

**ORDER**

**Sub. : Merging of Clause-51 & 52 of Terms & Conditions for Supply of Electricity-04, denoting "Forum for Redressal of Grievances" and "Consumer's Dues Settlement Committee", respectively and replacing them under one clause by forming "Grievance Redressal cum Settlement Forum".**

The Rajasthan Electricity Regulatory Commission had issued "RERC (Guidelines for Redressal of Grievances) Regulations, 2003, prescribing the Guidelines for Redressal of consumer Grievances. As per provisions of said Regulations, the consumers have to exhaust the number of channel of district level & Corporate Level Forums for making appeals to the Ombudsman. The time period taken for resolving the grievances, is considerably large. To cut short the time taken & with a view to provide early relief to the consumer, the RERC has issued amendment to the said Regulations by forming "Grievance Redressal cum Settlement Forum".

In accordance with the provisions of "Terms & Conditions for Supply of Electricity - 2004, following two set ups are operating where the grievances of the consumers are redressed :-

Clause - 51 "Forum for Redressal of Grievance" & Clause - 52 "Consumer's Dues Settlement Committees".

Hon"ble "Rajasthan Electricity Regulatory Commission" (RERC) under the powers conferred by Section -181 read with Sub-section (5) of Section - 42 of the Electricity Act - 2003 (No. 36 of 2003), has framed "Regulations" called the "Rajasthan Electricity Regulatory Commission (Guidelines for Redressal of Grievances) Regulations, 2008", vide Order dated 21.2.2008, thereby framing only one Forum, the "Grievance Redressal cum Settlement Forum" including the Sub-divisional Forum,

Divisional Forum, Circle Forum or District Forum and Corporate Forum.

In pursuance to the direction issued by Hon'ble Commission, the existing Clause - 51 & 52 denoting "Forum for Redressal of Grievance" & "Consumers Dues Settlement Committees" having now been substituted by "Grievance Redressal cum Settlement Forum". Also, due to above amendments, the existing clause-50 denoting "Redressal of Grievance", will also be modified. The existing clauses 50, 51 & 52 of Terms & Conditions for Supply of Electricity-04 are substituted by the modified clause-50 & also a modified clause of merged clauses (51) (52) are as under. The serial number of existing clauses Nos. 53 to 64 of Terms & Conditions for Supply of Electricity-04 shall be renumbered as 52 to 63.

- (I) The Clause - 50 denoting "Redressal of Grievances" shall be substituted by the following, namely;**

**Clause - 50 "Redressal of Grievance"**

- (1) A consumer may approach the "Grievance Redressal cum Settlement Forum, set up by the Jaipur Discom for redressal of grievances, both monetary in nature & general or Non-monetary in nature.
- (2) The grievance of the consumer shall be classified as here-under :
- (i) **Monetary in nature** : Consumer grievance relating to electricity bills, recovery of arrear, payment of demand raised by the Nigam except the cases covered U/s 126 & 135 of the Act.
- (ii) **General or Non-monetary nature** : Consumer grievances such as relating to quality of supply, defects in service & standards of performance by the Nigam
- (II) The Clause 51 & 52 denoting "Forum of Redressal of Grievance" and "Consumer's dues Settlement Committee", respectively shall be merged & substituted by single clause - 51 denoting "Grievance Redressal cum Settlement Forum" as under, namely;

## **Clause-51 "Grievance Redressal cum Settlement Forum :-**

### **(1) The jurisdiction of the Forum :**

#### **(A) Grievances of Non-monetary/general nature :**

- (a) Divisional Forum - Grievance of LT supply consumers of the Division
- (b) Circle (District) Forum - Grievance of HT supply consumers of the Circle
- (c) Corporate Forum - Grievance of EHT supply consumers

#### **(B) Grievance of Monetary nature :**

- (a) Sub-divisional Forum - Monetary limit of Rs. 10,000/-
- (b) Divisional Forum - Monetary limit of Rs. 25,000/-
- (c) Circle (District) Forum - Monetary limit of Rs. 3,00,000/-
- (d) Corporate Forum - More than Rs. 3,00,000/-

### **(2) Constitution of various Forums :**

**Following** are 4-tier "Grievance Redressal cum Settlement Forum". The forum may be reviewed by the Board of Directors of the Nigam under intimation to the Commission and may be reconstituted from time to time :-

#### **(A) Sub-Divisional Forum**

##### **(1) The following shall constitute the forum :**

- (a) The Assistant Engineer of the Concerned O & M Sub-Division. Chairman
- (b) Asstt. Revenue Officer/ Sub-Divisional Accountant of the concerned Sub-Division. Member Secretary
- (c) Junior Engineer (O&M) to be nominated by the concerned Executive Engineer amongst his Division. Member
- (d) Independent person as nominated by RERC Member

- (2) At least 50% members including the Chairman shall constitute the quorum. The forum is empowered to entertain cases involving grievances of monetary in nature. Cases, which have been made out by Vigilance/Audit/M&P Wings, shall not be entertained by this forum.

