



Forum of Regulators (FOR)

Consumer Protection in Electricity Sector in India

Assisted by:

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EXECUTIVE SUMMARY

Power sector is a regulated industry in India administered under the Electricity Act 2003. The need for consumer right protection has been envisaged as an integral element of the Electricity Act and provisions have been included for resolution of consumer grievances through a formal system of Consumer Grievance Redressal Forum (CGRF) and Ombudsman. The grievance redressal system envisaged under the Electricity Act provides a dedicated resolution system for the electricity consumer to attend to the consumer grievances without going through the regular system of Consumer Rights Protection which is generally long and time consuming. In line with the provisions of the Act, all SERCs have framed regulations for establishment of CGRF and Ombudsman for redressing the complaints of the consumers in their respective states.

With over 15 years of enactment of the Act and all states having issued regulations and operationalized CGRF and Ombudsman for protecting the consumer interests, FoR has undertaken this study for status review of Consumer Grievance Redressal and Consumer Protection. In this report, various aspects have been reviewed and analyzed, broadly classified under three main heads i.e. Consumer Rights, Consumer Protection Mechanisms and Consumer Advocacy. The report also suggests measures for further improvement on these aspects by review of international best practices as well as practices followed in other sectors. Deloitte Touche Tohmatsu India LLP assisted FOR in undertaking the study.

Consumer Rights

The rights of consumers are spread across multiple documents including the Electricity Act, Tariff Policy, State Regulations, Tariff Orders, and Notifications etc. which are sometimes very technical and difficult to comprehend by general consumers. While few Discoms/ SERCs come up with Consumer Charters with an aim to provide concise and centralized information to the consumers, these documents fall short of providing comprehensive information to consumers. Also, information in consumer charters are not updated periodically to reflect changes in regulations, orders, etc.

Standards of Performance (SOP) regulation is one of the primary mechanism for ensuring consumer rights and enforcing them on Discoms. A review of SOP regulations across states highlight wide variations in level of standards as well as compensation amount applicable (for non-adherence to SOPs by Discom). Further, the existing compensation mechanism in case of non-adherence to the SOP parameters puts the responsibility on consumer to claim compensation from Discom. Consumer associations have pointed out the issues of limited consumer awareness with respect to the various guaranteed standards of performance and the process to claim compensation from Discom. Also, they have highlighted that the process for claiming compensation could generally be lengthy and time consuming for consumers, with possible requirement of escalating grievance to CGRF. This act as a key bottleneck and discourages consumers from seeking claim from the Discom.

Irregularity and delay in reporting of SOP compliance by Discoms is also observed as a key concern. Only few Discoms comply with the periodic submission requirements on SOP parameters. Further, the information available as part of these reports lack detail (circle or division level) and are not standardized. Independent audit of the SOP reports are not being conducted to authenticate the accuracy of reported numbers, an issue highlighted by consumer associations as well, for effective monitoring and accurate status of Discom performance against the prescribed SOP parameters.

Consumer Rights Protection

Section 42 (5) and (6) of the Electricity Act 2003 have created a multi-tier structure of consumer grievance redressal. Consumers are first required to approach Discom with their complaint and in case unsatisfied by the resolution may file their grievance to Consumer Grievance Redressal Forum (CGRF) which includes three to four members. While few members of the CGRF are appointed by DISCOM, in many states one member is an independent member which is typically appointed by the respective Commission. In case consumer is still unsatisfied with the CGRF decision, the consumers have an option to approach Ombudsman which is appointed by SERCs for resolution of consumer grievances. If still aggrieved, the consumers may approach an appropriate Court of Judicial System.

All SERCs have notified CGRF and Ombudsman regulations. Significant difference in number of CGRFs established across various states is observed, with many states having established only single CGRF per Discom, which meets the minimum requirement. Therefore, on comparison it is observed that many states may have insufficient number of CGRFs in terms of overall consumers catered or area coverage of the Discom. Number of complaints reported at CGRF level in many states are also low (primarily in case of states where single or low number of CGRFs exists) indicating lack of consumer awareness and lower reach of CGRFs. Regulations prescribe periodic reporting of CGRF and Ombudsman cases, but reporting in many States falls short of detailed information and limit the reporting to number of complaint received, disposal status, etc. Review of the type of cases, location of cases, their duration of pendency etc. may help in understanding the key issues faced by the consumers and guide appropriate regulatory measures, to address cases of recurrent nature.

Discoms have made available multiple channels for consumers to raise their complaints including consumer centers, online website, mobile apps, call centers, etc. Few states have made effective use of technological advancements to integrate such channels and provide ease of redressal to the consumers. Integrated platform and online status for managing the consumer complaints may be an important aspect which the Discoms should look to adopt going forward.

Consumer Advocacy

Establishing effective consumer protection mechanism is closely linked with high level of consumer awareness and consumer participation. Based on the feedback from consumer associations as well as other studies conducted in the past on this topic, it is observed that the awareness of consumers with respect to their rights is very low. Majority of the consumers are unaware of the Regulations and their provisions which guarantee time bound resolution of consumer complaints, failing which they have an option to report the same at CGRF level. Most of the Discoms provide only functional information on their websites for consumers such as tariff orders, relevant regulations, notifications/ procedures, downloadable forms for availing different services, bill details etc. which are complex and technical in nature and would be difficult for general consumers to comprehend.

Discoms and SERC conduct several activities for enhancing consumer awareness with respect to their rights and mechanism available for reporting their grievances. However, these activities are adhoc and irregular in nature resulting in limited reach amongst the consumers, especially rural consumers. Few SERCs have also established Consumer Advocacy Cells to focus on activities related to consumer awareness and protection, however as per information available on the websites their activities have also been limited and irregular in the past.

Review of stakeholder participation during tariff order consultations, issuance of regulations, etc. indicate poor participation by smaller consumers. Consumer associations have suggested that in absence of adequate awareness of general public on various issues, the participation in these consultations have been limited to larger HT consumers only. Few states do appoint consumer representatives for providing inputs and represent the voice of consumers during such stakeholder consultation process.

Suggested measures

An international review of consumer protection policies specified under United Nations Guidelines for Consumer Protection (UNGCP) and processes followed in electricity sector of UK, USA and Philippines was also conducted as part of this study to identify and suggest measures for improvement of the current consumer grievance redressal mechanism. Also review of consumer grievance handling mechanisms in other sectors such as banking, insurance, telecom, etc. was undertaken in this report. Discussions with select consumer associations was also conducted to understand operational / ground level concerns and gather their views on ways for resolving issues impacting consumer protection.

Based on the review of various regulations and information available with respect to consumer protection in the electricity sector across the states, following measures have been identified for enhancement and improvement of consumer protection in electricity sector of India. These suggestions have been classified into the three broad aspects and summarized in the following table:

Sl.	Suggestion	Description	Best Practice
Consumer Rights			
1.	Detailed consumer charter/ document	<ul style="list-style-type: none"> Harmonized document updated regularly, bringing together provisions from all relevant regulations and orders 	<ul style="list-style-type: none"> MSEDCL's Citizen Charter Philippines ERC Magna Carta for Residential Consumers
2.	Automatic credit of compensation for SOP non-compliance	<ul style="list-style-type: none"> Automatic credit of compensation to consumers in case of non-adherence to the timelines for resolution of consumer complaints or standards 	<ul style="list-style-type: none"> Automatic payment for failure to meet SOPs in United Kingdom
3.	SOP Compliance Monitoring	<ul style="list-style-type: none"> Strict enforcement of SOP reporting Third party audit of SOP compliance 	<ul style="list-style-type: none"> Performance Assessment and Audit (PAA) in Philippines
Consumer Rights Protection			
4.	Norms for number of CGRFs in Discoms	<ul style="list-style-type: none"> SERCs should define norms for minimum number of CGRFs based on parameters like districts, divisions, area, number of consumer, etc. 	<ul style="list-style-type: none"> Regulations in Uttar Pradesh, Karnataka and West Bengal, specify the minimum number of CGRFs to be established
5.	Integrated Complaint Management System with automatic escalation	<ul style="list-style-type: none"> To facilitate effective monitoring of complaints and data analysis Would allow to raise complaints just once into the system 	<ul style="list-style-type: none"> IGMS by IRDAI and RBI's Banking Ombudsman Automatic escalation to CGRF in Assam CGRF Regulations
6.	Analysis of complaints at CGRF/ Ombudsman	<ul style="list-style-type: none"> Dedicated cell within SERC for analyzing complaints data with respect to nature of complaints, status, time taken, etc. 	<ul style="list-style-type: none"> UPERC provides CGRF wise details of complaints Annual Report of Banking Ombudsman
7.	Online Dispute Resolution	<ul style="list-style-type: none"> Can increase reach of CGRF and Ombudsman as well as reduce cost and time taken for dispute resolution 	<ul style="list-style-type: none"> Online hearings by Uttar Pradesh Ombudsman and Maharashtra CGRF during COVID-19 lockdown
Consumer Advocacy			
8.	Consumer Satisfaction Survey/ Benchmarking	<ul style="list-style-type: none"> To capture voice of consumers on issues being faced, for guiding future regulatory actions of SERCs 	<ul style="list-style-type: none"> JD Power survey in USA GfK survey in United Kingdom
9.	SERC approval on consumer education plan	<ul style="list-style-type: none"> Annual consumer education plan can be prepared by Discoms and approved by SERCs 	<ul style="list-style-type: none"> TRAI approval of consumer outreach program by Telecom operators
10.	Consumer representative in districts	<ul style="list-style-type: none"> For guidance and support to consumers for raising of complaints Can represent consumers in regulatory proceedings of SERCs 	<ul style="list-style-type: none"> Consumer Challenge Group in United Kingdom

- | | | |
|--|--|---|
| 11. Operationalization of Consumer Advocacy Cell in SERCs | <ul style="list-style-type: none"> • Various measures for consumer education could be adopted by drawing an annual plan of activities | - |
|--|--|---|

1. INTRODUCTION

1.1. Background

- 1.1.1. The Forum of Regulators (FOR) has been constituted in 2005 by the Government of India in terms of Section 166 (2) of the Electricity Act, 2003. The Forum consists of Chairperson of the Central Commission as Chairperson of the Forum and the Chairpersons of the State and Joint Electricity Regulatory Commissions as Members of the Forum. Secretarial assistance to the Forum is provided by the Central Commission. The Forum is responsible for harmonization, coordination and ensuring uniformity of approach amongst the Electricity Regulatory Commissions across the country, in order to achieve greater regulatory certainty in the electricity sector.
- 1.1.2. One of the functions of FOR is to assist its members to evolve measures for protection of interest of consumers and promotion of efficiency, economy and competition in power sector. In Indian Power Sector, consumer protection is the prime focus of the regulatory framework and protection of consumer interest is one of the primary objectives of Electricity Act 2003.
- 1.1.3. Consumer Protection can be defined as shielding of consumers against malpractices of sellers and traders. It means creating an environment whereby the consumers receive satisfaction from the delivery of goods and services needed by them. In a perfectly competitive market, the competition among sellers ensures to some extent that the consumer rights are protected, with the role of regulators limited to ensuring that competition in the market is not hindered. However in a regulated sector, the onus of creating such an environment of consumer protection naturally falls on the regulators.
- 1.1.4. The objective of this study is to assess in detail the prevalent status of consumer protection in India's power distribution sector and propose measures to strengthen existing mechanisms or to introduce new constructs in the sector.

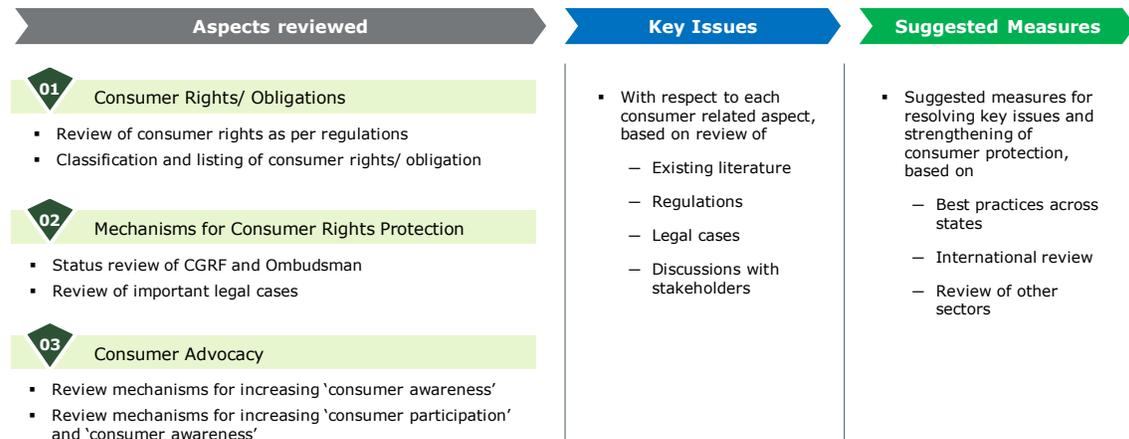
1.2. Scope of Work

- 1.2.1. The scope of work envisaged as per the terms of reference is as follows:
 - Examine in detail the various legal provisions in the context of consumer protection in electricity sector of India
 - Review and assess the challenges in implementation of the legal provisions
 - Review the Status of Consumer Grievance Redressal and Consumer Protection in various States
 - An overview of International Experience in Consumer Protection and Participation. The countries may be selected after consultation with FOR
 - Review important cases with regard to consumer rights in electricity sector
 - Suggest Improvements in CGR Mechanism and scope of improvements regarding Standards of Performance
 - Suggest measures for enhancing consumer advocacy
 - Any other task required in pursuance of achieving the objectives of the study

1.3. Approach adopted for the assignment

1.3.1. In line with the scope of work, three main consumer related aspects are analysed as part of the assignment – Consumer Rights, Consumer Protection Mechanisms and Consumer Advocacy. Based on detailed review of these aspects, key challenges to consumer protection in power sector of India are identified. Further the report suggests measures to strengthen consumer protection in India, taking key learnings from international review and review of other sectors as well. The following figure illustrates the key aspects reviewed in the report, along with activities performed under each of them.

Figure 1: Approach adopted for the assignment



1.4. Review of existing literature

1.4.1. Several reports by FOR and other organizations such as CUTS, Prayas, etc. have deliberated in past on the issue of consumer protection in power sector of India. This report aims to build upon the learnings from these previously conducted studies. This sub-section summaries the key issues identified with respect to consumer protection and recommendations made to resolve such issues, under these studies.

