

BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION
Vidyut Aayog Bhawan, Block No. 37, SDA Complex, Kasumpti, Shimla-09

CORAM: Sh. Shashi Kant Joshi, Member-Cum-Chairman
Date of Order: 13.10.2026

In the matter of finalization of the Draft Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (Fifth Amendment) Regulations, 2026.

The Himachal Pradesh Electricity Regulatory Commission (hereinafter referred to as the "Commission") has notified the HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013, vide Notification No. HPERC-(H)(1)-1/2012 dated 23rd January 2013, and the same were published in the Rajpatra, Himachal Pradesh on 28th January 2013 (hereinafter referred to as "the Principal Regulations") and as amended from time to time.

2. After careful scrutiny of the quarterly/ annual reports received from the Additional Forums (Consumer Grievances Redressal Forums (CGRFs), the Commission observed that right from the date of constitution of the Additional CGRFs at Circle Level, sufficient number of grievances are not being received and even in some of the Additional Forums not even a single grievance had been received.

3. Taking into consideration the above, the Commission notified the Draft Himachal Pradesh Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) (Fifth Amendment) Regulations, 2026 on 7th August, 2026 and published the same in Rajpatra, Himachal Pradesh on 10th August, 2026, in exercise of the powers conferred under sub-section (1) of section 181 of the Electricity Act, 2003 (Act for short).

4. 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 News papers i.e. “Times of India” and “Amar Ujala” on 13th August, 2026. The full text of the Draft Amendment Regulations was also made available on the Commission’s website: www.hperc.org.

5. The Commission, vide letter dated 17.08.2026, also requested the major stakeholders, including the Industries Associations, State Government, Directorate of Energy, HIMURJA, Consumers Representative and Distribution Licensee to send their objections/suggestions as per the aforesaid public notice, on or before 14th September, 2026.

6. The Commission received comments/suggestions on the draft amendment Regulations from the following stakeholders:-

- (i) The Parwanoo Industries Association, Sector-1, Parwanoo-173220 (HP);
- (ii) The Himachal Pradesh State Electricity Board Limited (HPSEBL), Vidyut Bhawan, Shimla-171004 (HP).
- (iii) Consumer Grievances Redressal Forum (CGRF), HPSEBL, Top Floor, Block No.-8, Kasumpti, Shimla-09; and
- (iv) The Consumers Representative, Shanti Bhawan, Phase-III, Sector-6, New Shimla-171009.

7. A public hearing was conducted on 16.09.2026 at 11:00 AM. The list of participants who attended the public hearing is as under:-

- (i) Sh. Rakesh Bansal, Authorised Representative of Parwanoo Industries Association;
- (ii) Sh. Kamlesh Saklani , Authorized Representative of HPSEBL; and
- (iii) Sh. Kameshwar Dhaulta, Consumer Representative.

8. Objections and issues raised during the public hearing:

During the public hearing, the stakeholders and Authorised Representatives presented their views. The issues and concerns voiced by them are briefly given as under:-

8.1(a) The Representative of the Parwanoo Industries Association submitted that the Central Rule mandates that the distribution licensee shall established CGRF at sub-division, division, circle, zone and company level. Abolishing circle level forum to consolidate upwards into zonal level may violates the mandates provided in the Central Rules. There should be balanced between cost cutting and consumer advocacy. It should be mandatory for the Distribution Licensee to conduct at least one hearing at Divisional Level in each month. Low complaint volume is an administrative publicity failure of HPSEBL, which is not a lawful excuse to abolish the local forums;

(b) He further highlighted that the provision for redressal of prosumer complaints, may also require to be included in the ambit of HPERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2013;

(c) He further stressed that the provisions in the Regulations should be in such a manner that the Independent Members as well as Ombudsman may not be Retired Officers of Distribution Licensee. There is no cooling period provided for appointment of Ombudsman and in case of Additional CGRF one-year cooling period is provided for Independent Members which may not enough. It is experienced that most of the Independent Members and Ombudsman are appointed those have served in the HPSEBL. He suggested that Retired Officers of Distribution Licensee may be barred from such selections;

(d) Sh. Rakesh Bansal suggested that the Principal Regulations may require to be revisited and benchmark norms/provisions provided in the SERCs Regulations/Utilities circulars i.e. PSERCs/PSPCL, HERC/UHBVN, MERC, DERC, GERC and Forum of Regulators Model Regulations may be considered in such process; and

(e) He also stressed that the thirty (30) days period for appeal before the Ombudsman may strictly commence only after the expiry of the 30 days compliance window granted to the Distribution Licensee in Regulation 27 of Principal Regulations.

