

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

Appointment of Electricity Ombudsman and service terms and conditions of the Ombudsman and his staff

DRAFT REGULATIONS INVITING COMMENTS AND SUGGESTIONS

Short title	1	(1) These regulations may be called the AP Electricity Ombudsman (Terms and Conditions of Service) Regulations, 2003 (2) These regulations shall come into force on the date of their publication in the Andhra Pradesh Gazette.
Applicability	2	These regulations shall apply to all Officers/Staff of Ombudsman mentioned in clause 4 of the regulations.
Definitions	3	Unless there is anything repugnant to the subject or context:- (a) “Act” means the Electricity Act, 2003; (b) “Appointing Authority” means (i) Andhra Pradesh Electricity Regulatory Commission, in respect of the post of Ombudsman; and (ii) Ombudsman, in respect of the posts mentioned in clause 4 (a)(ii) and 4(a)(iii); (c) “Commission” means AP Electricity Regulatory Commission; (d) “Chairperson” means Chairperson of the Commission; (e) “Ombudsman” means the person appointed by the Commission under section 42(6) of the Act; (f) “Year” means the Calendar Year ; and (g) words and expressions used in these regulations but not defined herein shall have the same meaning as respectively assigned to them in the Act.
	4	(a) The Officers and supporting staff of the Ombudsman are categorized as under and the strength of each category is as mentioned thereagainst: (i) Ombudsman 1 (ii) Officer Deputy Secretary 1 (iii) Staff Personal Secretary to Ombudsman 1 Clerk Cum Computer Operator 1 Attender 1

(b) Type of appointment: The Officers and staff may be appointed on deputation basis or on contract.

(c) The approval of the staff strength indicated above shall also be treated as approval for creation of posts.

Appointment

5. a) All appointments shall be made by the Appointing Authority.
b) The qualifications and experience required for each post shall be as laid down in Annexure – I, provided that the Commission reserves the right to relax the eligibility criteria in suitable cases, for reasons to be recorded in writing.

Appointment of Ombudsman

6. (a) The Commission shall appoint or designate a person as Ombudsman as provided for in the Act.

(b) The Selection Committee for Ombudsman shall consist of the Chairperson and Members of the Commission. The Chairperson of the Commission shall be the Chairperson of the Selection Committee.

(c) Term of Office: The Ombudsman shall be appointed for a term of three years or till he attains the age of 65 years, whichever is earlier, provided that no person shall be appointed as Ombudsman after he attains the age of 62 years. The Ombudsman shall not be eligible for reappointment.

(d) Removal from Office:

- (i) The Ombudsman shall not be removed from office except in accordance with these regulations.
- (ii) The Commission, may, by order, remove from office, the Ombudsman, if he –
- has been adjudged as insolvent;
 - has been convicted of an offence which, in the opinion of the Commission, involves moral turpitude;
 - has become physically or mentally incapable of acting as Ombudsman;
 - has acquired such financial or other interest as is likely to affect prejudicially his functions as Ombudsman;
 - has so abused his position as to render his continuance in office prejudicial to the public interest; or
 - has been guilty of proven misbehavior.

Provided that the Ombudsman shall not be removed from office on any ground specified in clauses (d),(e) and (f) unless an inquiry,

held in accordance with such procedure as may be prescribed by the Commission, has reported that the Ombudsman ought on such ground or grounds to be removed.

(e) Location of the office of Ombudsman: The Ombudsman shall be located at Hyderabad. However he may hold hearings or proceedings at various places within the state of Andhra Pradesh in order to expedite disposal of representations received by him.

(f) Pay and allowances of Ombudsman:

a) The Ombudsman shall be entitled for pay as per the pay scale mentioned in Annexure – II. In addition, he shall be entitled to DA, HRA and CCA in accordance with Central Government rules.

b) Other benefits shall be as admissible to the employees of the Government of Andhra Pradesh.

Appointment of Officers and Staff

7. (a) Officers and staff for the Office of Ombudsman shall be appointed by the Ombudsman.

(b) The qualifications and experience required for the Officer and staff shall be as mentioned in Annexure – I.

General conditions

8. Persons who have already retired shall be appointed only on contract basis and not beyond the date they attain the age of 65 years.

Applications for appointment

9. (a) The Ombudsman may invite applications for the posts to be filled up by publication in two newspapers widely circulated in the State of Andhra Pradesh.

(b) Every candidate shall submit his application in the prescribed form along with prescribed fee and documents including proof of age, educational qualifications and caste certificates, wherever necessary, to the office of the Ombudsman.

