



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, THURSDAY, DECEMBER 17, 2020 (AGRAHAYANA 26, 1942 SAKA)

THE PUNJAB STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

The 16th December, 2020

No.PSERC/Secy/Regu. 154.- In exercise of the powers conferred under Section 181 read with other provisions of the Electricity Act, 2003 (36 of 2003) enabling the Commission in this behalf, the Punjab State Electricity Regulatory Commission hereby makes the following Regulations to amend the Punjab State Electricity Regulatory Commission (Forum and Ombudsman) Regulations, 2016 providing guidelines to the Licensees for the establishment of Forum for Redressal of Grievances of the consumers; for appointment of Ombudsman; for representation against non-redressal of grievances of consumers and the time and manner of settlement of grievances by Ombudsman and for matters incidental and ancillary thereto (hereinafter referred to as the Principal Regulations):-

1. SHORT TITLE, EXTENT AND COMMENCEMENT

- 1.1 These Regulations may be called the Punjab State Electricity Regulatory Commission (Forum and Ombudsman) (1st Amendment) Regulations, 2020.
- 1.2 These Regulations shall be applicable to all distribution licensees including a deemed licensee under the Act.
- 1.3 These Regulations shall extend to the whole of the State of Punjab.
- 1.4 These Regulations shall come into force on the date of their publication in the official gazette.

2. Amendment in Regulation 2.9 of the Principal Regulations

Regulation 2.9 of the Principal Regulations shall be substituted as under;

- 2.9 Every member including the Chairperson of the Forum shall hold office for a period of two years from the date of joining the office.

Provided that the tenure of the Chairperson may be extended by the Commission for a period of one year at a time.

Provided further that the Chairperson shall not hold office for more than five years or on attaining the age of sixty-five years, whichever is earlier.

Provided also that the tenure of a member, who is in the employment of the licensee, may be extended by the licensee with the approval of the Commission for a period of one year at a time.

Provided also that no serving officer of the licensee performing the duties of Member of the Forum shall continue after retirement from the service of the licensee.

Provided also that in case the licensee requires to transfer the serving officer working as Member in the Forum before the expiry of 2 years tenure due to administrative exigencies, prior approval of the Commission shall be sought.

3. **Amendment in Regulation 2.13 of the Principal Regulations**

Regulation 2.13 of the Principal Regulations shall be substituted as under;

2.13 The remuneration including allowances and other terms and conditions of service of the Chairperson shall be such as may be approved by the Commission.

The terms and conditions of service of a Member of the Forum who is in the employment of the licensee shall be governed by the terms & conditions of his/her employment with the licensee and he/she shall continue to draw the same salary as he/she is entitled to as a regular employee of the licensee.

4. **Amendment in Regulation 2.14 of the Principal Regulations**

Regulation 2.14 of the Principal Regulations shall be substituted as under;

2.14 The licensee shall appoint/designate one of its officers not lower than the rank of Group-A officer as full time Secretary to the Forum and shall also provide the required supporting staff and office accommodation etc. for the proper functioning of the Forum.

5. **Amendment in Regulation 2.26 of the Principal Regulations**

Regulation 2.26 of the Principal Regulations shall be substituted as under;

2.26 In case a complainant approaches the Forum directly for redressal of his monetary dispute under the first proviso to regulation 2.22 above, the consumer shall be required to deposit the following amount (inclusive of amount already deposited on this account), with the Licensee, through any approved mode of payment specified in Regulation 31.5 of the Supply Code, 2014, as amended from time to time, pending disposal of any dispute between the complainant and the Licensee and attach a copy of the receipt with the complaint:

- a) **Disputed current electricity bill amount (covered under Reg.35 of Supply Code, 2014):** payment as per Regulation 35.1 of Supply Code, 2014, as amended from time to time.
- b) **Cases Other than that covered under (a) above:** 20% of the disputed amount other than the current bill amount.

Provided that in case the consumer is unable to make payment as specified above, the Chairperson of the Forum shall be competent to fix the amount to be deposited before consideration of the grievance by the Forum.

6. Amendment in Regulation 2.42 of the Principal Regulations

Regulation 2.42 of the Principal Regulations shall be substituted as under;

2.42 The Forum may, subject to the Supply Code, 2014, as amended from time to time by the Commission in this regard, award such compensation to the complainants as it considers just and appropriate in the circumstances of the case.

Provided that the interest payable on recoverable/ refundable amount if any, by either party shall be as under:

- i) **Cases covered under 2.26 (a) above:** as per Regulations 35.1.3 & 35.1.4 of Supply Code, 2014, as amended from time to time;
- ii) **Cases covered under 2.26 (b) above:** at SBI Base Rate prevalent on 1st of April of the relevant year plus 2%.

7. Amendment in Regulation 3.5 of the Principal Regulations

Regulation 3.5 of the Principal Regulations shall be substituted as under;

3.5 The remuneration including allowances and other terms & conditions of the service of the Ombudsman shall be such as may be approved by the Commission. Ombudsman shall also be entitled to office facilities, as admissible to Grade-1 officers of State Government.

8. Amendments in Regulation 3.18 of the Principal Regulations

Clause (ii) and (iii) of Regulation 3.18 of the Principal Regulations shall be substituted as under;

3.18 No representation to the Ombudsman shall lie unless:

- ii) The representation is made within 30 days from the date of receipt of the order of the Forum:

Provided that the Ombudsman may entertain a representation beyond 30 days on sufficient cause being shown by the complainant that he/she had reasons for not filing the representation within the aforesaid period of 30 days.

- iii) The person filing the representation makes a deposit of 40% (forty per cent) of the amount assessed by the Forum (inclusive of amount already deposited on this account), with the Licensee, through any approved mode of payment specified in Regulation 31.5 of the Supply Code, 2014, as amended from time to time, and submit documentary evidence of such deposit.

9. Amendment in Regulation 3.26 of the Principal Regulations

The words and figures “within 15 days” appearing in the first sentence of Regulation 3.26 of the Principal Regulations shall be substituted with words and figures of “within 21 days”

Sd/-

Secretary to the Commission.