

Delhi Electricity Regulatory Commission

(Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers) Regulations, 2024

CONTENTS

DELHI ELECTRICITY REGULATORY COMMISSION

(Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers) Regulations, 2024

Sl. No.	Title	Page No.
CHAPTER I PRELIMINARY		
1.	Short title, application and commencement	5
2.	Definitions	5
3.	Interpretation	8
CHAPTER II GENERAL		
4.	Creation of Web portal for lodging grievances/representations.	8
5.	Establishment of Helpdesks	8
6.	Online Publication of Consumer redressal Manual (Bilingual)	9
7.	Prioritisation of Redressal of Grievances	9
8.	Maintenance of Online Library of Orders passed	10
9.	Online Publication and intimation of Cause list and (daily) Orders	10
CHAPTER III INTERNAL CONSUMER GRIEVANCE REDRESSAL CELL (ICGRC)		
10.	Establishment of Internal Consumer Grievance Redressal Cell (ICGRC)	10

11.	Procedure for processing the Grievances	10
12.	Monitoring & maintenance of record of performance of the ICGRC	11
CHAPTER IV CONSUMER GRIEVANCES REDRESSAL FORUM (CGRF)		
13.	Establishment of the Forum	12
14.	Composition of the Forum	12
15.	Eligibility	12
16.	Ineligibility and Disqualification	13
17.	Procedure for inviting applications	14
18.	Manner of Screening of Applications	15
19.	Constitution of Selection Committee & provision for Casting Vote	15
20.	Selection & Appointment	16
21.	Power to Designate any person to officiate as Chairperson	16
22.	Term of office and conditions of service	16
23.	Resignation by the Member	17
24.	Power and Procedure for Removal of the Members	17
25.	Chairperson's general Powers of superintendence	17
26.	Staffing of the Forum	17
27.	Appointment of Secretary to the Forum	18
CHAPTER V JURISDICTION AND PROCEEDINGS OF THE FORUM		
28.	Jurisdiction of the Forum	18
29.	Quorum of the Forum	18
30.	Grounds for Submission of Grievance before the Forum	19
31.	Action by the Staff of the Forum after receipt of Grievance	19
32.	Procedure to be adopted by the Forum for redressal of Grievance	19
33.	Powers of the Forum to call for records	21

34.	Power to Pass Interim Orders	22
35.	Order to be a Speaking Order & provision for Casting Vote	22
36.	Compulsory contents of the Speaking Order	22
37.	Supply of Online & Certified copies of the Orders	23
38.	Power to Review	23
39.	Online transmission of Documents to the Ombudsman	23
40.	Submission of Compliance Report & updation thereof on Websites	23
41.	Submission of Quarterly Report to Ombudsman & Commission	23
42.	Monitoring of Forum by the Commission	23
CHAPTER VI - OMBUDSMAN		
43.	Appointment of Ombudsman	24
44.	Eligibility of Ombudsman	24
45.	Ineligibility and Disqualification	24
46.	Constitution of Selection Committee & provision for Casting Vote	25
47.	Procedure for inviting applications and the manner of processing thereof	25
48.	Appointment & Oath	26
49.	Resignation by Ombudsman and designating any person to officiate as Ombudsman in certain circumstances	26
50.	Tenure	26
51.	Extension of Tenure	26
52.	Prohibition on reappointment	27
53.	Power and Procedure for Removal of the Ombudsman	27
54.	Salary and allowances payable to Ombudsman	27
55.	Secretary, Officers and other employees	27
56.	Eligibility Conditions for Appointment of Secretary, Advisor (Engineering) and Advisor (Law)	28
57.	Powers of Ombudsman	29

58.	Functions of Ombudsman	30
59.	Procedure for lodging representation	30
60.	Time limit for filing representation before Ombudsman	31
61.	Procedure to be adopted by the Ombudsman for settlement of the representation	31
62.	Principles to be followed by the Ombudsman in disposal of the representation	31
63.	Powers of the Ombudsman to call for records	31
64.	Power to Pass Interim Orders	31
65.	Order of Settlement to be final and binding	32
66.	Order of Settlement to be a Speaking Order	32
67.	Supply of Online & Certified copies of the Orders	32
68.	Power to Review	32
69.	Submission of Compliance Report & updation thereof	33
70.	Submission of Biannual Report to the Commission & State Govt	33

CHAPTER VII MISCELLANEOUS		
71.	Officers deemed to be Public Servants	33
72.	Inherent & residuary Powers of the Commission	34
73.	Repeal and Savings	34

**(PUBLISHED IN DELHI GAZETTE EXTRAORDINARY PART
_____)**

DELHI ELECTRICITY REGULATORY COMMISSION

Viniyamak Bhawan, C-Block, Shivalik, Malviya Nagar, New Delhi-110017

Notification

Delhi, _____ March, 2024

No. 11(1453)/DERC/2024-25/5620 In exercise of the powers conferred on it by sub-section (2)(r) and sub-section (2)(s) of Section 181 read with sub-sections (5), (6) and (7) of Section 42 of the Electricity Act 2003, and all other powers enabling it in this behalf, and after previous publication, the Delhi Electricity Regulatory Commission hereby frames the "Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers) Regulations, 2024" as follows:

CHAPTER I
PRELIMINARY

1. Short title, application and commencement

- a) These Regulations may be called the Delhi Electricity Regulatory Commission (Guidelines for establishment of the Forum and the Ombudsman for redressal of grievances of Electricity Consumers) Regulations, 2024.
- b) These Regulations shall be applicable to the Distribution Licencees operating in the National Capital Territory of Delhi in their respective areas of supply.
- c) These Regulations shall come into force with effect from ____ 2024.

