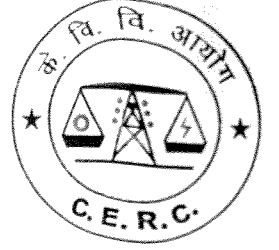


सत्यमेव जयते

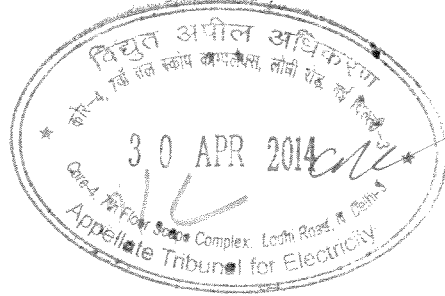
केन्द्रीय विद्युत विनियामक आयोग
CENTRAL ELECTRICITY REGULATORY COMMISSION



No/9 (1)/2009/APTEL/FOR/CERC | 237

Dated: 28th April, 2014

The Registrar,
Appellate Tribunal for Electricity (APTEL),
Core 4, 7th Floor, SCOPE Complex,
Lodhi Road,
New Delhi-110003




Subject: Quarterly Report on the Compliance of the Direction given by the Appellate Tribunal for Electricity in its Order dated 27th January, 2012 in Review Petition No. 5 of 2009 in Appeal No. 181 of 2008 on functioning and performance of Ombudsman and Consumer Grievance Redressal Forums.

Sir,

This has reference to the Order of the Hon'ble Appellate Tribunal for Electricity (APTEL) dated 27th January, 2012 in Review Petition No. 5 of 2009 in Appeal No. 181 of 2008.

- As directed by the Hon'ble APTEL, the quarterly report on the functioning and performance of Ombudsman and Consumer Grievance Redressal Forums is enclosed as Annexure.
- It is requested that the report may be brought to the notice of the Hon'ble APTEL.

Yours faithfully,


(S.K. Chatterjee)
Joint Chief (RA), CERC

Encl: As above. (8 copies)

Copy to:

Secretary, all SERCs & JERCs

तीसरी और चौथी मंजिल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110001
3rd & 4th Floor, Chanderlok Building, 36, Janpath, New Delhi-110001
Phone : 91-11-23353503, Fax : 91-11-23753923
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Report on the Compliance of the Directions
of the Hon'ble Appellate Tribunal for Electricity in its Order dated 27th January,
2012 in Review Petition No. 5 of 2009 in Appeal No. 181 of 2008
for the quarter ending March, 2014

This report contains the status of implementation of the directions given by the Hon'ble Appellate Tribunal to the Secretary of the Forum of Regulators in its Order dated 27th January, 2012 in Review Petition no. 5 of 2009 in Appeal No. 181 of 2008.

As directed by the Hon'ble Tribunal, the State Electricity Regulatory Commissions (SERCs) and Joint Electricity Regulatory Commission (JERCs) of the concerned States are required to send the detail of vacancies, which exist in Consumer Grievance Redressal Forums (CGRFs) and Ombudsman to the Secretary of Forum of Regulators. The Hon'ble Tribunal also directed to update the status of posts of CGRFs and Ombudsman, the status of grievances disposed by CGRFs and Ombudsman and Standard of Performance of licensees. The report has been prepared based on the information received from SERCs and JERCs.

The report is divided into following seven sections in compliance of the directions given by the Hon'ble Tribunal:

- I. The first section of the report deals with the status of the vacancies in Consumer Grievance Redressal Forums (CGRFs) in the States.
- II. The second section of the report deals with the status of the vacancies for the Post of Ombudsman in the States.
- III. The third section of the report deals with the status in those States where the posts of CGRFs are yet to be created.
- IV. The fourth section of the report deals with the status of those States where the posts of the Ombudsman are yet to be created.
- V. The fifth section is the summary of the vacant positions.
- VI. The sixth section is the status of disposal of Grievances by CGRFs.
- VII. The seventh section is the status of disposal of Grievances by Ombudsman.
- VIII. Status of achievement of Standard of Performance (SOP)

Section – I

Status of vacancies in Consumer Grievance Redressal Forums (CGRFs) in the States

This section of the report deals with the status of the vacancies in CGRFs under the jurisdiction of the respective SERCs and JERCs. The current status of vacancies in quarter ending of March, 2014 as against the status in quarter ending December, 2013 is as under.

