

Uttar Pradesh Electricity Regulatory Commission  
Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010  
Phone 2720426 Fax 2720423 E-mail [secretary@uperc.org](mailto:secretary@uperc.org)

No. UPERC/Secy/MSR/2018-1700

Dated: 11<sup>th</sup> January, 2019

**PUBLIC NOTICE**

**In the matter of:**

**Amendments in Uttar Pradesh Electricity Regulatory Commission  
(Consumer Grievance Redressal Forum & Electricity Ombudsman)  
Regulations, 2007**

The Commission has framed draft regulations in the matter of proposed amendments in Uttar Pradesh Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2007, Which is put up on the Commission's website: [www.uperc.org](http://www.uperc.org)

Notice is hereby given to all the stakeholders and interested parties to submit their objections, if any, in the above matter in writing directly to the Commission at Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010, personally or by post so as to reach before 31.01.2019.

**The Public Hearing in the matter shall also be held on 13<sup>th</sup> February, 2019 at 11:30 hrs. in the office of the Commission.**

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s/c Secretary

**UP Electricity Regulatory Commission**

**No. UPERC/Secy/Regulation/07/2019/**

**Lucknow, Dated: 11 January, 2019**

**Draft for Amendments in UPERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2007.**

In exercise of the power conferred on it by Section 181 read with sub-sections (5) to (8) of Section 42 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling in this behalf, the Uttar Pradesh Electricity Regulatory Commission had made UPERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2007 which were published vide notification no. UPERC/Secy/Regulation/07/1259, Lucknow, Dated: 4<sup>th</sup> October, 2007.

And whereas, the licensees, consumers and public are facing difficulties in implementing some of the provisions thereof and have requested for certain amendments in the Regulations.

And whereas, as a result of the above and for other substantial reasons, it has become necessary to amend certain provisions of these Regulations.

Now, therefore in exercise of the powers conferred on it by Section 181 read with sub-sections (5) to (8) of Section 42 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling in this behalf, the Uttar Pradesh Electricity Regulatory Commission hereby make the following amendments in UPERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2007.

**1.0 Short Title, Commencement and Interpretation.**

1.1 These Regulations may be called the "UP Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, (First Amendment) 2019".

1.2 These Regulations shall extend to the whole of the State of Uttar Pradesh and shall apply on the Distribution Licensees engaged in the business of distribution

and supply of electricity in the State.

- 1.3 These Regulations shall come into force from the appointed date.
- 1.4 These Regulations shall be read with the relevant provisions of the UP Electricity Reforms Act, 1999 to the extent they are not inconsistent with the provisions of the Electricity Act, 2003.
- 1.5 The Uttar Pradesh General Clauses Act, 1904 shall apply to the interpretation of these Regulations.
- 1.6 In case of conflict between English and Hindi version of these Regulations, the English version shall prevail.

2.0 Following existing clauses of UPERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2007 shall be substituted, as given below:-

| Existing Clause 3.13  | Amended Clause 3.13   |
|---|---|
| <p>The Distribution Licensee shall provide the following staff immediately on the establishment of the Forum;</p> <p>(a) Personal Assistants – three,<br/>(b) Office Assistant – two,<br/>(c) Peons – three<br/>(d) Sweeper/farrash-one:</p> <p>Provided that if the full strength of staff has not been provided by the licensee with the establishment of the Forum, the Chairperson may engage the staff on contract after 15 days of notice to the Distribution Licensee on the following monthly salary, for such period, as may be considered necessary subject to revision by the Commission by an Order:</p> <p>Personal Assistant - Rs. 7,000/-<br/>Clerk - Rs. 5,500/-<br/>Peon - Rs. 3,000/-<br/>Sweeper / Farrash - Rs. 2,500/-</p> | <p>The Distribution Licensee shall provide the following staff immediately on the establishment of the Forum;</p> <p>(a) Personal Assistants – three,<br/>(b) Office Assistant – two,<br/>(c) Peons – three<br/>(d) Sweeper (<b>Part time</b>)<br/>/ Farrash (<b>Part time</b>) - one</p> <p>Provided that if the full strength of staff has not been provided by the licensee with the establishment of the Forum, the Chairperson may engage the staff on contract after 15 days of notice to the Distribution Licensee on the following monthly salary, for such period, as may be considered necessary subject to revision by the Commission by an Order:</p> <p>Personal Assistant - <b>Rs. 13,860/-</b><br/>Clerk/Office Assistant. <b>-Rs. 10,890/-</b><br/>Peon - <b>Rs. 7,400/-</b><br/>Sweeper (<b>Part time</b>)<br/>/ Farrash (<b>Part time</b>) - <b>Rs. 4,950/-</b></p> |

| Existing Clause 3.2(ii)   | Amended Clause 3.2(ii)   |
|---|--|
| <p>Judicial Member shall be a Judicial Officer who held the post not below the rank of Additional District Judge and who has attained the age of 60 years and shall hold office for a period of three years or up to age of 65 years, whichever be earlier.</p> | <p>Judicial Member shall be a Judicial Officer who held the post not below the rank of Additional District Judge and who has attained the age of 60 years and shall hold office for a period of three years or up to age of 65 years, whichever be earlier.</p> <p><b>Provided that the Commission may consider him for reappointment for a second term, subject to the maximum age for occupying the post remains 65 years.</b></p> |

| Existing Clause 3.2(iii)(e)   | Amended Clause 3.2(iii)(e)   |
|---|--|
| <p>shall hold office of the forum for a period of three years or up to age of 65 years, whichever is earlier.</p> | <p>shall hold office of the forum for a period of three years or up to age of 65 years, whichever is earlier.</p> <p><b>Provided that the Commission may consider him for reappointment for a second term, subject to the maximum age for occupying the post remains 65 years.</b></p> |

