभाग सिस्टम प्रशासन, डिजाइन, हिमाचल प्रदेश विद्युत नियामक आयोग की वेबसाइट के विकास, इसे अद्यतन बनाने, कम्प्यूटर हार्डवेयर तथा सॉफ्टवेयर का रख-रखाव, न्यायालय सम्बन्धी कार्यवाही हेतु आडियो विडियो रिकार्डिंग सिस्टम को कम्प्यूटरीकृत करना, नियमित बैकअप, दस्तावेजों का सम्पादन तथा मुद्रण, कम्प्यूटर प्रशिक्षण, इन्टरनेट से सूचना प्राप्त कर उसे डाउन लोड करना, कार्यालय के लिए नवीन आई.टी. आवश्यकताओं का मूल्यांकन तथा प्रस्ताव, आयोग के अन्दर नेटवर्किंग तथा इन्टरनेट संचालित करने सम्बन्धी कार्य करता है। वर्ष के दौरान प्रभाग द्वारा निम्नलिखित कार्य किए गये :

9.2 विनियम बनाना

विद्युत अधिनियम, 2003 की धारा 181 के अधीन राज्य में विद्युत क्षेत्र के विनियमन हेतु संस्थागत तथा विधिक ढांचा उपलब्ध करवाने के उद्देश्य से वर्ष 2005-2006 के दौरान आयोग द्वारा निम्नलिखित विनियम जारी किए गए :-

हि.प्र.वि.वि.आ. (वितरण एवं संचारण लाईसैंसधारी द्वारा अन्य व्यापार से प्राप्त आय का निरूपण) विनियम, 2005

हिमाचल प्रदेश राजपत्र में 2.12.2005 को अधिसूचित इन विनियमों में किसी भी वितरण एवं संचारण लाईसैंसधारी को किसी अन्य व्यापार के सम्बन्ध में लेखों के वियोजन तथा वित्तीय प्रभावों आदि के बारे में आयोग को पूर्व सूचना देने का प्रावधान किया गया है।

हि.प्र.वि.वि.आ. (शुल्क दाखिल करने सम्बन्धी मार्गदर्शन तथा फोर्मेट) विनियम, 2005

हिमाचल प्रदेश राजपत्र में दिनांक 03.11.2005 को अधिसूचित इन विनियमों द्वारा हि.प्र.वि.वि.आ. (शुल्क दाखिल करने सम्बन्धी मार्गदर्शन तथा फोर्मेट) विनियम 2001 को निरस्त किया गया तथा इसके अधीन किसी भी लाईसैंसधारी द्वारा शुल्क दाखिल करने की संशोधित प्रक्रिया तथा एतद् सम्बन्धी फोर्मेट का उल्लेख किया गया है।

हि.प्र.वि.वि.आ. (वितरण लाईसैंसधारी द्वारा प्रदान की जाने वाली सेवाओं के मानक) विनियम, 2005

ये विनियम दिनांक 03.11.2005 को हिमाचल प्रदेश राजपत्र में अधिसूचित किए गये थे। इन विनियमों में किसी लाईसैंसधारी द्वारा उपभोक्ताओं को प्रदान की जाने वाली सेवाओं के मानक तथा इन मानकों को पूरा न करने की स्थिति में उस द्वारा अदा की जाने वाली क्षतिपूर्ति का विवरण दिया गया है।

हि.प्र.वि.वि.आ. (परामर्शदाताओं की नियुक्ति) विनियम, 2005

हिमाचल प्रदेश राजपत्र में दिनांक 28.7.2005 को अधिसूचित इन विनियमों के द्वारा हि.प्र.वि.वि.आ. (परामर्शदाताओं की नियुक्ति) विनियम, 2001 निरस्त किया गया तथा इनमें आयोग के परामर्शदाताओं की नियुक्ति सम्बन्धी संशोधित प्रक्रिया तथा उन्हें अदा किए जाने वाले पारिश्रमिक का उल्लेख किया गया है।

हि.प्र.वि.वि.आ. (खुली पहुँच) विनियम, 2005

य विनियम हिमाचल प्रदेश राजपत्र में 03.6.2005 को अधिसूचित किए गये थे। इसके अन्तर्गत उपभोक्ताओं को संचारण एवं वितरण के क्षेत्र में दीर्घ कालिक तथा लघुकालिक खुली पहुँच की शर्तें विनिर्दिष्ट की गई हैं।