2. Definitions

In these Regulations, unless the context otherwise requires: -

- a) **"Act"** means the Electricity Act, 2003 (36 of 2003);
- b) **"Chairperson"** means the Chairperson of the Consumer Grievances Redressal Forum;
- c) **"Commission"** means the Delhi Electricity Regulatory Commission;
- d) **"Consumer"** means any person who is supplied with electricity for his own use by a Distribution Licencee and includes any other person whose premises are connected for the purpose of receiving electricity with the works of a Licencee or a person whose electricity supply is disconnected by a Licencee or the person who has applied for connection for receiving electricity from a Licencee;
- e) **"Consumer Grievances Redressal Forum"** or **"CGRF"** or **"Forum"** means the forum for redressal of grievances of electricity consumers, established by a Distribution Licencee pursuant to Section 42(5) of the Act and these Regulations;
- f) **"Days"** means clear working days;
- g) **"Distribution Licencee"** or **"Licencee"** means any person who has been granted a license to distribute electricity under Section 14 of the Act by the Commission and includes deemed Licencees, authorized to operate and maintain a distribution system for supplying electricity to the consumer in his area of supply;
- h) **"Electricity Service"** means in particular and without prejudice to the generality of the term, electricity supply, include metering, billing, maintenance of supply, maintenance of distribution system and all other attendant subservices etc., which a Licencee is required to provide pursuant to his licence or under any other law for the time being in force;
- i) **"Grievance"** includes but not limited to the following:

- (i) Electricity services which are unsafe or hazardous to public safety,
- (ii) New Connection, Non-Supply of or Interruption in Power supply;
- (iii) Disconnection of Power supply
- (iv) Voltage and power quality related issues;
- (v) Load shedding/ unscheduled outage
- (vi) Meter or Billing related issues,
- (vii) Change in billing category, ownership changes;
- (viii) Reduction or increase of connected load/ contract demand
- (ix) Any other grievance under the Delhi Electricity Regulatory Commission (Supply Code and Performance Standards) Regulations, 2017 or Delhi Electricity Regulatory Commission (Group Net Metering and Virtual Net Metering for Renewable Energy) Guidelines, 2019 or DERC (Net Metering for Renewable Energy) Regulations, 2014 and DERC (Peer to Peer Energy Transaction) Guidelines, 2024.

But shall not include the following:

- (x) Unauthorized use of electricity as provided under Section 126 of the Act;
 - (xi) Offences and penalties as provided under Sections 135 to 141 and 150 of the Act; and
 - (xii) Accident in connection with the distribution, supply or use of electricity as provided under Section 161 of the Act.
- j) **“Internal Consumer Grievance Redressal Cell” or “ICGRC”** means such first authority to be contacted for redressal of the consumer grievance, as notified by the Licencee.
- k) **“Member”** means the Member of the Forum and unless the context otherwise requires, the expression ‘Member’ shall also include the Chairperson;
- l) **“Ombudsman”** means the “Electricity Ombudsman” appointed or designated by the Commission, under Section 42(6) of the Act, to whom any consumer aggrieved by non-redressal of his grievances by the Forum, may make a representation for the redressal of his grievance.

3. Interpretation

Words and expressions used but not defined in these Regulations shall have the same meaning as assigned to them in the Act or in any other Rules or Regulations framed under the Act.

CHAPTER II **GENERAL**

The general provisions contained in this Chapter shall be common and applicable to the Internal Consumer Grievance Redressal Cell, Consumer Grievance Redressal Forum, and the Ombudsman.

4. Creation of Web portal for lodging grievances/representations

A user friendly Web portal, Mobile app and E-mail facility for Online lodging of Consumer grievances shall be established. These facilities shall also carry Online Forms for submission of grievances along with the facility for uploading supporting documents.

Notwithstanding the above, a grievance or representation received through the Postal mode shall not be rejected or dismissed merely on the ground that the same is not as per the prescribed format.

5. Establishment of Helpdesks

The Internal Consumer Grievance Redressal Cell, Consumer Grievance Redressal Forum, and the Ombudsman shall each establish Helpdesks for providing personal, telephonic and Online assistance to the Consumers for filing grievances or representations.

6. Online Publication of Consumer redressal Manual (Bilingual)

- a) For ease and convenience of the Consumers in filing Grievance or Representation, an online and downloadable Manual (in English and Hindi) shall be published indicating therein a detailed but consumer-friendly procedure for the said purpose.
- b) It shall be duly highlighted and mentioned in the said Manual that grievances or the issues falling under Section 126 (Assessment), 127 (Appeal to Appellate Authority), 135 (Theft of electricity), 136 (Theft of electric lines and materials), 137 (Punishment for receiving stolen property), 138 (Interference with meters or works of Licencee), 139 (Negligently breaking or damaging works), 142 (Punishment for non-compliance of directions by Appropriate Commission), 152 (Compounding of offences) and 161 (Notice of accidents and inquiries) of the Act are not entertainable by the ICGRC, the CGRF and the Ombudsman but fall in the jurisdiction of the Special Courts constituted under the Electricity Act 2003.
- c) It shall also be duly but separately highlighted in the said Manual (Bilingual) as well on the respective Websites that the rights conferred upon the Consumer to submit his grievance or representation before the ICGRC, the CGRF and the Ombudsman under the Electricity Act 2003, are without prejudice to his other rights which he may have under any other law.

