

---

# TELANGANA STATE ELECTRICITY REGULATORY COMMISSION

## NOTIFICATION

No. TSERC/\_\_\_/2020

\_\_\_10.2020

### DRAFT REGULATION

#### Preamble:

The Telangana State Electricity Regulatory Commission notified Regulation No. 3 of 2015 (Establishment of mechanism for Redressal of Grievances of the Consumers) Regulation, 2015 [hereinafter referred to as Principal Regulation] in the Telangana Gazette dated 03.10.2015. Subsequently, Regulation No. 1 of 2018 (1<sup>st</sup> Amendment to the Principal Regulation) was notified in the Telangana Gazette dated 24.04.2018. On review of the functioning of the redressal mechanisms in the State, the Commission is of the view that certain amendments in the Principal Regulation are required for further streamlining and strengthening of the redressal mechanisms.

In exercise of powers conferred by sub-sections (5) and (7) of Section 42 read with clauses (r) and (s) of sub-section (2) of Section 181 of the Electricity Act, 2003 (Central Act No. 36 of 2003) and all powers enabling it in that behalf, the Telangana State Electricity Regulatory Commission hereby makes the following Regulation:

#### 1 Short title, Extent and Commencement

- (1) This Regulation shall be called the **Telangana State Electricity Regulatory Commission (Establishment of mechanism for Redressal of Grievances of the Consumers) (2<sup>nd</sup> Amendment) Regulation, 2020.**
- (2) This Regulation shall be applicable to the Distribution Licensees, in the State of Telangana in their respective licence areas.
- (3) This Regulation shall come into force from the date of publication in the Telangana Gazette.

#### 2 Amendments to clauses 2.6.(a), 2.9., 2.10., 2.11.

Clause reference	Clause as existing	Clause as amended
2.6.(a)	<b>Chairperson:</b> The person shall be a retired District Judge or a retired Judicial Officer having 20 years of service or a retired Chief Engineer (Electrical) of a Distribution Licensee with 20 years of experience. <i>Provided that a retired Chief Engineer (Electrical) of a Distribution Licensee applying for the post of Chairperson of</i>	<b>Chairperson:</b> The person shall be a retired District Judge or a retired Judicial Officer having 20 years of service or a retired Chief Engineer (Electrical) of a Distribution Licensee with 20 years of experience. <i>Provided that a retired Chief Engineer (Electrical) of a Distribution Licensee applying for the post of Chairperson of</i>

Clause reference	Clause as existing	Clause as amended
	<i>the Forum shall not have been in the employment in any capacity under, or agency of, the Distribution Licensee for a minimum period of three (3) years prior to being appointed Chairperson of the Forum.</i>	<i>the Forum shall not have been in the employment in any capacity under, or agency of, the Distribution Licensee for a minimum period of one (1) year prior to being appointed Chairperson of the Forum.</i>
2.9.	<p>The Licensee for the purpose of empanelling the Chairperson or the Member of Forum other than an Independent Member shall constitute a selection committee consisting of:</p> <p>(a) The Chairman &amp; Managing Director of the Licensee Company- Chairperson</p> <p>(b) A person nominated by the Principal Secretary or the Secretary (Energy) to the Government of Telangana -Member</p> <p>(c) The Director (Human Resource Development) of the Licensee Company- Member</p> <p><i>The Selection committee shall recommend a panel of two names for every vacancy referred to it.</i></p>	<p>The Licensee for the purpose of empanelling the Chairperson shall constitute a selection committee consisting of:</p> <p>(a) The Chairman &amp; Managing Director of the Licensee Company- Chairperson</p> <p>(b) A person nominated by the Principal Secretary or the Secretary (Energy) to the Government of Telangana - Member</p> <p>(c) The Director (Human Resource Development) of the Licensee Company- Member</p> <p><i>The Selection committee shall recommend a panel of two names for vacancy of Chairperson referred to it.</i></p>
2.10.	<p>The Licensee shall submit to the Commission a panel of two names each for Chairperson, Technical Member and Finance Member as recommended by the selection committee. The Licensee shall appoint the Chairperson and the Members selected by the Commission from the panels submitted by the Licensee.</p>	<p>The Licensee shall submit to the Commission a panel of two names for Chairperson as recommended by the selection committee. The Licensee shall appoint the Chairperson selected by the Commission from the panel submitted by the Licensee. The Licensee shall appoint the Members other than Independent Member from its Serving Officers meeting the qualification requirement in this Regulation.</p>
2.11.	<p>Every Member of the Forum shall hold office for a fixed term of three years or till he attains the age of 65 years whichever is earlier. A Chairperson or a</p>	<p>Every Member of the Forum shall ordinarily hold office for a period of three years subject to the ceiling limit of attaining the age of 65 years. A Chairperson</p>