Sl. No.	SERCs/ JERCs	Status of Vacancy for quarter ending December, 2013	Status of Vacancy for quarter ending March, 2014
1.	Bihar	2 vacancies in the post of Member	<p>One vacancy against the post of Member at Patna since 26.02.2013</p> <p>One vacancy against the post of Member Purnea since beginning of opening of CGRF Purnea</p> <p>Two vacancy against the post of members at Mzaffarpur (one member has superannuated on 06.01.2014 and one Member has passed away on 11.01.2014</p>
2.	Delhi	No information received for the vacant position of Member (NGO).	No information received for the vacant position of Member (NGO).
3.	Goa & UTs	<p>No information received for a vacancy in post of Member (Technical), Lakshadweep, since 01/04/2010</p> <p>One vacancy created in the post of Chairman in Chandigarh since 26/04/2013.</p>	<p>one vacancy against post of Member (Technical), Lakshadweep, since 01/04/2010</p> <p>one vacancy against post of Member (Nominated), Lakshadweep, created since 20/01/2014</p> <p>One vacancy against the post of Chairman in Chandigarh since 26/04/2013.</p>

		One vacancy created in the post of Member in Chandigarh since 21/12/2013	One vacancy against the post of Member in Chandigarh since 21/12/2013
4.	Haryana	Chairperson-vacant since 01/01/2012 in (DHBVNL) vacancy in the post of Member, Vacant since 12/02/2012 in (UHBVNL)	No vacancy No vacancy
5.	Jharkhand	One vacancy in the post of Member (Legal) Bokaro since 05.05.2012 One vacancy in the post of Member (Finance) Bokaro since 01.07.2013	One vacancy against the post of Member (Legal) Bokaro since 05.05.2012 One vacancy against the post of Member (Finance) Bokaro since 01.07.2013
6.	Tamil Nadu	One vacancy in the post of Member since 07/08/2013	1 vacancy against the post of Member at Mettur EDC since 25-11-2013 1 vacancy against the post of Member (legal) at Chennai EDC (West) since 14-07-2012. 1 vacancy against the post of Member (legal) at Chennai EDC (North) since 30-11-2013. 1 vacancy against the post of Member at Chennai EDC (Central) since 15-01-2014.(Member to be appointed by the District Collector) 1 vacancy against the post of Member at Chennai EDC/South (North) since 07-09-2013. 1 vacancy against the post of Member (legal) at Salem EDC) since 11-01-2013.

7.	Uttar Pradesh	2 vacancies in the post of Technical Member 1 vacancy in the post of Judicial Member One vacancy in the post of Licensee Member	No vacancy 1 vacancy against the post of Judicial Member at Kanpur No vacancy
8.	Chhattisgarh	One vacancy against the post of Member in each CGRF s Raipur, Bilaspur, Raigarh & Bhilai respectively since 04 th March,2011	One vacancy against the post of Member in each CGRF s Raipur, Bilaspur, Raigarh & Bhilai respectively since 04 th March,2011
9.	Orissa	One vacancy in the post of Member	No vacancy
10.	Andhra Pradesh	No vacancy	One vacancy against the post of Member (Legal) at CGRF (Rural), APCPDCL since 01.03.2014.
11.	Uttarakhand	No Vacancy	One vacancy against the post of Member (Judicial) at Garhwal Zone.

Note:

- ERC of West Bengal did not furnish the status report.
- ERCs of Karnataka & Himachal did not furnish the details of the Status of vacancies in Consumer Grievance Redressal Forums (CGRFs) in their quarterly report.

Section –II

Status of the vacancies in Ombudsman in the States

Sl. No.	SERCs/ JERCs	Status of Vacancy for quarter ending December, 2013	Status of Vacancy for quarter ending March, 2014
1	Jharkhand	No vacancy	Vacancy created in the post of Ombudsman since 11.01.2014
2	Uttar Pradesh	No vacancies	One vacancy is created in this quarter.

Note:

- The ERC of West Bengal did not furnish the status report.
- ERCs of Karnataka & Himachal did not furnish the details of the status of vacancy for the post of Ombudsman in their quarterly report.

Section –III

Status of those States where the posts of CGRFs are yet to be created.

