

**OFFICE OF THE ELECTRICITY OMBUDSMAN (MUMBAI),
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

Information of the Office of the Electricity Ombudsman (Mumbai)

Pertaining to

17 Manuals of Section 4(1) (b)

Under

Right to Information Act, 2005

**Office of the Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission, Mumbai**

Information under Section 4(1) (b) under chapter II of the 'Right to Information
Act, 2005

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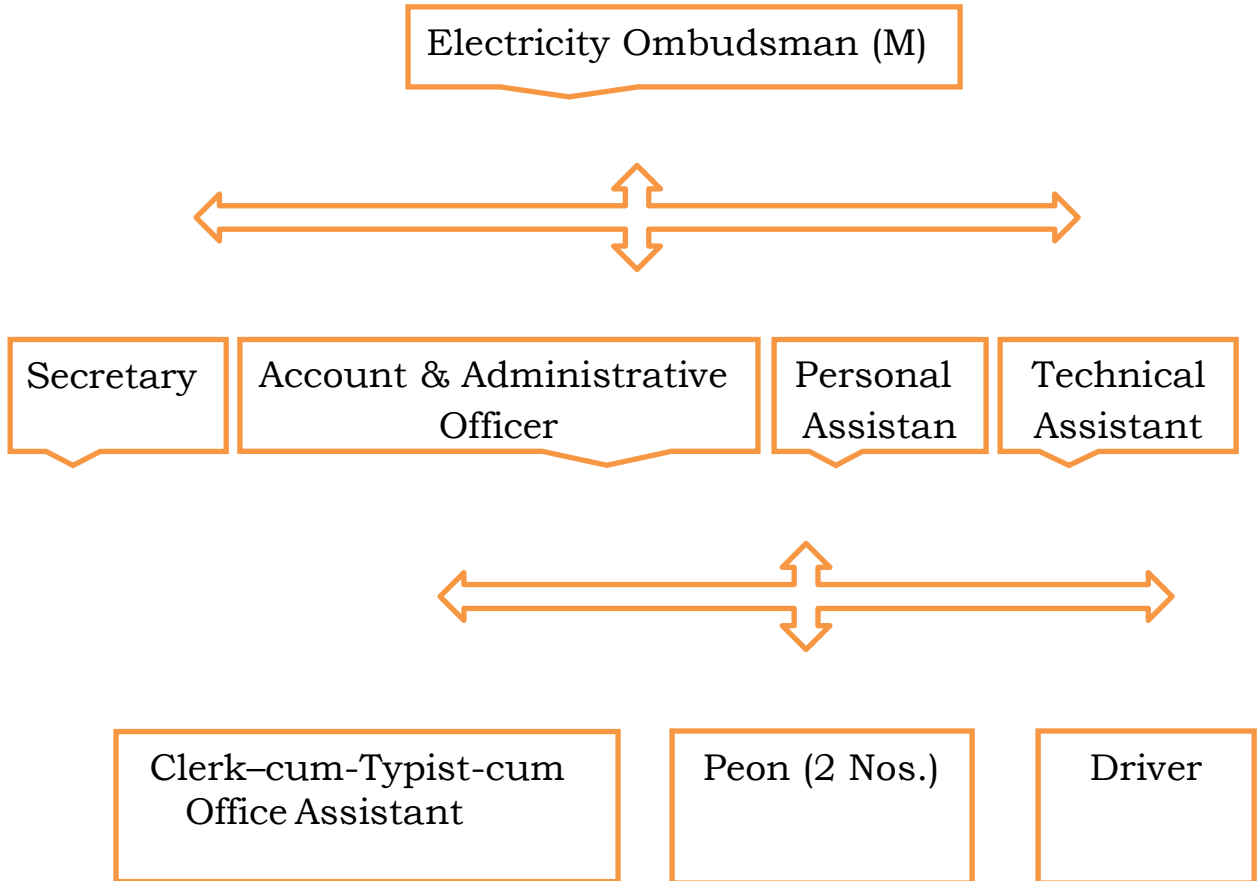
RIGHT TO INFORMATION ACT 2005
Section 4(1) (b) (i)

The particulars of the Office of the Electricity Ombudsman,
Maharashtra Electricity Regulatory Commissions, functions and duties

A) General Informations

Name of the Office	: Office of the Electricity Ombudsman (Mumbai)
Office Address	: 606-608, 6 th Floor, Keshva Building, Bandra – Kurla Complex, Bandra (E), Mumbai – 400 051
Telephone and Fax No.	: Tel – 022 26592965, 26590339, 30680528 Fax – 022 26592965
E-mail and Web-Site	: e-mail secretary@mercombudsmn.org.in Web site www.mercombudsmn.org.in
Office working hours	: 09.30 to 18.00 hours from Monday to Friday Saturday to Sunday are holidays Other Holidays, as declared by the Govt. of Maharashtra, are applicable.
Parent Department	: Maharashtra Electricity Regulatory Commission
Officers & Staff	: Secretary, Accounts & Admn Officer & Other Staff.
Language used in Correspondence	: Marathi and English
Building and Property	: The office does not own any land or building, Office premises is taken on rental basis
Service Rendered	: All quasi – judicial services in accordance With Electricity Act, 2003 and the Rules & Regulations made thereunder by M.E.R.C.
Organizational chart of the Office of the Electricity Ombudsman (M)	: The Organizational chart of the Office of the Electricity Ombudsman (M) is given below

