

HARYANA ELECTRICITY REGULATORY COMMISSION, PANCHKULA

Notification

Dated: 23rd December, 2004

Regulation No. HERC/08/2004

Terms and Conditions of Service of the Electricity Ombudsman and the Officers and the Staff of the Office of the Electricity Ombudsman

In exercise of the power conferred under sub-section (1) of Section 181 of the Electricity Act, 2003, the Haryana Electricity Regulatory Commission hereby makes the regulations on Terms and Conditions of Service of the Electricity Ombudsman and the Officers and the Staff of the Office of the Electricity Ombudsman.

1. Short title, Commencement and Interpretation

- (1) These regulations may be called the Haryana Electricity Regulatory Commission (Terms and Conditions of Service of the Electricity Ombudsman and the Officers and the Staff of the Office of the Electricity Ombudsman) Regulations, 2004
- (2) These regulations shall come into force on the date of their publication in the Haryana Govt. Gazette.
- (3) These regulations shall apply to the Electricity Ombudsman and the Officers and the Staff of the Office of the Electricity Ombudsman.
- (4) The Punjab general clauses Act 1898(1 of 1898), as applicable to the state of Haryana shall apply to the interpretation of these regulations.

2. Definitions

In these regulations, unless the context otherwise requires:-

- (a) "Act" means the Electricity Act, 2003;
- (b) "Appointing Authority" means
 - (i) Chairperson of the Commission, in respect of the post of Electricity Ombudsman; and
 - (ii) Electricity Ombudsman, in respect of the remaining posts mentioned in Schedule-I;
- (c) "Commission" means Haryana Electricity Regulatory Commission;
- (d) "Chairperson" means Chairperson of the Commission;

- (e) “Electricity Ombudsman” means an authority to be appointed or designated by the Commission, under sub-section (6) of Section 42 of the Act, with whom a representation may be made by any consumer, who is aggrieved by non-redressal of his grievances by the Forum
- (f) “Year” means the Calendar Year;
- (g) “Selection Committee” means the committee as defined in regulation 5(2); and
- (h) All other expressions used herein but not specifically defined herein but defined in the Act shall have the meaning assigned to them in the Act. The other expressions used herein but not specifically defined in these regulations or in the Act but defined under the Haryana Electricity Reform Act, 1997 shall have the meaning assigned to them under the said Act, provided that such definitions in the Haryana Electricity Reform Act, 1997 are not inconsistent with the provisions of the Electricity Act, 2003.

3. Categories of Posts, Pay scales and allowances

3.1 The Electricity Ombudsman

- (a) The Electricity Ombudsman shall be in the pay scales of Rs 22400 – 525-24500 per month, subject to deduction of the gross amount of pension including any commuted portion thereof if already getting.
- (b) The Electricity Ombudsman shall be entitled to receive such Dearness Allowance, City Compensatory Allowance (CCA) and all such other allowances as may be admissible to the corresponding grade officers of the state government.
- (c) House rent allowance: -
The Electricity Ombudsman would be entitled to accommodation of the status admissible to corresponding Grade Officers of the state government. In the event of such accommodation not being available for some reason, equivalent suitable accommodation shall be leased out for him subject to a maximum limit of Rs 10000/- p.m. Payment for water and electricity charges would, however be paid by him.
- (d) Transport:
The Electricity Ombudsman shall be provided with a staff car and a driver. If he wishes to use his personal car/driver, he shall be granted an allowance of Rs 4000/- per month in lieu of both the staff car and the driver.
- (e) Travelling Allowance
 - 1. For journeys performed on duty within the State of Haryana or at the time of appointment /retirement, the Electricity Ombudsman would be entitled to draw such traveling

allowance and daily allowance as may be admissible to the corresponding grade officers of the state government.

2. He shall be entitled the benefits of Home/Leave Travel Concessions as admissible to the corresponding grade officers of the state government.
3. For the journeys outside the State of Haryana, the Commission may fix the traveling allowance and the daily allowance commensurate with his status and the cost of living at the place of travel.

(f) Medical

The medical treatment of the Electricity Ombudsman and his family shall be provided in accordance with the rules which for the time being apply to the corresponding grade officers of the state government.

(g) Leave

The Electricity Ombudsman shall be entitled to Earned Leave and Casual Leave as admissible to the corresponding grade officers of the state government. The competent authority to sanction leave to the Electricity Ombudsman would be Chairperson of the Commission.

(h) Pension

The Electricity Ombudsman would not be entitled to any pensionary benefits for the period of service rendered in the Office of Ombudsman.

(i) Miscellaneous

1. In respect of any other matter for which special provision is not made by these rules, the conditions of the service of a person of the corresponding grade officers of the state government shall be applicable.
2. The pay and allowances, leave, pension and other service benefits admissible to the Electricity Ombudsman under these rules shall not be varied to his disadvantage during his tenure.