7. Prioritisation of Redressal of Grievances

As far as is possible and practical, the redressal of the grievances shall be prioritised in the order given below:

- a) Denial or delay in providing new electricity connection;
- b) Electricity services which are unsafe or hazardous to public safety;
- c) Non-Supply or Interruption in power supply;
- d) Load shedding/ unscheduled outage;
- e) Voltage and power quality related complaints;
- f) Disconnection of supply;
- g) Other Grievances.

8. Maintenance of Online Library of Orders passed

All the Orders passed by the ICGRC, the Forum and the Ombudsman shall be uploaded on their respective websites in such a category wise manner as would enable ease of search and understanding.

9. Online Publication and intimation of Cause list and (daily) Orders

The Cause List, the Daily Orders and the Orders shall be uploaded at the respective websites and the parties shall also be duly informed of the same by Post, and through E-mail, SMS and WhatsApp, if available.

CHAPTER III

INTERNAL CONSUMER GRIEVANCE REDRESSAL CELL (ICGRC)

10. Establishment of Internal Consumer Grievance Redressal Cell (ICGRC)

The Licencee shall constitute and notify an ICGRC. It shall compose of one operational level officer and one officer of the rank of Executive Engineer or equivalent thereto; for redressal of Consumer grievances. The contact details of the ICGRC shall be prominently mentioned and highlighted in the Electricity Bills.

11. Procedure for processing the Grievances

- a) Registration of grievance and maintenance of records - The grievance received shall be duly noted and acknowledged to the Consumer by way of allotting an Acknowledgement Number.
- b) **Action by ICGRC** - On receipt of the grievance, the ICGRC shall attempt to contact the Consumer and strive to redress the grievance within the period shown as under:

S.No.	Nature of Grievance	No. Hours/Days of grant redressal
(i)	Non-Supply or Interruption in power supply; Electricity services which are unsafe or hazardous to public safety.	24 hours 24-72 hours
(ii)	Load shedding/ unscheduled outage	48 hours
(iii)	Voltage and power quality related complaints; Disconnection of supply	03 days
(iv)	Other Grievances	04 days

- c) **ICGRC to forward grievances online to the Forum** - If the ICGRC does not grant redressal within a total period of fifteen (15) days of the receipt of the grievance or if the Consumer is not satisfied with the redressal granted, the online portal of the Cell shall have the facility to enable the Consumer to automatically refer and forward the Original grievance and the decision thereon by ICGRC to the concerned CGRF.

12. Monitoring & maintenance of record of performance of the ICGRC

The performance of the ICGRC shall be monitored by the Board of Directors/CEO of the Licencee and a quarterly record thereof shall be maintained. A copy of such records shall be forwarded to the Commission on quarterly basis.

CHAPTER IV
CONSUMER GRIEVANCES REDRESSAL FORUM (CGRF)

13. Establishment of the Forum

In terms of Section 42(5) of the Act, every Distribution Licencee shall establish a forum for redressal of grievances of Consumers to be known as the 'Electricity Consumer Grievances Redressal Forum' in accordance with these Regulations.

Provided that nothing shall adversely affect the tenure and other service conditions of the existing Members of the Forums till the completion of their respective tenures subject to the appraisal of their performance by the Commission.

14. Composition of the Forum

Each Forum shall have a Chairperson, Member (Legal) and Member (Consumer Affairs).

15. Eligibility

a) Chairperson

The Chairperson of the Forum shall be a person having the following qualifications: -

- (i) a bachelor's degree in Engineering, or Law, or Finance, or Management from a recognized university, and
- (ii) not less than Twenty (20) years' experience in the respective fields

Provided that the person with the said qualifications and having experience in the electrical power sector may be preferred for the post.

b) **Member (Law)**

One Member (Law) of the Forum shall be a person having the following qualifications:

- (i) a bachelor's degree in Law from a recognized University and approved by the Bar Council of India, and

Provided, however, if the Chairperson is from the legal background, then the eligibility criteria for the Member shall be as per sub-Regulation (a)(i) and (ii) above except that the word 'Law' shall be deemed to be omitted.

- (ii) at least fifteen (15) years of post-qualification experience in handling legal matters; of which not less than ten (10) years of experience as an Advocate or as a Law Officer preferably working in Power Sector and having adequate knowledge and experience in dealing with consumer affairs.

c) **Member (Consumer/Prosumer/Consumer Affairs)**

One Member of the Forum shall be a resident of the area of supply of the Distribution Licensee and having the following:

- (i) a Consumer or Prosumer or a Consumer Affairs activist preferably nominated by the Residents Welfare Association of the area, and
- (ii) preferably having at least ten (10) years of experience in consumer affairs.