Organizational Chart



B) The functions and duties of the Electricity Ombudsman (M)

- 1) The Functions of the Electricity Ombudsman (M) are in accordance with Section 42 (7) of the Electricity Act, 2003 and also as narrated in the regulations 16 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

Regulations No. 16 : Power and Duties of the Electricity Ombudsman :

The Electricity Ombudsman shall have the following powers and duties :-

- a)* to receive from consumers, representations against orders of the Forum and consider such representations and facilitate their satisfaction or settlements by agreement, through conciliation and mediations between the Distribution Licensee and consumers or by passing an order in accordance with these Regulations ;
- b)* to exercise general powers of superintendence and administrative control over his secretariat / office, and be responsible for the conduct of business thereat ;
- c)* to incur expenditure on behalf of the office, provided however, that in order to exercise such power, the Electricity Ombudsman will draw up an annual budget for his office in consultation with the Commission and shall exercise the powers of expenditure within the approved budget;
- d)* to discharge such functions as the Commission, may by order, direct or assign, from time to time.

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Section 4(1) (b) (ii)

The Powers and duties of officers and employees of the Electricity Ombudsman

a) Powers of Officers and employees of the Electricity Ombudsman

Regulations No. 16 : **Power and Duties of the Electricity Ombudsman :**

The Electricity Ombudsman shall have the following powers and duties :-

- a) to receive from consumers, representations against orders of the Forum and consider such representations and facilitate their satisfaction or settlements by agreement, through conciliation and mediations between the Distribution Licensee and consumers or by passing an order in accordance with these Regulations ;
- b) to exercise general powers of superintendence and administrative control over his secretariat / office, and be responsible for the conduct of business thereat ;
- c) to incur expenditure on behalf of the office, provided however, that in order to exercise such power, the Electricity Ombudsman will draw up an annual budget for his office in consultation with the Commission and shall exercise the powers of expenditure within the approved budget;
- d) to discharge such functions as the Commission, may by order, direct or assign, from time to time.

b) Duties of Officers and employees of the Commission:-

1) Secretary

Following works are assigned to the **Secretary** of the Office of the Electricity Ombudsman. :-

- 1) Receipt and scrutiny of Representations filed against the Grievance decided / not decided by the Forums.
- 2) Issue of notices to the Respondent & Appellants.
- 3) Scrutiny of the replies, documents and rejoinders received from the Respondents and Appellants.
- 4) Preparations of short notes to brief the Electricity Ombudsman (M).

- 5) Discussion with the Electricity Ombudsman (M) on the causes of grievance raised by Appellants and the replies given by the Respondents, finalise date of hearings and intimate the same to all parties.
- 6) To discuss with the Electricity Ombudsman on the provisions, applicable judgments and natural justice for reasoned disposal of the Representation.
- 7) To attend the hearings and assist Electricity Ombudsman (M) in the hearing.
- 8) To discuss the whole matter of Representation with the Electricity Ombudsman (M) for final disposal.
- 9) To get the order typed, after making all corrections sign on all copies and issue for dispatch.
- 10) To keep the record of Representations received, no of sittings etc. and maintain the Register of Representations in the prescribed format.
- 11) To prepare quarterly, 6 monthly and Annual Reports for submission to MERC and State Govt. in the specified format.
- 12) To keep track of the orders passed by the National Consumer Disputes Redressal Commission, High Court, Supreme Court applicable to the grievances of electricity consumers.
- 13) To study effectiveness of Regulations, make presentations on experience sharing and give suggestions on amendments.
- 14) To check and sign the daily cash book and cheques.
- 15) To assist Electricity Ombudsman (M) in his day to day work as required.
- 16) To receive & give replies to the queries of electricity consumers.
- 17) To carry out the functions of the Appellate Authority relating to the information furnished to the Applicants under R.T.I. Act.

2) Accounts & Administrative Officer:-

Following works are signed to the Post of Accounts & Administrative Officers of the Office of the Electricity Ombudsman :-

A) Accounts:-

- 1) To maintain daily cash book.
- 2) To maintain cheque issue register and issue cheques to meet various payments.
- 3) To prepare and audit the various bills of expenditures such as office rent, car leasing charges, party payments etc.
- 4) To audit and make payment of various bills such as electricity bills, telephone bills, internet bills, courier charges, postal charges, purchase of stationery etc.
- 5) To prepare monthly salary bills of the staff, make salary payments through cheques and issues monthly salary slips to the staff.
- 6) To recover TDS (income Tax) from office rent, car rent, staff salary bills and make its payments to the bank by observing its due dates.
- 7) To recover and remit the Professional Tax.
- 8) To receive Deposits from the Appellants, issue them receipts and maintain its accounting record.
- 9) To arrange for refund of Deposits to the Appellants, prepare and submits notes there-for on finalization of order by Electricity Ombudsman (M).
- 10) To audit and make payments of Medical Reimbursement bills, T.A. bills and other monthly allowances admissible to the Electricity Ombudsman (M).
- 11) To make statutory payments to the appropriate authorities by following it due dates.
- 12) To maintain and observe cash flow and fund ledger.
- 13) To maintain Account head wise Main Ledger by making month wise, account head wise posting therein and get the balances of various account heads tallied.

