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PART-IIA

MEGHALAYA STATE ELECTRICITY
REGULATORY COMMISSION

NOTIFICATION

The 3rd August, 2022

THE MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION
(REDRESSAL OF CONSUMER GRIEVANCES & ELECTRICITY OMBUDSMAN)
(FIRST AMENDMENT) REGULATIONS, 2017 (2 OF 2022)

No.MSERC/CGRF/60/2008/103. - In exercise of the powers conferred under clauses (r) and (s) of sub-section (2) of Section 181 of the Electricity Act, 2003 and all powers enabling it in that behalf, the Meghalaya State Electricity Regulatory Commission hereby makes the following regulations, namely the Meghalaya State Electricity Regulatory Commission (Redressal of Consumer Grievances & Electricity Ombudsman) (First Amendment) Regulation 2017.

1. Short Title and Commencement.

- (1) These regulations shall be called the Meghalaya State Electricity Regulatory Commission (Redressal of Consumer Grievances & Electricity Ombudsman) (First Amendment) Regulations, 2017.
- (2) They shall come into force on the date of their publication in the Gazette of Meghalaya.

2. Chapter – III, Forum for Redressal of Consumer Grievances, Regulation 4, is hereby amended as follows.

CHAPTER – III**FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES****4. Constitution of the Consumer Grievance Redressal Forum (CGRF)**

4.1 The Distribution Licensee shall constitute Consumer Grievances Redressal Forums (CGRFs) at the following locations and with the following areas of jurisdiction.

- a) Shillong – All Districts under Khasi Hills, Jaintia Hills and Ri-Bhoi.
- b) Tura – All Districts under Garo Hills.

4.2 The Forum is to be constituted with approval of the Commission by the Distribution Licensee. It shall consist of three members including the Chairperson, who shall meet the following criteria:

- (a) The Chairperson of the Forum shall be a retired person having at least 20 (twenty) years experience in legal / judicial profession; or a retired civil servant not below the rank of Secretary of the State Government; or a retired officer not below the rank of Chief Engineer and having worked in a Distribution Licensee in any capacity.
- (b) One member to be as Technical Member and shall be a serving officer of the rank not below Superintending Engineer, from the Distribution Licensee and shall be selected by the Distribution Licensee.
- (c) One member shall be a representative of a Consumer Association / Non-Governmental Organisation actively engaged in protecting the interests of electricity consumers, or a representative from the members of the State Advisory Committee constituted under section 87 of the Act, to be nominated by the Commission.

4.3 The Chairman shall be selected by the Commission and the Selection Committee shall comprise the following members:

- (i) Chairman, MSERC.
- (ii) Member(s), MSERC.
- (iii) Secretary, MSERC. He shall also act as the Convener.
- (iv) The Selection Committee may co-opt an Expert Member.

4.4 Every member of the Forum shall hold office for a term of three years from the date of entry into the office.

Provided, that no Chairperson or Member shall hold office upon attaining the age of 65 (sixty five) years. The Chairperson of the Forum along with any one of the members shall form the Quorum for the meeting of the Forum.

Provided that where the Chairperson is absent from a sitting of the Forum, he / she may authorize the member, who fulfils the eligibility criteria of sub-clause (4.2)(c) to chair such sitting.

4.5 The Distribution Licensee may with prior approval of the Commission substitute a member of the Forum with another person as per the composition and qualification provided in sub-clause (4.2) above, after following due process of law, if in the opinion of the Distribution Licensee such

substitution is necessary for proper discharge of the functions of the forum and redressal of grievance of the consumers.

- 4.6 The Distribution Licensee shall ensure that the post of a member in the Forum is not kept vacant for a period exceeding 60 (sixty) days.

Provided that when vacancy arises for the post of Chairperson, the member who fulfils the eligibility criteria in clause (4.2) above shall function as the Chairperson-in-Charge for the period of such vacancy.

- 4.7 (1) No person shall be appointed and /or be entitled to continue as a member if he stands disqualified on account of his / her:

- (a) having been adjudged an insolvent;
- (b) having been convicted of an offence which, in the opinion of the Distribution Licensee, involves moral turpitude;
- (c) having become physically or mentally incapable of acting as such member;
- (d) having acquired such financial or other interest as is likely to affect prejudicially his functions as a member;
- (e) having so abused his position as to render his continuance in office prejudicial to public interest;
or
- (f) having been guilty of proved misbehaviour;

- (2) An existing member shall be liable to be removed from his office on account of any of the aforesaid disqualifications arising or being discovered after following due process of law.

However, the decision to remove an existing member shall be taken only after such member has been given an opportunity to defend himself / herself before the Enquiry Officer to be appointed by the Commission.