### **(B) Divisional Forum**

- (1) The following shall constitute the forum :

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|-----|--|------------------|
| (a) | The Executive Engineer (O&M) of the concerned Division.  | Chairman         |
| (b) | Asstt. Engineer (O&M) of the concerned Sub-division.   | Member Secretary |
| (c) | Asstt. Revenue Officer of the concerned O&M Sub-division.  | Member           |
| (d) | Representative of the Internal Audit wing posted at the headquarter not below the rank of Asstt. Accounts Officer and in his absence the AAO of the concerned Circle (for the case the dispute is arising out of Audit objection). | Member           |

OR

- |  |        |
|--|--------|
| Executive Engineer (M&P) of the area or his representative not below the rank of Asstt. Engineer (for the cases made out by M&P Wing). | Member |
|--|--------|

OR

- |   |        |
|---|--------|
| Asstt. Engineer (Circle Vigilance) or Asstt. Accounts Officer to be nominated by the Vigilance wing (for the cases made out by Vigilance wing). | Member |
| (e) Independent person as nominated by RERC   | Member |

(2) At least 50% members including the Chairman shall constitute the quorum.

**(C) Circle (District) Forum**

(1) The following shall constitute the forum :

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|-----|--|------------------|
| (a) | Superintending Engineer (O&M) of the Circle Concerned.   | Chairman         |
| (b) | Executive Engineer of the Concerned Division.  | Member Secretary |
| (c) | Accounts Officer of the circle concerned.  | Member           |
| (d) | Executive Engineer (Comml.)<br>Sr. Accounts Officer is considered necessary to be nominated by the Commercial wing.                            | Member           |
| (e) | Superintending Engineer (M&P) of the area or his representative not below the rank of Executive Engineer (for the cases made out by M&P Wing). | Member.          |

OR

Any Officer of the Vigilance Wing not below the rank of AEN to be nominated by Vigilance wing (for the cases made out by Vigilance)	Member
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OR

Any Officer of the I.A. wing not below the rank of AAO to be nominated by I.A. wing (for the cases made out by I.A. Wing).	Member
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- |     |   |        |
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| (f) | Independent person as nominated by RERC | Member |
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- (2) At least 50% members including the Chairman shall constitute the quorum.

#### **(D) Corporate Forum**

- (1) The following shall constitute the forum :

(a)	Chairman & Managing Director	Chairman
(b)	Director (Finance)	Member.
(c)	Director (Technical)	Member
(d)	Chief Engineer (Comml.)	Member Secretary
(e)	Zonal Chief Engineer (J/Z)	Member
(f)	Chief Accounts Officer	Member
(g)	Sh. A.C. Gupta, CE (Retd.), Jaipur	Member (as nominated by RERC)

- (2) At least 50% members including the Chairman shall constitute the quorum. The Chairman may invite other Chief Engineer and/or officer if required, as special invitee.

#### **(3) Registration of complaint/grievances :**

1. The Nigam will specify its offices where the complaints can be made and registered.
2. The Grievance Redressal cum Settlement Forum shall entertain an application only if the dispute had been raised with the Nigam within 90 days from date of notice or due date of payment of first bill to which the charge relates, whichever is later.
3. If a notice is received from any Civil Court or any Forum/Commission constituted under Consumer Protection Acts, the case may be taken up suo moto by the respective "Grievance Redressal cum Settlement Forum". In such case, no fee would be charged from the consumer. If a legal notice is received from an advocate of the consumer, the case may also be taken up by the respective settlement committee but in that case the fee would be charged.

4. A case referred by the "State Consumer Forum", for settlement which falls under jurisdiction of Sub-Divisional/Divisional Level Forum would, however, be heard by Circle (District) Forum.
5. Complaints can be made orally in person or on telephone or in writing to the duty in-charge at the specified office.
6. Each complaint will be entered in a register meant for the purpose under the Rajasthan Electricity Regulatory Commission ('Distribution Licensees' Standards of Performance) Regulations, 2003, each complaint will be assigned a number which is to be conveyed to the consumer.
7. In urban complaints centers, the Nigam will provide the facility of complaint registration via Interactive Voice Recording system through telephone in a phased manner for which a definite time frame will be given and acted upon.
8. The Nigam shall endeavour its best efforts to redress the consumer complaint at the initial stage. However, in case of non-satisfaction, the aggrieved consumer may approach the appropriate Forum in person or through post for redressal of his grievance and may also request for interim relief, if so required.
9. The office of the Forum Chairman or the authorized officer/official will acknowledge the grievance received, indicating the registration number and the date.