- 14) To maintain all files on required subjects including cash voucher file, cheque voucher file etc.
- 15) To prepare and audit monthly bank reconciliation statement.
- 16) To prepare and audit monthly receipt and expenditure statement.
- 17) To prepare quarterly Income Tax e-returns i.e. 24Q and 26Q and its submission to the Income Tax department within due dates.
- 18) To execute all works relating to statutory taxes and professional tax.
- 19) To prepare form 16 A on Quarterly basis for the TDS recovered from the office rent, car rent and other bills of payments and its submission to the concern parties / firms within due dates.
- 20) Audit of Postal Stamp Accounts from outward registered and courier bills.
- 21) To prepare and issue Form 16 for staff within prescribed time limit.
- 22) To make payments of Annual Maintenance Charges to the concerned as per contract entered in to with them.
- 23) To prepare and audit Annual Accounts of the Office of the Electricity Ombudsman (M) along with its all scheduled.

B) Administrations / Establishments :-

- 1) Keep control on overall administration and establishment so as to ensure the smooth functioning of the office.
- 2) To maintain individual service record and leave record of the staff, and other works relating to the establishment.
- 3) To make correspondence for staff sanction, office establishment and administration.
- 4) To prepare notes for Annual Maintenance Contract of various machineries such as Computers, Printers, Air-Conditioners etc. by inviting quotations for finalizations of AMC's.
- 5) Full maintenance of office website. Renewal of Domain Name registrations from time to time, as required. Updates in the website periodically such as hearing dates, office orders, rules & regulations and other details.

- 6) To maintain office cleaning and to supervise pantry functioning work.
 - 7) To maintain the office library and purchase of legal books, consolidate books of orders passed by the National Consumer Disputes Redressal Commission, Supreme Court, High Court etc.
 - 8) To arrange all the orders passed by the Electricity Ombudsman (M) in a calander year, prepare page-wise, subject-wise, index and bound all these orders in a book form for its submission to the Hon. Chairman MERC office and for office library.
 - 9) For office accommodation search for rental premises, make negotiations for office to be taken on rent.
 - 10) To maintain record room, classify the record in "A", "B", "C" groups preserve permanent types of records and dispose off other records as per circular.
 - 11) To act as Public Information Officer under RTI Act. 2005.
 - 12) To assist Electricity Ombudsman (M) in administration and Establishment matters.
- 3) **Personal Assistant to the Electricity Ombudsman (M) :-**
- 1) To take dictation from Electricity Ombudsman (M) and other officers and submit the typing works.
 - 2) To type the orders, office correspondence, reports, office notes, make typing corrections there in etc.
 - 3) To maintain personal file of Electricity Ombudsman (M) and handle correspondence relating to the Electricity Ombudsman (M).
 - 4) Maintain confidential file and confidential correspondence as per instructions of Electricity Ombudsman (M).
 - 5) To maintain and check office vehicle diaries daily.
 - 6) Maintenance of Stationery items at a desired level and resort for purchase there-of.
 - 7) Any other works as may be assigned from time to time by Electricity Ombudsman (M), Secretary and Accounts & Administrative Officer.

4) **Clerk, Clerk-cum-Typist and Office Assistant** :-

- 1) Receipt of daily Dak including Representations and enter it in to the Inward Register.
- 2) Registration of Representation.
- 3) Preparation of Notices to be sent to the Respondents and Appellants.
- 4) Typing of Brief notes on the Representations filed with office.
- 5) Typing of corrections, re-corrections and taking out print of the orders.
- 6) Typing letters and all correspondence.
- 7) Update of website of the office with hearing dates, posting of orders issued by Electricity Ombudsman (M) and other related data.
- 8) Dispatch of orders / letters on taking entries in the Out-ward Register and Maintenance of Postage / Courier account.
- 9) All types of filing works and keeping files up to date.
- 10) Keep watch for refund of Deposits to the Appellants and prepare notes if necessary.
- 11) Typing of quarterly I. T. e-returns i.e. Q-24 and Q-26 and annual Form 16.
- 12) Typing of monthly Receipts and Payments statement and quarterly budget.
- 13) To assist P.A. to maintain Stationery and Stationery items at a desired level.
- 14) Work relating to the maintenance of Computers / Printer / Fax / Paper Shredder etc.
- 15) Maintenance of Pantry items and keep expenditure account there of.
- 16) All other works as may be assigned by the Electricity Ombudsman. Secretary and Accounts & Administrative Officer.

5) **Driver cum General Assistant :-**

- 1) Attend the duties of the Electricity Ombudsman as Driver.
- 2) To maintain vehicle diary.
- 3) While in office he will carry out the following works.
 - a) Attend the bells of the Electricity Ombudsman (M), Secretary, Accounts & Administrative Officer when office peon is busy in other works.
 - b) Attend bank related works.
 - c) Filing of Cash Vouchers and Cheque Vouchers in the respective files and other filing works.
 - d) Attend Post Office and Courier work if required.
 - e) Assist in Pantry related works.
- 4) All other works as may be assigned by the Electricity Ombudsman (M), Secretary, Accounts and Administrative Officer.