FOR Report on consumer protection in power sector of India, 2008

1.4.2. In September 2008, FOR had published a report on consumer protection in power sector of India. The report examines in detail the issues impacting consumer protection, after taking into consideration the views of the stakeholders through interaction with various stakeholders including NGOs, ombudsmen and selected academic and research institutions. The key issues identified and recommendations made by the report were as follows:

Key Issues Identified	Key Suggested Measures
<ul style="list-style-type: none"> Penalty/ compensation powers only given to SERCs, with CGRF/ Ombudsman to operate as per SERC regulations Engagement of legal aid by licensees puts consumers at a disadvantage Lack of performance monitoring of CGRF/Ombudsman 	<ul style="list-style-type: none"> SERCs should use penalizing powers under section 43 and powers to provide compensation under section 57 of Electricity Act 2003 Constitution of legal assistance cells by SERCs to support consumers Model consumer charter proposed by FOR Involvement of NGOs by SERCs for consumer education and empowerment

FOR, Report on review of CGRF and Ombudsman, 2016

1.4.3. In August 2016, FOR published a report for stock taking of CGRF and Ombudsman in the country. The report performed a comparative analysis of ten states on functioning of CGRF

and Ombudsman. The key issues identified and recommendations made by the report were as follows:

Key Issues Identified	Key Suggested Measures
<ul style="list-style-type: none"> • Poor reach of CGRFs, considering parameters like area or consumers per CGRF • Need to improve consumer education and involvement. SERCs to earmark funds for the same • Lack of independence of CGRFs from Discoms, in appointment, office location, finances etc. 	<ul style="list-style-type: none"> • Prioritization of grievances should be done as Critical and Non-Critical • Establishment of Consumer Advisory Committees by SERCs to assist consumers in representations • Facilitating mediation before approaching CGRFs • Independent helpline service for consumers

World Bank, Report on Transforming Electricity Governance in India, 2015

1.4.4. The report draws on analysis of the Indian experience and international best practices, and makes recommendations for enhanced consumer satisfaction and voice in regulatory decision-making as a central objective of power reforms. The key issues identified and recommendations made by the report were as follows:

Key Issues Identified	Key Suggested Measures
<ul style="list-style-type: none"> • Process of grievance redressal has evolved differently in different states • CGRFs are dependent on Discoms for their operational needs and tend to be loyal to them • SERCs lose out on getting the consumers' perspective • Consumers do not trust the system of consumer grievance redressal 	<ul style="list-style-type: none"> • At least one SERC member should be expert in consumer issues/ consumer advocate • SACs with well-balanced membership that meet regularly to focus on policy issues • Consumer Representatives, appointed by FOR • Data analysis and performance monitoring of CGRFs by SERCs

CUTS International, Report on Consumer Participation and Protection in Electricity Regulation

1.4.5. With the objective to evaluate the state of consumer participation and protection in electricity regulation, the study looked into practices and experience in five states: Delhi, Haryana, Karnataka, Maharashtra and Rajasthan. The key issues identified and recommendations made by the report were as follows:

Key Issues Identified	Key Suggested Measures
<ul style="list-style-type: none"> • Low awareness of CGRF/ Ombudsman among consumers • Information obtained by CGRF/ Ombudsman is not processed by SERCs • Non-existent or inactive consumer groups; SACs composition skewed in favor of Govt./ Discoms 	<ul style="list-style-type: none"> • Improve internal complaint handling process of Discom • SERCs should monitor compliance by Discoms of CGRF/ Ombudsman orders • Periodic reporting on SOP performance • Funding of Consumer Representatives through cess on electricity, administered by FOR

2. CONSUMER RIGHTS

2.1. Existing mechanisms for defining consumer rights

- 2.1.1. The Electricity Act 2003 is the overarching law for power sector in India, prepared with a key objective of protection of consumer interests and ensuring transparency in the system. The preamble of the Act clearly mentions protection of consumer interest as a key goal:

'Preamble to Electricity Act 2003

*An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, **protecting interest of consumers and supply of electricity to all areas**, rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal and for matters connected therewith or incidental thereto (GoI, 2003).'*

- 2.1.2. Further in compliance with Section 57 of the Electricity Act 2003, various SERCs have framed the Standards of Performance Regulations which defines consumer rights with respect to service standards to be maintained by the licensee. These rights are specified in form of maximum time frames for attending to consumer servicing and issues with provisions for compensation in case of non-adherence to the prescribed standards.
- 2.1.3. Further, the rights of consumers being spread across multiple documents including the Electricity Act, Tariff Policy, State Regulations, etc., the Forum of Regulator came out with a suggestion for issuance of Consumer Charter which summarizes and educates the rights available to the consumers. Various Discoms/ SERCs have prepared Consumer Charter for consumers in their respective supply areas.
- 2.1.4. A detailed review has been performed across the states in order to compare the SoP Regulations and Consumer Charter available in the respective states. Issues impacting these mechanisms and observations / suggestions are identified based on the detailed review.

2.2. SOP Regulations

- 2.2.1. Section 57 of the Electricity Act 2003, mandated all SERCs to specify Standards of Performance for licensees.

'Section 57. (Consumer Protection: Standards of performance of licensee):

(1) The Appropriate Commission may, after consultation with the licensees and persons likely to be affected, specify standards of performance of a licensee or a class of licensees.

(2) If a licensee fails to meet the standards specified under sub-section (1), without prejudice to any penalty which may be imposed or prosecution be initiated, he shall be liable to pay such compensation to the person affected as may be determined by the Appropriate Commission:

Provided that before determination of compensation, the concerned licensee shall be given a reasonable opportunity of being heard.

(3) The compensation determined under sub-section (2) shall be paid by the concerned licensee within ninety days of such determination.'

- 2.2.2. SOP regulations are the primary mechanism used by SERCs to guarantee consumer rights and enforce them on power Discoms. These regulations also specify the compensation to

be provided by Discoms to consumers for non-adherence to these standards, the mechanism to claim such compensation by consumers and reporting requirements for Discoms to SERCs. SOP regulations are also complemented by Grid Codes and Supply Codes of respective states.

2.2.3. FOR had issued model SOP regulations dated November 2009 for the guidance of SERCs. SERCs across all states have issued SOP regulations which provide key distribution system related parameters and the specified limits against each parameter in the regulations. These standards require to the distribution utility to maintain various distribution related parameters in a manner that provides reliable and uninterrupted power supply to the consumers. The issues covered under SOP Regulations can be grouped under four major categories for which the standard duration and compensation are specified:

- i. Power quality
- ii. Supply outages
- iii. Metering and billing
- iv. New connections

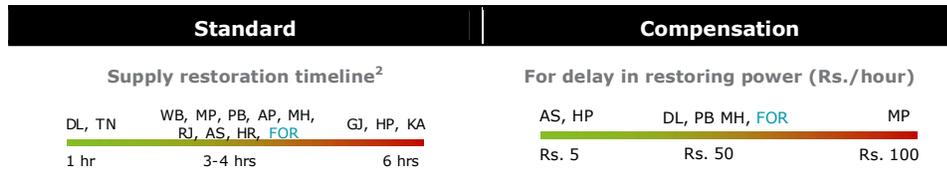
2.2.4. The SOP regulations across the states have been compared across these four aspects for standards, compensation and reporting requirement as summarized below:

- **Power quality:** the SOP regulations define standards for voltage fluctuations limits and timelines within which power quality complaints should be resolved by Discoms. Also the compensation defined for voltage fluctuations or delay in resolving of complaints varies significantly across states. SOP regulations in some of the states require Discoms to periodically report power quality indices like SAIFI, SAIDI and MAIFI



Source: SOP Regulations issued by various SERCs

- **Supply outages:** in regards to power supply outages, the SOP regulations across states define the maximum time for restoring power supply. The timelines vary based on type of default or voltage level or type of area (urban/ rural). In case of Delhi, the maximum restoration time defined also differs based on AT&C loss of the area. Compensation have been specified in the SoP Regulations on per day or per hour basis, for failure to restore power supply within the prescribed timelines.

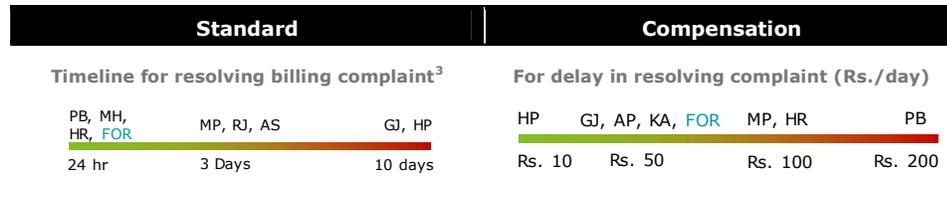


Source: SOP Regulations issued by various SERCs

- **Metering/ billing:** SOP regulations also define maximum timeline within which Discoms are required to replace faulty meters or resolve billing related complaints of consumers. These timelines vary for type of fault (in meters or bills) and area of supply (urban/ rural). SOP regulations in most states have defined compensation on a per day basis for delay in resolving consumer complaints with respect to metering or billing.

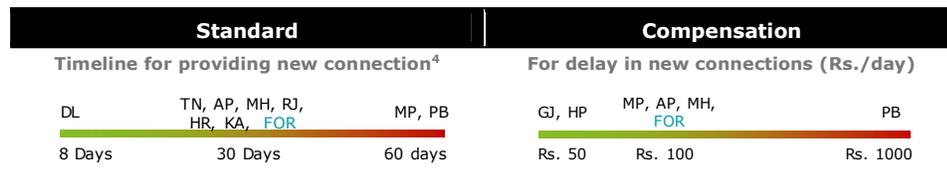
¹ Where no expansion/ extension of network is required

² Lowest time across various fault types, consumer types and line type in urban areas



Source: SOP Regulations issued by various SERCs

- New connections:** with respect to providing new connections, SOP regulations provide for specific timelines within which new connections have to be provided to consumers. The timelines vary based on consumer category, voltage level or whether there is a requirement of network upgradation or not. Further the regulations have defined compensation for delay in providing new connections. In case of Delhi, a per day compensation of 1%-1.5% of demand charged deposited by consumers is applied.



Source: SOP Regulations issued by various SERCs

2.2.5. Some of the key observations based on review of SOP regulations are:

- In case of Delhi, the SERC defines that if Discoms fail to meet the standards for restoration of power supply, the compensation shall be payable automatically to all the affected consumers, without requiring a claim to be filed by the consumer
- SOP regulations in Madhya Pradesh, allows Discoms to partly or fully recover compensation paid to consumers as part of their ARR, depending upon the level of overall SOP performance standard met by Discom
- In Rajasthan, the SOP regulations provide for levy of double compensation for non-adherence to SOP standards, if time taken to resolve the issue by Discom is more than double the stipulated time under the regulations
- In Haryana the SOP regulations provide for recovery of compensation paid to consumers, from concerned officials of Discom for non-compliance of SOP standards
- Also in case of Delhi, the SERC has also defined that Discoms shall maintain the percentage of bills requiring modifications based on consumer complaints to the total number of bills issued, not greater than 0.2%.
- SOP Regulations in Haryana specify that in case of complaints concerning power quality, Discoms are required to deploy power quality meters for a particular period at the location of complaint
- In UPERC SOP Regulations 2019, different compensation amount for urban and rural consumers are defined in case of lower supply hours than scheduled supply in a month.
- Compensation for not maintaining voltage within specified levels has been prescribed in MERC SOP Regulations 2014. Voltage level compensation was made applicable in select cities with provision to cover all other municipal corporations at the end of one year and balance areas to be notified subsequently by the Commission.
- In case of Assam, different compensation amounts are defined for events impacting individual consumers and events impacting more than one consumer

³ Lowest time across various fault types, consumer types and line type in urban areas

⁴ For residential consumers at LT level without requirement of network upgradation

- 2.2.6. States with higher limits allowed for various standards or lower compensation can gradually tighten their SOP regulations to enforce stricter service levels on Discoms, benchmarked against other states.
- 2.2.7. SOP regulations across states require consumers to file individual compensation claims with Discoms in cases of non-adherence of SOP standards. In most cases either the consumers are not aware of the SOP regulations and the prescribed timelines or are unaware of the process for claiming the compensation from the Discoms in case of non-adherence to the SOP standards. Also, for consumers aware of the issue, the process can generally be lengthy and time consuming, with possible requirement of escalating complaints to CGRF or Ombudsman as well. Automatic adjustment of compensation amount in consumer bills by Discoms would not only keep Discoms cautious of their service levels but also ease out process for consumers. However, strict vigil and SOP monitoring would be required from SERCs to ensure that Discoms follow automatic adjustment of compensation.

Best Practice | Automatic adjustment of compensation for power outages in Delhi

As per SOP Regulations issued by DERC in 2017 and amended in 2018, if Discoms fail to meet the timelines for restoration of power supply in case of unscheduled outage, compensation shall be payable by Discoms automatically to all the affected consumers without requiring a claim to be filed by the consumer.

- 2.2.8. In all the State SOP regulations, the Discoms are required to periodically submit compliance report on SOP standards. The frequency of submission varies from monthly to annual basis as summarized in the table below:

Table 1: SOP reporting requirements across states, as per regulations

State	Frequency	Parameters to be reported					Provision for Audit
		Power quality indices	Status of Complaints	Compensation claim/ made	Instances of non-adherence	Level of SOP performance	
AS	Monthly			✓		✓	✓
HR	Monthly	✓					✓
DL	Monthly	✓	✓	✓		✓	
KA	Monthly			✓		✓	✓
AP	Monthly			✓		✓	✓
GJ	Quarterly	✓		✓			
MH	Quarterly	✓	✓	✓			
HP	Quarterly			✓		✓	✓
MP	Quarterly			✓	✓	✓	✓
UP	Quarterly	✓	✓	✓			✓
RJ	Half-yearly	✓	✓	✓			
PB	Half-yearly			✓		✓	
TN	Half-yearly			✓		✓	
WB	Annual		✓	✓			

Source: SOP Regulations of SERCs

- 2.2.9. Based on the comparison of the SOP regulations across states, it is observed that:
- Requirement for submission of power quality indices periodically is limited to few states of Haryana, Delhi, Gujarat, Maharashtra, Uttar Pradesh and Rajasthan

- Reporting on status of complaints by consumers is not prescribed in majority of the state regulations
- The SOP regulations in states like Gujarat, Madhya Pradesh, Assam, Delhi, Punjab, Himachal Pradesh and Andhra Pradesh require Discoms to submit measures taken to improve performance levels and Licensee's assessment of targets for ensuing year
- SOP Regulations of states like Madhya Pradesh, Haryana and Himachal Pradesh provide for conduct of audit for various SOPs. In states like Uttar Pradesh, Karnataka, Andhra Pradesh, Assam and Odisha, separate regulations have been issued for compliance audit of utilities.

2.2.10. The reporting requirement as provided in the SOP regulations differs significantly across the states. A standardization of the reporting parameters as well as timelines across states would provide comparison of the service levels across the states for the Discoms and will enable more consumer focus. In addition, in most states the reporting of the SOP parameters is viewed as compliance activity by the Discom and the accuracy of reported numbers is seldom validated/ audited.

2.2.11. As per the reports compiled by FOR submission to APTEL (for Q2 of FY20), status of submission of SOP compliance reports in various states is as follows:

- SOP reports not submitted by Discoms in states including Uttar Pradesh, Jharkhand, Uttarakhand, Chhattisgarh, Andhra Pradesh, Telangana, Goa & UTs, Arunachal Pradesh, Manipur, Mizoram, Nagaland, Sikkim, Punjab, Kerala and Jammu and Kashmir
- SOP reports not available online for states of Bihar, Himachal Pradesh, Madhya Pradesh and Meghalaya

Discussions with consumer associations | Independent audits for SOP compliance

During discussions, several consumer associations have cited that SERCs should undertake independent, third party audits of Discom's compliance against Standards of Performance based on the monitoring reports submitted. The activity should be done periodically. This will ensure accuracy of data reported and also help in identifying areas of improvement for Discoms.