8.2 (a) The Representative of the HPSEBL has submitted that the Independent Members in the Forums should be mandatory a Law Graduate for effective order drafting and issuance of well reasoned and speaking Orders;

(b) He further highlighted that ten years experience is required for appointment of District Judge, so proposed 20 years of experience for appointment of Independent Members may not be justifiable for practising Law Graduate(s);

(c) He also pointed out that any judgement passed by Ombudsman is appealable before the Hon'ble High Court. Therefore, the apprehension expressed by the Representative of the Parwanoo Industries Association regarding judicial independence/autonomy in functioning of Ombudsman office are entirely groundless.

9. Consideration of written submissions and viewpoints expressed during the public hearing by the stakeholder(s) and Commission's analysis/views.-

The Commission has carefully examined and analysed the written suggestions/objections and the viewpoints expressed by the stakeholders during the public hearing. The analysis and views of the Commission are as under:-

9.1 Comments/suggestions on Regulation 5:

The Parwanoo Industries Association and HPSEBL has submitted the following comments/suggestions in respect of Regulation 5:-

(I) Parwanoo Industries Association-

The Parwanoo Industries Association submitted that the proposed cap of Rs. 4 Lacs disputed amount for jurisdiction in Zonal-Level Additional Forums may not be adequate which needs to be enhanced. In support of this, the Association has also submitted that for medium and large-scale industrial units operating in Himachal Pradesh's key industrial hubs (such as Parwanoo, Baddi, Barotiwala, Nalagarh, Kala Amb, and Sansarpur Terrace), a single month's billing dispute-whether relating to incorrect contract demand charges, wrong tariff categorization, or power factor penalties-routinely runs into several lakhs or even crores of rupees.

The Association further submitted that if the monetary jurisdictional cap is restricted to a mere Rs. 4 Lakh, nearly 100% of industrial disputes will be legally forced to bypass the newly created Regional Zonal Forums. Consequently, industrial consumers will still be compelled to travel to the central Principal Forum in Shimla for basic redressal.

Restricting the cap to Rs. 4 Lakh renders the "Zonal Additional Forums" practically redundant and dormant for the very consumer category (two-part tariff) they are designed to serve. To make regional decentralization meaningful and to give the Zonal Forums the legal teeth to handle genuine industrial disputes locally, the monetary limit must be raised to at least Rs. 20 Lakh (Twenty Lakh), coupled with a mandatory mobile sitting mechanism.

Proposed amendment (HPERC)	draft 5th text	Proposed Re-drafted Clause (Association's Submission)
Regulation 5: Zonal-level Forum shall	...such Additional have the	Regulation 5: ...such Zonal-level Additional Forum shall have the jurisdiction to entertain the

jurisdiction to entertain the grievances of the two-part retail tariff consumers... whose monetary claim does not exceed <u>Rs. 4 Lakh (Four Lakh)</u> and/or the standard supply voltage is up to 33 kV.	grievances of the two-part retail tariff consumers... whose monetary claim does not exceed <u>Rs. 20 Lakh (Four Lakh)</u> and/or the standard supply voltage is up to 33 kV. Provided that such Zonal-level Additional Forums shall hold mandatory, rotating mobile camp sittings at the Division level to hear and dispose of such cases at the doorsteps of the consumers.
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(II) Himachal Pradesh State Electricity Board Limited (HPSEBL):-

The HPSEBL has made a suggestion that the following shall be considered in finalization of amendment in Regulation 5:-

- (i) Additional Circle Level Forum in Kangra Circle, Hamirpur Circle, Mandi Circle and Shimla Circle be allowed to continue and functions as Zonal level Additional Forums.
- (ii) Other Additional Circle Level Forum shall cease to function on completion of tenure of office of Independent Member in theses Forums and shall therefore stand abolished, forthwith;

All complaints in these abolished Forums, shall be transferred to the Zonal level Additional Forums under the zone of which the abolished Circle Level Additional Level Forums already exist.