6) **Peon - I**

- 1) Handle the Office door keys, open and close the office.
- 2) Attend bells of the Electricity Ombudsman (M), Secretary, Accounts & Administrative Officer.
- 3) Office Pantry and related work.
- 4) Get office (including toilets and pantry) cleaned from the office maid and up keep of office.
- 5) To serve water and tea to all participants of the hearings conducted in the office.
- 6) To attend Post office for daily Speed post, Register post letters etc.
- 7) All filing works.
- 8) All other works as may be assigned by the Electricity Ombudsman (M), Secretary, Account & Administrative Officer.

7) **Peon - II**

- 1) Handle the Office door keys, open and close the office.
- 2) Attend bells of the Electricity Ombudsman (M), Secretary, Accounts & Administrative Officer.

- 3) Office Pantry and related work.
- 4) Attend banking works as narrated by Accounts & Administrative Officer.
- 5) Work related to the hearing such as sitting arrangements of participant, serving of water / tea to them etc.
- 6) All filing works.
- 7) All other works as may be assigned by the Electricity Ombudsman (M), Secretary and Accounts & Administrative Officer.

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Section 4(1) (b) (iii) (iv)

The Procedure followed in decision making process, including channels of supervision and accountability and hours set by it's for the discharge of its functions :-

A) Proceedings before Electricity Ombudsman

17.1 The Electricity Ombudsman shall settle the Grievance of the consumer within such time and in such manner as specified in the following Regulations.

17.2 Any consumer, who is aggrieved by the non-redressal of his Grievance by the Forum, may make a representation for redressal of his Grievance to the Electricity Ombudsman within sixty (60) days from the date of the order of the Forum.

Provided that the Electricity Ombudsman may entertain a representation after the expiry of the said period of sixty (60) days if he is satisfied that there was sufficient cause for not filing it within the said period.

17.3 The representation to be made before the Electricity Ombudsman shall be in writing in the form specified and set out in **Schedule B** of these Regulations and duly signed by the consumer and shall state/provide clearly the information required thereunder including *inter alia* (i) the name and address of the consumer; (ii) the facts giving rise to the representation supported by documents, if any, that are desired to be relied upon by the consumer and (iii) the relief sought from the Electricity Ombudsman. The representation may also be lodged by registered post acknowledgement due, by speed post or by courier service or by any other means of transmission of documents (including FAX message).

17.4 The Electricity Ombudsman shall send an acknowledgement of receipt of the representation to the consumer bearing a serial number and date within five (5) working days from the date of receipt of a representation. Where the representation has been submitted in person, the acknowledgement shall be provided at the time of submission.

Provided that where the representation is submitted by email to the Electricity Ombudsman acknowledgement of the receipt of the Grievance to the consumer shall be by return email as promptly as possible.

Provided further that the Electricity Ombudsman shall keep such electronic records in hard form for ease of retrieval.

Provided further that where the representation is submitted by email hard copies of the same shall be submitted forthwith separately to the Electricity Ombudsman.

17.5 The fees as may be directed by the Commission, from time to time, shall be payable along with such representation for redressal of Grievance.

17.6 The Electricity Ombudsman shall notify the Distribution Licensee and the applicant who has submitted the representation, the date of hearing in writing, giving sufficient advance notice.

Provided that representations filed by applicants who are senior citizens, physically challenged, widows and persons suffering from serious ailments shall be listed and disposed of on a priority basis.

17.7 Subject to Regulations 17.11, 17.12 and 17.13, where any person who is a party to the proceedings before the Electricity Ombudsman fails to appear on the date of hearing as may be fixed in this behalf, the Electricity Ombudsman may decide the representation *ex-parte*.

Provided that no adjournment shall be ordinarily granted by the Electricity Ombudsman unless sufficient cause is shown and the reasons for the grant of adjournment have been recorded in writing by the Electricity Ombudsman.

17.8 A consumer, Distribution Licensee or any other person who is a party to any proceedings before the Electricity Ombudsman may either appear in person or authorise any person other than an Advocate (within the meaning of the Advocates Act, 1961) to present his case before the Electricity Ombudsman and to do all or any of the acts for the purpose.

17.9 The Electricity Ombudsman shall not entertain a representation:

- (a) unless the consumer has submitted a written representation in the specified form, to the Electricity Ombudsman;
- (b) unless it has been shown to the Electricity Ombudsman that (i) the Forum has rejected the Grievance, or (ii) the Forum has not passed an order on the Grievance for its redressal within a maximum period of two (2) months from the date of receipt of the Grievance by the Forum, or (iii) there has been undue delay in the disposal of the Grievance by the Forum even after the period stated above;
- (c) unless the representation against an order of the Forum was made within the period set out in these Regulations;
- (d) unless the Electricity Ombudsman is satisfied that the representation is not in respect of the same subject matter that has been settled by him in any previous proceedings;
- (e) where the representation by the consumer, in respect of the same Grievance, is pending in any proceedings before any court, tribunal or arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority;
- (f) unless the consumer has deposited in the stipulated manner, fifty percent of the amount, if any, that is required to be paid by him in terms of the order of the Forum or twenty-five thousand rupees whichever is less; and
- (g) unless the person who claims compensation from the Distribution Licensee has paid such fees as may be stipulated by the Commission from time to time.