- 4.8 (a) The Chairman shall be granted a monthly remuneration of ₹ 35,000.00 (Rupees thirty-five thousand) only and the expenditure thereon borne by the Licensee.

- (b) The Member (as defined at sub-clause 4.2 (c) above) shall be granted a sitting fee of ₹ 2000.00 (Rupees two thousand) only for every sitting and the expenditure thereon borne by the Licensee.

- (c) In addition to the above, the Chairperson and Members shall be entitled to conveyance allowance as per actual, for attending the official duties of the Forum.

- 4.9 The Chairperson and Members of the Forum shall be entitled to allowance for travel jointly as a Forum, for official purposes outside the Headquarters as per the terms and conditions applicable to officers not below the rank of Superintending Engineer of the Distribution Licensee.

- 4.10 The office space, secretarial support and other facilities required by members of the Forum shall be provided by the Distribution Licensee.

- 4.11 The Distribution Licensee shall initially provide the following staff on establishment of the Forum;

(a) Office Assistant – 1

(b) Peon – 1

The requirement of the staff may be reviewed periodically in consultation with the Forum. The staff so provided while continuing to be employees of the Distribution Licensee, shall work under the administrative control of the Chairperson of the Forum for the duration in the Forum.

- 4.12 The Chairperson of the Forum may allocate duties accordingly, including the duty of receiving the petitions and issuing acknowledgements for the same to the complainants. The salaries and allowances payable to, and other terms and conditions of service of the staff required to assist the Forum in the discharge of its functions shall be as determined by the Distribution Licensee.
- 4.13 The Distribution Licensee shall meet the expenditure of the Forum including the establishment and staff required to assist the Forum in the discharge of the functions under these Regulations.
- 4.14 An annual budget for the Forum shall be prepared by the Distribution Company in consultation with the Forum.
- 4.15 All costs prudently incurred by the Distribution Licensee on establishment and running of the Forum, to the extent reasonable and justifiable, shall be allowed in the determination of tariff of the Distribution Licensee in accordance with the relevant Regulations of the Commission.
- 4.16 The Forum shall receive the complaints forwarded or filed with the Forum in any format so long such complaint is in writing. The Forum may, however, seek information and details from the complainant in Form 5 appended to these Regulations. The Forum shall also facilitate easy registration of complaints by consumers by notifying an official e-mail address. The Distribution Licensee shall maintain a regular office of the Forum at a location as may be decided by the Distribution Licensee so as to provide convenient access to consumers. In order to expedite disposal of grievances, the Chairperson of the Forum may also hold sittings at such places within its area of jurisdiction as may be considered necessary and proper by the Forum.

Notwithstanding the above, the Forum shall not entertain any representation which is subject matter of existing or proposed proceedings before the commission or before any other authority including under part X, XI, XII, XIV and XV of the Act.

- 4.17 The Forum shall decide the Complaint expeditiously and shall communicate its decision to the Complainant within a period not exceeding 30 (thirty) days of the receipt of the Complaint by the Forum. The Forum shall give the reasons in support of its decisions.
- 4.18 The timings and holidays of the office of the Forum shall be the same as that of the Distribution Licensee.
- 4.19 The Distribution Licensee shall give publicity through local newspaper of the constitution and existence of the Forum and in such other manner as the Commission may from time to time notify. The names / designation of the Members of the Forum and the address, e-mail, fax and phone numbers of the Forum shall be displayed at all the offices of the Distribution Licensee where complaints are liable to be registered and shall also be duly publicised including in the website of the Distribution Licensee.
- 4.20 The Forum shall maintain true and correct records of all Complaints received by the Forum from time to time and make available such records for inspection of the Members of the Commission or

an officer authorised by the Commission. Such records shall also be opened for inspection by the consumers and others who are complainants as defined in these Regulations. Wherever required by the complainants, the Forum shall provide in writing information of the present status of the Complaint relating to them.

- 4.21 The Distribution Licensee shall establish a link in its website within a period as may be decided in consultation with the commission facilitating a consumer to digitally lodge a complaint and track the status of the complaint. There shall also be an in-built provision for forwarding an auto e-mail to the complainant whenever the complaint lodged through the website is redressed by the Distribution Licensee.
- 4.22 **The Forum while dealing with the complaints / grievances from the consumers shall follow the principles of natural justice and the decisions taken shall as far as possible be unanimous.**
- 4.23 **The Forum may review its order either on its motion at anytime or on the application from any of the parties on the ground that there is sufficient reason to do so.**

By order, etc.

E. SLONG,
Secretary,
Meghalaya State Electricity Regulatory Commission