(III) Consumers Representative:-

- (i) The Consumer Representative has submitted that the proposed amendments are a welcome step and a much required measure to provide an effective and speedy consumer grievance redressal regime to the consumers of electricity in the State with adequate "Additional Forums at Zonal Level in place of existing at Circle Level" under the proposed Regulations with an objective to ensure speedy disposal of grievances at the door

step of the consumers. It will also reduce the financial and administrative burden of the DISCOM on account of non-functional and defunct circle level forums.

- (ii) The Consumer Representative has further submitted that the amendment to Regulation 5 of the proposed Regulations allow authority to the Discom to wind-up circle level forums where, no or negligible complaints have been received during the period and are thus, non-functional and defunct; to save the administrative and financial burden of the Discom on this count. It further proposes to empower Discom to create Zonal level Forums for effective and efficient consumer grievance redressal mechanism at respective Zonal level of the Discom.

Commission's View:-

As per the existing provisions, the dispute/claim amount upto Rs. two (2) Lacs is fixed for additional Forum functional at the circle level having maximum standard supply voltage upto 22 kV. In the proposed amendment, for Zone level additional Forum, the said limit is being increased from 2 lacs to Rs. four (4) Lacs having maximum standard supply voltage upto 33 kV which is quite reasonable limits for this level of additional Forum. The dispute claim amount above Rs. four (4) Lacs shall fall within the jurisdiction of Forum established at headquarters of the distribution licensee which is a full time dedicated establishment for handling such disputes of the consumers. Thus the proposed monetary limit of Rs. four (4) Lacs is just and reasonable for Zone level additional Forum(s). Therefore, the Commission decides to retain the proposed Draft Amendment in sub-regulation (2) of Regulation 5 of the Principal Regulations without any change.

9.2 Comments/suggestions on Regulation 7(1)(ii).-

- (I) The Parwanoo Industries Association has submitted that two out of three CGRF members are serving officers of the Respondent Licensee (HPSEBL), granting the utility an inherent 2-to-1 institutional majority on the board. The entire consumer protection utility of the tripartite board hinges upon the absolute impartiality of the "Independent Member" nominated by the Commission under Regulation 7(1)(ii). However, the existing proviso contains a critical, highly exploited loophole: it only bars persons who have been in the employment of the licensee for a minimum period of one year prior to nomination.

This short cool-off window allows retired HPSEB/ HPSEBL Chief Engineers and Superintending Engineers to easily secure appointment as the 'Independent' Member. When this occurs, 100% of the three-member redressal forum consists of current or former utility employees. This completely destroys the impartial, tripartite equilibrium required by Section 42(5) of the Act, and violates the fundamental administrative doctrine of "apprehension of bias". A retired official cannot be expected to adjudicate objectively against their own former employer, former colleagues, and subordinates.

To restore structural integrity and consumer confidence, the Association demands a strict, lifetime bar prohibiting any retired employee, director, or consultant of HPSEBL or their successor/parent entities from holding the post of the Independent Member.

Existing Proviso to Regulation 7(1)(ii)	Proposed Redrafted Proviso
Provided that a person to be nominated as Independent Member of the Forum shall not	Provided that a person to be nominated as the Independent Member of the

Existing Proviso to Regulation 7(1)(ii)	Proposed Redrafted Proviso
have been in the employment in any capacity under, or agency of, the licensee; for a minimum period of one year prior to his being nominated as the Independent Member of the Forum.	Forum shall not have been in the employment in any capacity under, or agency of, the respondent licensee or its predecessor/successor/parent entities (including HPSEB, HPSEBL, HPPTCL, HPSLDC) at any point in their professional career; nor shall they have had any direct or indirect commercial, professional, or advisory relationship with the licensee. The Independent Member shall represent consumer protection organizations, civil society, or consumer advocacy bodies with no historical or structural ties to the utility, preserving complete tripartite independence.

(II) Consumers Representative:-

The Consumers Representative has submitted that the amendment to Regulation 7 of the proposed regulations appears not to be practical and shall narrow the window of availability of possible eligible and competent candidates for the said appointments. It is suggested that the proposed "20 years" may be replaced by "15 years" if the Commission deem it necessary otherwise the existing "10 years" is adequate & requires no changes. The basic criteria of experience is to ensure a person to be appointed has sufficient experience and familiarity with the consumer affairs, power sector or regulatory affairs. He/she should be competent to handle the kind of cases generally received in the CGRF. The proposed amendment

shall restrict the availability of capable persons from govt./public sector and create a hegemony of the Discom in appointment of its retired persons. This aspect may kindly be looked into while finalizing the amendments.