17.10 The Electricity Ombudsman may reject the representation at any stage if it appears to him that the representation is:

- (a) frivolous, vexatious, malafide;
- (b) without any sufficient cause;
- (c) there is no prima facie loss or damage or inconvenience caused to the consumer; or
- (c) complicated in nature such that the representation requires consideration of elaborate documentary and oral evidence and the proceedings before the Electricity Ombudsman are not appropriate for adjudication of such representations.

Provided that the decision of the Electricity Ombudsman in this regard shall be final and binding on the consumer and the Distribution Licensee.

Provided further that no representation shall be rejected in respect of sub-clauses (a), (b), (c) and (d) unless the applicant has been given an opportunity of being heard.

17.11 (a) The Electricity Ombudsman may, in the first instance, endeavour to promote a settlement of the representation received through conciliation or mediation.

(b) If a representation is not settled by agreement the Electricity Ombudsman may give an order after affording the parties reasonable opportunity to present their case.

Provided that the Electricity Ombudsman shall determine the place, date and time of hearing of the matter, as the Electricity Ombudsman considers appropriate.

17.12 When a representation is settled, through conciliation or mediation of the Electricity Ombudsman, the Electricity Ombudsman shall have the settlement recorded and signed in his presence and cause issuance of orders on the settlement of the Grievance by mutual agreement.

17.13 The Electricity Ombudsman shall complete the enquiry as expeditiously as possible and every endeavour shall be made to decide the representation within a period of two (2) months from the date of receipt of the representation by the Electricity Ombudsman.

Provided that in the event of the representation being disposed of after the completion of the said period of two (2) months, the Electricity Ombudsman shall record, in writing, the reasons for the same.

17.14 The Electricity Ombudsman shall be guided by such factors which in the opinion of the Electricity Ombudsman are necessary in the interest of justice and shall ensure transparency while exercising its powers and discharging its functions in compliance with the principles of natural justice.

Provided that the Electricity Ombudsman shall not be bound by the Code of Civil Procedure, 1908 (5 of 1908) or the Indian Evidence Act, 1872 (1 of 1872) as in force from time to time.

17.15 The order passed by the Electricity Ombudsman shall set out –

- (a) issue-wise decision;
- (b) reasons for passing the order; and
- (c) directions, if any, to the Distribution Licensee or consumer or any Other order, deemed appropriate in the facts and circumstances of the case; and / or

- (d) directions for adjustment or refund of amount or fees deposited in terms of Regulations 17.9(f) and 17.9(g); and/or
- (e) directions to pay such amount as may be awarded by it as compensations to the consumer for any loss or damage suffered by the consumer; and / or

Provided, however, that in no case shall any consumer be entitled to indirect, consequential, incidental, punitive, or exemplary damages, loss of profits or opportunity.

- (f) directions to pay such amount as compensation as specified by the Commission in the standards of performance of Distribution Licensees.

17.16 Notwithstanding the provisions of Regulation 17.15, the Electricity Ombudsman may pass such interim orders, at any stage during the disposal of the representation, on the request of the consumer as the Electricity Ombudsman considers appropriate pending the final decision on the representation.

Provided that the Electricity Ombudsman shall have the powers to pass such interim order in any proceeding, hearing or matter before it, as it may consider appropriate if the consumer satisfies the Electricity Ombudsman that *prima facie* the Distribution Licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations made thereunder or any order of the Commission, provided that, the Electricity Ombudsman, has jurisdiction on such matters.

Provided further that, except where it appears that the object of passing the interim order would be defeated by delay, no such interim order shall be passed unless the opposite party has been given an opportunity of being heard.

17.17 A copy of the order shall be sent to the consumer and the Distribution Licensee named in the representation. A copy of the order may also be sent to the concerned Forum for information.

17.18 An order passed or direction issued by the Electricity Ombudsman shall be binding on the parties so named in the order or direction and such order or direction shall be implemented or complied with by the Distribution Licensee or the person required by the order or direction to do so and within the time frame stipulated therein and further intimation of such compliance shall also be made to the Electricity Ombudsman within the time frame stipulated in that regard therein.

b) **19. Review of order filed before the Electricity Ombudsman**

19.1 Any person aggrieved by an order of the Electricity Ombudsman, may, upon the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or on account of some mistake or error apparent from the face of the record, may apply for a review of such order, within thirty (30) days of the date of the order, as the case may be, to the Electricity Ombudsman.

19.2 An application for such review shall clearly state the matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the order was passed or the mistake or error apparent from the face of the record. The application shall be accompanied by such documents, supporting data and statements as the Electricity Ombudsman may determine.

19.3 When it appears to the Electricity Ombudsman that there is no sufficient ground for review, the Electricity Ombudsman shall reject such review application.

Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard.

19.4 When the Electricity Ombudsman is of the opinion that the review application should be granted, it shall grant the same provided that no such application will be granted without previous notice to the opposite side or party to enable him to appear and to be heard in support of the order, the review of which is applied for.

c) **Power to remand matters to the Forum**

(a) Where the Forum has disposed of the Grievance and the order of the Forum is reversed or set aside in the proceedings before the Electricity Ombudsman, the Electricity Ombudsman may, if it thinks fit and necessary, by order remand the Grievance to the Forum.