This section of the report deals with the status of those States where the posts of CGRFs are yet to be created. The table below gives the current status of creation of the posts of CGRFs in quarter ending March, 2014 as against the status in quarter ending December, 2013.

Sl. No.	SERCs/ JERCs	Status of Vacancy for quarter ending December , 2013	Status of Vacancy for quarter ending March, 2014
1	Arunachal Pradesh	The Ombudsman has already been appointed by the APSERC in November 2012, but the CGRF has not yet been constituted by the Department of Power, Government of Arunachal Pradesh.	CGRF not yet appointed by Department of Power, Gov. of Arunachal Pradesh
2	Nagaland	The Department of Power, Nagaland has not acted upon on the issue of formation of CGRF so far.	NERC has finalized and notified consumer Grievance Redressal Forum & Electricity Ombudsman regulation, 2012. However the sole Licensee in the State i.e. the Department of power, Nagaland have not so far acted upon the provision stipulated in the CGRF & Ombudsman Regulations.

Section –IV

Status of those States where the post of the Ombudsman is yet to be created.

This section of the report deals with the status of those States where the post of the Ombudsman is yet to be created. The table below gives the current status of creation of post of Ombudsman in quarter ending March, 2014 as against the status in quarter ending December, 2013.

Sl. No.	SERCs/JERCs	Status of Vacancy for quarter ending December , 2013	Status of Vacancy for quarter ending March, 2014
1	Nagaland	The post Ombudsman not Constituted. The Department of Power, Nagaland has not acted upon on the issue of formation of CGRF so far. There for the commission has not taken any action to appoint Ombudsman	NERC has finalized and notified consumer Grievance Redressal Forum & Electricity Ombudsman regulation, 2012. However, the sole Licensee in the State i.e. the Department of power, Nagaland have not so far acted upon the provision stipulated in the CGRF & Ombudsman Regulations.

Section – V

Summary of the vacant positions

Vacancies in CGRF

1. There are four vacancies in CGRF for the post of Member in the State of Bihar.
2. One Vacancy against the post of Chairman at CGRF, Chandigarh.
3. One Vacancy against the post of Member at CGRF, Chandigarh.
4. One Vacancy against the post of Member (Technical), Lakshadweep.
5. One Vacancy against the post of Member (Nominated), Lakshadweep.
6. Three vacancies against the post of Member in the State of Tamil Nadu.
7. Three vacancies against the post of Member (legal) in the state of the Tamil Nadu.
8. One vacancy against the post of Member (Judicial) in the state of Uttar Pradesh.
9. Four vacancies against the post of member in the state of Chhattisgarh.
10. One vacancy against the post of Member (legal) in the state of Andhra Pradesh.
11. One vacancy against the post of Member (Judicial) in the state of Uttarakhand.
12. The posts of CGRFs are yet to be created in the States of Nagaland and Arunachal Pradesh.

Vacancies in Ombudsman

1. The post of Ombudsman is yet to be created in Nagaland.

Section –IX

Status of Achievement of Standards of Performance							
Sl. No.	Name of SERC/ JERCs	The date and Details of notification of SOP by SERC	The date and details of on which the licensee has furnished the report to SERC under section 59(1) for the latest Financial Year	Links to the reports submitted by Licensees	The number of cases in which compensation was made under subsection (2) of section 57	The aggregate amount of the compensation paid	The data and details of the report published by SERC under Section 59(2)
1	Assam					NIL	
2	Andhra Pradesh	Notification published in the Andhra Pradesh Gazette date 22.06.2004.APERC (Licencees' Standards of Performance) Regulation , 2004 (No.7. of 2004)	<p>APCPDCL dated 20-Sep-2012, Lr.No.CGM(Comml)/SE(IPC)D. No.1962</p> <p>APEPDCL dated 26-08-2012, Lr.No.CGM/Comml,RAC&Plg./E PDCL/VSP/F:Dkt/D.No.1998/12</p> <p>APNPDCL dated 15-Sep-2012 Lr.No.CMD/NPDCL/WGL/GM/P lgF.No.CSC/D.No.134/12</p> <p>APSPDCL dated 03/08/2012 Lr.No.CMD/SPDCL/CGM/Opm. /GM/AE/RAC/F.SOP/D.No.218/12</p>	Annual Report 2011-12	55	Rs. 11,91,539	Annual Report 2011-12/Slandered of Performance
3	Arunachal Pradesh	SOP Regulation not yet notified by ASPERC, but under process of	NA (The matter being pursued)	Do	Do	Do	Do