Commission's View:-

- (I) The proposed amendment in Regulation 7 (I) (ii) (a) of the Principal Regulations have a limited purpose i.e. to enhance the eligibility criteria of service experience of Independent Member from 10 years to 20 years so as to ensure that most experienced and competent Retired Officers are inducted/nominated as Independent Member in the C.G.R.F. The existing provisions of Regulation 7(1)(ii) are reproduced for sake of clarity as under:-

“7(1)(ii) one Independent Member shall be nominated by the Commission, out of the persons –

(a) who are retired officers of the Central or State Government or its Undertakings having minimum service experience of ten years as such and are familiar with the consumer affairs, power sector or regulatory affairs; or”.

(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”;

and such a Member shall be selected through advertisement in the newspapers and display on the website of the Commission:

Provided that a person to be nominated as Independent Member of the Forum shall not have been in the employment in any capacity under, or agency of, the licensee; for a minimum period of one year prior to his being nominated as the Independent Member of the Forum.

The Commission feels that for appointment of Independent Member, adequate provisions are provided in the Principal Regulations. The Independent Members are being appointed after following the due process of selection. As far as apprehension of

bias judgments in the Forum is concerned, the consumers have a right to challenge such judgments before the Ombudsman. The Commission is of the view that it shall not be just and fair to debar any individual for being nominated as Independent Member, if he is otherwise eligible. Therefore, the Commission does not find any merit in the suggestions made by the stakeholders and decline to accept the same.

- (II) As far as the submission of Consumers Representative that the proposed amendment shall restrict the availability of capable persons from Govt./public sector and create a hegemony of the Discom in appointment of its Retired persons is concerned, the selection/appointment of Independent Member(s) in the Forum falls within the ambit of Commission. The Distribution Licensee have no role to play in such selection. Further, as far as proposed 20 years service experience for retired PSU/Govt. servant is concerned, the Commission is of the view that the monitoring claims adjudication at Zonal Level is being proposed to enhance from Rs. two (2) Lacs to Rs. four (4) Lacs and cases of supply voltage upto 33 kV level, therefore, increase in service experience from 10 years to 20 years for Retired Government/PSU servant for being eligible for appointment as Independent Member is a well balanced regulatory provision. Moreover, the position of the Independent Member of the Forum is highly dominating and required independent adjudication of the claims.

9.3 Comments/suggestions on Regulations 6, 17, 23, 25, 26, 28, 30, 32 and 33:

- (I) The Parwanoo Industries Association has submitted that the HPERC proposed to abolish Circle-level Additional Forums, asserting that they have been under-utilized and received a 'negligible number of grievances,' thereby posing an 'avoidable

financial burden' on the distribution licensee. The Association further submitted that this is a critical misdiagnosis of an operational issue. Circle-level Forums did not fail due to a lack of consumer grievances; they failed because the Commission has not taken into consideration properly the Association's objections during the 2nd amendment of the Principal Regulations. The Association cautioned the HPERC that unless the Regulations specify a mandatory, pre-published frequency of local sittings, the Forums would remain static, dormant, and entirely invisible to the public. This lack of active outreach may result in suppressed complaint volumes.

Consolidating these Forums into massive, centralized Zonal-level offices (Shimla, Dharamshala, Mandi) covering multiple rugged, mountainous districts creates an insurmountable physical barrier-a severe "distance penalty" for domestic, agricultural, and small-scale industrial consumers. A consumer with a 15,000 billing dispute from a remote area of Chamba or Lahaul-Spiti will face hardship for redressal of his grievances.