(b) The Electricity Ombudsman may, further direct what issue or issues shall be decided in the Grievance so remanded, and shall send a copy of its judgment and order to Forum from whose order the representation has been preferred to Electricity Ombudsman, with such directions as may be necessary to consider the Grievance and pass orders accordingly.

d) **Power to Call Information :-**

20.1 For the purpose of carrying out its duties and as may be required to decide the representation, the Electricity Ombudsman may, within

such period as he may decide, require attendance of any person or require the Distribution Licensee or any of its officials, representatives or agents including the Forum named in the representation to furnish any information or certified copies of any documents, books, data, and details relating to the subject matter of the representation, which is or is alleged to be in the knowledge or possession of the Distribution Licensee or any of its officials, representatives or agents including the Forum.

Provided that in the event of failure of a Distribution Licensee to comply with the requisition without any sufficient cause, the Electricity Ombudsman may, if deemed fit, proceed to settle the case on the basis of the records available with the Electricity Ombudsman.

20.2 (a) The Electricity Ombudsman may also direct the Distribution Licensee to undertake an inspection.

(b) Notwithstanding sub-clause (1), the Electricity Ombudsman may engage a third party to undertake such inspection, as may be required for the expeditious disposal of the representation and redressal of the Grievance.

Provided that the Electricity Ombudsman shall record the reasons in writing requiring the engagement of third party to undertake such inspection.

(c) The expenses of such inspection to be undertaken by third party as referred to in sub-clause (b) shall be borne by the Distribution Licensee and to the extent reasonable and justifiable such expenses shall be allowed in the determination of tariff in accordance with the relevant regulations of the Commission.

RIGHT TO INFORMATION ACT 2005

Section 4(1) (b) (v)

The Rules, Regulations, Instructions, Manuals and records which are used by Electricity Ombudsman for discharging its functions

1) Act and Rules of Central Government

- a) The Electricity Act
- b) National Electricity Policy, 2005
- c) The Electricity Rules 2005
- d) National Electricity Plan
- e) National Tariff Policy

2) Rules made by the State Government

- a) MERC (Preparation of Annual Report) Rules, 2003*
- b) MERC (Preparation and submission of Budget) Rules, 2004*
- c) MERC (Conditions of Service of Chairperson and Members) Rules, 2005*
- d) MERC (Fund) Rules, 2005*
- e) MERC (Fees for Application for grant of License) Rules, 2009*

3) Regulation made by the Maharashtra Electricity Regulatory Commission

List of Regulations Notified Under Electricity Act, 2003

Sr. No.	Regulations	Date of Notification
1	MERC (Transmission License Conditions) Regulations, 2004. Amendment MERC (Transmission License Conditions) Regulations, 2006	10.06.2004 10.01.2007
2	MERC (Trading License Conditions) Regulations, 2004 Amendment MERC (Trading License Conditions) Regulations, 2006	10.06.2004 10.01.2007
3	MERC (Conduct of Business) Regulations, 2004	10.06.2004
4	MERC (Procedure for filing appeal before the Appellate Authority) Regulations, 2004	10.06.2004
5	MERC (Terms and Conditions of Appointment of Consultants) Regulations, 2004	10.06.2004
6	MERC (Fees and Charges) Regulations, 2004	03.12.2004

7	MERC (Standing Legal Counsel : Terms and Conditions of Appointment) Regulations, 2004	09.12.2004
8	MERC (Supply Code and Other Conditions of Supply) Regulations, 2005	20.01.2005
9	MERC (Standard of Performance of Distribution Licensee, period for giving supply and Determination of Compensations) Regulations, 2005	20.01.2005
10	MERC (Transmission Open Access) Regulations, 2005	21.04.2005
11	MERC (Distribution Open Access) Regulations, 2005	21.06.2005
12	MERC (Terms & Conditions of Tariff) Regulations, 2005	26.08.2005
13	MERC (State Grid Code) Regulations, 2005	26.08.2005
14	MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006	20.04.2006
	MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006	02.04.2007
15	MERC (General Conditions of Distribution License) Regulations, 2006	28.11.2006
16	MERC (Recruitment and Conditions of Service of Employees) Regulations, 2007	17.01.2007
17	MERC (Specific Conditions of Distribution License applicable to Brihan Mumbai Electric Supply and Transport Undertaking of Municipal Corporation of Greater Mumbai) Regulations, 2007	02.04.2007
18	MERC (Specified Conditions of Distribution License applicable to the Tata Power Co. Ltd.) Regulations, 2008	20.08.2008
19	MERC (Specific Conditions of Distribution License applicable to Reliance Energy Ltd.) Regulations, 2008	20.08.2008
20	MERC (Uniform Recording, Maintenance and Reporting of Information) Regulations, 2009	21.04.2009
21	MERC (Demand Side Management Measures and Programmes' Cost Effectiveness Assessment) Regulations, 2010	
22	MERC (Demand Side Management Implementations Framework) Regulations, 2010	
23	MERC (Renewal Purchase Obligation, Its Compliance and Implementation of REC Framework) Regulations, 2010	
24	MERC (Terms and Conditions of Tariff) (Amendment) Regulations, 2011	
25	MERC (Multi Year Tariff) Regulations, 2011	
26	MERC (Recruitment and Conditions of Service of Employees (Amendment) Regulations, 2011	16.03.2011