2.2.12. Further, while all SOP regulations have provisions for periodic reporting of SOP compliance by Discoms, only few Discoms are submitting reports to SERCs, with majorly power quality indices and status of complaints being reported. Also, the nature of such reporting varies across states with few states reporting SoP performance parameters at division level while others are reporting at circle level or consolidated for Discom as a whole. Also, it can be observed that in most states no compensation has been paid by the Discoms.

Table 2: Review of SOP compliance reporting done by Discoms

State	Parameters reported on each aspect				Compensation awarded	
	Power Quality	Supply/ Outage	Metering/ Billing	New Connection		
DL	FY20-Mar	• SAIFI/ SAIDI/ CAIDI • No. of complaints	• No. of complaints • DTR failures	• No. of complaints	• Release of new connections • No. of complaints	Nil
GJ	FY20, Q4	• SAIFI/ SAIDI/ MAIFI • No. of complaints • Sample reports for voltage tests	• No. of complaints • DTR failures	• Meters replaced • No. of complaints	• Release of new connections • No. of complaints	Nil
AS	FY19, Q4	• CAIFI/ CAIDI • No. of complaints	• No. of complaints • DTR failures	• Meters replaced	• -	Nil
MH	FY19, Q2	• SAIFI/ SAIDI/ CAIDI	• DTR failures	• No. of complaints	• Release of new connections • No. of complaints	Rs. 8,900 (MSEDCL in CGRF orders)

State	Parameters reported on each aspect				Compensation awarded	
	Power Quality	Supply/ Outage	Metering/ Billing	New Connection		
KA	FY18	• Instances of voltage variance	• DTR failures	• No. of complaints	• Release of new connections	Nil

Source: SOP Reports submitted by Discoms

2.2.13. FOR Model Regulations for Multi Year Distribution Tariffs, provide for adjustment to Discom's ARR based on achievement of target power availability metrics (measured through SAIDI/ SAIFI). As per these model regulations, incentive or penalty in form of adjustment of +/- 0.2% of ARR may be provided against such performance attributes. Such mechanism could also be extended to other standards listed under SOP regulations of states.

'Sec 34(a). Recovery of the Annual Revenue Requirement determined as per the norms under these regulations shall be based on achievement of the target availability index as under:

.....

For Wheeling Business:

$$\text{Wheeling Network Availability Index (\%)} = (1 - (\text{SAIDI}/8760)) \times 100$$

.....'

2.2.14. Similar mechanism is also observed in Philippines. The Rules for Setting Distribution Wheeling Rates (RDWR) issued by Energy Regulatory Commission (ERC) of Philippines, provides a Performance Incentive Scheme (PIS) for distribution utilities, wherein the annual revenue recovery has a component for reward/ penalty linked to the utility's performance on various standards of performance.

2.3. Consumer Charters

2.3.1. Various regulations issued by SERCs provide for intended to protect the rights of the consumers. However, as these regulations are complex and difficult to understand, the Discoms are required to prepare consumer charter which help them understand their rights and create awareness regarding quality of services which they should expect from the distribution licensee. For enabling this a consumer charter may act as a single document which provides all the requisite information with respect to consumer rights and service levels. Few Discoms in the past have prepared consumer charters for increasing awareness with respect to consumer rights and other information. Also under its report on 'Protection of Consumer Interest' issued in 2008, FOR suggested a model consumer charter for guidance to Discoms in preparing their own consumer charters.

2.3.2. A review of the various state Discoms/ SERCs websites was undertaken, based on which the availability of consumer charters in these states was assessed along with level of information made available in these documents.

Table 3: Information coverage of consumer charters across states

State	Basic Rights	Detailed rights description	Tariff schedule and charges	Complaint procedures
	List of basic rights and applicability	Process, fees, timelines, SoP	Tariff & open access charges	Process, fees, timelines, channels
FOR Model Charter	✓			
Maharashtra	✓	✓		✓
Uttarakhand		~		~
Punjab	✓	~		~
Delhi (TPDDL)		~		~
Rajasthan	✓	~		~
Gujarat		~		

State	Basic Rights	Detailed rights description	Tariff schedule and charges	Complaint procedures
	List of basic rights and applicability	Process, fees, timelines, SoP	Tariff & open access charges	Process, fees, timelines, channels
Madhya Pradesh		~		
Tamil Nadu		~		
Andhra Pradesh		~		
Karnataka		~		~

Legend ✓ Information available in charter
~ Partial information available

Source: Consumer Charter of Discoms

- 2.3.3. In few states including Uttar Pradesh, West Bengal, Bihar, Jharkhand, Kerala and Odisha, the consumer charter was not available online.
- 2.3.4. As observed from the table above, in most of the states these charters only provide basic description of consumer rights and therefore comprehensive information including list of services they can avail from Discoms, process to avail these services, fees, timelines or guaranteed standards for these services as per regulations are not available.
- 2.3.5. Further, the consumer charters can also provide consumers, details of applicable tariff or charges applicable and procedures for raising complaints against their issues or any service deficiency. While these information are made available by Discoms separately, their inclusion in the consumer charter can reduce consumer hassle and provide information in an easy to comprehend manner. The consumer charters prepared by Discoms are also not updated regularly to reflect changes in regulations, orders or processes of utilities from time to time.



Best Practice | MSEDCL's Citizen Charter

MSEDCL has recently issued a Citizen Charter, which provides consumer information related to accessing services of MSEDCL, their process, their related standards of performance, applicable charges, timelines for availing them as well mechanisms for grievance redressal.

- 2.3.6. A consumer charter can be a harmonized document bringing in relevant excerpts from all relevant regulations, orders and notifications etc. into a single document for easy reference of consumers. Further, the charter may be prepared separately for residential or high voltage consumers, considering differences in the processes, time limits, SOPs for them.

2.4. Summary of key issues and challenges

- 2.4.1. Based on the detailed review performed of consumer rights related aspect, the key issues and challenges impacting consumers across states are as follows –

Lack of consumer centric information or detailed consumer charter	<ul style="list-style-type: none"> Multiple regulations and orders are difficult for consumers to comprehend; the information needs to be covered in a manner which is easy to comprehend and brings elements from all applicable regulations/ orders
Lack of SOP monitoring and enforcement	<ul style="list-style-type: none"> Irregular reporting against SOP compliance and differences in reporting parameters across states Lack of regular audits or monitoring for compliance of SOPs Nil or minimal penalties applied by Commissions for non-adherence to SOPs

3. CONSUMER RIGHTS PROTECTION

3.1. Existing mechanisms for protecting consumer rights

3.1.1. In order to protect rights of consumers, mechanisms are established under various laws and regulations, through which consumers can raise complaints and get their grievances settled or redressed.

3.1.2. As per Electricity Act 2003, cases involving criminal activities in nature such as electricity theft, theft of electric lines/ materials or meter tampering etc. are dealt as per Indian Penal Code. For cases of electricity theft under section 126 and 127 of Electricity Act 2003, an appellate authority is prescribed by State Government for assessment and penalty of unauthorised use of electricity. Consumers and utilities can approach Judicial Courts under Indian Penal Code for cases involving such matters.

3.1.3. For all other types of matters, not involving criminal activities as described above, there are two parallel routes for grievance redressal available to electricity consumers. The first route which is the one defined under section 42 of the Electricity Act 2003 which states:

*"(5) Every distribution licensee shall, within six months from the appointed date or date of grant of licence, whichever is earlier, **establish a forum for redressal of grievances of the consumers** in accordance with the guidelines as may be specified by the State Commission.*

*(6) Any consumer, who is aggrieved by non-redressal of his grievances under sub-section (5), may make a **representation for the redressal of his grievance to an authority to be known as Ombudsman** to be appointed or designated by the State Commission.*

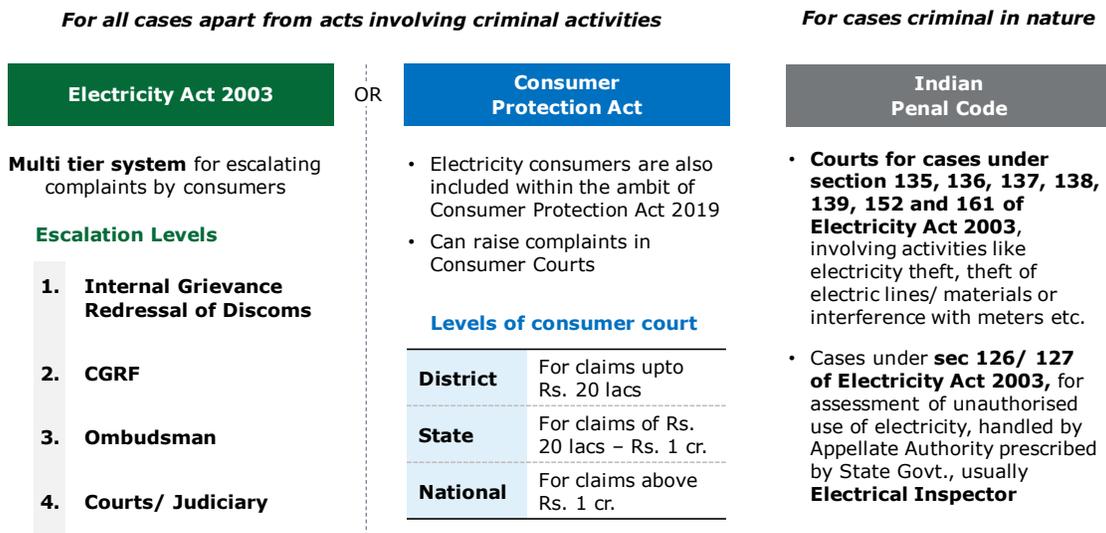
(7) The Ombudsman shall settle the grievance of the consumer within such time and in such manner as may be specified by the State Commission."

3.1.4. Considering the technicalities in the sector, the Electricity Act recommends establishment of Consumer Grievance Redressal Forum and Ombudsman who would be able to redress the complaints of the consumer with respect to service levels, etc. in a more efficient and faster manner.

3.1.5. Further electricity consumers are also included within the ambit of Consumer Protection Act. Section 2 (42) of Consumer Protection Act 2019 defines 'Supply of electrical energy' as a service. As an alternative to CGRF/ Ombudsman, the consumers can also raise complaints with appropriate Consumer Courts for any deficiency in service by Discoms or non-resolution of their complaints.

*'2. (42) "service" means service of any description which is made available to potential users and includes, but not limited to, the provision of facilities in connection with banking, financing, insurance, transport, processing, **supply of electrical or other energy**, telecom, boarding or lodging or both, housing construction, entertainment, amusement or the purveying of news or other information.....'*

Figure 2: Mechanisms available for grievance redressal



3.1.6. The provisions of CGRF and Ombudsman as per Electricity Act 2003 has resulted in a multi-tier structure of consumer grievance redressal as follows –

- a) **Internal Grievance Redressal of Discom** – Consumer shall approach Discom’s consumer centre or call centre for resolution of dispute
- b) **Consumer Grievance Redressal Forum (CGRF)** – In case consumers are not satisfied by the resolution provided by Discom, they can take their grievances to the CGRF appointed by power distribution utilities
- c) **Ombudsman** - Consumers not satisfied by the grievance redressal by the CGRF, may approach Ombudsman appointed by SERCs for resolution
- d) **Court/ Judiciary** - If still dissatisfied, the consumer may approach Appropriate Court of the judicial system

3.1.7. During discussions, some consumer associations have suggested that consumers prefer the route of CGRF and Ombudsman vs approaching consumer courts for raising their complaints, due to higher cost of taking up matters with consumer courts and their proceedings being more legal in nature.

3.1.8. Review of important legal cases indicate that Consumer Courts have on several occasions turned down the complaints with respect to electricity theft, stating that these cases do not pertain to deficiency in services. As per 2 (6)(iii) of the Consumer Protection Act 2019, Consumer Courts can entertain only those complaints which deal with cases of deficiency in services.

‘2. (6) "complaint" means any allegation in writing, made by a complainant for obtaining any relief provided by or under this Act, that—

.....

(iii) **the services hired or availed of or agreed to be hired or availed of by him suffer from any deficiency;’**

3.1.9. A detailed review has been performed across the states in order to compare the consumer protection mechanisms existing in respective states. Issues impacting these mechanisms and observations / suggestions are identified based on the detailed review of selected parameters.

3.2. Internal Grievance Redressal by Discoms

3.2.1. The internal grievance redressal system is an intrinsic part of the licensee organization to redress the complaints of the consumers. Some of the Discoms have adopted new technologies/ methods for easing the process of complaint resolution for consumers. Discoms have made available multiple channels for raising complaints such as consumer centres, online website, mobile apps, call centres etc. which are summarized based on the information available on their websites as follows:

Table 4: Illustrative list of channels made available by Discoms for filling of complaints

State	Website	Mobile App	Call Centre	Alternate modes
WB	WBSEDCL website	Vidyut Sahyogi app	19121	• Missed call/ SMS service for No Power complaints
PB	PSPCL website	PSPCL consumer services app	1912	• No. for new connection complaint • Circle control rooms for complaints • Multiple social media channels
HR	Discom website	<i>Only for bill payments</i>	1912/ Discom nos.	• Whatsapp complaint number
RJ	Discom website	Bijli Mitra	1912/ Discom nos.	• Online chat bot • Whatsapp complaint number
DL	TPDDL website	TPDDL Connect app	19124	• Customer care centres in districts • SARAL helpline
UP	UPPCL website (Jansunwai)	E-Nivaran app	1912/ Discom nos.	• Whatsapp complaint number
MH	MSEDCL website	Mahavitran app	1912/ Discom nos.	• Consumer facilitation centres • HT consumer helpdesk
GJ	Discom website	Discom mobile app	19123/ Discom nos.	• Circle wise fault centres
MP	<i>Only for billing and power supply</i>	Smart Bijlee app	Discom Nos.	• Whatsapp complaint number
AP	Discom website	Discom mobile app	1912	• Online chat bot (Eastern Discom)
KA	PGRS website	Bescom mitra	1912	• Online chat bot • Whatsapp chat number
JH	JBVNL Website	JBVNL eZy-bZly	1912	• Sashakt – integrated platform for managing complaints from 10 avenues

Source: websites of various Discoms; the table lists major channels available for raising complaints and is not comprehensive

3.2.2. Few state Discoms like in Rajasthan and Karnataka have also created **online chat bots** on their website for quick complaint resolutions. Also consumers can **raise their complaints through text messages to whatsapp numbers** of Discom in states like Madhya Pradesh, West Bengal and Karnataka. Bescom in Karnataka has also launched a Public Grievance Redressal System (PGRS) which provides real time analysis of complaints and also provides 24x7 chat feature for consumers to resolve their complaints.



Best Practice | BESCOM's PGRS

Bescom in Karnataka has launched a Public Grievance Redressal System (PGRS) which provides real time analysis of complaints received in a month, along with information of category wise distribution of complaints (failure of power supply, billing issues, safety issues, metering issues etc.) and circle wise status of complaints.

3.2.3. Jharkhand Bijli Vitran Nigam Ltd. (JBVNL), state owned Discom in Jharkhand, has created an **integrated platform for centralised management of complaints** from 10 different avenues including social media, customer care, website, Urja Mitra and written complaints. This system helps the utility in easy management of the consumer complaints centrally and ensure resolution of all complains received from different sources.



3.2.4. HT consumers are central to the overall revenues of the utilities. With a view to quickly resolve complaints of HT consumers, utilities like MSEDCL in Maharashtra has created a **dedicated helpdesk for HT consumers called Smart Energy Portal**.