To resolve the operational under-utilization without depriving consumers of access, HPERC may adopt Uttar Haryana Bijli Vitran Nigam (UHBVN) CGRF Model. By holding mobile public hearings ('Open Darbars') locally, they bring high-level redressal directly to the consumer's doorstep, ensuring massive public turnout, high resolution rates, and complete cost-efficiency for the utility. Therefore, the Association demanded that the draft 5th amendment be reworded as under:-

Existing/Draft Regulation 6	Proposed Redrafted Regulation 6
Each Forum may, with the overall objective of ensuring that the	Each Forum shall be a mobile, rotating body and shall operate on a mandatory, pre-published annual calendar

Existing/Draft Regulation 6	Proposed Redrafted Regulation 6
complaints/ grievances are heard and redressed within the time limit specified under these Regulations, conduct its sittings preferably in the areas, within its territorial jurisdiction, having industrial belts, as it may consider appropriate.	(Tentative Tour Programme'). The Principal Forum and all Zonal Additional Forums shall physically conduct at least one mobile camp sitting/public hearing every calendar month at the headquarters of every Operation Division falling within their respective territorial jurisdictions. The distribution licensee shall publish this rotating schedule on its web portal, mobile app, and print the upcoming division-wise hearing schedule on every monthly electricity bill issued to consumers. The local Divisional Executive Engineer (XEN) and Sub-Divisional Officers (SDOs) shall be physically present during such division-level camps with all relevant consumer billing and metering ledgers to enable on-the-spot verification and instantaneous dispute resolution.

(II) Absence of Statutory Consumer and Prosumer Representation Rule 15(1) and (2) of the Central Electricity (Rights of Consumers) Rules, 2020.

- (i) The Parwanoo Industries Association submitted that Rule 15(1) of the Central Electricity (Rights of Consumers) Rules, 2020 explicitly commands that the distribution licensee shall establish Consumer Grievance Redressal Forums (CGRFs) at different levels to cater to the needs of the sub-division, division, circle, zone, and company levels'. Furthermore, Rule 15(2) guarantees that a consumer aggrieved by a lower-level forum has the statutory right to approach the higher company-level forum prior to appealing to the Ombudsman. The proposed Draft 5th Amendment, by abolishing Circle-level Additional Forums and consolidating upwards into distant Zonal-level additional Forums,

completely eliminates lower-tier grievance access points. This upward centralization directly violates the mandatory multi-tiered architecture enacted by the Central Government under Section 176 of the Electricity Act, 2003.

- (ii) Rule 15(1) of the Central Rules, 2020 mandates that the CGRF 'shall consist of officers of the licensee and have not more than four members as consumer and prosumer representatives'. In stark contrast, HPERC's ex-officio Additional Forums are manned exclusively by serving officers of the licensee (HPSEB), with zero consumer or prosumer representatives. Even on the Principal Forum, consumer representation is restricted to a single 'Independent Member. The draft amendment completely fails to operationalise the mandatory central provision requiring upto four consumer and prosumer representatives nominated from registered consumer/industry associations and prosumer bodies.
- (iii) Industrial units across Himachal Pradesh (specifically in Parwanoo, Baddi, and Kala Amb) are rapidly adopting rooftop solar systems, transforming them into Prosumers under Rule 2(m) of the Central Rules, 2020. Rule 15(1) specifically incorporates prosumer protection under the CGRF mandate. An examination of the current HPERC CGRF Regulations confirms that 'Prosumer' is not defined or explicitly covered in the state framework (having been dropped by the Commission in its 2022 Second Amendment Order). Industrial prosumers face severe recurring disputes regarding net-metering approval delays, grid connectivity, banking calculations, and solar billing surcharges. Omitting explicit CGRF jurisdiction and representation for prosumers directly contravenes Central Rule 15.
- (iv) The Commission's sole rationale for shutting down Circle-level Forums is that they received 'negligible complaints. However,

under Rule 15(4), the distribution licensee is legally required to give wide publicity to CGRF contact details, office locations, and procedures through electricity bills, websites, and local offices. Furthermore, under Rule 15(7), 'the performance of CGRF shall be monitored by the Commission'.

The low volume of formal grievances at the Circle level is a direct result of the utility's failure to publicise the forums and the Commission's failure to monitor their performance under Rule 15(7). A statutory failure of publicity and monitoring by the authorities cannot be turned into a justification to penalize consumers by withdrawing local forums.