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Section 4(1) (b) (vi)

A Statement of the Categories of documents that are held by or under control of the Commission

Quasi Judicial Documents

- 1) Regulations
- 2) Orders
- 3) Selected Records Of Proceedings (ROP)

List of Administrative Documents

- 1) Employee's Muster
- 2) Employee's Pay bill sheet
- 3) Vehicle Log Book

List of Account Documents

- 1) Annual Budget Information
- 2) Cash Book / Bank Book
- 3) Fund Ledger
- 4) Receipt – Payment Voucher
- 5) Receipt – Payment Account Statement
- 6) Income – Expenditure Statement
- 7) Balance Sheet

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Section 4(1) (b) (vii)

While discharging its functions under the Regulations of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2006, the Electricity Ombudsman is required to undertake various activities such as :-

20. Power to call for Information

20.1 For the purpose of carrying out its duties and as may be required to decide the representation, the Electricity Ombudsman may, within such period as he may decide, require attendance of any person or require the Distribution Licensee or any of its officials, representatives or agents including the Forum named in the representation to furnish any information or certified copies of any documents, books, data, and details relating to the subject matter of the representation, which is or is alleged to be in the knowledge or possession of the Distribution Licensee or any of its officials, representatives or agents including the Forum.

Provided that in the event of failure of a Distribution Licensee to comply with the requisition without any sufficient cause, the Electricity Ombudsman may, if deemed fit, proceed to settle the case on the basis of the records available with the Electricity Ombudsman.

20.2 (a) The Electricity Ombudsman may also direct the Distribution Licensee to undertake an inspection.

(b) Notwithstanding sub-clause (1), the Electricity Ombudsman may engage a third party to undertake such inspection, as may be required for the expeditious disposal of the representation and redressal of the Grievance.

Provided that the Electricity Ombudsman shall record the reasons in writing requiring the engagement of third party to undertake such inspection.

(c) The expenses of such inspection to be undertaken by third party as referred to in sub-clause (b) shall be borne by the Distribution Licensee and to the extent reasonable and justifiable such expenses shall be allowed in the determination of tariff in accordance with the relevant regulations of the Commission.

21. Inspection of records and supply of certified copies

21.1 A certified copy of the order passed by the Electricity Ombudsman shall be delivered to the parties to such order.

21.2 Any Person shall be entitled to a copy of the orders of the Electricity Ombudsman or take extracts therefrom, subject to payment of a cost, which shall not be more than the cost of photocopying and complying with other terms, which the Electricity Ombudsman may direct.

Provided that an applicant making request for information shall not be required to give any reason for requesting the information or any other personal details except those that may be necessary for contacting him.

21.3 Notwithstanding anything contained in Regulation 21.2, there shall be no obligation to give to any Person,—

(a) information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the Electricity Ombudsman is satisfied that larger public interest warrants the disclosure of such information; or

(b) information which would impede the process of investigation or apprehension or prosecution of offenders.

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Section 4(1) (b) (viii)

A Statement of the boards, council, Committees and other bodies consisting of two or more persons constituted as part of the Commission or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and the other bodies are open to the public, or the minutes of such meetings are accessible for public.

This information is not applicable in the case of the office of the Electricity Ombudsman

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Section 4(1) (b) (ix)

A Directory of Officers and Employees of the Electricity Ombudsman

Office of the Electricity Ombudsman Maharashtra Electricity Regulatory Commission 606-608, 6 th Floor, Keshva Building, Bandra Kurla Complex, Bandra (E), Mumbai, Pin Code – 400 051 Tel. No. 022 26592965, 26590339, 3068052, Fax No. – 022 26592965 Web Site – www.mercombudsman.org.in Email Add – Secretary@mercombudsman.org.in		
Sr. No.	Name	Designation
1	Shri. S. N. Yadwad	Secretary
2	Shri. S. M. Lohkare	Accounts & Administrative Officer
3	Smt. Sonali V. Parab	Personal Assistant
4	Shri Vivek N. Sakpal	Clerk-cum-Typist-cum Office Assistant
5	Shri Sachin P. Kadam	Peon
6	Smt. Shanta B. Salve	Peon
7	Shri Mangesh C Avhad	Driver

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Section 4(1) (b) (x)

Monthly remuneration received by each of the Officers and employees, of the Commission, including the system of compensation as provided in its regulations. (Salary as per Six Pay Commission's Recommendations)

Sr. No.	Name	Designation	Pay Scale Rs.	* Grade Pay Rs.	Gross Salary Rs.
1	Shri. S. V. Joshi.	Electricity Ombudsman	80000.00 (Max)	Nil	100000.00
2	Shri. S. N. Yadwad	Secretary	11550-475-13925-525-22325	Nil	78300.00
3	Shri. S. M. Lohkare	A. & A.O.	10650-325-15850	Nil	61860.00
4	Smt. Sonali V. Parab	P.A.	7450-225-11500	Nil	40490.00
5	Shri Vivek N. Sakpal	Clerk	3050-75-3590-80-4590	Nil	15400.00
6	Shri Sachin P. Kadam	Peon	2550-35-2660-60-3200	Nil	13060.00
7	Smt. Shanta B. Salve	Peon	2550-35-2660-60-3200	Nil	12260.00
8	Shri Mangesh C Avhad	Driver	3050-75-3590-80-4590	Nil	10800.00