16. Ineligibility and Disqualification

- a) No person shall be appointed and/or be entitled to continue as a Chairperson or Member if he/she stands disqualified on account of his/her:

- (i) having been adjudged an insolvent;
- (ii) having been convicted of an offence which, in the opinion of the Commission, involves moral turpitude;
- (iii) having become physically or mentally incapable of acting as such Chairperson or Member;

- (iv) having acquired such financial or other interest as is likely to affect prejudicially his/her functions as a Chairperson or Member;
 - (v) having so abused his/her position as to render his/her continuance in office prejudicial to public interest; or
 - (vi) having been guilty of proved misbehaviour;
 - (vii) having been found to have failed to deliver the functions assigned to them or exceeding their brief.
- b) No person shall be eligible to be appointed to the Forum within two years of his retirement if, immediately before such retirement, he has been in the service of a Distribution Licencee or in the service of the holding company or in the service of the subsidiary of such holding company of the said Distribution Licencee.
 - c) Maximum age limit for eligibility for the post of Chairperson and Member of Forum shall be 62 years.

17. Procedure for inviting applications

- a) Applications from the eligible candidates for the post of the Chairperson or the Members of the Forum shall be invited through public advertisement.
- b) Provided that in case of vacancy for the post of Chairperson, the applications shall be invited by the Commission and in case of vacancy for the post of Members, the applications shall be invited by the Licencee:
- c) Provided further that in case of superannuation or the end of tenure of the Chairperson or of the Members, applications shall be invited at least six (6) months prior to the date of such superannuation or such end of the tenure, as the case may be:
- d) Provided also that in case of occurrence of any vacancy in the Forum for the post of the Chairperson or of the Members, by reason of death, resignation or removal, the applications shall be invited, within one (01) month from the date of occurrence of such vacancy.

18. Manner of Screening of Applications

- a) The applications for the post of Chairperson shall be scrutinized in the Commission within one (01) month from the last date for receipt of applications, in the format as may devised by the Commission.
- b) The applications, as per the format devised by the Licencee for the post of Members, shall be scrutinized by the Distribution Licencee. The list of eligible candidates shall be forwarded to the Secretary of the Commission, within one (01) month from the last date for receipt of applications.

19. Constitution of Selection Committee & provision for Casting Vote

- a) The Committee for selection of the Chairperson and the Members of the Forum, shall comprise of the Chairperson and the Member(s) of the Commission. The Commission may invite external subject matter specialist(s) to sit in the aid of the Selection Committee.
- b) The Secretary of the Commission shall be the Convener of the Selection Committee.
- c) The Commission may invite any number of eligible candidates for interview, but, ordinarily, not less than three (03) for any post.
- d) While deciding the selection, each member shall have one vote and in case of equality of votes, the Chairperson of the Commission or, in the absence of the Chairperson, the senior most Member of the Commission, shall have a casting vote.

For clarification of doubt, the seniority amongst the two Members, other than the Chairperson of the Commission, shall be as per respective date of their joining or if that be the same, as per the dates of birth.

20. Selection & Appointment

- a) The Selection Committee shall finalize the selection of the Chairperson or other Members of the Forum within three (03) months from the submission of the list of the eligible candidates by the Secretary of the Commission.
- b) The Commission shall communicate the selection of the Chairperson or other Members to the Distribution Licensee. The Licensee shall issue Appointment Letter within 15 days of receipt of such communication. As per the provisions of Section 42(5) of the Electricity Act, 2003, the selected candidates shall join office of the Licensee within 30 days of issue of appointment letter, unless otherwise directed by the Commission.
- c) Notwithstanding the above, no appointment of Chairperson or Member shall be invalid merely by reason of non-compliance of any of the above provisions

21. Power to Designate any person to officiate as Chairperson

In the event of Chairperson of the Forum being unable to discharge his functions owing to absence, illness or any other cause, the Commission may designate any person to officiate as Chairperson for the interim period, till the day the Chairperson reassumes Office, or a new Chairperson is appointed, as the case may be.

22. Term of office and Other conditions of service

- a) The Chairperson or the Members shall hold office for a term of three (3) years from the date of entering their respective offices:
- b) Provided that subject to fulfilment of the conditions of eligibility, the Chairperson or the Members shall be eligible for extension of tenure for a second term upto three (3) years and no further:
- c) Provided also that no Chairperson or Member shall hold office after attaining the age of sixty-five (65) years.

- d) The salary, allowances and other terms and conditions of service of the Chairperson and Members of the Forum shall be laid down by the Commission from time to time:
- e) Provided that the salary, allowances and other terms and conditions of the Chairperson and Members shall not be varied to their disadvantage after appointment or extension of tenure.

23. Resignation by the Member

The Chairperson or the Member may, by giving not less than three (3) months' notice in writing under his hand and addressed to the Chairperson of the Commission, resign his office.

Provided that the Commission may, after recording the reasons in writing, relax the specified period of notice.

24. Power and Procedure for Removal of the Members

The Commission, may, by order remove from office any member or the Chairperson of the Forum, in case he has been rendered ineligible or stands disqualified in terms of Regulation 16 above.

Provided, however, no member or the Chairperson shall be so removed without being afforded a due opportunity to show cause.

25. Chairperson's general Powers of superintendence

The Chairperson of the Forum shall exercise general powers of superintendence and administrative control over his office including Members/Secretary/Staff and shall be responsible for the conduct of business of the Forum.

26. Staffing of the Forum

- a) The Forum shall, with the approval of the Commission, specify the human resource requirement.
- b) The Licencee shall, at all times, provide human resource requirement to the Forum as approved by the Commission.

