

TAMIL NADU ELECTRICITY REGULATORY COMMISSION
Draft Notification No. TNERC/CGRF & EO/6 – . dated -2014.

Comments/suggestions invited by 14/4/2014

1. The following draft of the amendment to regulation 22 of the Tamil Nadu Electricity Consumer Grievance Redressal Forum and Electricity Ombudsman Regulations, 2004, which it is proposed to make in exercise of the powers conferred by section 181 read with sub-section (5) of section 42 of the Electricity Act, 2003 (Central Act 36 of 2003) and all other powers enabling it in this behalf, is hereby published for information of all persons likely to be affected thereby, as required by sub-section (3) of section 181 of the said Act.
2. Notice is hereby given that action will be taken to publish the proposed amendment in the Tamil Nadu Government Gazette after thirty days from the date of hosting it in the website of the Commission and that any objection or suggestion which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Commission.
3. Objection or suggestion, if any, should be addressed in duplicate to the Secretary, Tamil Nadu Electricity Regulatory Commission, 19-A Rukmini Lakshmi pathy Salai, Egmore, Chennai – 600 008.

AMENDMENT

In the said regulations, in regulation 22, after sub- regulation (5) the following sub-regulations shall be inserted, namely:-

“(6) The Ombudsman may on his own or on the application of any of the persons or parties concerned within 30 days of the making of the decision, direction or order review such decision, direction or order on the ground that such decision, direction or order was made under a mistake of fact, ignorance of any material fact or any error apparent on the face of the record.

(7) The application for such review shall be filed in the same manner as a petition as specified under regulation 17 of these Regulations.”

By order of the Commission

sd/-
(S. Gunasekaran)
Secretary

EXPLANATORY STATEMENT

There is no provision for a review of the orders of the Electricity Ombudsman in the existing regulations. There always exists a possibility that the order could be made under a mistake of fact, ignorance of material fact, or error apparent on the face of the record and therefore a review could prove beneficial to the consumers. It is therefore proposed to empower Ombudsman to review his orders on the above said grounds.

STATEMENT SHOWING EXISTING PROVISION AND PROVISION AS
AMENDED

Existing provision (1)	Proposed amendment (2)
(I) <i>After 22(5) - Nil</i>	(I) <i>“(6) The Ombudsman may on his own or on the application of any of the persons or parties concerned within 30 days of the making of the decision, direction or order review such decision, direction or order on the ground that such decision, direction or order was made under a mistake of fact, ignorance of any material fact or any error apparent on the face of the record. (7) The application for such review shall be filed in the same manner as a petition as specified under regulation 17 of these Regulations.</i>

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(S. Gunasekaran)
Secretary