

JPR5-531

JAIPUR VIDYUT VITRAN NIGAM LIMITED
OFFICE OF THE CHIEF ENGINEER(COMML)

No. JPD/CE(C)/SE(C)/C.I/F.4(381)/D. 320

Date 6-2-09


ORDER

Sub: Amendment in Clause-51 of TCS-04 denoting "Grievance Redressal Cum Settlement Forum".

RERC had reviewed the matter regarding entertaining of cases of redressal of grievances by the Discom. Presently, there is limitation period of 90 days for entertaining the representation of the consumer by the Grievance Redressal Cum Settlement Forum for Redressal of Consumer Grievances, as incorporated under Clause 51 of the "Terms and Conditions for Supply of Electricity - 2004(TCS-04). RERC vide its letter No.1115 dated 27.1.09 has decided that the limitation period of 90 days for entertaining the representation of the consumer by the Forum for Redressal of Consumer Grievances, should be withdrawn. Accordingly, item(2) of Sub Clause-3 of the Clause-51 of the TCS-2004 is hereby substituted by the following, namely :

Clause-51 Sub-clause-3 item(2)

Grievances Redressal-Cum Settlement Forum shall entertain the application from the consumer for redressal of disputes.


RERC had also considered the difficulties being faced by the  Discom in redressal of the consumer grievances in pretext to the provisions

under Redressal of the consumer grievances, Regulations, which prescribed that the redressal of consumer grievances is to be made as per provision of the Act, Rules and Regulations and orders, directions given by the Commission from time to time. Now in view of the difficulties expressed by the Discom, RERC has directed that the grievances of the consumer can be settled through compromises with the consumer with fairness, equity and justice on merit of each case, considering the provision of the Act, Rules, Regulations and directions of the Commission and the provision of Settlement Committee already in operation of the Discom.

It is, therefore, directed that in redressal of consumer's grievance by the institution of settlement committee(s), the basis of fairness, equity and justice and merit of individual case should be considered as was being followed in redressal of cases by Settlement Committee(s) from the time of their functioning in regime of Erstwhile RSEB. Accordingly, the Sub-item(a) of Sub-clause-4 of Clause-51 of the TCS-04 is hereby amended as under:

Clause-51, Sub-clause-4(a) :

The Forum will redress the consumer grievances as per the mechanism for pre-litigative conciliation at the request of the consumer to arrive at possible settlement i.e. through compromise with fairness, equity and justice on merit of each case considering the provisions of the Act, Rules and Regulations and directions of the Commission and the provisions of the settlement committee.

-  (i) *Where the mutual consensus is arrived at settlement proceeding will be recorded and a copy thereof will be made to the consumer.*

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- (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 grievances, a fee of Rs.750/- be deposited while appealing the Corporate Forum.*

This order shall come into force with immediate effect.

By Order,

N.M. Sareen 6-2-2009

(N.M.Sareen)

Chief Engineer(Comml)

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