27. Appointment of Secretary to the Forum

- a) The Licencee shall, in consultation with the Forum, appoint/designate one of its officers as full time Secretary, who shall be at least a graduate from a recognized University and shall have at least fifteen (15) years of work experience as an executive in the middle management out of which minimum five (05) years' experience shall be in carrying out functions of administrative and legal nature.
- b) The Secretary of the Forum shall hold office for a term of three years from the date he enters upon his office.
- c) No Staff member including the Secretary shall continue in the Forum on attaining the age of sixty (60) years.

CHAPTER V **JURISDICTION AND PROCEEDINGS OF THE FORUM**

28. Jurisdiction of the Forum

The Forum shall have the jurisdiction to entertain the grievances filed by the Consumer with respect to the services provided by the Licencee in its area of supply and give such orders and directions as may be deemed necessary.

29. Quorum of the Forum

At least two Members of the Forum shall constitute the Quorum for hearing of the grievances.

30. Grounds for Submission of Grievance before the Forum

If the ICGRC does not grant redressal within a total period of fifteen (15) days of the receipt of the grievance or if the Consumer is not satisfied with the redressal granted or for any other reason, the online portal of the Cell shall provide an option to the Consumer for referring his grievance to the concerned CGRF as provided for in regulation 11(c) above.

Notwithstanding the above, the Consumer may also, on his own, approach the appropriate Forum for redressal of grievances.

31. Action by the Staff of the Forum on receipt of Grievance

On receipt of the grievance, due record shall be made containing entries such as date of receipt, registration number, name and other Contact details of the Consumer, the category, the gist and the prioritisation of the grievance as per Regulation 7 above. The Forum shall forward an acknowledgement through SMS, or e-mail, or social communication networks to the Consumer.

The office of the Secretary of the Forum shall carry out the scrutiny of the grievance and shall place the same before the Forum for orders on admission within 7 (seven) days of the receipt of the grievance.

32. Procedure to be adopted by the Forum for redressal of Grievance

- a) **Condition precedent for issuing Notice** - The grievance shall be placed before the Forum for orders. The Forum, if a prima facie grievance is made out, shall issue Notice to the Licencee, without there being any requirement of the Consumer being heard. However, if the forum is of the prima facie opinion that no grievance is made it shall, before dismissing the grievance, grant an opportunity in this regard to the Consumer.

- b) The Notice, if issued by the Forum, shall invariably indicate the next date of hearing; keeping in view the timeline specified in sub Regulations (c) to (e) hereunder for the purpose of completion of the pleadings.
- c) **Service of Copy of grievance to the Licencee** – within three (3) days of issuance of the Notice, the office of the Forum shall forward online a copy of the grievance to the Licencee directing it to file its reply.
- d) **Reply by the Licencee** - The Licencee shall, within ten (10) days from the date of receipt of the notice from the Forum or within such period as may have been otherwise directed by the Forum, shall furnish reply to the Forum with a copy to the Consumer, failing which the Forum may, if deemed fit, proceed on the basis of the materials available on record.
- e) **Rejoinder by the Consumer** - The Consumer, on request, may be granted seven (7) days' time, or within such period as may have been otherwise directed by the Forum, to file Rejoinder with a copy to the Licencee. The pleadings then shall stand completed.
- f) **Notifying the parties about the date of hearing** – Within ten (10) days of the completion of the pleadings, or as may be otherwise directed, the Forum shall hear the matter.
- g) **Manner of hearing** - The hearing(s) may be carried out in person, or in virtual or hybrid mode as per the discretion of the Consumer. The proceedings of the Forum shall be open to the general public and shall also be streamed live for which, the link shall be made available to the parties as well as the general public, at least (2) two days prior to the date of the hearing.

The Commission shall provide the infrastructure and the man power for enabling the Forum to live stream its proceedings.

- h) **Maintenance of Record** – The proceedings shall be video recorded and maintained as record for a period not less than one year from the date of the passing of the Final order by the Forum.
- i) **Restrictions on grant of adjournment** – Unless further adjournment is warranted in the interest of justice, the Forum shall not grant more than two adjournments of maximum 10 days each to each of the party respectively.
Provided that if the Forum is of the opinion, that the Licensee has not been able to justify seeking further adjournment or delay in filing the Reply etc., the Licensee, may be directed to make to the aggrieved Consumer such monetary reparations as may be found by the Forum to be just and fair for the loss of time in disposal of the matter.
- j) **Duty of the Secretary to send reminders etc.** - In order to ensure that the pleadings are complete and the matter is ripe for hearing, it shall be the duty of the Secretary of the Forum to send reminders to the concerned party if the Reply or the Rejoinder or the document has not been filed by the concerned party within the time frame as had been mentioned in the Notice issued by the Forum.

For limited purpose of this particular Regulation, the Secretary of the Forum shall be deemed to be the Registrar of the Forum.
- k) **Principles to be followed by the Forum in disposal of the grievance** -The Forum shall not be bound to follow the procedure prescribed in the Code of Civil Procedure, 1908 (5 of 1908) and, subject to these Regulations, the Forum may evolve procedure conforming to the principles of fair play and natural justice.

33. Powers of the Forum to call for records

The Forum may call any officer/ any record or information of the Licencee or from the Consumer, relevant for examination and disposal of the grievance. The Forum may undertake to inspect the site by itself or direct any of its employee or any other suitable person or agency to inspect the site and submit a report.

34. Power to Pass Interim Orders

The Forum may pass an Interim order as deemed fit in the facts and circumstances of the case, preferably after giving an opportunity to the other party of being heard. The Interim order, if any, shall be duly forwarded to both the parties.