		preperation					
4	Bihar	Notification issued on 18.01.2007. On the request of the Board it was made effective from 22.04.2008	The report for the four quarters of FY 12-13 has been submitted.	Report submitted in hard copy.	None	NIL	The licensee has submitted incomplete report for FY.-2012-13. Commission has directed to submit the required full report by 13.02.2014
5	Chhattisgarh	5th July 2006	NA (The matter being persued)	NA	NIL		NA (The matter being persued)
6	Delhi						
7	Gujarat	Notification No. 10 of 2005 ((UGVCL))	01-02-2014 (Q3 Report)	http://www.ugvcl.com/so p/index.htm	NIL	NIL	Consolidated report for FY 2012-13 has been submitted.
		MGVCL	01-02-2014 (Q3 Report)	http://www.mgvcl.com/s op/index.htm	Nil	Nil	Consolidated report for FY 2012-13 has been submitted.
		PGVCL	01.03.2014	http://www.pgvcl.com/so p/index.htm	NIL	NIL	Consolidated report for FY 2012-13 has been submitted.
		DGVCL	14-02-2014 (Q3 Report)	http://www.dgvcl.com/so p/index.htm	NIL	NIL	Consolidated report for FY 2012-13 has been submitted.

		TPL-Surat	11 th July, 2013	www.torrentpower.com/regulatory_sop.php	NIL	NIL	Consolidated report for FY 2012-13 has been submitted.
8	Himachal Pradesh						
9	Haryana	16th July 2004 HERC (Standards of Performance for the Distribution Licensee) Regulation 2004	04.04.2012 for the period October 2010 to March 2011 by DHBVN		Nil	Nil	
10	Jharkhand						
11	Karnataka						
12	Kerala						
13	Madhya Pradesh	MPERC (Performance Standards) (Revision-II) Regulations, 2012 (No.RG-8(II) of 2012)	MP Poorv Kshetra Vidyut Vitaran Co. Ltd. Jabalpur 05.17.2013		Nil	Nil	08.30.2013
			MP Paschim Kshetra Vidyut Vitaran Co. Ltd. Indore,05.29.2013		Nil	Nil	
			MP Madhya Kshetra Vidyut Vitaran Co. Ltd. Jabalpur,04.27.2013		Nil	Nil	
15	Meghalaya	15.01.2013 MSERC(Standard of Performance) Regulation ,2012	08.04.2013		NIL	NIL	Report published in local newspapers. 23.04.2013

16	Nagaland						
17	Odisha						
18	Punjab	The provision for payment of compensation notification vides Notification No. PSERC/Secy./Regu.-61 Dated 2nd December ,2011 effective from 1.1.2012	20.01.2014 for the period from 01.04.2013 to 30.09.2013 (half yearly).		NIL	NIL	NIL
19	Rajasthan						
20	Tamil Nadu					NIL	
22	Tripura	Regulation made and publication in Tripura Gazette on 18-01-2005	Commission made Regulation and publication in Tripur Gazette on 18/01/2005. Report in this regard for last financial year is yet to be furnished by the licensee to the Commission.	Report yet to be furnished..	No report towards payment of the licensee	NIL	The last Annual Report published by the TERC for the year 2012-13 where the Standard of Performance were elaborated.
23	Uttarakhand		April-17-2007				
24	Uttar Pradesh	NIL	NIL	NIL	NIL	NIL	NIL
25	West Bengal						
26	Manipur & Mizoram	no. The Manipur Gazette No 218 of 26.08.2010	NIL	NIL	NIL	NIL	NIL
27	Goa & Union Territories						
28	Sikkim	03/SSERC/SP/2012. dated 14.03.2012	NIL	NIL	NIL	NIL	NIL

