

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

No. H (1)-1/2012.

CORAM

**YASHWANT SINGH CHOGAL
MEMBER (Law)-cum-Chairman**

**SHASHI KANT JOSHI
MEMBER**

Date of Order: 13.11.2025.

In the matter of finalization of the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (Third Amendment) Regulations, 2025.

ORDER

The Himachal Pradesh Electricity Regulatory Commission (hereinafter referred to as the “Commission”) has notified the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, which were published in the Rajpatra, Himachal Pradesh, on 28th January, 2013 (hereinafter referred to as the “Principal Regulations”) and also notified the first and second amendments thereof on 26th November, 2019 and 20th January, 2022, as published in Rajpatra Himachal Pradesh on 28th November, 2019 and 27th January, 2022 respectively.

2. The Regulation 7 of the Principal Regulations provides for constitution of Forum/Additional Forum and Appointment of its members. According to the existing provisions, two members shall be appointed by the Distribution Licensee out of its officers as per clause (i) (a) and (b) of sub-regulation (1) of this regulation and apart from that, one independent member shall be nominated by the Commission as per clause (ii) (a) and (b) of this sub-regulation. The qualification

and eligibility criteria for nomination of independent member of the Forum/Additional Forum is provided under clause (ii) of sub-regulation (1) of regulation 7 which reads as under:-

- “(ii) One independent member shall be nominated by the Commission, out of the persons –
- (a) who have retired after serving the State Government or of its Undertakings at the posts which are not lower, by more than one step, than the rank held by the Chairperson of that Forum and are familiar with the consumer affairs or regulatory affairs; or and
 - (b) who are representatives of the registered voluntary consumers protection organisations or NGOs or consumer activists with experience of at least five years in dealing with the matters concerning “consumer grievances;”

3. It was observed by the Commission that in some of the Forums/Additional Forums, due to cumbersome eligibility criteria specified under sub-clause (a) of clause (ii), the Commission is facing difficulty in nominating the independent members and as a result thereof, the functioning of the Forum(s) is being hampered. Thus, in order to overcome this situation, the Commission considered it in the public interest and consumers to simplify the eligibility criteria for nomination/appointment of independent member under sub-clause (a) of clause (ii) in the following manner:-

“(a) who are retired officers of the State Government or its undertakings with a minimum service experience of twenty years as such and are familiar with the consumer affairs, power sector or regulatory affairs; or”

4. The Commission published the draft Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (Third Amendment) Regulations, 2025 on 30th September, 2025 in the Rajpatra, Himachal Pradesh in exercise of the powers, conferred under sub-section (1) of section 181 of the Electricity Act, 2003 (36 of 2003) (Act for short).

5. As required under sub-section (3) of section 181 of the Act, read with Rule (3) of the Electricity (Procedure of Previous Publication) Rules, 2005, the Commission invited public objections and suggestions by way of insertions in two daily Newspapers i.e. “The Tribune” on 09.10.2025 and “Dainik Bhaskar” on

07.10.2025. The full text of the draft amendment Regulations was also made available on the Commission's website: www.hperc.org.

6. The Commission also, vide letter dated 9th October, 2025, requested the major stakeholders, including State Government, Directorate of Energy, HIMURJA, Consumers Representative and Distribution Licensee to send their objections/suggestions, if any, on the said draft Amendment Regulations, as per the aforesaid public notice, on or before 31st October, 2025. The public hearing in the matter was Scheduled to be held on 11.11.2025.

7. As Scheduled vide notice dated 03.10.2025, the public hearing in the matter was conducted on 11th November, 2025. A list of the participants who attended the public hearing is annexed as Annexure-“A” to this Order.

8. The following stakeholders have filed their written submissions:-

(i) The Himachal Pradesh State Electricity Board, Vidyut Bhawan, HPSEBL, Shimla-171004 (HP).

9. During the public hearing, the representatives of the Distribution Licensee/ Board has stated that HPSEBL have no objection if the proposed amendment in the Principal Regulations is carried out. Apart from this, the Distribution Licensee in its written submissions dated 04.11.2025 has submitted that the comments of the Board on the proposed amendment may be treated as NIL.

The Commission has repeatedly invited applications in the past for filling up the post of independent member in various forums but adequate number of applications were not received. As a result, the Commission was unable to fill up the post. The Commission also observes that the qualification as provided in Regulation 7 of the Principal Regulations in respect of independent member is quite rigorous and as such, adequate number of persons are not applying for the post of independent member. In these circumstances, it is in the interest of the general public and consumers to simplify the eligibility criteria so that adequate number of persons may apply for the post of independent member. Since no objection has been received from the public and the stakeholders and also the

Distribution Licensee has no objection in carrying out the proposed amendment in regulation 7(1) (ii) (a) of the Principal Regulations, the Commission, after concluding its views on the submissions made during the public hearing, decides to finalize and approve the Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (Third Amendment) Regulations, 2025 and accordingly be notified as per procedure.

Announced.

13.11.2025

sd/-

(Shashi Kant Joshi)
Member

sd/-

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

Annexure “A”

Sr. No.	Participants
1.	Sh. Jyotirmay, Sr. Xen O/o Chief Engineer (Com.) HPSEBL.