35. Order to be a Speaking Order & provision for Casting Vote

Every Order passed by the Forum shall be a speaking Order.

Provided that in case of difference of opinion among the Members on any point or points, the decision of the majority shall prevail. In the event of equality of votes, the Chairperson of the Forum or, in the absence of the Chairperson, the senior most Member of the Forum shall have a casting vote.

For clarification of doubt, the seniority amongst the Members, other than the Chairperson of the Forum, shall be as per respective date of their joining or if that be the same, as per the dates of birth.

36. Compulsory contents of the Speaking Order.

Every Order passed by the Forum shall invariably contain the following endorsement.

- a) "This Order shall be complied with within days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier. (if applicable).
- b) "The parties are hereby informed that the instant Order is appealable by the Consumer before the Ombudsman within 30 days of the receipt of the Order.
- c) If the Orders are not appealed against within the stipulated time or no interim stay thereon has been granted by the Ombudsman, the same shall be deemed to have attained finality.
- d) Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003."

37. Supply of Online & Certified copies of the Orders

The Forum shall supply a certified copy of the orders to both the parties within seven (7) days of the signing of the Order.

38. Power to Review

The Forum may review its Orders in conformity with the principles laid down in Section 114 read with Order 47 Rule 1 of the Civil Procedure Code, 1908.

39. Online transmission of Documents to the Ombudsman

After completion of the proceedings in each case, the Forum shall, through Online mode, forward all the relevant documents and the Order of the Forum, to the Ombudsman, on the request made in this behalf by the aggrieved party.

40. Submission of Compliance Report & updation thereof on Websites

The Licencee or the person as mentioned in the Order, as the case may be, shall submit a compliance report of the order within three (3) days from the date of due compliance mentioned in the Order. Such compliance report shall also be uploaded within three (3) days thereafter on the web portal of the Forum and of the ICGRC by the concerned Staff.

41. Submission of Quarterly Report to Ombudsman & Commission

In compliance of Rule 15(6) of the Electricity (Rights to Consumers) Rules, 2020, the Forum will send quarterly reports to the Ombudsman and to the Commission, in respect of standards of performance, other performance parameters and consumer grievances related information showing the extent to which the time schedule has been followed in redressing the consumer grievances.

42. Monitoring of Forum by the Commission

Under the powers vested in the Commission vide Rule 15(7) of the Electricity (Rights to Consumers) Rules, 2020, the Commission shall monitor the performance of the CGRF.

CHAPTER VI **OMBUDSMAN**

43. Appointment of Ombudsman

The Commission shall designate or appoint a person as Ombudsman.

Nothing in these Regulations shall adversely affect the tenure and other service conditions of the existing Ombudsman till the completion of the tenure.

Provided further that grant of extension of tenure to the Ombudsman shall be subject to the appraisal of the performance by the Commission.

44. Eligibility of Ombudsman

The Ombudsman shall be a person having the following qualifications:

- a) a bachelor's degree in Electrical or Electronics Engineering, or Law, or Finance, or Management from a recognized university,
- b) not less than Twenty (20) years' experience in the respective fields.

Provided that the person with the said qualifications and having experience in the electrical power sector may be preferred for the post.

45. Ineligibility and Disqualification

No person shall be appointed and/or be entitled to continue as Ombudsman if he/she stands ineligible or is disqualified as per the provisions and the procedure contained in Regulation 16 above.

46. Constitution of Selection Committee & provision for Casting Vote

- a) There shall be a Selection Committee consisting of the Chairperson and Members of the Commission for the selection of Ombudsman.
- b) The Commission may invite external subject matter specialist(s) to sit in the aid of the Selection Committee.
- c) While deciding the selection, each member shall have one vote and in case of equality of votes, the Chairperson of the Commission or, in the absence of the Chairperson, the senior most Member of the Commission, shall have a casting vote.

For clarification of doubt, the seniority amongst the two Members, other than the Chairperson of the Forum, shall be as per respective date of their joining or if that be the same, as per the dates of birth.

47. Procedure for inviting applications and the manner of processing thereof

- a) Applications from the Eligible Candidates shall be invited through public advertisement.
- b) Provided further that in case of superannuation or the end of tenure of the Ombudsman, applications shall be invited at least six (6) months prior to the date of such superannuation or such end of the tenure, as the case may be:
- c) Provided also that in case of occurrence of vacancy of Ombudsman, by reason of death, resignation or removal, the applications shall be invited, within one (01) month from the date of occurrence of such vacancy.
- d) A Screening Committee appointed by the commission shall prepare a list of the eligible candidates and present the same before the commission.

- e) The Commission may invite any number of eligible candidates for interview, but, ordinarily, not less than 3 for any post.
- f) The Commission shall communicate the selection of the Ombudsman to the Distribution Licencee. The selected candidate shall be required to join office within 30 days, unless otherwise directed by the Commission.
- g) Notwithstanding the above, no appointment of Ombudsman shall be invalid merely by reason of non-compliance of any of the above provisions.

48. Appointment & Oath

The Ombudsman shall, before entering upon his office, make and subscribe to an oath in such manner and before such authority as the Commission may direct.

49. Resignation by Ombudsman and designating any person to officiate as Ombudsman in certain circumstances

The Ombudsman may, by giving not less than three (3) months' notice in writing under his hand and addressed to the Chairperson of the Commission, resign his office.