* 6th Pay Commission Scales are not made applicable to the Officers and Staff of the Office of the Electricity Ombudsman (Mumbai)

RIGHT TO INFORMATION ACT 2005

Section 4(1) (b) (xi)

Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursement made

Head of Expenditure	Actual Expenditure incurred by the Electricity Ombudsman during 2012-13 Rupees	Estimate of Expenditure during 2013-14 Rupees
1. Capital Expenditure		
2. Salary	3390115.00	4068138.00
3. Tours & Travelling	28555.00	32000.00
4. Allowances	328395.00	335000.00
5. Office Expenditure	237587.37	250000.00
6. Professional Charges	-	-
7. Rent, Rates & Taxes	5489565.00	6040000.00
8. Publications	11240.00	25000.00
9. Petrol for Office Car	149359.02	180000.00
10. Entertainment	9668.00	10000.00
11. Interest / Bank Charges	1890.00	2000.00
12. Pension /Gratuity		
13. Computer Expenditure	12500.00	15000.00
14. Repairs & Maintenance	30536.32	35000.00
15. Car leasing vehicle	268877.00	275000.00
16. Other Expenditure	70816.50	80000.00
17. Depreciation	34258.00	30000.00
18. Purchase of Assets and Purchase of Software	-	-
19. Total	10063362.21	11377138.00

RIGHT TO INFORMATION ACT 2005

Section 4(1) (b) (xii)

Manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes.

No subsidies are disbursed by The Electricity Ombudsman, hence information is nil

RIGHT TO INFORMATION ACT 2005

Section 4(1) (b) (xiii)

Particulars of recipients of concessions, permits or authorizations granted by the Electricity Ombudsman

Electricity Ombudsman is not recipients of any concessions, permits or authorisation, hence information is NIL.

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Section 4(1) (b) (xiv)

Details in respect of information, available to or held by the Electricity Ombudsman reduced in electronic form

1. Electricity Act, 2003.
2. Rules framed by Government of Maharashtra.
3. Regulation made by the Commission.
4. Hearing to be conducted in Electricity Ombudsman's Office with date and time.
5. Electricity Consumer's Right Statement.
6. Orders passed by Electricity Ombudsman.

Above documents are available on Electricity Ombudsman web site www.mercombudsman.org.in

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Section 4(1) (b) (xv)

The Particulars of facilities available to citizens for obtaining information, including the working hours of reading room, if maintained for public use.

Documents of the Commission as indicated in the Section 4(1) (b) (xiv) on pre-page are available on Electricity Ombudsman web-site www.mercombudsman.org.in in the downloadable format. Besides, this information can be obtained (if copies are available) from the Office of the Electricity Ombudsman on payment of necessary charges. Interested persons can contact the Electricity Ombudsman office between 09.30 to 18.00 hrs., except on Saturday, Sunday and other Public holidays. Further, the information can also be obtained by fax or by written request. Address of the Office of the Electricity Ombudsman and Telephone Numbers are as under:

Office of the Electricity Ombudsman (Mumbai),
 Maharashtra Electricity Regulatory Commission,
 606-608, 6th Floor, Keshva Building,
 Bandra Kurla Complex, Bandra (E), Mumbai,
 Pin Code – 400 051,
 Tel. No. 022 26592965, 26590339, 3068052, Fax No. – 022 26592965.

Note : No library or Reading Room is maintained by the Office of the Electricity Ombudsman Office.

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Section 4(1) (b) (xvi)

Names, designations and other particulars of the Public Information Officers

Public Information Officer

Designation	Address	E-Mail
S. M. Lohkare Accounts & Administrative Officer	606-608, 6 th Floor, Keshva Building, Bandra Kurla Complex, Bandra (E), Mumbai, Pin Code – 400 051	aao@mercombudsman.org.in

Appellate Officer

Designation	Address	E-Mail
S. N. Yadwad Secretary	606-608, 6 th Floor, Keshva Building, Bandra Kurla Complex, Bandra (E), Mumbai, Pin Code – 400 051	secretary@mercombudsman.org.in

Note : In the absence of the Accounts and Administrative Officer on account of leave or otherwise. Smt. Sonali Parab, Personal Assistant, will act as Public Information Officer.

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Section 4(1) (b) (xvii)

Such other information as may be prescribed; and thereafter update publications every year

- 1) Order passed by the Electricity Ombudsman in the year 2004-05
- 2) Order passed by the Electricity Ombudsman in the year 2005-06
- 3) Order passed by the Electricity Ombudsman in the year 2006-07
- 4) Order passed by the Electricity Ombudsman in the year 2007-08
- 5) Order passed by the Electricity Ombudsman in the year 2009-10
- 6) Order passed by the Electricity Ombudsman in the year 2010-11
- 7) Order passed by the Electricity Ombudsman in the year 2011-12
- 8) Order passed by the Electricity Ombudsman in the year 2012-13
- 9) Order passed by the Electricity Ombudsman in the year 2013-14

* These documents are available on Electricity Ombudsman's website www.mercombudsman.org.in