Clause reference	Clause as existing	Clause as amended
	Member of the Forum including Independent Member shall not be eligible for any extension of term or for re-appointment except for such short periods not exceeding six months as is necessary or expedient, with the prior approval of the Commission to enable the appointment of successor Members.	or a Member of the Forum including Independent Member shall not be eligible for any extension of term or for re-appointment except for such short periods not exceeding one year as is necessary or expedient, with the prior approval of the Commission to enable the appointment of successor Members. The Technical Member and Finance Member shall not hold office as such, after he/she ceases to be the officer of the Licensee.

**3 The following clause shall be added after clause 2.33.**

“2.33.1. Each Distribution Licensee, within six (6) months of notification of this Regulation, shall create a web-based portal for the CGRFs within its supply area, which shall be hosted on the website of the Distribution Licensee for use by the complainants and operated by the CGRFs. Such portal shall host all the necessary information, but not limited to the following:

- (a) Constitution of CGRFs;
- (b) Acts, Regulations, policies and guidelines;
- (c) Facility for e-filing of Grievance;
- (d) Schedule of hearings;
- (e) Record of proceedings;
- (f) Orders issued by CGRFs;
- (g) Reports specified in the Regulation etc.

On submission of the Grievance through the web-based portal the contact details of the Forum shall be intimated to the Complainant along with the acknowledgement of the receipt of the Grievance that shall be auto-generated with serial number and date at the time of submission.”

**4 The following clause shall be added after clause 2.63.**

**“Review of Order of Forum**

2.64. The Forum may either on its own motion or on an application by any person aggrieved by an order of the Forum, including the Distribution Licensee, review its Order, under the following circumstances:

- (a) where no appeal or Representation has been preferred;
- (b) on account of some mistake or error apparent from the face of the

---

record;

(c) upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed.

2.65. An application under clause 2.64. shall be filed within period of thirty (30) days from the date of order.

2.66. An application for such review shall clearly state the matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or the mistake or error apparent from the face of the record.

2.67. The review application shall be accompanied by such documents, supporting data and statements as the Forum may determine.

2.68. When it appears to the Forum that there is no sufficient ground for review, the Forum shall reject such review application:

*Provided that no review shall be rejected unless the applicant has been given an opportunity of being heard.*

2.69. When the Forum is of the opinion that the review application should be granted, it shall grant the same:

*Provided that no such review will be granted without previous notice to the opposite side or party to enable him to appear and to be heard in support of the order, the review of which is applied for."*

**5 The following clauses shall be added after clause 3.43.**

**"Power to remand matters to the Forum**

3.44. Where the Forum has disposed of the Grievance and the order of the Forum is reversed or set aside in the proceedings before the Ombudsman, the Ombudsman may, if it thinks fit and necessary, by order remand the Grievance to the Forum.

3.45. The Ombudsman may further direct what issue or issues shall be decided in the Grievance so remanded, and shall send a copy of its order to the Forum from whose order the representation has been preferred to Ombudsman, with such directions as may be necessary to consider the Grievance and pass orders accordingly.

**Review of Order of Ombudsman**

3.46. The Ombudsman either on its own motion or on an application by any

---

person aggrieved by an order of the Ombudsman, including the Distribution Licensee, under the following circumstances:

- (a) Where no appeal has been preferred;
- (b) on account of some mistake or error apparent from the face of the record;
- (c) upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed.

3.47. An application under clause 3.46. shall be filed within period of thirty (30) days from the date of order.

3.48. An application for such review shall clearly state the matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or the mistake or error apparent from the face of the record.

3.49. The review application shall be accompanied by such documents, supporting data and statements as the Ombudsman may determine.

3.50. When it appears to the Ombudsman that there is no sufficient ground for review, the Ombudsman shall reject such review application:

*Provided that no review shall be rejected unless the applicant has been given an opportunity of being heard.*

3.51. When the Ombudsman is of the opinion that the review application should be granted, it shall grant the same:

*Provided that no such review will be granted without previous notice to the opposite side or party to enable him to appear and to be heard in support of the order, the review of which is applied for."*

**(By order of the Commission)**

Hyderabad  
22-10-2020

Sd/-  
Secretary [FAC]  
TSERC