Provided that the Commission may, after recording the reasons in writing, relax the specified period of notice.

In the event of Ombudsman being unable to discharge his functions owing to absence, illness or any other cause, the Commission may designate the Ombudsman for the interim period, till the day on which the Ombudsman assumes his duties, or a new Ombudsman is designated as the case may be.

50. Tenure

The appointment of the Ombudsman shall be made for a period not exceeding three years' subject to the upper age limit of sixty-five (65) years.

51. Extension of Tenure

The tenure of the Ombudsman may be extended by the Commission for a further period not exceeding two (02) years' subject to the upper age limit of sixty-five (65) years.

52. Prohibition on reappointment

The person appointed as Ombudsman shall not be eligible for reappointment after the extended period.

53. Power and Procedure for Removal of the Ombudsman

The Commission, may, by order remove from office the Ombudsman in case he has been rendered ineligible or stands disqualified in terms of Regulation 16 above.

Provided, however, Ombudsman shall not be so removed without being afforded a due opportunity to show cause.

54. Salary and allowances payable to Ombudsman

The salary, allowances and other terms and conditions of service of the Ombudsman shall be such as may be laid down by the Commission from time to time:

Provided that the salary, allowances and other terms and conditions of the Ombudsman shall not be varied to his/her disadvantage after appointment or reappointment.

55. Secretary, Officers and other employees

- a) The Ombudsman shall be assisted by Secretary, Advisors and supporting Staff as approved by the Commission.
- b) The Ombudsman shall assess the human resource requirement and submit the proposal to the Commission for approval.
- c) The appointment of the supporting Staff other than the Secretary and Advisors shall be made by the Ombudsman as per the orders and directions of the Commission.
- d) The Selection procedure as may be notified by the Commission shall be the sole basis for appointing the Staff of the Ombudsman.

- e) The Commission may, by order, also specify the other terms and conditions of service of the Secretary, Advisors and supporting Staff.

56. Eligibility Conditions for Appointment of Secretary, Advisor (Engineering) and Advisor (Law)

a) Qualification for appointment of Secretary, Advisor (Engineering) and Advisor (Law) of the Ombudsman shall be as under: -

- (i) Secretary to the Ombudsman shall be a graduate from a recognized University having at least twenty (20) years of work experience as an executive in the middle management out of which minimum five (5) years' experience shall be in carrying out functions of legal and administrative nature. The Experience of working in regulatory bodies/local bodies/public utilities and/or convening meetings of board of Directors in a company or corporation will be desirable.
- (ii) Advisor (Engineering) to the Ombudsman shall possess a graduate degree in Engineering or equivalent from a recognized University and shall have at least ten (10) years' experience of working in Power Sector in the middle management level in a reputed organization.
- (iii) Advisor (Law) to the Ombudsman shall possess a graduate degree in Law from a recognized University and shall have at least ten (10) years of experience working in the legal field in an organization of repute. Experience of working in regulatory, and such other bodies will be preferable.

b) Selection Committee – The Selection Committee for the purpose of selecting the Secretary and Advisors, shall be as under–

- (i) The Chairperson of the CommissionMember;
- (ii) The Member of the CommissionMember;
- (iii) The Member of the CommissionMember;
- (iv) The OmbudsmanMember;

Note: The Secretary of the Commission shall be the Convener of the Selection Committee.

While deciding the selection, each member shall have one vote and in case of equality of votes, the Chairperson of the Commission or, in the absence of the Chairperson, the senior most Member of the Commission, shall have a casting vote.

For clarification of doubt, the seniority amongst the two Members, other than the Chairperson of the Commission, shall be as per respective date of their joining or if that be the same, as per the dates of birth.

For removal of doubts, the Ombudsman shall be deemed to be the junior most member for the limited purpose of this Regulation.

c) Age Limit: The maximum age limit for applying for the post of Secretary and Advisors shall be sixty-two (62) years.

d) Tenure

The appointment of the Secretary, Advisors and support Staff, shall be for a period not exceeding three years in the first instance which is extendable/ renewable for another period of three years at the discretion of the Commission:

Provided that the Secretary, Advisors and support Staff, shall not continue in the office on attaining the age of sixty-five (65) years.

57. Powers of Ombudsman

The Ombudsman shall have the following powers:

- a) **General superintendence:** To exercise general powers of superintendence and administrative control over his office including Secretary/Advisor/Staff and shall be responsible for the conduct of business of the office.
- b) **Financial:** The Ombudsman shall have power to incur expenditure on behalf of the office.

Provided that in order to exercise such power, the Ombudsman shall draw up an annual budget for his office in consultation with the Commission and shall exercise the powers of expenditure within the approved budget.

58. Functions of Ombudsman

The Ombudsman shall perform the following functions: -

- a) The Ombudsman shall consider the representation of the Consumer consistent with the provisions of the Electricity Act, the Electricity Rules and these Regulations or the general orders or directions given by the government of NCT in this regard before settling the grievances.
- b) To receive representations against the orders of the Forum, consider such representations and facilitate settlement by agreement, through conciliation and mediation between the Licencee and Consumer, or pass an order in accordance with these Regulations where such settlement is not reached.
- c) To maintain a register containing the details of the representations received, disposed of, reviews carried out, etc. and the decisions thereon with an online backup for the same.