Proposed Draft 5th Amendment (HPERC)	Proposed Redrafted Text (Alignment with Central Rule 15)
Regulations 5 & 7: Consolidating Forums from Circle level to Zone level, manned exclusively on an ex-officio basis by serving officers of the licensee.	Regulations 5 & 7 (Mandatory Alignment with Rule 15 of Electricity Rights of Consumers Rules, 2020): (i) Multi-Tiered Redressal Structure: In strict compliance with Rule 15(1) and 15(2) of the Central Rules 2020, the licensee shall maintain CGRFs at the Circle and Division levels, with Zonal/Company level forums acting as higher-tier grievance bodies. (ii) Consumer & Prosumer Representation: In accordance with Rule 15(1), every Zonal and Circle Forum shall include up to four nominated representatives from registered Voluntary Consumer/ Industry Associations (such as the Parwanoo Industries Association) and Prosumer Bodies, (iii) Explicit Prosumer Jurisdiction: All grievances relating to rooftop solar net-metering, grid connectivity,

	banking calculations, and prosumer billing shall fall under the explicit, mandatory jurisdiction of the Forum.
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(III) Comments/suggestions in Regulation 17(6) & 17(7).-

The Parwanoo Industries Association submitted that the HPERC CGRFs have, over the last few years, established an extra-statutory practice of scheduling formal, multi-week "Admission Hearings" to decide whether a complaint should be registered or maintainable. The Association submits that this is a critical procedural bottleneck that actively denies and delays justice. Because the Forum refuses to register the complaint or issue interim protection until after this preliminary trial, the consumer is exposed to arbitrary disconnection. Maintainability is a defense; it must be raised by the utility in its standard written comments, not used as a gate keeping barrier at the threshold.

Under the MERC Maharashtra Regulations, 2020, intake is purely administrative. The moment a complaint is uploaded on the digital portal, it is automatically registered within 2-3 working days and forwarded directly to the utility's nodal officer, completely bypassing any preliminary 'Admission Court'. Accordingly, the Association has proposed the following amendment in Regulation 17:-

Existing Regulation 17(6) & (7)	Proposed Redrafted Regulation 17(6) & (7)
(6) On receipt of complaint made under sub-regulation (1) of this regulation, the Forum may, by order under intimation to the Complainant, allow the complaint to be proceeded	(6) On receipt of a complaint, the Secretary of the Forum shall automatically register and docket the complaint within 2 working days, provided it complies with basic format and territorial jurisdiction rules

Existing Regulation 17(6) & (7)	Proposed Redrafted Regulation 17(6) & (7)
with or rejected: Provided that no grievance shall be rejected, unless the Complainant has been given an opportunity of heard. being (7) Where a complaint is allowed to be proceeded with under sub-regulation (6), the Forum may proceed with the complaint in the manner provided under these Regulations.	Provided that no separate 'Admission Hearing or preliminary maintainability trial shall be scheduled or held by the Forum. Any objections regarding the maintainability of the complaint shall be raised solely by the Respondent licensee in its para-wise comments under Regulation 20(2), and shall be decided by the Forum during the main hearing on merits. (7) Upon automatic registration under sub-regulation (6), the Forum shall immediately forward the licensee under Regulation 20(1) complaint without any delay.

(IV) Comments/suggestions in Regulation 23(5).-

The Parwanoo Industries Association has submitted that the current regulations, even the simplest disputes-such as minor billing arithmetic errors, wrong tariff categorizations, or straightforward service connection delays-are treated as complex civil lawsuits. Under Regulation 20(2), the Forum must wait up to 15 days for the licensee to file written, para-wise comments, leading to a minimum of three formal hearings spread over several months. This completely subverts the statutory objective of fast-track consumer justice.

By benchmarking against MERC, which explicitly declares that the CGRF is a non-judicial body operating under natural justice, HPERC should establish a fast-track summary redressal procedure

during the proposed monthly Division-level mobile camps. For simple service and billing matters, the requirement of a formal written reply should be waived. The Forum should hear the complainant and the local field officer (SDO/XEN) in person, verify the local spot records, and issue a binding summary order on the same day. In this regard, the Association proposed the following amendment in Regulation 23:-

Existing Regulation 23	Proposed Redrafted Regulation 23(5)
No existing provision for summary waiver or on-the-spot divisional camp redressal.	(5) Notwithstanding anything contained in Regulation 20(2), during the mandatory division-level mobile camp sittings conducted under Regulation 6, the Forum shall have the authority to waive the requirement of formal written comments for simple, non-complex grievances (including arithmetic billing errors, incorrect tariff application, meter-burnt replacement delays, new connection delays). In all such cases, the Forum shall hear the complainant and the local field officers (SDO/XEN) in person, examine the local site ledgers and spot records immediately, and issue a binding summary order on the spot in a single, face-to-face sitting, completely eliminating the requirement for multiple hearings.

