

**KERALA STATE ELECTRICITY REGULATORY COMMISSION  
THIRUVANANTHAPURAM**

**NOTIFICATION**

**No.1734/Admn/KSERC/2013      Dated, Thiruvananthapuram, 11/06/2019.**

In exercise of the powers conferred by sub-section (1) and clauses (r),(s) and (zp) of sub-section (2) of section 181 of the Electricity Act, 2003 (Central Act 36 of 2003), and all other powers enabling it in this behalf and after previous publication, the Kerala State Regulatory Commission hereby makes the following regulations to amend the Kerala State Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005, namely:-

**REGULATIONS**

1. **Short title and commencement.**-(1) These Regulations may be called the Kerala State Electricity Regulatory Commission( Consumer Grievance Redressal Forum and Electricity Ombudsman) Amendment Regulations, 2019.

(2) They shall come into force at once.

2. **Amendment of the Regulations.**- In the Kerala State Electricity Regulatory Commission ( Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005 (hereinafter referred to as the Principal Regulation),-

(a) in Regulation 3, for clause (b) of sub- regulation(3), the following clause and proviso shall be substituted, namely:-

“(b) One Member shall be nominated by the Commission for a period of three years from among persons having,-

- (i) proven ability, integrity, standing and familiarity with consumer affairs;
- (ii) degree in Law obtained from a recognized University and approved by the Bar Council of India; and
- (iii) not less than three years of experience as an Advocate practising before Subordinate Courts:

Provided that no person who is or has been an employee of any Distribution Licensee shall be nominated by the Commission as a Member of the Forum.”.

(b) after Regulation (3),- for the following Regulation shall be inserted, namely:-

“**3A.- Validation.-** Notwithstanding anything contained in the Principal Regulation as amended by these Regulations, any action taken or done by a Member nominated by the Commission, for a period of one year from such nomination under clause (b) of sub-regulation (3) of Regulation 3 of the Principal Regulation, but continued to discharge his functions as such a Member, shall be deemed to have been validly taken or done under these Regulations, as if his term has been extended upto the date of commencement of the Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Amendment Regulations 2019.”.

By order of the Commission,

G. Jyothichudan,  
Secretary.

## **Explanatory Note**

(This does not form part of the notification but is intended to indicate its general purport.

Sub-section (5) of section 42 of the Electricity Act, 2003 stipulates that Consumer Grievance Redressal Forums are to be established by every distribution licensee within six months from the appointed date or the date of grant of licence, whichever is earlier, for the redressal of grievances of the consumers in accordance with the guidelines as may be specified by the State Commission. Accordingly, Consumer Grievance Redressal Forums had been constituted by all the distribution licensees in the State of Kerala.

The functioning of the Consumer Grievance Redressal Forums are governed by the Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005. As per regulation 3(b), one member of the Consumer Grievance Redressal Forum shall be nominated by the Commission for a period of one year from among persons having a degree in any discipline with proven ability, integrity standing and familiarity with consumer affairs. The person shall not be an employee or former employee of any licensee. The Kerala State Electricity Regulatory Commission decided to amend sub-regulation 3(b) of the Kerala State Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005 for ensuring that the period of appointment of the member nominated by the Commission shall be 3 years and should be a person from among persons having a degree in Law with proven ability, integrity, standing and familiarity with consumer affairs with a minimum of three years practicing

experience in any of the Subordinate Courts in Kerala. It was also decided that no person who is or has been an employee of any distribution licensee shall be nominated as a Member of the Forum.

In addition, the Commission decided to validate the appointments of members nominated by the Commission in the Consumer Grievance Redressal Forums of certain licensees as they are continuing in their offices beyond the actual period of one year. A draft of the amendment Regulations for the purpose was published for inviting public opinion in the website of the Commission on 19/02/2019 as required under sub-section (3) of Section 181 of the Electricity Act, 2003. The suggestions / opinions received were duly considered by the Commission and certain suggestions were accepted and incorporated in the draft Regulations. Now, the Commission has approved the final notification for the purpose and decided to publish the same in the Kerala Gazette for the information of the public.

The notification is intended to achieve the above purpose.