3.2.5. In some of the states the SERCs have also created provisions/ regulations with respect to internal grievance handling of Discoms, as follows -

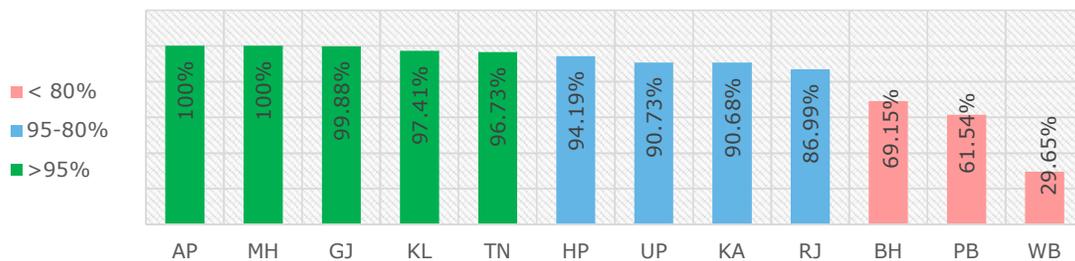
- Assam:** the Redressal of Consumer Grievances Regulations of 2016 require Discoms to dedicate one day in a week as '**Consumer Complaint Redressal Day**' when consumers can discuss their complaints with the concerned officers of Discoms, to get them resolved quickly as far as possible. Also the regulations require Discoms to setup a two level system of complaint escalation in the Discoms itself. The Discoms are also directed in Assam to establish a **Central Complaint Centre in Assam**, with a common contact number across the state. The consumers should be able to lodge complaints with this centralized system through phone or internet and track the status also.
- Punjab:** PSERC issued "Consumer Complaint Handling Procedure (CCHP) for Discoms, which require them to setup **Dispute Settlement Committees** at Zonal, Circle and Divisional Levels. These Circle and Divisional level Committees also have a **consumer representative nominated by Director of Industries & Commerce, Punjab**.
- Odisha:** OERC through its 'Complaint Handling Procedure Relating to Distribution and Retail Supply for Discoms in the state' has prescribed procedures along with

timelines under which different kinds of complaints are to be resolved by Discoms at the initial stage.

- **Uttar Pradesh and Gujarat:** Internal grievance redressal system are prescribed in the Supply Code issued by the SERCs of Uttar Pradesh and Gujarat resulting in standardization of procedures for grievance redressal to be followed by the Discoms.
- **Haryana:** HERC has issued Complaint Handling Procedure Relating to Distribution and Retail Supply. The document describes the procedure for lodging of complaints and time limits for resolving those complaints.

3.2.6. The national power portal tracks the status of consumers complaints resolved within SERC timelines for few states. Based on the status for the month of Mar 2020, it can be observed that states of Bihar, Punjab and West Bengal have very low percentage of complaints resolved with SERC timelines. This indicates that while several mechanisms are available for raising consumer complaints, monitoring and review of consumer complaints is ignored in many states.

Figure 3: %ge of complaints resolved within SERC timelines (Mar '20)



Source: National Power Portal

3.3. Review of CGRF and ombudsman across states

3.3.1. Consumers who are not satisfied by the complaint resolution of Discoms, can approach Consumer Grievance Redressal Forum (CGRF) with their case. Consumers still not satisfied by the complaint resolution can take up their complaints with Ombudsman. Section 42 of the Electricity Act 2003 provides for setting up a Consumer Grievance Redressal Forum (CGRF) by power distribution utilities and an Ombudsman by SERCs for resolution of consumer grievances.

'42.

.....

(5) Every distribution licensee shall, within six months from the appointed date or date of grant of license, whichever is earlier, establish a forum for redressal of grievances of the consumers in accordance with the guidelines as may be specified by the State Commission.

(6) Any consumer, who is aggrieved by non-redressal of his grievances under sub-section (5), may make a representation for the redressal of his grievance to an authority to be known as Ombudsman to be appointed or designated by the State Commission.'

3.3.2. Pursuant to power conferred by Electricity Act 2003, all SERCs have notified CGRF and Ombudsman regulations to improve service delivery and enhance consumer satisfaction in their State. Based on these regulations while most of the State power utilities have established CGRF and an Ombudsman has been appointed by SERC, Jammu & Kashmir and Nagaland are the only two States, which have not established CGRF and Ombudsman for consumer grievance redressal.

3.3.3. In this sub-section, a review of various regulatory provisions for CGRF and Ombudsman is conducted. A detailed description of these regulatory provisions is provided in the annexure.

Reach and coverage of CGRFs

3.3.4. The role of CGRF is crucial with respect to grievance redressal of consumers which are not satisfied with the outcome from internal grievance redressal of the Discom. It is observed that many States have limited number of CGRFs. The table below showcases the number of CGRFs in each state, compared against parameters of area/ district and consumers by each CGRF. Also number of CGRF sittings in a year are highlighted across states.

Table 5: Reach and coverage of CGRF across states

State	No. of CGRF	No of CGRF sittings in a year	No. CGRF / District	State area / CGRF	No of consumer / CGRF
	-	-	-	Sq. km.	Lakhs
TN	44	279	1.38	296	6.55
MH	22	976	0.61	13,987	4.65
WB	21	322	0.91	4,226	8.73
UP	20	1,514	0.27	12,164	14.72
GJ	8	278	0.24	5,298	3.97
AS	8	4	0.24	9,805	NA
KA	5	136	0.19	3,836	42.50
DL	4	255	0.36	371	15.42
MP	3	296	0.06	10,275	47.73
AP	2	132	0.15	80,103	82.00
HR	2	131	0.09	22,106	31.12
PB	2	157	0.09	25,181	42.00
HP	1	47	0.08	55,673	24.94

Source: FOR Reports submitted to APTEL; Secondary research

3.3.5. Based on the comparative analysis of CGRF across states, it can be observed that in most of the states the number of CGRFs are limited to cover the entire area or consumers adequately. States such as Madhya Pradesh, Andhra Pradesh, Karnataka, Haryana and Himachal Pradesh have established only one CGRF per Discom, for meeting the minimum regulatory requirements.

3.3.6. Regulations in other states such as **Uttar Pradesh, Karnataka and West Bengal**, Kerala specify the **number of CGRFs** to be established by Discoms based on specific parameter. In Karnataka, the regulations require Discoms to establish at least one CGRF in each district of the state as compared with Uttar Pradesh, where the regulations define key locations where Discoms should establish CGRFs. Further the regulations in West Bengal, specify that CGRF of Discoms should have at least one Grievance Redressal Officer (GRO) in each district of the state. CGRF Regulations in Kerala provide that the licensee shall establish sufficient number of CGRF so that a consumer should not be required to travel more than 200 kms to submit their complaint.

3.3.7. An important aspect that emerged during discussions with stakeholders that majority of the complaints were received from urban areas only. This could be on account of CGRFs being located in the major cities of the State and indicating lower reach of CGRFs in rural areas.

Frequency of CGRFs and Ombudsman meetings

3.3.8. Another important aspect impacting the reach of CGRF and Ombudsman is the frequency of their meetings and their locations. Only few state regulations like Gujarat and Punjab define minimum requirements for such frequency and location of CGRF and Ombudsman meetings. Regulations in other states, generally direct CGRF and Ombudsman to hold appropriate number of meetings at various places within their jurisdictions as per their requirements.

Table 6: Frequency and Location of CGRF and Ombudsman meetings

State	CGRF			Ombudsman		
	No. of sittings/ year	Frequency (defined as per regulations)	Location	No. of sittings/ year	Frequency (defined as per regulations)	Location
RJ	3,720	-	-	Full time	-	-
UP	1,514	-	-	87	-	-
MH	976	-	-	372	-	-
WB	322	-	-	35	-	-
MP	296	-	-	1	-	-
TN	279	-	-	51	-	-
GJ	278	1/month/district	HQ/District	199	-	-
DL	255	-	-	61	-	-
PB	157	1/month/circle	HQ/others	72	-	-
KA	136	-	-	68	-	-
AP	132	-	-	45	-	-
HR	131	-	-	33	-	-
HP	47	-	-	12	-	-
AS	4	-	-	1	-	-

Source: FOR reports submitted to APTEL; SERC regulations

Composition and appointment of CGRFs and Ombudsman

3.3.9. Regulations issued by various SERCs prescribe the composition of CGRFs and Ombudsman in the state along with their appointment process for members. While Ombudsman is appointed by SERCs in the state, members of CGRF are appointed by either Discoms, SERCs or a Selection Committee.

3.3.10. In most of the states, the regulations prescribe that SERCs or a selection committee formed by SERCs appoint one or more ombudsman for each licensee in the state.

3.3.11. The Composition structure of CGRFs generally consists of 3 to 4 members including the chairperson, technical member, commercial expert and/ or consumer expert. The following table provides the number of members of CGRFs prescribed by the regulations along with appointing body for these members. The table also compares the provisions of various state regulations against the provisions for FOR model CGRF Regulations.

Table 7: Composition and appointment of CGRFs across states⁵

State	No. of members	Member/ Appointed by -			
		Chairman	Tech/ Finance	Legal	Consumer Expert
FOR model regulations	3	D	D	-	S
GJ	3	D	D	-	S
MH	3	D	D	-	S
RJ	2	D	-	-	S
MP	3	D	D	-	S
WB	<i>Appointment of Grievance Redressal Officers by Discom</i>				
AS	3	D	D	-	D
HR ¹	3	S	D	D	D
DL	3	S	-	C	C
PB ²	3	S	D	-	-
HP	3	D	D	-	S
TN	3	D	-	D	D
KA	3	D	D	-	S
UP	3	S	D	D	-
AP	4	D	D	D	S

D – Appointed by Discom

S – Appointed by SERC

C – Appointed by a Selection Committee

Source: SERC Regulations

3.3.12. It is observed that in most of the states, the consumer expert or Chairman of CGRF is appointed by SERCs while other members being appointed by Discoms themselves. The qualifications of consumer experts generally require any graduate/degree in law or consumer affairs/member of registered NGO or consumer organisation/consumer activist. The regulations in West Bengal do not specify composition of CGRFs, instead direct Discoms to appoint necessary Grievance Redressal Officers (GRO) in each sub-districts/ districts/ regions/ zones.

Timelines for grievance redressal

3.3.13. The regulations also provide maximum timelines in which the CGRF and Ombudsman shall adjudicate on the consumer grievances, as follows –

3.3.14. The timelines provided under the regulations of many states like Uttar Pradesh, Andhra Pradesh, Tamil Nadu, Delhi, Maharashtra, Rajasthan, Madhya Pradesh etc. are higher for dispute resolution by CGRF and Ombudsman as compared with the timelines prescribed in the FOR model regulations. On the other hand, regulations in Gujarat have prescribed timelines which encourage timely resolution of consumer grievances in their respective states.

3.3.15. Based on the review of CGRF Regulations across states, following key provisions/ best practices are observed:

- **Automatic Escalation of pending complaints to CGRF:** Redressal of Consumer Grievances

⁵ In HR, Chairman is appointed by SERC while 2 members by Discom; In PB, 1 Technical and 2 members by Discom

Table 8: Dispute Resolution Timelines



Regulations of 2016 in the state of Assam, have a provision for automatic escalation of pending consumer complaints to CGRF, not resolved by Discoms within stipulated timelines of SERCs.

- **No Adjournment of hearings:** the regulations in Delhi provide that ordinarily no adjournment is to be granted by CGRF while hearing consumer cases. In case of Uttar Pradesh, the regulations specify that maximum of one adjournment can be given by CGRF, with the party seeking adjournment paying a compensation to other party for such adjournments. Ombudsman regulations in Rajasthan provide that consumers aggrieved by non-disposal of stray application by CGRF within 7 days can approach Ombudsman with their complaint.

Such practices can be adopted in other state regulations as well for efficient and time bound resolution of consumer grievances.

Best Practice | Provision for automatic escalation of complaints to CGRF in Assam

Redressal of Consumer Grievances Regulations of 2016 in the state of Assam, have provision for automatic escalation of pending consumer complaints to CGRF, not resolved by Discoms within stipulated timelines of SERCs. However, effective implementation of this provision would require integrated complaint management systems of Discoms and CGRFs, with strict monitoring by SERCs.

Reporting by CGRFs and Ombudsman

3.3.16. Several state regulations, also require CGRF and Ombudsman to periodically report the status of case disposal and details of cases to SERCs. Mostly the CGRF and Ombudsman are required to report the status of complaint disposals to SERCs, with few states like Rajasthan, Uttar Pradesh, Madhya Pradesh, Delhi, Punjab and Himachal Pradesh also prescribing the reporting of nature of complaints received.

Table 9: Reporting by CGRFs across states

State	Reporting required as per Regulations		Actual Reporting as per websites	
	Frequency	Details	Frequency	Details
RJ	Quarterly Annual	<ul style="list-style-type: none"> • Complaint disposal status • Review of activities 	Annual (SERC annual report)	<ul style="list-style-type: none"> • Complaint disposal status
UP	Half yearly	<ul style="list-style-type: none"> • Nature of complaints • Licensee actions 	Monthly	(On SERC website) <ul style="list-style-type: none"> • Complaint disposal status • Nature of complaints • Ageing of complaints
MH	Half yearly	<ul style="list-style-type: none"> • Complaint disposal status 	Annual (latest report of FY2017-18)	(SERC annual report) <ul style="list-style-type: none"> • Complaint disposal status • Nature of complaints • Consumer category wise complaints
WB	-	-	Quarterly	<ul style="list-style-type: none"> • Areas wise complaint disposal status
MP	Monthly	-	Annual (latest report of FY2017-18)	<ul style="list-style-type: none"> • Complaint disposal status (SERC Annual report)
TN	Quarterly	<ul style="list-style-type: none"> • Complaint disposal status 	-	-
GJ	Quarterly	<ul style="list-style-type: none"> • Complaint disposal status 	Annual	(SERC Annual report) <ul style="list-style-type: none"> • Complaint disposal status • Nature of complaints

State	Reporting required as per Regulations		Actual Reporting as per websites	
	Frequency	Details	Frequency	Details
DL	Quarterly	• Complaint disposal status	Annual (latest report of FY2016-17)	(SERC Annual report)
	Annual	• Review of activities		• Complaint disposal status Nature of complaints
PB	Quarterly	• Complaint disposal status	-	-
KA	-	-	Annual	• Complaint disposal status (SERC annual report)
AP	Quarterly	• Complaint disposal status	Annual	• Complaint disposal status (SERC annual report, FY18 latest report)
	Annual	• Review of activities		• Circle wise case orders (Discom website)
HR	Quarterly	• Complaint disposal status	-	-
HP	Quarterly	• Complaint disposal status	Annual	• Complaint disposal status (report by Discom)
	Annual	• Review of activities		
AS	Quarterly	• Complaint disposal status	-	-
	Annual	• Review of activities		

Source: SERC Regulations, SERC annual reports and SERC/ Discom websites

Table 10: Reporting by Ombudsman across states

State	Reporting required as per Regulations		Actual Reporting as per websites	
	Frequency	Details	Frequency	Details
RJ	Half yearly	• Nature of complaints • Licensee actions	Annual	• Complaint disposal status (SERC annual report)
	Annual	• Review of activities		
UP	Half yearly	• Nature of complaints • Licensee actions	Annual	• Complaint disposal status (SERC annual report)
MH	Half yearly	• Complaint disposal status	Annual	• Complaint disposal status (SERC annual report)
WB	-	-	Monthly/ Quarterly	• Complaint disposal status
	-	-	Half yearly	• Nature of complaints • Licensee actions • Opinion on SOP compliance
MP	Half yearly	• Nature of complaints • Licensee actions	-	-
TN	Annual	• Review of activities	-	-
GJ	Half yearly	• Complaint disposal status	Annual	• Complaint disposal status (SERC annual report)
DL	Quarterly	• Nature of complaints • Licensee actions	Annual (latest report of FY2016-17)	(SERC Annual report)
	Annual	• Review of activities		• Complaint disposal status
PB	Half yearly	• Nature of complaints • Licensee actions	-	• -
KA	-	-	Annual	• Complaint disposal status (SERC annual report)

State	Reporting required as per Regulations		Actual Reporting as per websites	
	Frequency	Details	Frequency	Details
AP	Quarter/6 month	Complaint disposal status	Annual	<ul style="list-style-type: none"> Complaint disposal status (SERC annual report)
	Annual	Review of activities		
HR	Quarterly Annual	<ul style="list-style-type: none"> Complaint disposal status Review of activities 	Annual	<ul style="list-style-type: none"> Complaint disposal status (SERC annual report, latest for FY2017-18)
HP	Half yearly	<ul style="list-style-type: none"> Nature of complaints Licensee actions 	Annual	<ul style="list-style-type: none"> Complaint disposal status (SERC annual report, latest for FY2015-16)
	Annual	<ul style="list-style-type: none"> Review of activities 		
AS	Quarterly	<ul style="list-style-type: none"> Complaint disposal status 	-	-
	Annual	<ul style="list-style-type: none"> Review of activities 		

Source: SERC Regulations, SERC annual reports and SERC/ Discom websites

3.3.17. Wide disparity can be observed in the frequency of reporting by CGRF and Ombudsman, across states. Also other states can adopt practices followed by states like Uttar Pradesh and Maharashtra, to report area wise compliant status and nature of complaints received.