- (j) The scales of pay may be revised by the Commission as and when the corresponding scales of pay are revised by Government of Haryana.

3.2 The Officers and Staff of the Office of the Electricity Ombudsman

- (a) The categories of Officers and Staff of the Office of the Electricity Ombudsman and their pay scales shall be as shown in Schedule- I.

In addition, they would be entitled to draw Dearness Allowance (DA), House Rent Allowance (HRA) and City Compensatory Allowance (CCA) as per entitlement of equivalent official in government of Haryana. The

other allowances including Medical and Transport etc. would be as applicable to the similarly placed employees of the Commission.

- (b) The scales of pay may be revised by the Commission as and when the corresponding scales of pay are revised in the Commission.
- (c) Officers/staff joining on deputation shall be eligible for all the allowances including deputation allowance as per the terms and conditions of the deputation and as admissible to them under the rules of their parent Government/organization.
- (d) Officers and staff joining on contract shall get a consolidated pay package, which includes all allowances, as decided in each case by the Commission. It shall remain fixed during the period of contract.

Provided the consolidated pay package including pensionary benefit, if applicable, shall not exceed the gross emoluments as worked out on the lowest basic pay scale of the prevalent scale to that post.

The remuneration may be revised at the discretion of the appointing authority, when it decides to extend or renew the period of contract.

4. Qualification, Experience and Mode of Appointment

- (a) The educational qualifications and experience required for each post shall be as prescribed in Schedule II.
- (b) Type of appointment: The officers and staff may be appointed on regular basis or on deputation basis or on contract of service.
- (c) All appointments shall be made by the Appointing Authority.

5. Selection Committee

- (1) All appointments to the various posts, whether on regular basis or on deputation basis or on contract of service shall be made on the recommendation of the Selection Committee.
- (2) The Selection Committee shall consist of
 - (a) for the post of Electricity Ombudsman
 - (i) Chairperson of the Commission (in Chair)
 - (ii) Members of the Commission
 - (b) for the post of Deputy Secretary
 - (i) Chairperson of the Commission (in Chair)
 - (ii) Members of the Commission
 - (iii) The Electricity Ombudsman
 - (c) For other posts
 - (i) The Electricity Ombudsman (in Chair)
 - (ii) Deputy Secretary of the office of the Electricity Ombudsman.

(iii) A person to be nominated by the Chairperson of the Commission.

(3) The selection committee may co-opt one or more person(s) as expert to assist it.

6. Procedure of Appointment

(a) The Commission (in case of Electricity Ombudsman) / the Electricity Ombudsman (for remaining posts) may invite applications for the posts to be filled up by publication in two newspapers widely circulated in the State of Haryana. Simultaneously, the concerned office may seek applications from the licensee or government department or a public sector undertaking or any other autonomous body under the central/ state Government.

(b) Every candidate shall submit his application in the prescribed form along with the documents including proof of age, educational qualifications, experience certificates and any other information as desired, to the concerned office.

(c) The Selection Committee shall consider all valid applications received and interview those who are short listed, considering the number of vacancies. Written test may also be held if considered necessary.

(d) All the candidates shall produce the following original certificates at the time of interview and again immediately before joining, on selection:-

(a) SSC/ SSLC or its equivalent examination as proof of age; and

(b) Documents in support of educational qualification and experience.

(e) The selected candidate would submit a medical certificate of fitness at the time of joining.

(f) Provisions of these regulations, including the eligibility criteria for appointments to posts may be relaxed by the Commission in appropriate cases in public interest and after recording the reasons in writing.

7. Applicability of Condition of Service & Conduct Rules

(a) The Commission may specify the condition of service applicable to the officers and staff of the office of the Electricity Ombudsman.

(b) Subject to the above and other provisions of these Regulations, the service condition applicable to employees appointed to any civil service or post in connection with the affairs of the State of Haryana including the Government Employees (Conduct) Rules, 1966, Haryana Civil Services (Punishment and Appeal) Rules, 1987 and other applicable rules and regulations in the case of the Civil Services in Haryana shall apply mutatis mutandis to the officers and staff of the office of Electricity Ombudsman.

In case of any inconsistency between these Regulation as modified from time to time and the terms and conditions contained in the letter of appointment on the one part and the above rules and regulations of employees of Haryana Civil Services applied mutatis mutandis on the other part, the former shall prevail

- (c) Nothing in these Regulations shall effect the reservation and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Backward Classes and/or other special categories of persons in accordance with the orders issued by the Government of Haryana from time to time in this regard. The Commission shall follow such orders prevalent at the relevant time as part of these Regulations.
- (d) The Chairperson shall be the Appointing Authority, disciplinary authority and Appellate authority in respect of the Electricity Ombudsman.
- (e) The Electricity Ombudsman shall be the appointing authority and the disciplinary authority in respect of remaining officer(s) and staff of his office and in relation to them the Chairperson shall be the appellate authority.
- (f) The Commission shall be the reviewing authority in respect of the Electricity Ombudsman and the officers and staff of the Office of the Ombudsman.