| Existing Clause 6.3   | Amended Clause 6.3  |
|---|---|
| <p>Complaint shall be accompanied by fees of Rs. 50/-through Indian postal order or demand draft or banker's cheque payable or any other instrument specified by the Forum.</p> | <p>Complaint shall be accompanied by fees of Rs. 50/-through Indian postal order or demand draft or banker's cheque payable or <b>through Electronic Fund Transfer</b> to Forum or any other instrument specified by the Forum.</p> |

| Existing Clause 6.11  | Amended Clause 6.11   |
|---|---|
| <p>The Forum shall not grant more than one adjournment unless sufficient cause is shown and the reasons for grant of adjournment shall be recorded in writing by the Forum. In such case, the party seeking adjournment shall pay other party a sum of Rs.100/- as compensation for the hardship caused due to adjournment of the case.</p> | <p>The Forum shall not grant more than one adjournment unless sufficient cause is shown and the reasons for grant of adjournment shall be recorded in writing by the Forum. In such case, the party seeking adjournment shall pay other party a sum of Rs.500/- as compensation for the hardship caused due to adjournment of the case.</p> |

| Existing Clause 3.1(i)   | Amended Clause 3.1(i)  |
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| <p>Every Distribution Licensee shall, within three months from the appointed date, establish and make operational a Forum in accordance with these regulations at following locations:</p> <ol style="list-style-type: none"> <li>(1) Agra Discom; Kanpur, Agra, Jhansi and Chitrakoot,</li> <li>(2) Meerut Discom; Meerut, Moradabad and Saharanpur,</li> <li>(3) Lucknow discom; Lucknow, Bareilly, Faizabad and Devipatan (Gonda),</li> <li>(4) Varanasi Discom; Varanasi, Allahabad, Gorakhpur, Azamgarh, Mirzapur and Basti.</li> <li>(5) KESCO; Kanpur</li> <li>(6) NPCL; Greater Noida.</li> </ol> <p>Provided that in case of more than one Distribution Licensee in an area, the location of the Forum for each subsequent Distribution Licensee shall be the area of supply.</p> | <p>Every Distribution Licensee shall, within three months from the appointed date, establish and make operational a Forum in accordance with these regulations at following locations:</p> <ol style="list-style-type: none"> <li>(1) Agra Discom; Kanpur, Agra, Jhansi and Chitrakoot,</li> <li>(2) Meerut Discom; Meerut, Moradabad and Saharanpur,</li> <li>(3) Lucknow discom; Lucknow, Bareilly, Faizabad and Devipatan (Gonda),</li> <li>(4) Varanasi Discom; Varanasi, Allahabad, Gorakhpur, Azamgarh, Mirzapur and Basti.</li> <li>(5) KESCO; Kanpur</li> <li>(6) NPCL; Greater Noida.</li> </ol> <p>Provided that in case of more than one Distribution Licensee in an area, the location of the Forum for each subsequent Distribution Licensee shall be the area of supply.</p> <p><b>Provided further that the Commission may give direction to the licensee to change or amend the jurisdiction of any existing Forum or for constitution of a new Forum.</b></p> |

| Existing Clause 3.9   | Amended Clause 3.9   |
|---|--|
| The Distribution Licensee shall appoint/designate one engineer officer as full time Secretary to the Forum, who <u>will join immediately on the date of establishment of the Forum and</u> shall work under the control and supervision of the Chairperson. | The Distribution Licensee shall appoint/designate one engineer officer as full time Secretary to the Forum, who shall work under the control and supervision of the Chairperson. |

| Existing Clause 3.11(i)  | Amended Clause 3.11(i)   |
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| The Chairperson shall be entitled to a consolidated salary of <b>Rs. 25,000/-</b> per month, or such salary as may be revised by the Commission from time to time. | The Chairperson shall be entitled to a consolidated salary of <b>Rs. 55,000/-</b> per month, or such salary as may be revised by the Commission from time to time. |

| Existing Clause 3.11(ii)  | Amended Clause 3.11(ii)   |
|---|---|
| The Technical Member shall be entitled to a consolidated salary of <b>Rs. 20,000/-</b> per month, or such salary as may be revised by the Commission from time to time. | The Technical Member shall be entitled to a consolidated salary of <b>Rs. 45,000/-</b> per month, or such salary as may be revised by the Commission from time to time. |

| Existing Clause 3.15   | Amended Clause 3.15   |
|--|---|
| The Chairperson or the Technical Member may relinquish their office by giving three months notice in writing to the Commission or Distribution Licensee as the case may be:<br>Provided that, in the case of Technical Member, the copy of the resignation shall also be sent to the Commission forthwith. | The Chairperson or the Technical Member may relinquish their office by giving three months notice in writing to the Commission or Distribution Licensee as the case may be: .<br>Provided that, in the case of Technical Member, the copy of the resignation shall also be sent to the Commission forthwith.<br><b>Provided further that if a Member requests to relinquish his office before three months, then the Commission, before allowing for the same, may order him to deposit back the amount of salary, which has been</b> |

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|  | received by him for a period which is equal to the period for which relaxation is sought by him. |
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The following clauses are added at their appropriate places:-

New clause 3.3(vi) is added after clause 3.3(v), as given below:-

**3.3(vi) The Chairperson, after assuming the charge, shall inform the Electricity Ombudsman, who shall apprise the Commission accordingly.**

New clause 5.4 is added after clause 5.3, as given below:-

**Clause 5.4 – The Forum may not entertain a complaint in cases where the complaint has been submitted two years after the date on which the cause of action has arisen.**

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

**Provided further that the Forum may, for reasons to be recorded in writing, entertain a complaint which does not meet the aforesaid requirement.**

Sanjay Srivastava  
(Secretary)