Status of grievances received and pending with CGRF/ Ombudsman

3.3.18. On review of number of grievances received across states, it is observed that states such as West Bengal, Tamil Nadu, Maharashtra and Uttar Pradesh with larger number of CGRFs indicating better reach, have received higher number of consumer grievances.

3.3.19. High pendency of consumer complaints remain a concern across all states, at both CGRF and Ombudsman. In spite of provisions in the regulations for timely disposal of cases and minimal adjournment, the percentage of pending cases remains high across the states. During discussions, consumer associations suggested that support should be provided to CGRF and Ombudsman to handle their case load better and ensure compliances to the timelines prescribed in the regulations.

3.3.20. This requires better reach of CGRF and Ombudsman to consumers, especially in rural areas. To increase reach in rural areas with low consumer density or for faster resolution of matters in urban areas with high case pendency, techniques such as online hearings could be utilised which saves time and resources for all parties involved.

3.3.21. During discussions, consumer associations have suggested that some consumers are afraid to raise complaints against Discoms due to fear of reprisal by Discom staff. Without any alternate means to source electricity, they rather face lower service levels or invest in expensive power back-up systems than raise complaints against Discom. Allowing collective redressal through consumer associations, can help allay such fears of consumers.

Figure 4: Status of grievances received and pending with CGRF/ Ombudsman



3.4. Summary of key issues and challenges

3.4.1. Based on the detailed review performed of consumer rights protection related aspect, the key issues and challenges impacting consumers across states are as follows –

Low reach of CGRF	<ul style="list-style-type: none"> In many states, only a single CGRF is established per Discom; SERCs should define minimum number of CGRFs / norms for Discoms to follow considering appropriate parameter(s)
Lack of information processing from CGRF/ Ombudsman	<ul style="list-style-type: none"> The cases being filed by consumers to CGRF, ombudsman or judicial courts are an indicator of the issues being faced by consumers and should be taken into account by Regulators in their regulatory proceedings

4. CONSUMER ADVOCACY

4.1. Existing mechanisms for consumer advocacy

- 4.1.1. Consumer awareness with respect to the various rights and protection mechanism available through the Act and regulations framed under it, has been limited. In spite of the fact that timelines for various Discom services have been provided in the SoP Regulations and Consumer Protection Regulations lay down guidelines for raising complaints at appropriate forums, majority of the consumers are unaware of such regulations and provisions.
- 4.1.2. Consumer participation has been included as important aspect while framing of regulations or issuance of orders having an impact on the consumers. The Electricity Act 2003 requires SERCs to conduct stakeholder consultations in order to consider objections and suggestions from public while formulating their regulations or issuing orders. SERCs have issued Conduct of Business regulations which specify the process of stakeholder consultations to be followed by regulatory commissions.
- 4.1.3. SERCs and utilities have time and again conducted various activities and campaigns for this aspect. Information available on websites, through regulations, display at consumer centres, etc. are generally ad-hoc or and complex in nature. Impact of initiatives such as establishing Consumer Advocacy Cells within SERCs have been also limited.
- 4.1.4. Few of the SERCs and Discoms have attempted initiatives for increasing consumer awareness such as:
- Consumer charter
 - Easy access of information on websites
 - Important links on Discom /SERC website
 - Summarized and easy to comprehend information with respect to tariff petition
 - Issue of regulations/ important documents in local language
 - Setting-up of Consumer Advisory Cells for consumer awareness and increasing consumer participation
- 4.1.5. However, in absence of continuance of such activities, the impact is limited and tend to fade away soon. A more comprehensive and ongoing activities are required for increasing the overall consumer awareness with regard to the rights with respect to electricity supply.
- 4.1.6. A detailed review has been performed across the states in order to assess the level of consumer advocacy mechanisms and activities undertaken in respective states. Observations / suggestions have been identified which may help in increasing consumer awareness and participation based on the detailed review.

4.2. Information availability on websites

- 4.2.1. Most of the Discoms provide only functional information on their websites for consumers such as tariff orders, relevant regulations, notifications/ procedures, downloadable forms for availing different services, bill details etc. However many of these documents are complex and technical in nature, difficult for general consumers to comprehend. While efforts have been made by Discoms to make information easily available on their websites, further work is required to make this information consumer centric and easy to comprehend. The table below presents the type of information availability on website of utilities for select larger states in the country.

Table 11: Information availability on websites of Discoms

State	Tariff order/ schedule	Power Outage Information	Safety tips	Power Schedule	Info for HT consumers
MH	✓	✓	✓	✓	✓
DL	✓	✓	x	✓	✓
PB	✓	x	✓	x	x
RJ	✓	x	✓	x	x
HR	✓	✓	✓	✓	x
GJ	✓	✓	✓	✓	✓
MP	✓	x	✓	✓	x
WB	✓	✓	✓	✓	x
KA	✓	✓	✓	✓	x

Source: secondary research of Discom websites

4.2.2. Based on the review of information availability on websites of various Discoms, some of the best practices identified are as follows:

- **Power outage details:** Discoms in states such as Delhi, Haryana, Gujarat, West Bengal, Madhya Pradesh, Chhattisgarh and Karnataka provide power outage schedule on their websites. Particularly on TPDDL website, with help of consumer indexing, consumers can directly enter their Customer Account number to check if there is any planned outage in their area.
- **Ease of Doing Business:** Discoms in states such as Gujarat, Delhi, Maharashtra, Chhattisgarh and Andhra Pradesh provide detailed information for HT consumers on various processes and charges, in a single place earmarked for enhancing Ease of Doing Business.

4.2.3. The websites of SERCs also provide tariff orders, regulations and contact details of CGRF/ Ombudsman for consumers. But this information also lacks consumer centricity and is difficult to comprehend for general consumers. Few SERCs have published documents for increasing consumer awareness or consumer empowerment. DERC has published various public awareness bulletins on issues such as how electricity tariffs are calculated, grievance redressal mechanism, sample electricity bills, testing of energy meters etc.

4.2.4. Explanatory documents on tariffs or regulations such as how tariff is calculated, or trends of efficiency improvement in system etc. can help build consumer to present their views and suggestions during various stakeholder consultations. Few SERCs have also published documents for increasing consumer awareness through their consumer advocacy cells, discussed later in this report.

4.3. Stakeholder consultations by SERCs

4.3.1. Section 64 of the Electricity Act 2003 requires SERCs to consider objections and suggestions from public while formulating their regulations or issuing orders. The process is called Stakeholder Consultations.

'64.

.....

(3) The Appropriate Commission shall, within one hundred and twenty days from receipt of an application under sub-section (1) and after considering all suggestions and objections received from the public,-

4.3.2. All SERCs have issued Conduct of Business regulations which specify the process to be followed by Regulators with respect to -

- **Participation of consumer associations:** SERCs may permit or invite associations, forums or bodies or a person to participate in its proceedings, and file their replies, objections or comments

- **Filing of comments, opposition and objections:** SERCs allow any person towards whom a petition is intended to submit their comments, oppositions, objections or comments on petitions. Petitioners are directed by SERCs to publicise key facts along with their petitions to general public through print and/ or media, basis which consumers can file their comments
- **Public Proceedings:** Proceedings before the commission are generally open to public. However, if the commission finds appropriate proceedings of any particular case shall not be open to the public or any particular person or group of persons

4.3.3. However, it is observed that only few consumers or consumer organizations, aware of regulatory or Discom matters, participate in proceedings of the commissions or submit their comments and suggestions. Few SERCs in their tariff orders provide number of responses received during stakeholder consultations, as follows:

Table 12: No. of objectors in latest retail tariff order of SERCs

State	No. of objectors	State	No. of objectors
UP	172	WB	6
RJ	129	MH	NA
MP	74	HR	NA
PB	30	DL	NA
HP	15	GJ	NA
KA	11	TN	NA
AS	7	TL	NA

Source: Tariff orders of SERCs

4.3.4. To enhance consumer advocacy, **MERC** has issued **Authorized Consumer Representatives regulations in 2012** to appoint consumer representatives in 5 regions, which shall represent consumer interests in proceedings of the Commission.

4.4. Consumer Advocacy Cells of SERCs

4.4.1. In accordance with their functions and responsibilities to protect consumer interests, SERCs in states of Punjab, Haryana, Uttar Pradesh, Madhya Pradesh, Karnataka, Kerala, Tamil Nadu and Assam have established Consumer Advocacy Cells. The objective of these cells is to promote and conduct activities for consumer awareness in the state and represent consumers in various regulatory proceedings of Commissions.

4.4.2. Based on the information available on websites of SERCs, details of activities conducted have not been provided separately in most of the States which have established such Consumer Advocacy Cells. However, such cells in few SERCs have come up with reports or undertaken activities with regard to consumer education and awareness. Few of such reports/ documents issues are represented below:

- **AERC**
 - Study on effectiveness of CGRF mechanism and compliance of SOP, 2016
 - Quarterly Newsletters (Consumer Grid): provides news briefs of sector, activities undertaken by the Commission and general topics for consumer awareness

Figure 5: SERCs which have established consumer advocacy cells



- **MPERC**

- Consumer Empowerment Document: provides information on how MPERC can help consumers, how consumers can avoid disconnection, safety tips and provisions regarding theft of electricity

4.4.3. Haryana Electricity Regulatory Commission (**HERC**) has issued Guidelines for establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and **Consumer Advocacy Regulations 2019**. These regulations provide for establishment of Consumer Advocacy Cell. Apart from supporting consumer advocacy initiative, one of the key objective of this cell is also to **provide the required legal advice, support, and assistance to Complainants** for representing their case **before the Ombudsman**. As per the regulations, the activities of the cell are funded by the Commission.

4.4.4. Rajasthan Electricity Regulatory Commission (**RERC**) has constituted a **Commission Advisory Committee** in consultation with State Government, consisting of 21 members representing interests of commerce, industry, transport, agriculture, labour, consumers, non-governmental organizations and academic and research bodies in the energy sector.

4.4.5. SERCs can establish and utilize consumer advocacy cells to capture feedback from consumers as well as disseminate information among them with respect to various regulatory matters.

4.5. Summary of key issues and challenges

4.5.1. Based on the detailed review performed of consumer advocacy related aspect, the key issues and challenges impacting consumers across states are as follows –

Need for enhanced role of Regulators	<ul style="list-style-type: none"> • The existing role of regulators is limited to formulation of regulations on consumer protection and enabling consumer participation in proceedings of the Commission
Lack of consumer participation	<ul style="list-style-type: none"> • Consumers are not aware of their rights or the correct body to approach in case of a dispute • Regulations and orders are complex for general consumers to comprehend
Consumer representation mechanisms	<ul style="list-style-type: none"> • Consumer associations are limited to larger HT consumers, with limited participation from domestic or agricultural consumers • Behaviour of larger HT consumers and retail consumers is very different which requires differentiated approach for grievance redressal

5. INTERNATIONAL REVIEW

5.1. Overview

- 5.1.1. A review of the consumer rights and protections in select countries have been undertaken to ascertain some of the best practices and procedures which are prevalent in these countries for effective and timely redressal of consumer complaints as well as increasing consumer awareness. Apart from the mechanisms in place, review has also been taken in these countries to identify the key agencies /stakeholders involved and their role in grievance redressal procedures of the electricity consumers.
- 5.1.2. Agencies/ departments of international agencies such as United Nation have also issued guidelines for consumer protection which have been examined to identify measures which may help in improvement in the existing consumer protection systems in India.

5.2. United Nations – Guidelines and Manual for Consumer Protection

- 5.2.1. The United Nations Guidelines for Consumer Protection (UNGCP), developed by United Nations Conference on Trade and Development (UNCTAD), represent an internationally recognized set of minimum objectives for consumer protection, which have become the baseline for consumer rights and entitlement worldwide.
- 5.2.2. The UNGCP calls on governments to "*establish or maintain legal and/or administrative measures to enable consumers or, as appropriate, relevant organizations to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible*".
- 5.2.3. Based on these Guidelines, the Manual of Consumer Protection issued by UNCTAD, suggests following essential elements of a consumer protection framework:

Table 13: Essential elements of consumer protection framework

Element	Description	Parallel in Indian Power Sector
National Consumer Policy	Enumerates consumer rights and apportions responsibility for consumer protection	<ul style="list-style-type: none"> Electricity Act 2003
Consumer protection agency	Responsible for enforcement of consumer protection, working with stakeholders	<ul style="list-style-type: none"> SERCs
Consumer Laws	Defining consumer, their rights, service standards, enforcement mechanisms etc.	<ul style="list-style-type: none"> CPA 2019 CGRF/ SOP Regulation
Codes or soft laws	Self-regulation by the industry, having force of moral authority over businesses	<ul style="list-style-type: none"> Consumer charters Complaint procedures
Redress Mechanisms	Affordable, accessible, independent and speedy redress to aggrieved consumers	<ul style="list-style-type: none"> CGRF/ Ombudsman Consumer Courts
Systems for monitoring	Enabling to take pre-emptive measures before problems become widespread	<ul style="list-style-type: none"> CGRF monitoring SOP monitoring
Mechanisms for enforcement	Could range from industry undertakings, imposition of licensing, price controls etc.	<ul style="list-style-type: none"> Licensing of utilities Incentives/ penalties

Element	Description	Parallel in Indian Power Sector
Consumer Education	Empower consumers with knowledge to protect themselves	<ul style="list-style-type: none"> Consumer advocacy cells
International Cooperation	Regular exchange and sharing of information for capacity building	-

Source: UNCTAD – Manual for consumer protection

5.2.4. While provisions such as consumer protection laws, remedial mechanisms are already covered under various laws, regulations and procedures in India's power sector, few elements such as monitoring and enforcement needs to be strengthened and implemented uniformly across all states. Also, mechanisms for consumer education and awareness need specific focus at all levels as also highlighted in previous sections of the report.

