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THE ANDHRA PRADESH GAZETTE
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HYDERABAD, TUESDAY, JULY 3, 2007.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.

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PUBLIC WORKS NOTIFICATIONS

**ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION
APPOINTMENT OF VIDYUT.OMBUDSMAN AND TERMS & CONDITIONS OF SERVICE**

Regulation No.2 of 2007

INTRODUCTION

In exercise of the powers vested in it, the Andhra Pradesh Electricity Regulatory Commission notified APERC (establishment of Forum and Vidyut Ombudsman for redressal of grievances of the consumers) Regulation, 2004. The said Regulation No.1 of 2004, which was published in the Andhra Pradesh Gazette on 06.02.2004, it was stated that the mode of appointment and terms and conditions of service of the Vidyut Ombudsman and staff shall be as specified by the Commission by separate Regulation.

The Commission had prepared a draft Regulation with regard to appointment and terms and conditions of service of the Ombudsman and his staff. The draft Regulation was published in the official gazette on 02.01.2004 inviting comments and suggestions. The Commission had not received any comment or suggestion with regard to the said draft Regulation. The Commission, after carefully considering the subject matter, made suitable changes in the draft Regulation, where ever necessary.

In exercise of the powers under sub-sections (6) and (7) of section 42 and all powers enabling in that behalf, Andhra Pradesh Electricity Regulatory Commission hereby makes the following Regulation providing for appointment and terms & conditions of service of Vidyut Ombudsman and for matters incidental and ancillary thereto :-

- Short Title 1 (1) This regulation may be called the A. P. Electricity Regulatory Commission (Appointment of Vidyut Ombudsman and Terms & Conditions of Service) Regulation, 2007.
- (2) This regulation shall come into force on the date of its publication in the Andhra Pradesh Gazette.
- Definitions 2 Unless there is anything repugnant to the subject or context:-
- (a) "Act" means the Electricity Act, 2003;
- (b) "Appointing Authority" in respect of the post of Ombudsman means Andhra Pradesh Electricity Regulatory Commission,
- (c) "Commission" means AP Electricity Regulatory Commission;
- (d) "Chairperson" means Chairperson of the Commission;
- (e) "Ombudsman" means the person appointed by the Commission under section 42(6) of the Act;
- (f) "Year" means the Calendar Year; and
- (g) words and expressions used in this regulation but not defined herein shall have the same meaning as respectively assigned to them in the Act.
- Appointment of Ombudsman 3. (a) The Appointing Authority shall appoint or designate a person as Ombudsman as provided for in the Act.
- (b) The Selection Committee for Ombudsman shall consist of the Chairperson and Members of the Commission. The Chairperson of the Commission shall be the Chairperson of the Selection Committee.
- (c) Term of Office: The Ombudsman shall be appointed for a term of three years or till he attains the age of 65 years, whichever is earlier, provided that no person shall be appointed as Ombudsman after he attains the age of 62 years. The Ombudsman shall not be eligible for reappointment.
- (d) Removal from Office:
- (i) The Ombudsman shall not be removed from office except in accordance with this regulation.
- (ii) The Commission, may, by order, remove from office, the Ombudsman, if he —
- a. has been adjudged as insolvent;
- b. has been convicted of an offence which, in the opinion of the Commission, involves moral turpitude;

- c. has become physically or mentally incapable of acting as Ombudsman;
- d. has acquired such financial or other interest as is likely to affect prejudicially his functions as Ombudsman;
- e. has so abused his position as to render his continuance in office prejudicial to the public interest; or
- f. has been guilty of proven misbehavior.

Provided that the Ombudsman shall not be removed from office on any ground specified in clauses(d), (e) and (f) unless an inquiry held in accordance with such procedure as may be prescribed by the Commission, has reported that the Ombudsman ought to be removed on such ground or grounds.

(e) Location of the office of Ombudsman: The Ombudsman shall be located at Hyderabad. However he may hold hearings or proceedings at various places within the state of Andhra Pradesh in order to expedite disposal of representations received by him.

(f) Pay and allowances of Ombudsman: the Ombudsman shall be entitled for pay as per the pay scale of Rs.22,400 - 525 - 24,500. In addition, he shall be entitled to DA, HRA and CCA in accordance with Central Government rules.

Other benefits shall be as admissible to the employees of the Government of Andhra Pradesh.

Secretariat:

4. (a) The Ombudsman shall be provided with a Secretariat. The staff strength of the said Secretariat and the terms and conditions of appointment of the staff shall be as determined by the Commission from time to time.
- (b) The expenses of the Secretariat shall be paid out of the Fund constituted under section 103 of the Act.

Provided that till the time Fund is constituted or as soon as may be reasonably practicable thereafter in the opinion of the Commission, the expenses of the Secretariat shall be borne by the Distribution Licensees in such proportion and in such manner as may be determined by the Commission.

Interpretation

5. If any question arises relating to the interpretation of this regulation, the decision of the Commission shall be final.

Power to remove
Difficulties

6. The Commission may by order make such provisions or give such directions as it may deem necessary for the removal of any difficulty that may arise in giving effect to the provisions of this regulation.

K. RAJAGOPALA REDDY,

Secretary,

A.P.Electricity Regulatory Commission.