Section -VII

Status of disposal of Grievances by CGRF

Sl. No.	Name of SERC/ JERCs	No. of Ombudsman	No. of Grievances Outstanding at the close of Previous quarter ending December 2013	No. of Grievances received during the quarter ending March, 2013	No. of Grievances disposed during the quarter (January - March, 2014)	No. of Grievances pending at close of the quarter January - March, 2014)	No. of Grievances pending which are older than 2 months	No. of sittings of Ombudsman in the quarter January - March, 2014)
1	Assam	1	1	Nil	Nil	1	1	Nil
2	Andhra Pradesh	1	65	39	23	81	59	30
3	Arunachal Pradesh	1	Dose not arise as CGRF not yet constituted by the Department of Power, Government of Arunachal Pradesh					
4	Bihar	1	20	7	3	24	20	05 days in a week except holidays
5	Chhattisgarh	1	3	10	10	3	0	57
6	Delhi	1	9	18	17	10		
7	Gujarat	1	14	47	43	18	0	48
8	Himachal Pradesh	1	No information received					
9	Haryana	1	5	8	10	3	Nil	11
10	Jharkhand	1	4	0	0	4	NA	0
11	Karnataka	1	6	2	4	4	Nil	Nil
12	Kerala	1	89	21	42	68		54
13	Madhya Pradesh	1	13	11	11	13	2	12
14	Maharashtra	2	38	34	21	51	15	0
			8	25	0	32	32	0

15	Meghalaya	1	Nil	Nil	Nil	Nil	Nil	Nil
16	Nagaland	1	The post of Ombudsman not yet created by the department of Power, Nagaland					
		2	5	29	15	14	2	29
17	Odisha		19	24	43	24	8	47
18	Punjab	1	7	12	12	7	Nil	14
19	Rajasthan	1	No information received for the present quarter					
20	Tamil Nadu	1	30	21	26	25	13	26
22	Tripura	1	Nil	Nil	Nil	Nil	Nil	Nil
23	Uttarakhand	1	26	4	6	24	5	
	Uttar Pradesh	1	55	52	31	76	42	116
24		1						
	Total	2						
25	West Bengal	1	No information received					
26	Manipur & Mizoram	1	Nil	Nil	Nil	Nil	Nil	Nil
27	Goa & Union Territories		No information received					
28	Sikkim		Nil	Nil	Nil	Nil	Nil	Nil

Section -VII

Status of disposal of Grievances by Ombudsman

Sl. No.	Name of SERC/ JERCs	No. of Ombudsman	No. of Grievances Outstanding at the close of Previous quarter ending December 2013	No. of Grievances received during the quarter ending March, 2013	No. of Grievances disposed during the quarter (January - March, 2014)	No. of Grievances pending at close of the quarter January - March, 2014)	No. of Grievances pending which are older than 2 months	No. of sittings of Ombudsman in the quarter January - March, 2014)
1	Assam	1	1	Nil	Nil	1	1	Nil
2	Andhra Pradesh	1	65	39	23	81	59	30
3	Arunachal Pradesh	1	Dose not arise as CGRF not yet constituted by the Department of Power, Government of Arunachal Pradesh					
4	Bihar	1	20	7	3	24	20	05 days in a week except holidays
5	Chhattisgarh	1	3	10	10	3	0	57
6	Delhi	1	9	18	17	10		
7	Gujarat	1	14	47	43	18	0	48
8	Himachal Pradesh	1	No information received					
9	Haryana	1	5	8	10	3	Nil	11
10	Jharkhand	1	4	0	0	4	NA	0
11	Karnataka	1	6	2	4	4	Nil	Nil
12	Kerala	1	89	21	42	68		54
13	Madhya Pradesh	1	13	11	11	13	2	12
14	Maharashtra	2	38	34	21	51	15	0

			8	25	0	32	32	0
15	Meghalaya	1	Nil	Nil	Nil	Nil	Nil	Nil
16	Nagaland	1	The post of Ombudsman not yet created by the department of Power, Nagaland					
		2	5	29	15	14	2	29
17	Odisha		19	24	43	24	8	47
18	Punjab	1	7	12	12	7	Nil	14
19	Rajasthan	1	No information received for the present quarter					
20	Tamil Nadu	1	30	21	26	25	13	26
22	Tripura	1	Nil	Nil	Nil	Nil	Nil	Nil
23	Uttarakhand	1	26	4	6	24	5	
	Uttar Pradesh	1	55	52	31	76	42	116
24		1						
	Total	2						
25	West Bengal	1	No information received					
26	Manipur & Mizoram	1	Nil	Nil	Nil	Nil	Nil	Nil
27	Goa & Union Territories		No information received					
28	Sikkim		Nil	Nil	Nil	Nil	Nil	Nil