8. Interpretation

If any question arises relating to the interpretation of these regulations, the decision of the Commission shall be final.

9. Power to remove difficulties

The Commission may by order make such provisions or give such directions as it may deem necessary for the removal of any difficulty that may arise in giving effect to the provisions of these regulations.

By order of the Commission

Secretary
Haryana Electricity Regulatory Commission

SCHEDULE- I
(See regulation –3)

**Categories of posts, pay scales and strength of the office of the Electricity
Ombudsman**

Name of the Post	Strength	Pay scale	Category
Electricity Ombudsman	1	22,400 – 525 – 24,500	Equivalent to Engineer-in-Chief in Haryana Govt.
Officers:			
Deputy Secretary	1	at par with those of Haryana Govt. pay scales of similar officers posts.	Equivalent to Class –I in Govt. of Haryana
Staff:			
Private Secretary	1	at par with those of Haryana Govt. pay scales of similar officers/ officials posts.	Equivalent to Class –II in Govt. of Haryana
Stenographer (Junior) JSS	1		Equivalent to Class –III in Govt. of Haryana
Driver	1		Equivalent to Class –III in Govt. of Haryana
Clerk	1		Equivalent to Class –III in Govt. of Haryana
Computer Operator	1		Equivalent to Class –III in Govt. of Haryana
Peon cum Chawkidar	3		Equivalent to Class –IV in Govt. of Haryana
Note: If the staff is taken from the power utilities/ other services/organisation on deputation their pay scale can be fixed at their own pay scales.			

SCHEDULE II

(See regulation-4)

**Qualifications for the Electricity Ombudsman, Officers and Staff of the Office of
Electricity Ombudsman**

Name of the Post	Minimum Required Qualifications	Additional Qualifications desirable
Electricity Ombudsman	<p>The Electricity Ombudsman should be an Electrical / Mechanical Engineer with ability, integrity and standing, conversant with the working of the Electricity industry.</p> <p>The person should have a minimum of 25 years of experience and who is or has been at least Chief Engineer or at an equivalent post in a public / private utility dealing with transmission distribution and trading of electricity.</p>	exposure to management, legal or finance curriculum / services.
Deputy Secretary	<ol style="list-style-type: none">1. A Graduate Degree in Electrical/ Mechanical Engineering.2. 10 years of Engineering Experience in Distribution utilities3. Strong Computer literacy and skills should include demonstrated capability in analytic modeling and database management. <p>Should be capable of independently working on computers.</p>	<p>(a) Post Graduate Degree in Electrical/Power Engineering or M.B.A. in power management from a recognized university.</p> <p>(b) Experience in operation and maintenance of distribution system including commercial aspects of distribution (metering, billing and collection etc.) system.</p> <p>(c) Familiarity with Electricity laws.</p>
Staff:		

Private Secretary	<ol style="list-style-type: none"> 1. A Graduate in any discipline from a recognized university. 2. Must have worked either as PS under any Head of Department in Government/ Public Sector Undertakings for at least 3 years or as PA for at least 8 years and must have an overall experience of 15 years. 3. Should have exposure to Word processing, Spread sheet, Presentation and data base applications. 4. Speed in English Short hand at 120 words per minute and transcription there of at 25 words per minute. Mistake should not exceed 4 %. 5. Good written and verbal communication skills. 	
Stenographer (Junior) JSS	<ol style="list-style-type: none"> 1. A Graduate in any discipline from a recognized university. 2. Speed in English Short hand at 100 words per minute and transcription there of at 15 words per minute. Mistake should not exceed 4 %. 3. Should have workable knowledge of computer. 	5 years work experience as stenotypist/ stenographer accounting procedures in any Government / Public Sector Undertakings
Computer Operator	<ol style="list-style-type: none"> 1. 10+2. 2. Minimum 1 year Diploma in computer application from Government recognized institutions. Should have exposure to Word processing, Spread sheet, Presentation and data base applications. 	3 years work experience in accounting procedures in any Government / Public Sector Undertakings.
Clerk	<ol style="list-style-type: none"> 1. 10+2. 2. Should have workable knowledge of computer 	3 years work experience in any Government / Public Sector Undertakings.
Other posts	As prescribed for equivalent posts in the Govt. of Haryana	As prescribed for equivalent posts in the Govt. of Haryana