(V) Comments/suggestions in Regulation 24.-

The Consumer Grievances Redressal Forum (CGRF), Shimla has submitted that the Regulation 24 permits a complainant, distribution licensee or any other party to appear in person or through an authorised person, but specifically excludes an

Advocate within the meaning of the Advocates Act, 1961. However, Presently Advocates are being allowed to represent the Complainant and the distribution licensee before the CGRF. Therefore, it is suggested that the words "other than an Advocate (within the meaning of the Advocates Act, 1961)" may be deleted.

(VI) Comments/suggestions in Regulation 25.-

The Parwanoo Industries Association has submitted that the most dangerous loophole in the current Regulations lies in the Second Proviso of Regulation 25. It states that no interim order (such as a stay on disconnection) can be passed unless the opposite party has been given an opportunity of being heard. This has turned the notice period into a "Disconnection Window". When a consumer receives a threatened disconnection notice and files a complaint, the Forum schedules an admission hearing and issues a notice. The utility routinely exploits this notice period to physically cut the electricity connection before the hearing is held, presenting the Forum with a fait accompli.

This practice is highly oppressive. The deposit of 1/3rd (33.3%) of the disputed amount is the statutory safeguard. Once a consumer deposits this amount, they have fulfilled their prima facie obligation. Protection against disconnection must be automatic and instantaneous upon registration, in line with the National Model Regulations, which allow immediate ex-parte stays to prevent the object of the stay from being 'defeated by delay'.

Existing Regulation 25 Proviso	Proposed Redrafted Regulation 25 Proviso
Provided further that, except where it appears that the object of passing the interim	Provided further that, where the grievance involves an actual or threatened disconnection of electricity supply, and the complainant submits documentary proof of having deposited

order would be defeated by delay, no such interim order shall be passed unless the opposite party has been given an opportunity of being heard and an amount equal to 1/3 rd of the disputed amount is deposited in cash with the licensee and documentary evidence of such deposit has been furnished.	1/3 rd of the disputed bill amount in cash with the licensee (or such lower amount as the Forum may direct in cases of extreme financial hardship); An ad-Interim order restraining the licensee from disconnecting the supply (or directing immediate reconnection if already disconnected) shall be issued automatically by the Secretary of the Forum concurrently with the registration of the complaint under Regulation 17(6), without requiring any prior hearing of the opposite party. Such ad-interim protection shall remain in force until the first regular hearing on merits, where the licensee shall have the opportunity to show cause why the order should not be confirmed.
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(VII) Comments/suggestions in Regulation 26(5).-

The Consumer Grievances Redressal Forum (CGRF), Shimla has submitted that the Regulation 26(5) presently requires disposal of grievances relating to safety, non-supply, connection/disconnection and quality or reliability of supply within 15 days, and other grievances within 45 days.

The Forum is required to obtain the reply and relevant record from the distribution licensee, provide reasonable opportunity to the parties including filing of rejoinders, examine the documents and applicable statutory provisions and thereafter pass a speaking and reasoned order. The existing time limits, leave very limited effective time for completion of these proceedings and suggested that these periods may be enhanced to 30 days and 60 days respectively.

(VIII) Comments/suggestions in Regulation 28(2)(b).-

The Parwanoo Industries Association has submitted that during the process of carrying out 2nd amendment, the Association

submitted a critical objection pointing out a major timeline clash between Regulation 27 and Regulation 28(2). Under Regulation 27, the utility is granted 30 days to comply with a Forum's order, but under Regulation 28(2)(b), the consumer is strictly required to file their appeal to the Ombudsman within 30 days of the issuance of the order.

A consumer cannot know if they are aggrieved by 'non-implementation' or 'dissatisfied' with the final outcome of an order until the utility actually attempts to comply. If the utility waits until the 30th day to comply (or does nothing), the consumer's window to appeal to the Ombudsman has already legally closed. HPERC brushed aside this warning in its January 18, 2022 Order using a weak, administrative cop-out. The Association demands that this trap be closed by specifying that the 30-day appeal clock to the Ombudsman only begins after the utility's compliance period has fully expired. The Association proposed the following modification in Regulation 28(2)(b):-

Existing Regulation 28(2)(b)	Proposed Redrafted Regulation 28(2)(b)
(2)The representation under sub-regulation (1) shall be made (b) in case the complainant is not satisfied with the Order passed by the Forum, within 30 days after issuance of the Order by the Forum;	2) The representation under sub-regulation (1) shall be made b) in case the complainant is not satisfied with the Order passed by the Forum, within 30 days from the date of expiry of the compliance period directed by the Forum under Regulation 27(1). This ensures that the consumer's right to appeal is not extinguished or bypassed by the utility's delayed compliance or non-Implementation.

