

NOTIFICATION

Ref.: First Proviso to the Regulation 5.3 of Maharashtra Electricity Regulatory Commission (Authorised Consumer Representatives) Regulations, 2012

Internal governance and procedural rules for the Selection Committee constituted for the purpose of selecting and nominating names of the persons found suitable to be authorised as Consumer Representatives (CRs)

1. **Introduction and Purpose:**

The MERC (Authorised Consumer Representatives) Regulations, 2012 provide that there shall be a total of six(6) nos. of 'Institutional Consumer Representatives' and a Panel of fifteen(15) nos. of 'Individual Consumer Representatives', authorised to represent the interests of electricity consumers (in Maharashtra), in the proceedings before the Maharashtra Electricity Regulatory Commission (the **Commission** or **MERC**).

As per Regulation 5.2, selection and nomination of an Institution or Individual person, found suitable to be authorised by the Commission as a Consumer Representative (**CR**), out of the applications received by the Commission's office, is required to be done by a 'Selection Committee', constituted by the Commission.

Further, as per first proviso to Regulation 5.3, the Commission hereby notifies the 'Internal governance and procedural rules for the Selection Committee', in the form of guidelines, as follows.

2. **Frequency of meetings:**

The Selection Committee shall be required to meet at a convenient time and place, as and when required by the Commission, to study the applications received by the Commission -from the applicants for being authorised as 'Institutional CR' or 'Individual CR'- and nominate a suitable institution or an individual, as the case may be, to be authorised in place of an incumbent institution or individual CR, whose term may be getting over due to expiry of the tenure as per the Regulations.

3. **Time and Place of meeting:**

Normally the place for meetings of the Selection Committee shall be the office of the Commission. But, under some special circumstances, the place of a meeting can be some other place too, depending upon the convenience of the majority of the members

of the Selection Committee, as agreed and advised by the office of the Commission, in consultation with the members of the Selection Committee.

Timing of the meeting shall be decided by the Chairperson of the Selection Committee.

The expected duration of the meeting shall be advised by the office of the Commission, in advance, depending upon (i) the number of posts for which nominations have to be made, and (ii) the number of applications received for the same.

Normally, the work of scrutinising the applications and making the nominations shall be finished in one sitting of the Selection Committee, subject to exceptional circumstances.

4. Quorum:

Quorum for holding the meeting shall be a minimum of three(3) members, including the Secretary to the Commission.

5. Role of the Commission's office:

.1 On deciding that tenure/s of some of the Authorised CR/s are going to expire in near future, the office of the Commission, shall arrange to publish the advertisements for obtaining the applications from the persons (institutional/ individual). Before publication of the advertisement/s, the members of the Selection Committee shall also be kept informed about the status alongwith the likely schedule in the matter, through the Member-Secretary of the Selection Committee.

.2 On receipt of the applications, against the advertisements published by the Commission as per the Regulations, the Commission's office shall prepare a list of the applicants alongwith the relevant data furnished by the applicants. In case of data furnished by any applicant being incomplete, the same may be brought out under the 'Remarks' column.

.3 The Secretary to the Commission, as Member-Secretary to the Selection Committee, shall co-ordinate with all members of the Selection Committee and arrange for the Committee's meeting.

.4 The office of the Commission shall provide all office facilities to the Selection Committee. If the Selection Committee, due to paucity of time at the time of meeting, decides to authorise the Member-Secretary, who is Secretary to the Commission, to put up subsequently a detailed report to Commission, the Secretary to the Commission shall put up such report to the Commission, based on the decisions taken by the members of the Selection Committee.

6. General guidelines to the Selection Committee:

The Selection Committee shall be free to decide its own course and methodology for deciding eligibility and suitability of the applicants for becoming Authorised CR/s, in line with the Regulations. However, a few points for consideration of the Selection Committee are brought out below.

- A. For selection of Institutional CR/s:
- i) The applicant should have submitted the details generally as per the Appendix-B to the Regulations.
 - ii) The applicant organization should be a registered organisation under applicable laws.
 - iii) The applicant should have sufficient experience, preferably not less than 3 years, in representing interests of the consumers, preferably including electricity consumers, before various forums, judiciary, and other authorities.
- B. For selection of Individual CR/s:
- i) The applicant should have submitted the details generally as per the Appendix-C, to the Regulations.
 - ii) Proof of recognition and experience of the applicant.
 - iii) Appropriate age in accordance with Regulation 4.2(b), (*maximum 70 years as a CR*).
 - iv) Adequately experienced in representing matters of public interest preferably matters related with electricity, E.A. 2003, etc.
 - v) The applicant shall not be a member of an Institutional CR.
 - vi) Expertise in any particular field of knowledge, which may be useful in matters as listed in Annexure-I attached herewith.
- C. In case of any difference of opinion, in the matter of procedures and/ or selection, the decisions shall be taken as per opinion of the majority of the members present.
- D. Based on the decision/s taken by the Selection Committee, in the meeting, the Committee shall put up its recommendation/s to the Commission, in writing, bringing out the names of the applicants found suitable and eligible for becoming the CR. In the case of applicants nominated for the 'Panel of Individual CRs', the areas of their specialization shall also be brought out in the Committee's recommendations. If the Selection Committee thinks it fit, it may provide a list of the nominated applicants, with an order of preference.

These guidelines are issued in supersession of the earlier Notification No. MERC/Adm-4/CAC-ACR/2012-13/1570 dated 15th October 2012.

Sd/-
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Maharashtra Electricity Regulatory Commission