5.2.5. Further, the UNCTAD manual for consumer protection also suggests various mechanisms for consumer grievance redressal. Many of these mechanisms such as consumer courts, ombudsman, alternative dispute resolution mechanism and business customer cares are available to consumers in India's power sector as well. However, a few suggested mechanisms under the manual which could be evaluated by the states are as follows:

- **Collective Redress:** the mechanism allows consumer associations/ bodies to file public interest litigation/ class action suits, for issues impacting multiple consumers with similar claims
- **Regulatory Enforcement Action:** under this mechanism the Regulators based on their assessment and issues brought to them can seek a court order to make redress for one or more consumers
- **Online Dispute Resolution:** Algorithmic generation of automated proposals based on the statistically most likely sum that both parties would be most likely to accept

Best Practice | Collective Redress – Consumer Associations as Complainant

FOR model regulations as well as CGRF Regulations in the states such as Gujarat, Haryana, Assam, Himachal Pradesh, Karnataka, Madhya Pradesh and Uttar Pradesh include consumer associations in the definition of 'complainant' to file complaints in larger interest of consumers against a licensee. However, it is observed that in some cases words 'consumer' and 'complainant' are used interchangeably, leading to uncertainty on whether or not consumer associations can make representation collectively in front of CGRF and Ombudsman.

5.3. United Kingdom

5.3.1. The mechanisms for consumer grievance redressal in United Kingdom are governed by industry regulator Ofgem. Consumers are first required to approach their energy supplier and if they are not satisfied with the resolution, they can approach Electricity Ombudsman. There are several best practices that can be reviewed for various consumer related aspects in UK as follows:

Table 14: Best practices from United Kingdom on various consumer related aspects

Consumer Rights	Consumer Rights Protection	Consumer Advocacy
<ul style="list-style-type: none"> Automatic payment for failure to meet SOPs 	<ul style="list-style-type: none"> Citizens Advice Priority Service Register 	<ul style="list-style-type: none"> Consumer satisfaction survey Explanatory documents and videos on regulator's website Consumer Vulnerability

Consumer Rights	Consumer Rights Protection	Consumer Advocacy
		Strategy Report <ul style="list-style-type: none"> • Incentives on Connections Engagement (ICE) • Consumer Challenge Group

Source: secondary research

5.3.2. **Automatic payment for failure to meet SOPs:** Ofgem the industry regulator in United Kingdom sets guaranteed standards to be followed by power utilities for aspects such as metering faults, billing faults, power supply outage, voltage complaints, service requests etc. Most compensation payments for failure to meet Guaranteed Standards are paid automatically when the utility fails the standard⁶.

5.3.3. **Citizens Advice:** Citizens Advice is a network of independent charities that give free information and advice to assist people with money, legal, consumer and other problems. The Organization is funded by the Government. It also undertakes advocacy activities for showcasing companies and the government how they can make things better for people.

5.3.4. **Priority Service Register:** The Priority Services Register is a free service provided by suppliers and network operators in UK. Vulnerable consumers such as elderly, disabled or chronically sick people can avail priority services to ensure uninterrupted power supply such as 24 hours dedicated helpline, expert advice on energy bills, advance notice for power supply cuts or alternative heating/ cooking/ living facilities in the event of power cuts.

5.3.5. **GfK Consumer Satisfaction Survey:** Growth For Knowledge (GfK) an independent non-profit research organizations, conducts an annual consumer satisfaction survey of power consumers in UK. Online survey of close to 10,000 homes is conducted across the country. In the survey, consumers are asked to rank their satisfaction on a scale of 0-10 on following aspects:

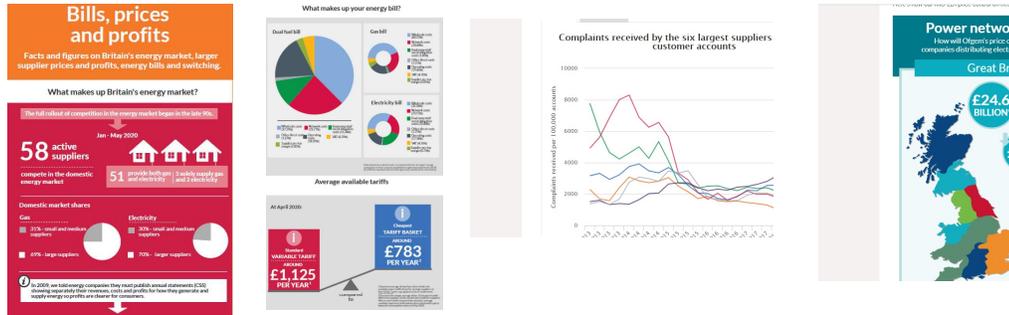
- Supplier service
- Understandable of bills
- Ease of contacting supplier
- If consumer would recommend supplier
- If consumer agrees that supplier values them

Based on the survey results, awards are given to highest ranked utilities. The Survey results are also published on Ofgem website. Ofgem uses the consumer survey results to guide its various regulatory interventions.

5.3.6. **Explanatory documents/ videos on regulator's website:** Ofgem, the industry regulator, provides several documents on its website which showcase how electricity tariffs are determined, network price control mechanisms, what constitutes energy bills, guides on energy bills for consumers, etc. Such documents provide easy to understand information for consumers, allowing them to make informed decisions.

⁶ https://www.edfenergy.com/sites/default/files/r863_guide_to_service_standards_aw1_e5.pdf;
https://www.consumerCouncil.org.uk/sites/default/files/original/Electricity_Individual_GSS_Factsheet_Final_September_2015.pdf

Figure 6: Illustrative documents and infographics by Ofgem (Regulator)



Source: Ofgem website

5.3.7. **Consumer Vulnerability Strategy Report:** Consumer Vulnerability Strategy Report, sets out our priorities for Ofgem until 2025 based on extensive stakeholder engagement across Wales, Scotland and England. The report determines five focus areas where regulator can drive strong improvements for consumers in vulnerable situations.

5.3.8. **Incentives on Connections Engagement (ICE):** Under this mechanism, the regulator provided incentives to Distribution Network Operators who provide evidence that they have engaged effectively with their stakeholders and responded to their needs. On the other hand, if they fail to do this, they could also incur a penalty from regulator.

5.3.9. **Engaging on Consumer Issues:** An important aspect to protect the interest of consumers and understand their requirements or challenges, Ofgem undertakes number of activities including:

- **Consumer Research:** Ofgem undertakes regular consumer research to ensure better decision-making by collection of views of energy consumers. These are further backed by independent qualitative and quantitative consumer research conducted by other organizations. Various techniques including surveys, workshops, meetings of our Consumer First Panel, collaborative engagement, etc. are utilized for this purpose.
- **Consumer First Panel:** A panel of eighty domestic customers is created across four locations of Britain. The panel meets regularly to discuss key issues impacting their participation in the energy market as well as other topics related to energy sector.
- **Consumer Challenge Group:** It is a group of individuals appointed by Ofgem that provide inputs and suggestions which might not come through other means such as primary consumer research. The group is not a decision making body but acts in an advisory capacity to help inform the Authority's decision making processes.

5.4. United States of America

5.4.1. In USA, consumers who are not satisfied by the complaint resolution of power utilities, can directly approach the Public Utilities Commissions of their respective states. The consumers can file their complaints, either in the form of formal or informal submissions. Some of the best practices reviewed for various consumer related aspects in USA are as follows:

Table 15: Best practices from USA on various consumer related aspects

Consumer Rights	Consumer Rights Protection	Consumer Advocacy
-	<ul style="list-style-type: none"> • Informal complaints process with regulator 	<ul style="list-style-type: none"> • Public Advocates Office • Consumer Satisfaction Survey

Source: Secondary research

- 5.4.2. **Informal complaint process with regulators:** The public utilities commission encourage consumers to file an informal complaint with them against the power utilities before filing a formal complaint. The staff of the commission attempts a settlement to the complaint, by providing an informal opinion on the dispute and notifying each party of its findings. Often the matter is resolved quickly at this stage itself, saving time and cost for all parties concerned. However, in case a consumer is not satisfied with the finding of informal resolution, he/ she may file a formal complaint with Commission, involving legal proceedings.
- 5.4.3. **Public Advocates Office:** Public Advocates is an independent body within Public Utilities Commissions that advocates solely on behalf of utility ratepayers. The Public Advocates is appointed by the Governor of the state. It represents the consumer's voice in dealings of Public Utilities Commission. The Public Advocates Office also files pleadings with the Commissions to advocate interests of consumers.
- 5.4.4. **JD Power consumer satisfaction survey:** JD Power conducts an annual consumer satisfaction survey of power consumers in the country. The survey is conducted separately for residential and business consumers. Online survey is conducted of more than 100,000 consumers across the country. Utilities are scored on a scale of 1000 points, on following parameters:
- Power quality and reliability
 - Price
 - Billing and payment
 - Corporate Citizenship
 - Communications
 - Customer Service

Based on the survey results, awards are given to highest ranked utilities on various parameters.

5.5. Philippines

- 5.5.1. Aggrieved consumers not satisfied from the resolution provided by the utility against their complaints, can raise complaints to Energy Regulatory Commission (ERC). Like USA, the ERC also offers an informal complaint procedure for an expedited resolution of consumer complaints. Before coming up with a proposed resolution of the complaint, the Commission staff conducts informal conference between the parties. If the proposed resolution is acceptable, the customer and the distribution utility shall manifest their consent thereto in writing. If the customer or the distribution utility is not in agreement with the proposed resolution, the complaint is endorsed for a formal hearing by the Commission.
- 5.5.2. **Magna Carta (consumer rights document):** One of the best practice observed in Philippines is with respect to defining of consumer rights in the form of a Magna Carta. The consumer rights document is issued by Energy Regulatory Commission for residential consumers, which harmonizes all laws, regulations and notifications into a single document for consumers. The document covers both rights and obligations of consumers.
- 5.5.3. **Performance Assessment and Audit of utilities:** Department of Energy (DOE) of Philippines, has proposed to conduct a periodic Performance Assessment and Audit of power utilities in the country, to assess their compliance with laws, regulations and notifications of Government and Regulator. The utilities are required to get the performance assessment and audit done by accredited third party auditors and submit the report to DOE. The audit is to be conducted in accordance of a detailed set of guidelines prepared by DOE, which describes a codified list of parameters to be monitored, reporting procedures and mechanisms for identifying the level of achievement on various parameters.
- 5.5.4. **Performance Incentive Scheme (PIS):** Energy Regulatory Commission (ERC) of Philippines has issued Rules for Setting Distribution Wheeling Rates (RDWR). The regulations set out the performance indicators, performance targets and reporting arrangements with which all Regulated Entities must comply with. Under these regulations,

the Price Cap formula for Maximum Allowable Price (MAP) of distribution utilities is defined as follows:

$$\text{MAP}_t = [\text{MAP}_{t-1} \times \{1 + \text{CWI}_t - X\}] + S_t - K_t + \text{ITA}_t$$

S_t is performance incentive factor, which penalizes/ rewards distribution utilities for not meeting/ meeting targeted performance levels on following metrics –

- a. Network performance: SAIFI, SAIDI, CAIDI, Voltage Regulation, System Losses
- b. Service Performance: time to process applications, time to connect premises, % of calls answered within prescribed timelines

5.6. Summary of Best Practices from international review

Based on the international review, some of the key learnings or best practices which could be adopted in the Indian power sector with respect to protection of consumer rights has been summarized below:

Country/ Agency	Key learnings / Best Practices
United Nations	<ul style="list-style-type: none"> Mechanisms for consumer dispute redressal such as Collective Redress, Regulatory Enforcement Action and Online Dispute Resolution, suggested under UNCTAD Manual for Consumer Protection, can be evaluated for power sector in India
UK	<ul style="list-style-type: none"> Government could fund organizations like Citizen's Advice in UK, to assist consumers in filing their complaints SERCs can create regulatory provisions for automatic payment of compensation to consumers in case of non-adherence to SOPs To promote consumer advocacy, SERCs can take up activities like issuing explanatory documents, analysis of complaints received and provide incentives to utilities for conducting good level of consumer stakeholder consultations
USA	<ul style="list-style-type: none"> Regulators can create separate informal and formal process for complaint resolution, for faster resolution of complaints through informal process Third party independent consumer satisfaction surveys
Philippines	<ul style="list-style-type: none"> Discoms/ SERCs can create a detailed consumer charter, which harmonises relevant provisions from all laws, regulations, orders etc.

6. REVIEW OF OTHER SECTORS

6.1. Overview of mechanisms for consumer protection across sectors

- 6.1.1. In order to identify state of the art practices and suggest new mechanisms for improving consumer protection, a review of other sectors including Banking, Insurance, Telecom and Aviation has been undertaken in this section. Each of these sectors is covered under the ambit of Consumer Protection Act 2019, and consumers can approach appropriate consumer courts with their grievances. Alternately, regulators in the respective sectors have also created a mechanism for resolution of consumer grievances.
- 6.1.2. Reserve Bank of India (RBI) and Insurance Regulatory and Development Authority (IRDAI), regulators for banking and insurance sectors respectively, have setup Ombudsman mechanism for resolving grievances of consumers. Consumers need to first raise complaints with their banks or insurers. If not satisfied by the resolution provided, consumers can subsequently approach the Ombudsman.
- 6.1.3. Telecom Regulatory Authority of India (TRAI) on the other hand requires Telecom Service Providers themselves to establish Appellate Authority for their license areas. Consumers not satisfied with resolution provided by their Telecom operator, can raise their complaints to the Appellate Authority. Also in 2000, a Telecom Disputes Settlement and Appellate Tribunal (TDSAT) was setup where consumers can file legal cases against telecom operators. There is also a provision of Mediation Centre of TDSAT for arriving at a mutually agreed solution between the parties. With grievance redressal system being taken care by TDSAT, TRAI has concentrated its efforts towards monitoring of telecom service providers, consumer education and advocacy, with consultation papers and regulations issued on these aspects.
- 6.1.4. Civil Aviation sector in India is governed by two regulators - Directorate General of Civil Aviation (DGCA) and Airports Economic Regulatory Authority (AERA). While DGCA is primarily concerned with safety related issues, AERA determines tariffs for airports and their services. The AERA Act of 2008 does not define consumer protection as one of the functions of the regulator, and directs individual consumers to take up their complaints with Consumer Courts under established under Consumer Protection Act. The AERA Act 2008 do established an Appellate Tribunal, but only to look into disputes between two or more service providers or consumer groups. DGCA conversely has created several rules and regulations for consumer protection on aspects such as overcharging, delays/cancellations etc. DGCA has also launched an online portal 'AirSeva' where consumers can raise their complaints.

