

**BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY
COMMISSION SHIMLA**

CORAM

YASHWANT SINGH CHOGAL
MEMBER (Law)-cum-Chairman

SHASHI KANT JOSHI
MEMBER

In the matter of:

The Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (Amendment) Regulations, 2025.

ORDER

In exercise of powers conferred under clause (g), (zg) and (zl) of sub-section (2) of section 181 read with clause (g) of sub-section (1) of section 86 and sub-section (1) of section 92 of the Electricity Act, 2003 (Act No. 36 of 2003) and all other powers enabling it in this behalf, the Himachal Pradesh Electricity Regulatory Commission (hereinafter referred to as “the Commission”), vide Notification No. HPERC/Secy/151 dated 29th October, 2024, has framed the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2024 (hereinafter referred to as “the CBR, 2024).

2. In exercise of the powers vested in the Commission under section 181(3) of the Electricity Act, 2003 read with rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005, the draft Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (Amendment) Regulations, 2025 was published in the Rajpatra, Himachal Pradesh on 1st August, 2025 (at pages 4385 to 4386) vide Notification No. HPERC/151-Vol-III-2081 dated 31st July, 2025. A Public Notice in two daily newspapers having circulation in the State, for inviting objections and suggestions from the stakeholders by 06.09.2025 was also published. The draft Regulations alongwith explanatory Memorandum were also posted on Commission’s

website i.e. www.hperc.org. In response thereof, only one stakeholder i.e. HPSEBL has filed its objections/suggestions on the aforesaid draft Regulations.

3. Consideration of written submissions made by the HPSEBL and Commission's view:-

The Commission now proceeds to consider the objections/suggestions received and to conclude its view on the same as follows:-

- 3.1. The HPSEBL has made the following submissions:-

“Rs. 50,000/- may be kept as Rs. 20,000/- in order to reduce Regulatory expenses as the Fees approved in CBR is comparatively high from the neighboring States.”

Commission's view:-

So far as proposed amendment of Regulations 2,6,7,8,14 and 19 are concerned, the same is in consonance with the provisions of the Electricity Act 2003. Since, no stakeholders have submitted any suggestions/objections with respect to amendment in Regulations 2,6,7,8,14 and 19, as such, the Commission decides to retain the same in the final Amendment Regulations.

Secondly, the HPSEBL has opposed the proposed amendment of the Schedule wherein after Sr. 20, the Sr. No. 21 has been proposed to be inserted specifying the fee of Rs. 50,000/- for adjudication of disputes under the Energy Conservation Act, 2001, by the Adjudicating Officer. The HPSEBL has submitted that the proposed fee of Rs. 50,000/- may be kept as Rs. 20,000/- in order to reduce Regulatory expenses as the fee approved in CBR is comparatively high from the neighboring States.

The Commission do not agree to the proposal of HPSEBL for specifying the fee of Rs. 20,000/- for adjudication of disputes under the Energy Conservation Act, 2001, for the reason that in the existing Schedule of Fee, there is no specific provision for charging of fee for adjudication of disputes under the Energy Conservation Act, 2001 and such cases are being charged fee of Rs. 40,000/- under Sr. No. 20 which deals with issues of miscellaneous nature or cases/matters not covered else where in the Schedule.

Thus, in order to specify the fee for a specific purpose and for adjudication of disputes under a specific Act, the Commission consider it just, proper and equitable in public interest to specify the fee as proposed and to amend the Schedule of Fee accordingly. As such, the Commission do not agree to the proposal of the HPSEBL and decides to retain the same.

4. The Commission after concluding its views on the objections/suggestions received on the draft Amendment Regulations decided to finalize and notify the Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (Amendment) Regulations 2025 on the above lines, whereby the CBR, 2024 shall stand amended and also order its final publication, namely; “The Himachal Pradesh Electricity Regulatory Commission (Conduct of Business) (Amendment) Regulations, 2025” in the Rajpatra, Himachal Pradesh.

Ordered accordingly.

Announced
10.09.2025

sd/-
(Shashi Kant Joshi)
Member

sd/-
(Yashwant Singh Chogal)
Member (Law)-cum-Chairman