

KERALA STATE ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No. 1/1/KSERC/2008/

Dated, Thiruvananthapuram, 21st May 2008

In exercise of the powers conferred under Sub-section (6) of Section 42 and Sub-section (1) of Section 181 of the Electricity Act, 2003 (Central Act 36 of 2003) the Kerala State Electricity Regulatory Commission hereby makes the following Regulations, namely:-

CHAPTER I

GENERAL

1. Short title and Commencement.- (1) These Regulations may be called the Kerala Electricity Ombudsman (Terms and Conditions of Service) Regulations, 2008.

(2) They shall come into force from the date of their publication in the Kerala Gazette.

2. Definitions.-(1) Unless there is anything repugnant to the subject or context;

- (a) 'Act' means the Electricity Act, 2003.
- (b) 'Commission' means Kerala State Electricity Regulatory Commission
- (c) 'Chairperson' means Chairperson of the Commission
- (d) 'Member' means Member of the Commission.
- (e) 'Ombudsman' means the person appointed by the Commission under Section 42(6) of the Electricity Act;
- (f) 'Year' means calendar year;

(2) Words or expressions used in these Regulations, but not defined, unless the context otherwise requires shall have the same meanings as are respectively assigned to them in the Act or in the fundamental and supplementary rules as are adopted or made applicable to the Officers/Employees of the State Government.

CHAPTER II
APPOINTMENT

3. Strength. - (1) The officers and supporting staff of the Ombudsman are categorized as under and the strength of each category is as follows:

Staff

Confidential Assistant : 1 No.

Attender : 1 No.

(2) The approval of the staff strength indicated above shall also be treated as approval for creation of posts.

4. Appointments. - (1) All appointments shall be made by the Commission.

(2) The qualification and experience required for each post shall be as laid down in Annexure I, provided that the Commission reserves the right to relax the eligibility criteria in suitable cases, for reasons to be recorded in writing.

(3) The supporting staff of the Ombudsman shall be appointed on deputation from State Government employees on usual terms and conditions of deputation under Kerala Government Service Rules.

5. Pay and Allowances of Supporting Staff . - (1) The pay scales for the supporting staff of the Ombudsman shall be as furnished in Annexure II and they shall be entitled to DA, as admissible to the employees of the Government of Kerala.

(2) The House Rent Allowance and City compensatory Allowance will be paid to the staff attached to the Ombudsman at the rates as may be determined by the Commission from time to time.

(3) Staff joining on deputation shall be eligible for deputation allowance as admissible under the Rules of their parent department.

(4) The officers and staff shall subscribe to the General Provident Fund in accordance with the relevant Rules.

CHAPTER III
OMBUDSMAN

6. Appointment of Ombudsman.- (1) The Commission shall appoint a person as Ombudsman as provided in the Act.

(2) The Selection Committee for Ombudsman shall consist of Chairperson and Members of the Commission. The Chairperson of the Commission shall be the Chairperson of the Selection Committee. The Commission may include external expert/experts in the Selection Committee.

7. Tenure of Appointment. - The Ombudsman shall be appointed for a term not exceeding three years. Provided that the tenure of the Ombudsman may be extended by the Commission for a further period not exceeding two (2) years subject to an overall age limit of sixty five (65) years.

8. Removal from Office. – (1) The Ombudsman shall not be removed from Office except in accordance under these Regulations.

(2) The Commission, may by order, remove from Office, the Ombudsman, if he –

- i. having been adjudged as insolvent;
- ii. having been convicted of an offence involving moral turpitude;
- iii. having become physically or mentally or otherwise incapable of acting as an Ombudsman;
- iv. having acquired such financial or other interest as is likely to affect prejudicially his function as an Ombudsman;
- v. having abused his position as to render his continuance in office prejudicial to public interest;
- vi. having been guilty of proved misbehaviour ;
- vii. having become a member of political party;

9. Working hours.- (1) The Office of the Ombudsman shall be open daily except on second Saturdays, Sundays and holidays notified by the Government of Kerala. The office of the Ombudsman shall be open at such other times as the Commission may direct. The working hours of the Ombudsman shall be from 10.00 hours to 17.00 hours. The lunch break shall be from 13.00 hours to 13.30 hours.

(2) Where the last day for doing of any act falls on a day on which the office of the Ombudsman is closed and by reasons thereof the act cannot be done on that day, it may be done on the next working day on which the office is open.

10. Pay & Allowances of Ombudsman.- (1) Remuneration and other allowances payable to the Ombudsman shall be such as may be specified with the approval of the Government. The Ombudsman shall be entitled to a consolidated remuneration of Rs.30,000/- (Rupees Thirty Thousand only) including all benefits such as DA, HRA and CCA less pension.

(2) Conveyance facility shall be provided to the Ombudsman for discharging official duty.

11. Powers and Duties of the Ombudsman. - The powers and duties of the Ombudsman shall be as specified under Section 19 of the Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005.

CHAPTER IV

MISCELLANEOUS

12. Power to remove difficulties. – If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may by general or special order, take appropriate action, not being inconsistent with the Electricity Act, 2003, which appears to the Commission to be necessary or expedient for the purpose of removing such difficulties.

13. Power to amend. - The Commission may, at any time add, modify, delete or amend any of the provisions of this Regulation subject to the provision of The Electricity Act, 2003.

14. Submission and publication of Reports by the Ombudsman. - The Electricity Ombudsman shall comply with the requirements regarding submission and publication of reports as specified under Section 28 of the Kerala State Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2005.

Sd/-
MEMBER (F)

Sd/-
MEMBER (E)

Sd/-
CHAIRMAN

Authenticated copy for issue

Sd/-
Secretary (in charge)

ANNEXURE – I

Kerala State Electricity Ombudsman (Terms and Conditions of Service)
Regulations, 2008

Qualifications for the post of Confidential Assistant and Attender

Sl.No.	Name of Post	Qualifications	Desirable
1	Confidential Assistant	(i) S.S.L.C. pass or equivalent (ii) Pass in Typewriting English (Lower) from KGTE/MGTE (iii) Pass in Shorthand English (Lower) from KGTE/MGTE (iv) Pass in Typewriting Malayalam (Lower) from KGTE	Knowledge in Computer application
2	Attender	(i) Pass in VIII th Standard Must be able to read and write Malayalam and English (ii) Ability to ride bicycle	Possess Two wheeler driving licence

ANNEXURE II

PAY SCALES OF SUPPORTING STAFF

1. Confidential Assistant - Rs. 6080-15-6680-160-7480-170-7990-200-9590-240-9830
2. Attender - Rs. 4510-120-4990-130-5510-140-5930-150- 6230