Figure 7: Consumer protection mechanisms in other sectors

	 Banking	 Insurance	 Telecom	 Aviation
Agency	• RBI	• IRDAI	• TRAI	• DGCA • AERA
Laws	• Banking Regulation Act, 1949 • Banking Ombudsman Scheme, 2006	• IRDA Protection of policy holders interests, 2017 • Ombudsman Scheme, 2017	• Telecom Consumers Complaint Redressal Regulations, 2012	• Aircraft Act 1934 • Airports Authority Act 1994 • AERA Act 2008
Mechanisms	Internal complaint handling by Banks ↓ RBI's Banking Ombudsman or Consumer Courts	Internal complaint handling by Insurers ↓ IRDA's Insurance Ombudsman or Consumer Courts	Internal complaint handling ↓ Appellate Authority (setup by TSPs) or TDSAT or Consumer Courts	Internal complaint handling by airlines/ airports or DGCA (Airseva) or Consumer Courts

Source: secondary research

6.1.5. Best practices adopted by regulators in these sectors with respect to various consumer related aspects are discussed in following sub-sections.

6.2. Banking sector

6.2.1. The Banking Regulation Act gives Reserve Bank of India (RBI) the power to regulate the operations of banks with an objective to maintain public confidence in the system, protect depositors' interest and provide cost-effective banking services to the public. Select practices which RBI has adopted with respect to grievance redressal and consumer awareness are discussed below:

6.2.2. **Digital Complaint Management Systems for Banking Ombudsman:** RBI introduced Banking Ombudsman scheme as an "Alternative Dispute Resolution Mechanism" for resolving the disputes between a bank and its customers. An Online Complaint Management System⁷ has been created for Ombudsman which allows consumers to file and track their complaints online. RBI also publishes an Annual Report on activities of Banking Ombudsman, providing following key analysis:

- Category wise distribution of complaints
- Status of complaints
- Turn-around time for disposal of complaints
- Age wise classification of complaints
- Mode of disposal (settlement/ penalty etc.)

6.2.3. **Depositor education and awareness fund:** The Depositor Education and Awareness Fund Scheme (DEAF Scheme) was established by the Reserve Bank of India (RBI) in 2014 for the promotion of depositors' interest. Banks are required to transfer funds from inoperative bank accounts into this fund. RBI has established a committee to manage this fund and to decide how the fund shall be utilized towards depositor education and awareness. Financial assistance is granted to organization/ associations from this fund to undertake consumer awareness activities.

6.3. Insurance sector

6.3.1. The IRDAI Act of 1999 establishes IRDAI as the primary regulatory body for insurance sector, with one of the key function to protect interests of policy holders. The sector has been marred unfair and fraudulent sales practices owing to low financial literacy in the country and therefore IRDAI has taken several strict actions towards consumer protection

⁷ <https://cms.rbi.org.in/cms/IndexPage.aspx?aspxerrorpath=/cms/cms/indexpage.aspx>

and awareness. One of the steps in this direction was issuance of Protection of Policyholder's Interests Regulations 2017. The regulations places special emphasis on transparency and accuracy of information to be provided to consumers in their policy proposals/ documents. The Regulation also provides Grievance Redressal Procedure to be followed by Insurers for complaints received by them. The procedure requires Insurers to necessarily form part of Integrated Grievance Management System (IGMS) put in place by the IRDAI to facilitate the registering/ tracking of complaint on-line by the policyholders.

- 6.3.2. **Integrated Grievance Management System (IGMS):** Consumers aggrieved by complaint redressal of their insurers, can file complaints with IRDA through this portal. A complaint registered through IGMS will flow to the insurer's system as well as the IRDAI repository. As per the Protection of Policyholder's Interests Regulations 2017, the system should involve mirroring of the Grievance database of Insurers with IGMS and should also facilitate analysis of complaints, mitigation, improvement of processes and system, through constant review.

6.4. Telecom sector

- 6.4.1. Telecom Regulatory Authority of India (TRAI) is the primary regulatory body for telecom sector in India, established on 20 February 1997 by an Act of Parliament, called the Telecom Regulatory Authority of India Act, 1997. Like power, telecom is also one of the basic services availed by everyone in the country. However, the telecom sector is also dominated by larger private entities, operating on principles of economic profit. The sector has been marred with poor service quality issues and also mis-selling practices wherein consumers are either overcharged or charged for services not contracted by them. In light of these issues, consumer protection and awareness remains one of the high priorities of TRAI.
- 6.4.2. In order to bring in functional clarity and strengthen the disputes settlement mechanism in the telecom sector, the TRAI Act of 1997 was amended in the year 2000 and Telecom Disputes Settlement and Appellate Tribunal (TDSAT) was set up to adjudicate disputes and dispose of consumer appeals. In 2017, the jurisdiction of TDSAT was extended to cyber cases and also to cases of Airports Economic Regulatory Authority (AERA).
- 6.4.3. While grievance handling is taken care of by internal processes of Telecom Service Providers and TDSAT, TRAI has concentrated its efforts on monitoring of complaints and raising consumer awareness through following activities:
- 6.4.4. **Telecom Consumers Complaint Monitoring System (TCCMS):** the online portal allows consumers to raise complaints with their telecom service providers, escalate them to appellate authority in case of unsatisfactory resolution and also view status of their complaints.
- 6.4.5. **Mandated consumer outreach programme:** To increase consumer awareness TRAI mandates telecom operators to conduct consumer outreach programs. The Telecom Service Providers are required to get the outreach programme approved by TRAI annually. The calendar of activities planned under the outreach programme is also available on TRAI website.
- 6.4.6. **TRAI Value Added Services Complaint Management System (VAS CMS):** One of the key issues impacting consumers in telecom sector was incorrect charging for value added services not contracted by consumers. To resolve this particular issue, TRAI has launched a dedicated portal wherein consumers can simply enter their phone number and check value added services applicable on their numbers. In case of any discrepancy, the consumers can also raise a compensation claim directly through this portal.

6.5. Aviation sector

- 6.5.1. DGCA is the primary regulator in civil aviation sector which regulates consumer related aspects such as overcharging of services, booking complaints, refund issues, safety issues etc. In accordance with Aircrafts Act 1934 and Aircraft Rules 1937, DGCA has created several rules and procedures on such consumer related aspects, covered collectively under

'Civil Aviation Requirements (CAR)' issued by DGCA. Further to provide quick grievance redressal to consumers, DGCA has launched 'AirSeva' website and mobile app, where consumers can submit their complaints.

- 6.5.2. **AirSeva website, mobile app and social media platform:** AirSeva is a portal created by Ministry of Civil Aviation through DGCA that offers consumers grievance redressal, flight information and airport information. Through this portal consumers can report complaints against airlines, airports and for other matters related to air travel. Consumers can also raise their complaints on social media platforms like Twitter and Facebook with #AirSeva. Such complaints are also automatically tracked and monitored by AirSeva portal.

6.6. Summary of Best Practices from various sectors

Based on the review of various sectors, some of the key learnings or best practices which could be adopted in the Power sector has been summarized below:

Sector	Key learnings / Best Practices
 Banking	<ul style="list-style-type: none"> • Online Complaint Management System which provides regular updates on type, status, category of pending cases • Fund for consumer awareness and education
 Insurance	<ul style="list-style-type: none"> • An integrated grievance redressal system with access to regulator for facilitating analysis of complaints, mitigation, improvement of processes and system, through constant review
 Telecom	<ul style="list-style-type: none"> • Annual planning for consumer outreach programme to be submitted by each telecom operator to the regulator • Centralized directory which provides details of complaint centre/ appellate authority along with name and other contact details for grievance filing and resolution
 Aviation	<ul style="list-style-type: none"> • Multiple options including social media like twitter/ facebook for raising complaints which gets integrated and monitored at a centralized level

7. SUGGESTED MEASURES

7.1. Overview

- 7.1.1. Based on a detailed review of existing framework for consumer rights protection and its implementation across various states as covered in the previous chapters, certain best practices have been identified which would help in providing an effective and robust consumer grievance redressal system in the power sector. Further, international review of consumer protection policies and procedures in electricity sector as well as review of consumer grievance handling in other sectors such as banking, insurance, telecom, etc. have been undertaken which may be adopted for improving the existing grievance redressal mechanism.
- 7.1.2. These suggestions have been classified into three broad areas and summarized in the following table:
- Defining consumer rights,
 - Improving consumer protection
 - Increasing consumer awareness/ participation

Table 16: Suggested measures for improving various consumer related aspects

Consumer Rights	Consumer Rights Protection	Consumer Advocacy
1. Detailed consumer charter/ document	4. Norms for number of CGRFs	8. Consumer satisfaction survey/ benchmarking
2. Automatic credit of compensation for non-compliance of SOP	5. Integrated Complaint Management System with automatic escalation	9. SERC approval on consumer education plan
3. SOP compliance monitoring	6. Analysis of consumer complaints received with CGRF/ Ombudsman	10. Consumer representative in district to provide support to consumers
	7. Online dispute resolution	11. Operationalization of Consumer Advocacy Cell in SERCs

- 7.1.3. The above suggested measures are discussed in detail in following sub-sections, along with the discussions on their practicality and significance for the sector.

7.2. For Consumer Rights

#1. Detailed Consumer Charter/ Document

- 7.2.1. While Discoms/ SERCs in few states have issued consumer charter listing out the basic rights of consumers, these documents fall short of providing comprehensive information to consumers. Most documents refer to the regulations / tariff orders for complete details which are difficult to comprehend by general consumers. A standardized Consumer Charter should be available which acts as a harmonized document, bringing together provisions from all relevant regulations and orders for easy reference of consumers. The document should also be updated regularly or at least on an annual basis to reflect changes in consumer rights due to issuance of new regulations /amendment of existing regulations. Further, separate documents could be prepared based on type of consumer low voltage / high voltage consumers considering differences in the processes, time limits, SOPs, etc. for such consumers.

7.2.2. SERCs can also ensure wider dissemination of these consumer charters through Consumer Advocacy Cells, discussed in subsequent suggestions.

Discussion with consumer associations | Increasing consumer awareness on compensation provisions

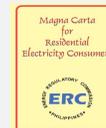
SOP regulations in all states stipulate the compensation amount required to be paid by Discoms to consumers in case of non-adherence to standards. However, several consumer associations have suggested that consumers are not aware of such provisions and therefore fail to claim compensation from Discoms. To disseminate this information to among consumers, avenues such as Discom mobile apps, consumer bills, bill boards outside offices of Discoms etc. could be used by Discoms.

7.2.3. The consumer charter document should capture at-least the following information in detail:

- Applicability of charter
- Basic rights and obligations of consumers
- List of services consumers can avail from Discoms, such as:
 - New connection
 - Modifications to existing connections
 - Disconnection/ re-connection
 - Meter reading, testing and replacement
 - Billing and payments
 - Security deposit etc.
- For each of the service, following information should be provided:
 - Process to avail the service
 - Documents/ forms required
 - Maximum timelines to avail services
 - Guaranteed standards of performance
 - Compensation in case of non-adherence to standards etc.
- Tariff Schedule and Charges, applicable for various types of consumers, along with explanation of how bills are calculated
- Complaint process for each level of Internal Discom Grievance Redressal, CGRF and Ombudsman, along with details of fees, timelines and channels that can be used by consumers for raising complaints

Best Practice

- **MSEDCL's** Citizen's Charter
- **Philippines** ERC Magna Carta for Residential Consumers



7.2.4. To make orders and regulations issued by Regulators, easily comprehensible, SERCs can also issue explanatory documents on aspects such as tariffs or SOP regulations etc.

#2. Automatic credit of compensation for non-compliance of SOP

7.2.5. Existing SOP regulations across states require consumers to file claim for individual compensation with Discom in cases of non-adherence of SOP standards. However, either the consumers are unaware of their right to claim compensation or procedures with respect to claiming such compensation are lengthy and time consuming. Provision may be included in the SoP regulations for automatic credit of compensation to consumers in case of non-adherence to SOP standards or the timelines for resolution of consumer complaints. To initiate with, areas covered under R-APDRP scheme may be considered for which data at feeder level is available with the Discoms and details of outage, etc. could be utilized for providing necessary compensation to the consumers.

- 7.2.6. Automatic compensation for non-compliance of SOP is provided in DERC SOP regulations and was also observed in SOP regulations of United Kingdom. Such provision may be scrutinized with respect to its legality and compliance with the provisions of Electricity Act 2003 in India.
- 7.2.7. FOR Model SOP Regulations and regulations in states like Rajasthan, Madhya Pradesh and Himachal Pradesh allow Discoms partial recovery of the compensations paid in their ARR (subject to approval of SERC), in case the Discom meets the overall Standards of Performance and reports accurately the SOP performance.
- 'section 8.9 of FOR Model SOP regulations - The compensation paid by licensee under Section 8.1 for the respective parameter, may be allowed to be recovered partly or fully in the revenue requirement of licensee, keeping in view the extent to which the licensee is able to achieve the overall standards of performance, as measured through Auditing results.'*
- 7.2.8. Such provision of allowing part of the compensation to be recovered in the ARR would take care of issues / difficulties in handling some of the complaints which may be due to justifiable reasons and therefore avoid any undue burden on the Discom.

#3. Monitoring, reporting and review of SoP parameters

- 7.2.9. While all states have SoP regulations in place which prescribe timelines for activities and resolution of issues, the reporting across states (except few states), has been observed to be erratic or absent. Even states which report their performance against the SoP regulations are reporting only limited parameters such as status of requests/ complaints received. Also, the nature of such reporting varies across states with few states reporting SoP performance parameters at division level while others are reporting at circle level or consolidated for Discom as a whole. Reporting of performance parameters at division-level would enable measurement of service levels across different regions/ areas of a Discom.
- 7.2.10. Apart from the mandatory requirement for such SoP performance parameters, commonality in reporting parameters, frequency of reporting, etc. should also be maintained across all states which would help in evaluating service levels and performance of Discoms across the states. Strict enforcement of SOP compliance reporting and penalties on Discoms failing to undertake timely reporting should be made applicable.
- 7.2.11. In addition to mandatory reporting of SoP performance parameters, an annual review mechanism should be prescribed as part of the Regulations. Instances are reported wherein request/ complaint could not be resolved within stipulated timelines without payment of compensation to the consumers. An annual regulatory review of such reporting would ensure importance of compliance to prescribed timelines by the Discoms and increase consumer service levels.
- 7.2.12. As also prescribed under 'FOR Model Regulations for Multi Year Distribution Tariffs', SERCs may allow recovery of ARR based on achievement of target power availability metrics (measured through SAIDI/ SAIFI). Similar mechanism is also observed in Philippines as per the Rules for Setting Distribution Wheeling Rates (RDWR) issued by Energy Regulatory Commission (ERC) of Philippines, which provides a Performance Incentive Scheme (PIS) for distribution utilities.
- 7.2.13. It is also important that SERCs should undertake third party audits of SOP compliance reporting done by Discoms from time to time to verify the accuracy of the reported data. This would also ensure adequate maintenance of the SOP variables at each level by the Discoms going forward. SOP Regulations of states like Madhya Pradesh, Haryana and Himachal Pradesh provide for conduct of audit for various SOPs. In states like Uttar Pradesh, Karnataka, Andhra Pradesh, Assam and Odisha, separate regulations have been issued for compliance audit of utilities.