#### **(4) Registration Fee :**

- (a) No Fee shall be payable by the consumer for the redressal of non-monetary nature of grievance.
- (b) The registration of monetary nature grievances will attract a fee of :
 

(i)	at Sub-divisional Forum	-	Rs. 50/-
(ii)	at Divisional Forum	-	Rs. 100/-
(iii)	at Circle (District) Forum	-	Rs. 250/-
(iv)	at Corporate Forum	-	Rs. 1000/0
- (c) In case of Central/State Government, fees shall not be chargeable.

## **(5) Disposal of grievances :**

- (a) The Forum will redress the consumer grievances as per provisions of the Act, Rules and Regulations made there-under, general orders/directions given by the Commission from time to time in settling the grievances with mutual consensus :
- (i) Where the mutual consensus is arrived at settlement proceeding will be recorded and a copy thereof will be made available to the consumer.
  - (ii) Where no mutual consensus is arrived at, the forum will pass speaking orders on merits indicating the contention of the consumer and ruling of the Forum.
  - (iii) Consumer aggrieved by the decision of Sub-divisional/ Divisional/Circle Forum will have the option to approach the Corporate Forum before making an appeal to the Ombudsman. For monetary nature of grievance, a fee of Rs. 750/- be deposited while appealing the Corporate Forum.
- (b) The Chairman of the Forum, on considering the grievance, if satisfied, may grant an interim relief, pending final disposal of the grievance where prima-facie it appears to be genuine and the consumer is likely to suffer an irreparable loss if, an immediate relief is not provided.
- (c) Every Forum, at the office will display the date of meeting last held & the next meeting scheduled number of grievances settled and pending.

## **(6) Time frame for disposal of grievances :**

Normally, the grievance will be disposed of in 30 days and in any case not exceeding 45 days from the date of its receipt registration.

## **(7) Appeal :**

1. If a consumer's grievance is not redressed by the 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 as per RERC (Settlement of Dispute by Ombudsman) Regulation, 2003.



2. If an appeal is made by the aggrieved consumer due to non-disposal of his grievance by the Forum in the given time frame, the matter with the earlier Forum will stand dropped.

#### **(8) Wide publicity of Forum Office :**

Complete address and telephone number of the Complaint Center and Grievance Redressal Forum must be intimated to the consumers through electricity bills and wide publicity be given through press and media and in Sub-divisional (AEn) Offices.

#### **(9) Monitoring of grievances :**

1. The Nigam will set up a mechanism at Circle level for close monitoring of the grievances redressal. The information will be compiled at corporate level ensuring the adherence of the time schedule laid down by the Commission.
2. The Nigam will send quarterly reports to the Ombudsman and to the Commission in the form specified by RERC, from time to time 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. Regular quarterly reports will be sent by the Nigam at the end of the month to the Commission.

#### **(10) Consumer's Rights Protection :**

Nothing contained in these regulations shall in any way prejudice or affect the rights and privileges of the consumers under the other laws including the Consumer Protection Act, 1986 (Central Act No. 68 of 1986).

#### **(11) Nomination of a Member in the Forum by the Commission :**

The Commission will nominate one independent Member in each Forum, established by the Nigam. The qualifications and experience of the persons nominated as Member of the Forum and remuneration shall be as per guidelines specified by the Commission incorporating the manner and term of appointment, removal of member etc.

## **(12) Repeal and Saving :**

- (i) Save as otherwise provided in these Regulations the RERC (Guidelines for Redressal of Grievances) Regulations, 2003 are hereby repealed.
- (ii) Notwithstanding such repeal anything done or any action taken or purported to have been done for the purpose of redressal of consumer grievance by the Nigam shall be deemed to be done under the corresponding provisions of these Regulations.

## **(III) Under Part-II denoting "Scale of Miscellaneous Charges" of Terms & Conditions for Supply of Electricity-4 :**

Since the financial limit to decide the case and fee for referring the cases to the Forum for the grievances which are monetary in nature, have been included at Sub-Clause No. (1) (B), Sub-Clause No. (4) & Sub-Clause No. (5) (iii) of Clause - 51 (as above) of Terms & Conditions for Supply of Electricity - 04 therefore, Item No. 15 under Part-II denoting "Scale of Miscellaneous Charges" of Terms & Conditions for Supply of Electricity-04 is hereby DELETED. The Item No. 16 & 17 under Part-II shall be renumbered as Item No. 15 & 16, respectively.

## **(IV) Note :-**

The consumer grievances already registered with "Settlement Committees" or "Forum for Redressal of Grievances" and are in process of redressal shall be deemed to have been registered/transferred to respective "Grievance Redressal cum Settlement Forum" of the Nigam and shall be dealt accordingly.

This order shall come into force with immediate effect.

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**(B.L. Agarwal)**

**Chief Engineer (Comml.)**

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