Processing of applications

10. The Ombudsman shall consider all valid applications received and interview those who are short listed, considering the number of vacancies. Where felt necessary, written examinations may also be held.

Pay fixation

11. The pay of the selected candidates may be fixed at the suitable stage of the pay scale of the post as deemed appropriate.

Original certificates

12. All the candidates shall produce the originals of the following certificates at the time of the 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.
	13. (a) All the direct recruits shall be on probation for a period of one year from the date of their joining.
	(b) The period of probation shall not include the following:-
	(i) the period spent on Extraordinary Leave and Medical Leave availed, if any during the period of probation;
	(ii) the period of unauthorized absence; and
	(iii) the period for which, if any, the probationer is held to be 'not on duty'.
Pay and allowances	14. (a) The pay scales of the Officer / Staff shall be as laid down in Annexure - II.
	(b) The scales of pay may be revised as and when the corresponding scales of pay are revised by Government of India.
	(c) The Officers and staff shall be entitled to DA, as admissible to the employees of Government of India.
	(d) The house rent allowance, city compensatory allowance and the conveyance allowance will be paid to the entitled persons at the rates as may be determined by the Commission from time to time.
	(e) Officer / staff joining on deputation shall be eligible for deputation allowance as admissible to them under the rules of their parent Government / Organization.
Subscription to the Provident Fund	15. The officer and the staff shall subscribe to Provident Fund (non-contributory) in accordance with the relevant rules/ laws.
Contract Service	16. To obtain experienced and qualified candidates, the posts mentioned in para 4 (a) (ii), 4 (a) (iii) may be filled up on contract basis for a maximum period of three years.
	17. 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.
Applicability of CCA and Conduct Rules	18. The provisions of the AP Civil Services Conduct Rules, 1964 and AP Civil Services (Classification, Control and Appeal) Rules, 1991 as applicable to the employees of Government of Andhra Pradesh shall be applicable to all employees of the Office of Ombudsman except to those on deputation from Government of India or other Governments/organizations, who may be governed by the corresponding rules of their parent Government / organization.

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| | 19. The Ombudsman shall be the appointing authority and the disciplinary authority in respect of all officers and employees of his office. |
| | 20. In respect of any service matter not specifically mentioned in these regulations, the service regulations of the Commission, the Government of Andhra Pradesh or the Government of India shall apply as may be decided by the Commission. |
| Interpretation | 21. If any question arises relating to the interpretation of these regulations, the decision of the Commission shall be final. |
| Power to remove difficulties | 22. 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. |

ANNEXURE I

Qualifications for the officers and staff of the Office of Ombudsman

Name of the Post	Minimum Required Qualifications	Additional Qualifications desirable
Deputy Secretary	<ol style="list-style-type: none"> 1. A Graduate Degree in Electrical Engineering. 2. 5 years of Engineering Experience in Distribution side and those who are having field exposure will be preferred. 3. Should be capable of working on computers. 	
Staff:		
Personal Secretary	<ol style="list-style-type: none"> 1. A Graduate in any discipline from a recognized university. 2. Must have worked as PS under any Head of Department in Government or Public Sector Undertakings for at least 3 years and must have an overall experience of 15 years. 3. Should have exposure to Word processing, Spread sheet, Presentation and low end data base applications. 4. Should have passed Technical Board's Lower shorthand Exam. Candidates with shorthand Higher will be preferred. 5. Should have passed Technical Board's Higher grade typewriting exam. 	
Clerk-cum-Computer Operator	<ol style="list-style-type: none"> 1. A Commerce Graduate from a recognized University. 2. Should have passed Technical Board's Lower typewriting Exam. 3. Should have exposure to Word processing, Spread sheet, Presentation and low end data base applications. 	3 years work experience in accounting procedures in any Government / Public Sector Undertakings.
Attender	<ol style="list-style-type: none"> 1. Should have passed 10th Class or equivalent examination conducted by a State Board. 2. Having a light motor vehicle license and experience in driving cars will be an added advantage. 	

ANNEXURE II

Pay Scales for the establishment of the Ombudsman

Name of the Post	Staff Strength	Pay scale
Officers:		
Ombudsman	1	22,400 – 525 – 24,500
Deputy Secretary	1	15,100 – 400 – 18,300
Staff:		
Personal Secretary	1	8,000 – 275 – 13,500
Clerk-cum-Computer Operator	1	4,500 – 125 – 7,000
Attender	1	2,750 – 70 – 3,800 – 75 – 4,400