हि.प्र.वि.वि.आ. (विद्युत आपूर्ति हेतु व्यय की बसूली) विनियम, 2005

हिमाचल प्रदेश राजपत्र में दिनांक 04.04.2005 को अधिसूचित इन विनियमों में उपभोक्ताओं को लो-टेन्शन, हाई-टेन्शन तथा एक्सट्रा हाई टेन्शन से विद्युत आपूर्ति किए जाने के एवज में की जाने वाली उचित बसूली का प्रावधान किया गया है।

हि.प्र.वि.वि.आ. (हिमाचल प्रदेश राज्य में जल विद्युत परियोजना के अनुमोदन हेतु दिशा निर्देश) 2005

हिमाचल प्रदेश राजपत्र में दिनांक 08.04.2005 को अधिसूचित इन दिशा निर्देशों में हिमाचल प्रदेश राज्य में स्थापित किए जाने वाली नई जल विद्युत परियोजनाओं के सम्बन्ध में आयोग से प्राप्त किए जाने वाले अनुमोदन के प्रावधानों तथा प्रक्रिया का उल्लेख किया गया है।

9.3 स्पष्टीकरण आदेश

बोर्ड द्वारा प्रस्तुत प्रतिवेदन के दृष्टिगत आयोग द्वारा विनियमों के स्पष्टीकरण हेतु निम्नलिखित आदेश जारी किए गये :-

हि.प्र.वि.वि.आ. (प्रतिभूति राशि (कठिनाईयों का निराकरण)
(प्रथम आदेश) 2005 दिनांक 11.10.2005 को अधिसूचित

हि.प्र.वि.वि.आ. व्यय की बसूली सम्बन्धी स्पष्टीकरण आदेश 31.10.2005 को अधिसूचित

9.4 विनियमों का संशोधन

विनियम बनाने के अतिरिक्त आयोग द्वारा पूर्व अधिसूचित विनियमों में कई संशोधन भी किए गये। वर्ष 2005-06 के दौरान निम्नलिखित संशोधन विनियम अधिसूचित किए गये :-

हि.प्र.वि.वि.आ. (विद्युत आपूर्ति हेतु व्यय की बसूली)
(प्रथम संशोधन) 2005, 15.12.2005 को जारी

हि.प्र.वि.वि.आ. (उपभोक्ताओं की शिकायत निवारण हेतु फोरम स्थापित करने सम्बन्धी दिशानिर्देश) विनियम, 2005,
30.12.2005 को जारी

हि.प्र.वि.वि.आ. (विद्युत ओमबड्समैन) (द्वितीय संशोधन) विनियम, 2005
20.12.2005 को जारी

9.5 हिमाचल प्रदेश विद्युत ग्रिड, वितरण, आपूर्ति कोडों तथा मानकों को अन्तिम रूप देना:

विद्युत अधिनियम, 2003 में यह प्रावधान किया गया है कि राज्य विद्युत ग्रिड कोड केन्द्रीय विद्युत विनियामक आयोग (सी.ई.आर.सी.) द्वारा निर्धारित ग्रिड कोड के अनुरूप होना चाहिए। सी.ई.आर.सी. द्वारा वित्त वर्ष 2006 के अन्तिम भाग में ग्रिड कोड अधिसूचित किया गया था। हिमाचल प्रदेश विद्युत ग्रिड कोड, वितरण कोड तथा आपूर्ति कोड के प्रारूप तैयार किए जा रहे हैं। वितरण लाईसेंसधारियों द्वारा अपनाए जाने वाले निष्पादन मानक अधिसूचित किए जा चुके हैं।

9.6 संचारण एवं वितरण क्षति अध्ययन:

आयोग द्वारा वर्ष 2001-02 के अपने शुल्क आदेश में हिमाचल प्रदेश राज्य विद्युत बोर्ड को निर्देश दिए गये थे कि वह विभिन्न बोलटेज स्तरों, तथा विभिन्न उपभोक्ता वर्ग के मध्य होने वाली संचारण एवं वितरण क्षति के वास्तविक तथा पूर्ण आंकड़ों तथा तकनीकी व गैर तकनीकी घाटों के विवरणों के अध्ययन हेतु सलाहकार नियुक्त करें। दुर्भाग्यवश इस बारे में बोर्ड की अनुकूल प्रतिक्रिया न होने के कारण आयोग को बोर्ड की लागत पर उपरोक्त अध्ययन हेतु स्वयं सलाहकार नियुक्त करने पड़े। संचारण एवं वितरण घाटों के अध्ययन का अनुबन्ध मैसर्स के०एल०जी० सिस्टल, नई दिल्ली को दिया गया।

