

**THE HIMACHAL PRADESH ELECTRICITY REGULATORY
COMMISSION SHIMLA**

In the matter of:- Temporary utilization of the post of Sr. Private Secretary as Special Private Secretary and a post of Deputy Director as Joint Director as a personal measure.

ORDER

The matter regarding temporary utilization of the post of Sr. Private Secretary as Special Private Secretary and a post of Deputy Director as Joint Director as a personal measure was taken up with the State Government vide letter No. HPERC-B03/9/2021-2209 dated 19.08.2025 for concurrence/ approval in relaxation of the provisions of the HPERC (Terms and Conditions of Service of Staff) Regulations, 2013 (Staff Regulations, 2013 for short).

2. The State Government vide letter No. MPP-F(10)20/2025 dated 22.08.2025 has conveyed that comprehensive proposal received earlier in this behalf from your office has already been responded by the department vide letter dated 03.05.2025 and the present proposal as a personal measure may be considered accordingly.

3. The Regulation 13 of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013 provides that where the Commission is of the opinion that it is necessary or expedient to do so, it may, for the reasons to be recorded in writing and with prior consultation with the State Government, relax any of the provision(s) of these Regulations with respect to any class or category of person(s).

4. As mentioned above, a comprehensive proposal was sent to the Department of MPP and Power, Government of Himachal Pradesh vide letter No. HPERC-B03/9/2021-325-26 dated 25.04.2025 which was responded on 03.05.2025 by observing that since the HPERC has

its own establishment, the present cases may be considered accordingly. Since, a prior consultation of the State Government is required under the Staff Regulations, 2013, a further proposal was sent to the Department of MPP and Power, Government of Himachal Pradesh seeking concurrence for upgradation of the post of Deputy Director (CA and Admin.) to the post of Joint Director and upgradation of the post of Sr. Private Secretary to the post of Special Private Secretary, as a personal measure to the existing incumbents, with proposal that after their superannuation, after a brief period, the posts will revert back to its original position. The State Government vide letter No. MPP-F(10)20/2025 dated 22.08.2025 has conveyed that the comprehensive proposal received earlier in this behalf has been responded vide letter dated 03.05.2025 and the present proposal as a personal measure may be considered accordingly.

5. Sh. Kamal Dilaik, Deputy Director (CA& Admin.) is at the verge of retirement and going to retire on 31st January, 2026 i.e. after about five months. His basic pay has already crossed the pay scale of the Joint Director and he will get the benefits of just one increment for few months and the designation of Joint Director till his superannuation in January, 2026. As such, there will be very nominal financial liability on the funds of the Commission. Sh. Kamal Dilaik, Deputy Director (CA & Admin.) has served the Commission for about 25 years with full devotion, hard work and sincerity to the entire satisfaction of the Commission. His entire service rendered in the Commission is commendable and unblemished.

6. Similarly, Sh. Bhoop Singh Kanwar, Sr. Private Secretary. Sh. Kanwar has rendered more than 33 years of service out of which 25 years service have been rendered in the Commission on different positions from time to time. He has left just about one year and few

months for his superannuation. Sh. Kanwar, Sr. Private Secretary has already crossed the pay scale of Special Private Secretary and his basic pay is much higher. He will get benefit of one or two increment(s) only and the designation of Special Private Secretary for the said period till his superannuation. He has served the Commission with full dedication, hard work, devotion and sincerity and his services in the Commission has been outstanding and unblemished.

7. In case the above two posts i.e. the post of Sh. Kamal Dilaik and Sh. Bhoop Singh Kanwar, are upgraded to the posts of Joint Director and Special Private Secretary respectively, as a personal measure to the incumbents, there will be no financial burden on the State exchequer and there will be very nominal financial burden on the funds of the Commission because both the officers are going to retire after sometime and will get benefit of just one or two increment(s) for very short time and after their retirement/ superannuation, after a brief period, the posts will revert back to its original position.

8. In the circumstances, the Commission is of the opinion that it is necessary and expedient in the interest of justice and the Commission and for the reasons recorded in the Commission's letter No. HPERC-B03/9/2021-2209 dated 19.08.2025 to relax the provisions of Staff Regulations, 2013, so as to give effect to the proposal in question as concurred by the State Government.

9. In view of the above, the Commission hereby order relaxation of the relevant provisions of the Staff Regulations, 2013 and further order to utilize the post of Sr. Private Secretary as Special Private Secretary and the post of Deputy Director as Joint Director, as a personal measure to the existing incumbents, till their superannuation. On the superannuation of the existing incumbents, both the posts i.e. Special Private Secretary and Joint Director shall revert back to its original

position i.e. Sr. Private Secretary and Deputy Director (CA) respectively. It is further ordered that qualifying service required for the promotion, if any, is also relaxed, if so required.

Ordered accordingly.

**-Sd-
(Shashi Kant Joshi)
Member**

**-Sd-
(Yashwant Singh Chogal)
Member (Law)-cum-Chairman**

Date: 02.09.2025

Place: Shimla