(IX) Comments/suggestions in Regulation 30 (4).-

The Parwanoo Industries Association has submitted that the systemic capture of the consumer redressal machinery is completed at the appellate level. Under Regulation 30(4), the Electricity Ombudsman is routinely a retired Chief Engineer of HPSEB. This recruitment practice completely collapses the two-tier dispute resolution system into a unified, utility-captured "HPSEB Echo Chamber". A retired Chief Engineer, whose entire professional career was spent enforcing the utility's commercial and operational culture, cannot physically act as an impartial appellate judge over their former colleagues and lower-level field officers.

The Association highlights that under the national Forum of Regulators (FOR) Model Regulations (Chapter III, Regulation 3.5), and successful other-state models like Maharashtra (MERC 2020) and Karnataka (KERC), the post of Electricity Ombudsman is reserved for highly independent legal and administrative minds, specifically:

- Retired District Judges of the State Judiciary;
- Retired senior IAS administrative officers not below the rank of Secretary to the State Government; or
- Retired Members or Chairpersons of statutory quasi-judicial bodies.

These States charge Nil (Zero) filing fees and have zero structural affiliation with the distribution utilities. To protect consumer rights, HPERC must align with national guidelines, enforce a strict lifetime bar on HPSEB personnel, and prioritize independent judicial or administrative appointments for the Ombudsman.

Existing Regulation 30(4)	Proposed Redrafted Regulation 30(4)
The Ombudsman shall be a person of	The Ombudsman shall be a person of experience, ability, integrity, and standing who

Existing Regulation 30(4)	Proposed Redrafted Regulation 30(4)
experience, ability, integrity and standing... and has held strategic positions in the said fields at the level not below that of the Chief Engineer in a Utility or equivalent position under the Government.	is a retired District Judge, a retired member of the State Judiciary, or a retired senior civil servant (IAS) not below the rank of Secretary to the State Government: Provided that any person who has been in the employment, board of directors, consultancy, or agency of the respondent licensee (HPSEB/HPSEBL) or its predecessor/ successor/ parent entities at any point in their career shall be strictly and permanently barred from being appointed or designated as the Electricity Ombudsman. This lifetime bar is non-negotiable to prevent structural conflict of interest and preserve appellate impartiality.

(X) Comments/suggestions in Regulation 32.-

The Parwanoo Industries Association has submitted that the HPERC is one of the few regulatory commissions in India that levies a blanket filing fee (Rs. 100 for LV, Rs.500 for HV, and Rs. 1,000 for EHV) for appeals before the Ombudsman. The States like Punjab, Haryana, Delhi, Maharashtra, and Karnataka charge a Nil (Zero) fee. Levying a fee on an aggrieved consumer seeking justice is highly regressive and must be abolished.

(XI) Comments/suggestions in Regulation 33.-

The Parwanoo Industries Association has submitted that as per the Regulation 33(1)(g), a consumer must deposit a massive 50% of the amount assessed by the Forum to appeal. This is a severe financial barrier. Under the national FoR Model Regulations, and consistent with the 1/3rd CGRF deposit, this appeal deposit must be reduced to 33.3% (1/3rd) to ensure justice remains financially accessible.

Commission's View:-

The written and oral submissions made during the public hearing by the stakeholders in respect of amendment of Regulations 6,17,23,25,26,28,30,32 and 33 of the Principal Regulations and for taking into consideration rule 15 of the Electricity (Rights of Consumers) Rules, 2020, are welcome suggestions, but the present proposal is only with regard to amendment of Regulations 5 and 7 and the aforesaid suggestions are not part of this regulatory process, hence the Commission decline to accept the same. However, the stakeholders are at liberty to submit such proposal separately which will be examined by the Commission accordingly.

In view of the above, 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) (Fifth Amendment) Regulations, 2026. The Amendment Regulations be published in the Rajpatra, Himachal Pradesh accordingly.

Announced on: 13.10.2026

Shashi Kant Joshi
(Member-Cum- Chairman)