

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION

Amendments in PSERC (Forum and Ombudsman) Regulations, 2016

Explanatory Memorandum

Sub-section 5 of Section 42 of the Electricity Act 2003 read with Rule 7 of the Electricity Rules, 2005, provides that every distribution licensee shall establish a Forum of Redressal of Grievances of the consumers in accordance with the guidelines specified by the State Commission. Accordingly, the Commission issued PSERC (Forum and Ombudsman) Regulations, 2005, which were replaced with PSERC (Forum and Ombudsman) Regulations, 2016 issued vide notification dated 26.12.2016.

For speedy resolution of consumer grievances, the Commission under regulations 4 & 5(2) of PSERC (Forum & Ombudsman) Regulations, 2005 notified Consumer Complaint Handling Procedure (CCHP) vide Notification No. PSERC/Secy./Regu.88 dated 4th October, 2013 laying down the guidelines and constituting various Dispute Settlement Committees (DSCs) at Divisional, Circle and Zonal levels for redressal of the consumer's complaints. Thereafter, CCHP was amended four times as per the needs of the licensee.

Now Government of India vide notification dated 31.12.2020 notified the Electricity (Rights of Consumers) Rules, 2020. Rule 15 which provides for Grievance Redressal Mechanism is reproduced below for reference;

15. "Grievance redressal mechanism .- (1) *The distribution licensee shall establish Consumer Grievance Redressal Forum (CGRF) under sub-section (5) of section 42 of the Act at different levels to cater the needs of the sub-division, division, circle, zone, company level. The forum shall be headed by an officer of the licensee of appropriate seniority. The forum shall consist of officers of the licensee and have not more than four members as consumer and prosumer representatives. The Appropriate Commission shall nominate one independent member who is familiar with the consumer affairs. The forum may be assigned different types of grievances depending on the nature of the grievance and the level at which it can be best resolved.*

Provided that the manner of appointment and the qualification and experience of the persons to be appointed as member of the forum and the procedure of dealing with the grievances of the consumers by the Forum and other similar matters would be as per the guidelines specified by the State Commission.

(2) The licensee shall specify the time within which various types of grievances by the different levels of the forums are to be resolved. Normally, a grievance shall be decided within a period of thirty days and in any case not exceeding forty five days from the date of receipt of such grievance. The consumer aggrieved by the decision of sub-divisional or divisional or circle forum will have the option to approach the company level forum before making an appeal to the Ombudsman.

(3) If a consumer's grievance is not redressed by the company level forum within the specified time or the consumer is not satisfied with the disposal of his grievance, he will be free to approach the Ombudsman appointed by the Commission.

(4) The distribution licensee shall give wide publicity of the forum office, its complete address, contact details and procedure for registration of grievances through print and electronic media and notice boards of its various offices and also intimate the same to the consumers through electricity bills.

(5) The distribution licensee shall set up a mechanism for monitoring of the grievances redressal.

(6) The licensee will send quarterly reports to the Ombudsman and to the Commission, in respect of standards of performance, other performance parameters and consumer grievances related information showing the extent to which the time schedule has been followed in redressing the consumer grievances.

(7) The performance of CGRF shall be monitored by the Commission.”

Presently, the CGRF is headed by an independent member nominated by the Commission and have two serving officers of the licensee. The Dispute Settlement Committees (DSCs) constituted under CCHP caters to the needs of Divisional, Circle and Zonal levels. The Divisional DSC has the jurisdiction to settle monetary disputes up to Rs. 50,000/-. The Circle DSC

has the jurisdiction to settle monetary disputes exceeding Rs.50,000/- and up to Rs. 2,00,000/- whereas disputed exceeding Rs. 2,00,000 and upto Rs. 5,00,000 are handled by Zonal DSC. However any consumer, irrespective of the disputed amount can approach CGRF directly.

In view of the Consumer Rules, CGRFs at Divisional, Circle, Zonal and Corporate levels have been proposed and these shall be headed by the serving officer of the licensee with one independent member, who is familiar with the consumer affairs, to be nominated by the Commission. Various other amendments have to be made to align the existing provisions of the Forum & Ombudsman Regulations with Consumer Rules. With the notification of amendments in Forum and Ombudsman Regulations, CCHP shall be repealed.

The comments/suggestions/objections from all the stakeholders are solicited under sub-section (3) of section 181 of the Electricity Act, 2003 read with Rule 3 of the Electricity (procedure for Previous Publication) Rules, 2005 on the proposed amendments in PSERC (Forum and Ombudsman), Regulations 2016. The draft Regulations are placed at Annexure A