59. Procedure for lodging representation before the Ombudsman

If the Consumer is not satisfied with the redressal granted by the Forum, the online portal of the Forum shall have the facility to enable the Consumer to automatically refer and forward to the Ombudsman the Original grievance and the decision thereon by the Forum.

Notwithstanding the above, the Consumer may also, on his own, approach the Ombudsman.

60. Time limit for filing representation before Ombudsman

The Consumer shall be required to submit his representation before the Ombudsman within 30 days of the Order passed by and received from the Forum.

Provided that the Ombudsman may entertain a representation after the expiry of the said period of thirty (30) days, if he is satisfied that there was sufficient cause for not filing it within the said period.

61. Procedure to be adopted by the Ombudsman for settlement of the representation

The procedure to be adopted by the Ombudsman for settlement of the representation shall be similar to the procedure laid down in Regulation 32 above.

Provided, however, that the Ombudsman may, with the exception of Regulation 32(g) & (h), incorporate changes in the said procedure as deemed fit.

62. Principles to be followed by the Ombudsman in disposal of the representation

The Ombudsman shall not be bound to follow the procedure prescribed in the Code of Civil Procedure, 1908 (5 of 1908) and, subject to these Regulations, the Ombudsman may evolve procedure conforming to the principles of fair play and natural justice.

63. Powers of the Ombudsman to call for records

The Ombudsman may call any officer/ any record or information of the Licencee or from the Consumer, relevant for examination and disposal of the grievance. The Ombudsman may undertake to inspect the site by itself or direct any of its employee or any other suitable person or agency to inspect the site and submit a report.

64. Power to Pass Interim Orders

The Ombudsman may pass an Interim order as deemed fit in the facts and circumstances of the case, preferably after giving an opportunity

to the other party of being heard. The Interim order, if any, shall be duly forwarded to both the parties; especially in reference to granting interim stay on the Orders passed by the Ombudsman.

65. Order of Settlement to be final and binding

The Order of Settlement of grievance passed by the Ombudsman shall be final and binding on the parties.

66. Order of Settlement to be a Speaking Order

- a) The Order of Settlement to be passed by the Ombudsman shall pass a Speaking Order.
- b) Every Order of Settlement of grievance passed by the Ombudsman shall invariably carry the following endorsement.
 - i) "This Order of Settlement of grievance shall be complied within days of the receipt of the certified copy or from the date it is uploaded on the Website of the Forum; whichever is earlier." (if applicable).
 - ii) "The parties are hereby informed and cautioned that the Order of Settlement of Grievance is, as per Regulation 65 above, final and binding on the parties.
 - iii) Any contravention of these Orders is punishable under Section 142 of the Electricity Act 2003."

67. Supply of Online & Certified copies of the Orders

The Ombudsman shall provide a certified copy of the orders to both the parties within Seven (7) days of the signing of the Order.

68. Power to Review

The Ombudsman may review its Orders in conformity with the principles laid down in Section 114 read with Order 47 Rule 1 of the Civil Procedure Code, 1908.

69. Submission of Compliance Report & updation thereof

The Licencee or the person as mentioned in the Order, as the case may be, shall submit a compliance report of the order within three (3) days from the date of due compliance mentioned in the Order. Such compliance report shall also be uploaded within three (3) days thereafter on the web portal of the Ombudsman, and of the Forum by the concerned Staff.

70. Submission of Biannual Report to the Commission & State Govt

- a) In compliance of Rule 7(4)(b) of the Electricity Rules, 2005, the Ombudsman shall prepare a Report on 6 monthly basis and shall be forwarded to the Commission and the State Government within 45 days after the end of the relevant period of six months.
- b) In order to enable the Ombudsman to prepare the said Report, the Forums shall forward a Monthly Report in the manner as may be prescribed by the Ombudsman. In addition to the said Monthly Reports, relevant and related documents as may be required by the Ombudsman shall also be submitted by the Forums.

CHAPTER VII
MISCELLANEOUS

71. Officers deemed to be Public Servants

The Chairperson and Members of the Forum, the Secretary and the Staff thereof, the Ombudsman and the Secretary and the Staff thereof, when purporting to act under any provision of the Electricity Act, 2003 or under any provision of these Regulations or acting under the directions or the orders issued thereunder shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code, 1860 and Section 2 of the Prevention of Corruption Act, 1988.

72. Inherent & residuary Powers of the Commission

- a) The Commission may by order provide for or clarify any matter on which no provision is made in these Regulations or the provision made is insufficient.
- b) The Forum and the Ombudsman shall exercise such other powers as the Commission may, by order, delegate from time to time.
- c) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent powers of the Commission to pass such orders as may be deemed necessary for the ends of justice or to prevent abuse of process of the Commission.

73. Repeal and Savings

Save as otherwise provided in these Regulations, the Delhi Electricity Regulatory Commission (Forum for redressal of grievances of the consumers and Ombudsman) Regulations, 2018 is hereby repealed.

Notwithstanding such repeal:

- a) anything done or any action taken under the said Regulations shall be deemed to have been done or taken under the corresponding provisions of these Regulations;
- b) the proceedings initiated before coming into force of the Delhi Electricity Regulatory Commission (Guidelines for establishment of Forum for redressal of grievances of the consumers and Ombudsman) Regulations 2024, shall continue to be governed by the provisions of the repealed Regulations.

(Rajesh Dangi)
Secretary