

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA
Vidyut Aayog Bhawan, Block-37, SDA Complex, Kasumpti, Shimla-171009**

NOTIFICATION

No.HPERC-B(3)-1/2020-705-Vol-VII.

Shimla the 21st August, 2023

WHEREAS, the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013, issued vide Notification No. HPERC/Secy/RPB/705/CV/KD/2011 dated 18th April, 2013 and published in the Rajpatra Himachal Pradesh on 22nd April, 2013, provide for appointment, Promotion and other term and conditions of service of officers and employees of the Commission;

AND WHEREAS, the State Government vide Notification No. MPP-MPP-A(3)-2/2003 dated 16th May, 2020, re-constituted the Himachal Pradesh Electricity Regulatory Commission as “Three Member Commission” in place of “two Member Commission” ; and consequent upon re-constitution of the Commission, the State Government created post of Member (Law) and five other posts of various categories;

AND WHEREAS, there is no provision(s) in the HPERC (Terms and Conditions of Service of Staff) Regulations, 2013 in relation to appointment, promotion and other conditions of service for the posts of Assistant Registrar (Judicial), PA-cum-Judgment Writer and Asstt. Programmer (newly created posts);

NOW, THEREFORE, in exercise of the powers conferred by sub-sections (2) and (3) of section 91 read with clause (zk) of sub-section (2) of section 181 of the Electricity Act, 2003 (36 of 2003) and section 20 of the Himachal Pradesh General Clauses Act, 1968 (16 of 1969), and all other powers enabling it in this behalf, the Commission proposes further to amend “the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013” published in the Rajpatra, Himachal Pradesh on 22nd April, 2013 and as required under sub-section (3) of section 181 of the Electricity Act, 2003 and rule 3 of the Electricity (Procedure for Previous Publication) Rules, 2005. The draft amendment regulations are hereby published for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft amendment regulations shall be taken into consideration after expiry

of thirty days (30) from the date of publication of this notification, together with objections or suggestions, if any, received within the aforesaid stipulated period.

The text of the aforesaid draft regulations is also available on the website of the Commission i.e. <https://www.hperc.org>. The objections or suggestions, if any, should be addressed to the Secretary, Himachal Pradesh Electricity Regulatory Commission, Vidyut Aayog Bhawan, Block-37, SDA Complex, Kasumpti, Shimla -171009.

DRAFT REGULATIONS

1. Short title and commencement - (1) These Regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) (Fourth Amendment) Regulations, 2023.
(2) These Regulations shall come into force from the date of its publication in the Rajpatra, Himachal Pradesh.
2. In PART-I & II of Schedule-II of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013, under the heading “minimum qualification and other eligibility conditions”, the following shall be substituted/inserted, namely:-

Sr. No.	Nomenclature of the Post	Proposed provisions with respect of qualification and other legibility conditions.
1.	Assistant Registrar (Judicial) (newly created post). (15600-39100+6600) Pre-revised)	By promotion from amongst the Personnel-cum-Administrative Officer and Law Officer, possessing professional Degree in Law from a recognized University with 3 years regular service or regular combined with continuous adhoc service or service rendered in the regulatory affairs of power sector, if any, in the grade and in the case of Law Officer, 9 years service on merit-cum-seniority basis; failing which on secondment basis, from amongst the persons holding equivalent post and possessing above specified educational qualification or from amongst Section Officers or Superintendents Grade-I or its equivalent having 6 years service experience of the post or in regulatory matters and possessing

		<p>above specified educational qualification;</p> <p>Failing both, on re-employment basis from amongst persons who retired from analogous post and above levels or having more than 10 years experience in regulatory affairs and out of which more than 6 years service as Reader or above levels and possessing above specified educational qualification.</p>
2.	<p>Private Secretary (newly created post). (15600-39100+5400) (Pre-revised)</p>	<p>By promotion from amongst the Personal Assistant(s) and P.A.-cum-Judgment Writer possessing 05(five) years regular service or regular combined with continuous adhoc service, if any, in the grade; failing which by promotion from amongst the Personal Assistant(s) possessing 14 (fourteen) years regular service or regular combined with continuous adhoc service, if any, as Personal Assistant and Senior Scale Stenographer combined which shall also include 02 (two) years essential service as Personal Assistant; failing both by promotion from amongst the Personal Assistant possessing 19 (nineteen) years regular service or regular combined with continuous adhoc service, if any, as Personal Assistant, Senior Scale Stenographer and Junior Scale Stenographer combined which shall also include 02 (two) years essential service as Personal Assistant; failing all by promotion from amongst the Personal Assistant(s) possessing 24 (twenty four) years regular service or regular combined with continuous adhoc service, if any, as Personal Assistant, Senior Scale Stenographer, Junior Scale Stenographer and Steno Typist combined which shall also include 02 (two) years essential service as Personal Assistant.</p>
3.	<p>P.A.-cum-Judgment Writer (newly created post). (10300-334800+4800) (Pre-revised)</p>	<p>By promotion from amongst Senior Scale Stenographers having 6 years regular service or regular combined with continuous adhoc service or in the regulatory affairs of power sector rendered, if any, in the grade.</p>

4.	Assistant Programmer (newly created post). (10300-334800+4200) (Pre-revised)	By direct recruitment through H.P. Public Service Commission on contract or regular basis from amongst persons who possess Bachelor Degree in Computer Science or Electronics Engineering with specialization in computer programming or M.Sc. in Computer Science or MCA or its equivalent from a recognized University; failing which on secondment basis from amongst the persons holding equivalent post; failing both on outsource basis from amongst the persons possessing experience of atleast 12 years and above in Information Technology field in Government or Corporate Sector.
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3. In Regulation 7(2) of the Himachal Pradesh Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013, after adoption of Office Memorandum notified by the Government of Himachal Pradesh, Finance (Pension) Department vide No. Fin.(Pen)A(3)/1/2023 dated 17 January, 2023 and subsequent Instructions / Standard Operating Procedures notified vide No. Fin.(Pen)A(3)/1/2023 dated 4th May,2023, to implement the Old Pension Scheme also known as the Central Civil Services (Pension) Rules, 1972, for the existing / retired employees who were covered under the National Pension System, the following shall be substituted:-

Unless otherwise the decision or specific approval has been conveyed by the State Government or unless otherwise opted by the employee to continue under the National Pension System (also known as the Contributory Pension Scheme); the Old Pension Scheme also known as the Central Civil Services (Pension) Rules, 1972, for the existing/ retired regular employees who were covered under the National Pension System shall apply to them.

By Order of the Commission

Sd/-

Secretary