9.7 लोड फोरकास्ट, संसाधन योजना तथा ऊर्जा प्रापण प्रक्रिया:

हिमाचल प्रदेश राज्य विद्युत बोर्ड द्वारा वार्षिक लोड फोरकास्ट तथा अर्द्धवार्षिक संसाधन योजना एवं ऊर्जा प्रापण, संचारण एवं वितरण योजना आयोग की समीक्षा हेतु न भेजे जाने के कारण मामला न्यायिक स्तर पर उठाया गया जिसके परिणाम स्वरूप तत्पश्चात् बोर्ड द्वारा प्रस्तुत किए गये वांछित लोड फोरकास्ट तथा योजना व स्कीमों की आयोग द्वारा समय-समय पर समीक्षा की जा रही है।

9.8 तकनीकी तथा वित्तीय विश्लेषण (टी.एफ.ए.) प्रभाग:

तकनीकी तथा वित्तीय विश्लेषण प्रभाग श्री बी०एस० बक्शी कार्यकारी निदेशक (टी.एफ.ए.) के अधीन कार्य कर रहा है। श्री महेश सरकैक द्वारा निदेशक शुल्क इंजीनियरिंग के रूप में कार्य किया गया। यह प्रभाग विद्युत उत्पादन/संचारण एवं वितरण, ऊर्जा क्रय अनुबन्धों की जांच, दीर्घ कालिक टेरीफ सैंटिंग योजना, शुल्क प्रक्रिया हेतु पर्याप्त वित्तीय एवं आर्थिक निवेश, वाणिज्यिक एवं वित्तीय मानक लागू करना, वित्तीय निष्पादन की समीक्षा तथा अनुपालन रिपोर्ट तैयार करने के अतिरिक्त वित्तीय जांच-पड़ताल तथा विद्युत उपयोग समीक्षा के लिए उत्तरदायी है। यह तकनीकी समीक्षा प्रभाग के साथ भी परस्पर विचार-विमर्श करता है। आयोग की सभी कार्यवाहियों में भाग लेना तथा उपयोग के विकास तथा समस्त अन्वेषण की समीक्षा तथा अनुमोदन में सहायता करना भी इसका कार्य है। यह प्रभाग आयोग के उपभोक्ता मामलों सम्बन्धी कार्य की देखभाल भी करता है।

9.9 विद्युत क्रय अनुबन्धों की समीक्षा तथा अनुमोदन:

वर्ष 2005-06 के दौरान आयोग द्वारा प्राप्त विद्युत क्रय अनुबन्धों तथा उन पर की गई कार्यवाही का विवरण नीचे दिया गया है :-

क्र. सं.	डवेलपर का नाम	परियोजना का नाम	संस्थापित क्षमता मे.वा. में	जिले का नाम जिसमें स्थित है।	हि.प्र.वि.वि.आ. द्वारा की गई कार्यवाही
1	सेची	डी.एल.आई. पॉवर (इंडिया) लिमिटेड मुम्बई	4.5	कुल्लू	कुछेकसंशोधनों सहित सहमति प्रदान की गई
2	तोस	साई इंजीनियरिंग फाऊंडेशन न्यू शिमला	5	कुल्लू	--यथो0--
3	शारण	फोर सीजन मार्किटिंग प्रा० लिमिटेड, नई दिल्ली	2.6	कुल्लू	--यथो0--
4	सरवरी	डी.एल.एस. हाईड्रोवॉट लिमिटेड कोलकता	4.5	कुल्लू	--यथो0--
5	हरिपुर नाला	कान्तीनेनटल इन्टरा टैक प्रा० लिमिटेड हैदराबाद	1.5	कुल्लू	--यथो0--

वित्त वर्ष 2005-06 के दौरान आयोग द्वारा 5 पी.पी.ए. को स्वीकृति प्रदान की गई जिनकी कुल संस्थापित क्षमता 18.1 मैगावाट है।

9.10 उत्तरांचल जल विद्युत निगम लिमिटेड देहरादून द्वारा दायर शुल्क याचिका:

उत्तरांचल जल विद्युत निगम लिमिटेड (यू.जे.वी.एन.एल.) द्वारा विद्युत अधिनियम, 2003 की धारा 64, 62 तथा 86 के अधीन वर्ष 2004-05 के लिए पांच जल विद्युत स्टेशनों अर्थात् चिबरो, खोडरी, धकरानी, धालीपुर तथा कुलहाल से राज्यों को दी जाने वाली विद्युत आपूर्ति के तहत हिमाचल प्रदेश को दी जाने वाली बिजली के सम्बन्ध में शुल्क निर्धारण हेतु याचिका दायर की गई थी।

आयोग द्वारा सार्वजनिक सुनवाई प्रक्रिया अपनाने के पश्चात् दिनांक 25.5.2005 को एक अन्तरिम आदेश जारी किया गया जिसमें यू.जे.वी.एन.एल. को निदेश दिए गये कि मामले के अन्तिम निर्णय होने तक वह हिमाचल प्रदेश राज्य विद्युत बोर्ड को 37 पैसे प्रति युनिट अस्थाई दर से बिल दें।

9.11 वित्त वर्ष 2005-06 के लिए शुल्क आदेश:

आयोग द्वारा दिनांक 29.10.2001 को प्रथम शुल्क आदेश जारी किया गया था। उसके पश्चात् हिमाचल प्रदेश राज्य विद्युत बोर्ड द्वारा वर्ष 2002 तथा 2003 में कोई भी याचिका दायर नहीं की गई। आयोग द्वारा दिनांक 2.7.2004 को दूसरा शुल्क आदेश जारी किया जिसकी अवधि 30.6.2005 को समाप्त हो गई। 29 जून, 2005 को आयोग द्वारा वर्ष 2005-06 के लिए तीसरा शुल्क आदेश जारी किया गया। तीसरे शुल्क आदेश की सबसे महत्वपूर्ण विशेषता यह है कि इसमें आयोग के दूसरे शुल्क आदेश की अवधारणा को जारी रखा गया है। आयोग को बोर्ड द्वारा अपर्याप्त आंकड़े भेजे जाने के बावजूद आयोग द्वारा आपूर्ति लागत निर्धारित करने की प्रक्रिया में और अधिक सुधार लाया गया।

9.12 वर्ष 2005-06 के शुल्क आदेश की मुख्य विशेषताएं:

वर्ष 2005-06 के शुल्क आदेश की मुख्य विशेषताएं निम्नलिखित थी :-

(i) संचालन वृत्तों के पुनर्गठन, प्रशिक्षण अकादमी स्थापित करने, अधिकारियों/कर्मचारियों की नियुक्ति तथा स्थानान्तरण हेतु युक्तिपरक नीति तथा विद्युत उत्पादन में बढ़ोतरी हेतु उपभोक्ताओं के विद्युत बिल पर 5 प्रतिशत सुधार प्रभार लगा कर प्रोत्साहन राशि एकत्र करने के (पहले वर्ष में कुल मिलाकर 50 करोड़ रुपये) जारी किए गये। अगले दस वर्षों के दौरान अन्य मील पत्थर स्थापित करने के उद्देश्य से अतिरिक्त प्रोत्साहन प्रदान किए गये। बोर्ड द्वारा परामर्श निर्देशों की अनुपालना में असमर्थता व्यक्त करने के परिणाम स्वरूप यह सुधार अधिभार वापिस लिया गया।

(ii) 01.04.2005 से सी.एस., एन.डी.एन.सी.एस., एस.एम.एस. तथा बी.एस. वर्गों पर लागू द्विपक्षीय के.बी.ए.एच. शुल्क, कृषि तथा अन्य अस्थाई वर्ग पर भी लागू किया गया। विद्युत अधिनियम तथा आयोग की शुल्क नीति के अनुरूप क्रॉस-सब्सिडि में भी और कमी की गई।

(iii) राष्ट्रीय विद्युत नीति के अनुरूप अन्तोदय वर्ग के उपभोक्ताओं को भी गरीबी रेखा से नीचे रहने वाले परिवारों (बी.पी.एल.) की भांति ही 45 युनिट प्रतिमास खपत तक लाभ प्रदान किया गया, तथा इनका टैरिफ औसत लागत का 50 प्रतिशत तक निर्धारित किया गया।

(iv) रात्रि के समय छूट का लाभ उठाने की अवधि को भी 9 घंटे यानि 21.00 बजे से 06.00 बजे तक बढ़ाया गया।

(v) प्रिपेड मीटरिंग अवधारणा : बोर्ड को निर्देश दिए गये थे कि वह शिमला, धर्मशाला तथा मंडी में 6 मास की अवधि के लिए लगभग 250 मीटर स्थापित करने सम्बन्धी पाईलट परियोजना आरम्भ करे। प्रिपेड मीटरों का प्रयोग करने वाले उपभोक्ताओं को विशेष आरम्भिक शुल्क अदा करने का प्रस्ताव किया गया था, इसके साथ ही यह भी प्रस्तावित किया गया था कि दस वर्ष की अवधि के भीतर सभी मीटरों को प्रिपेड मीटरों में तब्दील किया जाए तथा इसके साथ ही 33 के.वी. तथा इससे ऊपर क्षमता वाले सभी सब स्टेशनों को स्वचलित किया जाए, सभी नये सब स्टेशन स्वचलित पद्धति के आधार पर स्थापित किए जाए।

(vi) उपभोक्ता हित समूहों को कारगर बनाने के साथ ही बोर्ड उपभोक्ता जागरूकता बढ़ाने, उनके अधिकारों तथा दायित्वों की जानकारी देने के उद्देश्य से सार्वजनिक विचार-विमर्श कार्यक्रम आरम्भ करेगा। आयोग द्वारा वर्ष 2001-02 तथा वर्ष 2004-05 के दौरान क्रमशः 21 तथा 26 शुल्क आदेश जारी करने के अतिरिक्त इस आदेश में 24 निर्देश जारी किए गये।

9.13 उपभोक्ता शिकायतें तथा उनका निराकरण:

वर्ष 2005-06 के दौरान ओमबड्समैन और हिमाचल प्रदेश विद्युत बोर्ड द्वारा अपने उपभोक्ताओं की शिकायतों के निराकरण हेतु स्थापित फोरम तथा बोर्ड द्वारा की गई शिकायतों के निराकरण का विवरण नीचे दिया जा रहा है:-

क्र. सं.	उपयोग/संगठन का नाम	वित्त वर्ष 2005-06 के दौरान प्राप्त शिकायतें	वित्त वर्ष 2005-06 के दौरान शिकायत निराकरण की संख्या
1	हिमाचल प्रदेश विद्युत ओमबड्समैन	4	शून्य
2	हिमाचल प्रदेश विद्युत बोर्ड द्वारा अपने उपभोक्ताओं की शिकायत निराकरण हेतु स्थापित फोरम	41	20
3	हिमाचल प्रदेश राज्य विद्युत बोर्ड	712781	712781

उपरोक्त के अतिरिक्त, आयोग द्वारा हिमाचल प्रदेश राज्य विद्युत बोर्ड द्वारा प्रस्तुत जनसाधारण प्रसार कार्यक्रम को अनुमोदित किया गया तथा साथ ही उसे ये निर्देश भी दिए कि इस कार्यक्रम को रेडियो/टी.वी. वार्तालाप, बेवसाईट, विद्युत बिलों, सेमीनार/कायशालाओं, बैनर/होर्डिंग, ऊर्जा मेला, पैम्फलेटों के वितरण/समाचार पत्रों आदि में विज्ञापन देकर इसका व्यापक प्रचार प्रसार करें।

10 वर्ष 2006-07 की कार्यसूची

वर्ष 2006-07 के लिए आयोग द्वारा निम्नलिखित कार्य सूची रखी गई थी:

- हिमाचल प्रदेश विद्युत ग्रिड, वितरण एवं आपूर्ति कोडो को अन्तिम रूप देना।
- लोड फोरकास्ट की समीक्षा।
- हिमाचल प्रदेश विद्युत बोर्ड द्वारा संचारण तथा वितरण क्षति के सम्बन्ध में अध्ययन पूर्ण करना।
- उपभोक्ताओं को सशक्त करना ताकि वे ऊर्जा क्षेत्र में की जा रही सुधार प्रक्रिया में प्रभावी भूमिका अदा कर सकें।
- शेष विनियमों को अन्तिम रूप देना जैसा कि विद्युत अधिनियम, 2003 की धारा 181 के अधीन वांछित है।
- सार्वजनिक विचार-विमर्श कार्यक्रम (पी.आई.पी.) की समीक्षा।
- वर्ष 2006-07 के दौरान सम्भावित ए.आर.आर. तथा शुल्क फाईलिंग के सम्बन्ध में शुल्क आदेश।
- ऊर्जा क्रय अनुबन्ध की समीक्षा।
- आयोग द्वारा जारी किए गये विभिन्न निर्देशों तथा विनियमों के कार्यान्वयन की समीक्षा।
- डाटाबेस/आर.आई.एम.एस. स्थापित करना।