Best Practice

- **Performance Assessment and Audit (PAA)** of power utilities, by accredited third party auditors in **Philippines**
- **Performance Incentive Scheme (PIS)** for power distribution utilities in **Philippines**

7.3. For Consumer Rights Protection**#4. Norms for number of CGRFs in Discoms**

- 7.3.1. Section 42(5) of the Electricity Act 2003 mandates Discoms to establish a forum of consumer grievance redressal in accordance with guidelines of SERCs. In many states only a single CGRF per Discom has been established in accordance with this requirement.
- 7.3.2. States with low number of CGRFs have fewer number of complaints, indicating lack of access of CGRFs as these are located at the head quarter level or zonal level. Also, lower number of CGRF may cause delays in resolution of consumer disputes due to high volume of cases.
- 7.3.3. Few Commissions have gone ahead and prescribed norms for number of CGRFs to be established by Discoms based on number of circles / divisions / districts. All SERCs can adopt such practice to define norms for minimum number of CGRFs that Discoms should establish in their supply areas based on norms at districts, divisions, area, number of consumer, etc.

Best Practice

- CGRF Regulations in Kerala mandate the licensee to establish sufficient number of CGRFs such that the consumer is not required to travel more than 200kms for submission of their complaint. Also, other states such as **Uttar Pradesh, Karnataka and West Bengal**, specify the minimum number of CGRFs to be established by Discoms based on number of districts/ circles, etc.

#5. Integrated Complaint Management System with automatic escalation

- 7.3.4. Under current system of complaint management, a consumer is required to raise its complaint separately to each level of Discoms, CGRF, Ombudsman or SERC. Awareness of majority of consumers with respect to timelines, escalation levels, point of contact, etc. are very low. With limited awareness of consumers and number of CGRFs in most of the states, an integrated complaint management system would be essential for grievance redressal. This would allow consumers to raise their complaints just once into the complaint management system (which would be integrated with various complaint platforms) and the unique complaint can be carried forward at each escalation level. Such a system would facilitate effective monitoring of complaints, its mitigation and analysis, improvement of processes and system, etc.
- 7.3.5. Such systems can also include facility for auto escalation in case of delays in resolution of complains beyond the prescribed time limits unless the Discom is able to provide valid reasons and an appropriate time frame for such resolution. Such auto escalation facility would put the accountability on the Discom for appropriate and timely resolution of consumer grievances.
- 7.3.6. Till the time integrated complaint management systems are not implemented, the SERCs can create regulatory provisions for automatic escalation of unresolved complaints, beyond SERC stipulated timelines, to CGRF and similarly to Ombudsman.

Best Practice

- Integrated Grievance Management System (IGMS) by IRDAI in insurance sector which provides for automatic elevation of consumer complaint in case not redressed in defined timelines
- Digital Complaint Management Systems for Banking Ombudsman
- Redressal of Consumer Grievances Regulations of 2016 in the state of Assam, have a provision for automatic escalation of pending consumer complaints to CGRF, not resolved by Discoms within stipulated timelines of SERCs

#6. Analysis of consumer complaints handled at CGRF / Ombudsman level

- 7.3.7. One of the roles and responsibilities of the Commission specified under the Act is for formation of CGRF and Ombudsman for effective resolution of consumer complains. Therefore, the responsibility of Commission is more from the perspective of overseeing the role of the CGRF and Ombudsman that direct redressal of consumer complaints. Accordingly, the CGRF and Ombudsman regulations provide for regular submission of status and details of such cases by Discoms, CGRF and Ombudsman at frequent intervals.
- 7.3.8. While provisions exist in CGRF and Ombudsman regulations for periodic reporting in most of the states, the requirement is only for reporting of complaint disposal status.. Further, the participation of consumer is limited to the public hearing during tariff setting exercise where concerns and issues relating to supply, etc. may not receive their due importance.
- 7.3.9. Therefore, it is important that the Commission may have a dedicated cell which may undertake analysis of cases being reported by consumers at various levels and come up with solutions in form of changes in regulations, clarifications with respect to certain provisions, specifying procedures required for better understanding of both consumers as well as Discom officials. Such exercise would help in reducing the number of cases which may be occurring on such counts and could easily be addressed.
- 7.3.10. SERCs should mandate CGRFs and Ombudsman to periodically report following aspects of the complaints received by them:
- Distribution of complaints (issue wise, consumer category wise and area wise)
 - Status of complaints
 - Turn-around time for complaint disposal
 - Compensation awarded
 - Status of actions taken by Discom

Best Practice

- Website of **UPERC** provides **CGRF** wise details of complaint disposal status, **type of complaint received** by CGRF and **ageing of these complaints**
- Detailed analysis of cases received by **Banking Ombudsman** in their Annual Report

#7. Online dispute resolution

- 7.3.11. One of the major concerns observed is with limited number and reach of CGRF. Even if the consumer is dissatisfied with Discom resolution, he may not be interested in reporting the same at the CGRF level due to requirement for travel to district/ state headquarters for case hearing. For avoidance of such difficulties, provisions exist for CGRF to undertake meetings at different locations to avoid inconvenience of the consumers. As an alternate, filing of complaints to CGRFs and Ombudsman should be allowed online to ease out the process for consumers.
- 7.3.12. Further CGRFs and Ombudsman can also provide consumers with option of online hearings. Online hearings can increase reach of CGRF/ Ombudsman as well as reduce the

cost and time taken for dispute resolution. Such actions would also be in line of Government's Digital India Initiative.

Best Practice

- During COVID-19 lockdown, several dispute resolution bodies like **Ombudsman in Uttar Pradesh** and MSEDCL's CGRF conducted online hearings
- **Discoms** in states like **Rajasthan and Karnataka** have also created **online chat bots** on their website for quick complaint resolutions. Also consumers can raise their complaints through text messages to whatsapp numbers of Discom.

7.4. For Consumer Advocacy

#8. Consumer Satisfaction Survey/ Benchmarking

7.4.1. Currently, no study or survey is conducted across the states or at national level to capture the satisfaction of consumers with respect to electricity supply. Absence of tools or procedure to measure such supply of power to consumers act as deterrent for evaluation of performance of Discoms by the Regulator.

7.4.2. Therefore, it is suggested that a consumer satisfaction survey may be conducted to capture voice of consumers on various aspects such as service levels of Discoms, electricity tariffs, complaint handling etc. The survey would enable consumers to rank their satisfaction levels with respect to pre-identified parameters. Regulators can use the findings of the consumer satisfaction survey for guiding its regulatory decision making. Also, the Discoms can use findings of such surveys to identify areas of improvement in its services.

7.4.3. The survey could be administered by central agencies like PFC/ REC and conducted through independent third parties. The survey could be conducted through a mix of online and offline channels covering diverse consumer base including consumer category or urban-rural consumers, etc. Discoms could fund the cost of conducting these surveys and SERCs could allow the cost of these surveys to be passed on into ARR. SERCs could also eventually direct Discoms to improve on certain parameters of consumer satisfaction, and create performance targets around them.

7.4.4. Some of the suggested aspects and parameters for consumer survey questionnaire, identified based on review of international and national case studies, could be as follows:

Table 17: Suggested parameters for consumer satisfaction survey

Aspect	Power quality	Service	Pricing	Billing & Payment	Info. Availability	Complaint handling
Parameters	<ul style="list-style-type: none"> • Supply hours • Fluctuations • Loss of devices due to low power quality 	<ul style="list-style-type: none"> • Professionalism of staff • Ease of reach of Discom office • Time taken for availing various services 	<ul style="list-style-type: none"> • % of household expenditure spent on electricity 	<ul style="list-style-type: none"> • Ease of comprehending bills • Regularity and accuracy of meter reading and bills • Payment avenues 	<ul style="list-style-type: none"> • Awareness of tariff calculation or regulation drafting process • Ease of comprehending various information 	<ul style="list-style-type: none"> • Awareness of CGRF/ Ombudsman • Ease of contacting Discom • Time taken to rectify faults or resolve complaints

Best Practice

- Consumer Satisfaction Surveys conducted by JD Power in **USA** and GfK in **UK** guide regulators and utilities to safeguard consumer interests and improve consumer services

#9. SERC approval on consumer education plan

- 7.4.5. Time and again the limited awareness of consumers with respect to their rights and grievance redressal systems has been highlighted. While few Discoms undertake some programs and activities on an ad-hoc basis during the year, most of these activities are on a one time basis and therefore unable to achieve to desired results.
- 7.4.6. It is therefore suggested that a consumer education plan should be required to be prepared by the Discoms on an annual basis and should be reviewed and approved by the Commission for implementation. An annual expenditure exclusively towards consumer awareness activities should be earmarked. The annual plan could be part of the tariff filing and review of various activities undertaken could be done along with true-up for respective year by the SERCs.
- 7.4.7. Preparation of such annual plans and activities as part of the regulatory approvals would place the responsibility of undertaking such consumer awareness activities on a regular basis by the Discoms and help in increasing the consumer awareness with respect to their rights and entitlements.

Best Practice

- Under the **Consumer Outreach Programmes in Telecom sector** the Telecom Service Providers are required to get the outreach programme approved by TRAI annually. The calendar of activities planned under the outreach programme is available on TRAI website.

#10. Consumer representative in district to provide support to consumers

- 7.4.8. Appointment of a consumer representative in each district can be undertaken by the Commission who shall be responsible for guidance and support to consumers for raising complaints with the Discom or escalation at the level of CGRF / Ombudsman. He can directly report to consumer advocacy cell of SERCs and update on details of activities / consumers supported. Such representatives would also be useful to understand the issues faced by the consumers across locations, categories, groups, etc. Based on concerns highlighted by such consumer representative, the Commission may take appropriate remedial actions such as changes in regulations or directives to Discom.

Best Practice

- In **UK**, a Consumer Challenge Group comprising of group of individuals is appointed by Ofgem to advocate consumer interests. Its members provide inputs and challenges which might not come through other means such as primary consumer research. The group acts in advisory capacity to help inform the Authority's decision making processes.
- **MERC** has issued 'Authorised Consumer Representatives Regulations' in 2012, under which Consumer Representatives (CRs) are appointed by the Commission to represent consumer views in regulatory proceedings

#11. Operationalization of Consumer Advocacy Cell in SERCs

- 7.4.9. While few SERCs have established consumer advocacy cells, their role in conducting consumer education or awareness activities has been limited. A consumer advocacy cell

should be included within each SERCs and should undertake activities which help in consumer education and dissemination of information regarding a range of aspects including tariff, rights and responsibilities, safety, options for grievances redressal, etc. on an continuous basis. Various measures for consumer education could be adopted by drawing an annual plan of activities to be undertaken separately or jointly along with the Discoms.

- 7.4.10. SERCs may also create special consumer awareness funds and allocate resources from it to active consumer representatives in their state, to help them undertake various consumer awareness activities on behalf of the SERCs.

ANNEXURES

Review of SOP Regulations

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
GJ	<p>Standard</p> <ul style="list-style-type: none"> Voltage Fluctuation Limits: <ul style="list-style-type: none"> - LV: +6% to - 6% - HV: +6% to - 9% - EHV: +10% to -12.5% Targets for SAIFI, SAIDI and MAIFI determined annually Complaint resolution time: <ul style="list-style-type: none"> - neutral voltage: immediately - voltage variations: 60-180 days <p>Reporting</p> <ul style="list-style-type: none"> Reliability indices (SAIFI, SAIDI & MAIFI) <p>Compensation</p> <ul style="list-style-type: none"> Rs 50 for delay of services 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> - 6-24 hours in urban areas - 24-72 hours in rural areas <p>Reporting</p> <p><i>Parameter not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs.25-50 for each six hours delay in supply restoration (max of Rs.500-1000) 	<p>Standard</p> <ul style="list-style-type: none"> Replace defective meters within 15 days Billing complaint resolution time: <ul style="list-style-type: none"> - Arithmetical errors/non receipt/ inadequate time for payment: immediately - Other cases: 10-15 days <p>Reporting</p> <p><i>Parameter not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Billing complaint: Rs 50 per day for no reply within time limit Replacement of meter: Rs.25 for each day of delay in LT (max of Rs.2,500); Rs. 250 per day of delay in HT (max of Rs. 5,000) 	<p>Standard</p> <ul style="list-style-type: none"> Time limit for giving new connections: <ul style="list-style-type: none"> - Domestic & Non-domestic : 20 days - Bulk power connections: 20-180 days - Agriculture: 30 days <p>Reporting</p> <p><i>Parameter not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 50 per day of delay 	<ul style="list-style-type: none"> Penalty of Rs.25 per day (max of Rs.500) for delay in responding to consumer's complaints or failure of grievance handling
MH	<p>Standard</p> <ul style="list-style-type: none"> Voltage Fluctuation Limits: <ul style="list-style-type: none"> - LV or MV: +6% - HV: +6% to - 9% - EHV: +10% to -12.5% Harmonics level as per IEEE STD 519-1992 <p>Reporting</p> <ul style="list-style-type: none"> Monthly report of reliability indices (SAIFI, SAIDI & CAIDI) <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 per week for variation in voltage 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> - 3-18 hours in Class I cities - 4-24 hours in urban areas - 18-48 hours in rural areas - Scheduled outage 12 hours & supply to be restored by 1800 hrs on a day <p>Reporting</p> <p><i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 50 per hour for delay for services associated with supply or outage 	<p>Standard</p> <ul style="list-style-type: none"> Replace burn out meters within 18 hours(class I cities), 24 hours (Urban) & 48 hours (rural) Billing complaint resolution time: 24 hours <p>Reporting</p> <p><i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 50 per hour for delay for services associated with replacement of meters Rs 100 per week for delay in services associated with billing Rs 100 for 1st 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections: 1 month if no network upgradation required <p>Reporting</p> <p><i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 per week for delay in above-mentioned services 	-

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
			month Rs 200 for 2nd month for delay in reading of consumer meters		
RJ	<p>Standard</p> <ul style="list-style-type: none"> Voltage Fluctuation Limits: <ul style="list-style-type: none"> - LT: +6% to - 6% - HT: +6% to - 9% <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 for LT & Rs 300 for HT for variation in voltage 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> - 4-16 hours in Class I cities - 6-36 hours in urban areas - 24-72 hours in rural areas <p>Reporting <i>Not defined</i></p> <p>Penalty</p> <ul style="list-style-type: none"> Rs 500- Rs 2000 for heavy fluctuations in supply 	<p>Standard</p> <ul style="list-style-type: none"> Replacement/Testing of meters: 48 hours Billing complaint resolution time: 3-7 working days <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 200 for LT, Rs 500 for HT & Rs 1000 for EHT for complaints specific to testing of meters Rs 50 for LT, Rs 100 for HT & Rs 200 for EHT for complaints specific to shifting of meters & billing 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections: 1 month if no network upgradation required <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Complaints specific to release of new connection, transfer of ownership LT:Rs 50- Rs 200 HT: Rs 100- Rs 500 EHT: Rs 200- Rs 1000 	<ul style="list-style-type: none"> Minimum Standards for redressal of consumer grievances to be achieved during each year specific to consumer satisfaction 90%-95% Minimum Standards for redressal of consumer grievances to be achieved during each year specific to system reliability 90%
MP	<p>Standard</p> <ul style="list-style-type: none"> Voltage Fluctuation Limits: <ul style="list-style-type: none"> - LV: +6% to - 6% - HV: +6% to - 9% - EHV: +10% to -12.5% - 400 KV: +5% to - 5% limits to harmonics: <ul style="list-style-type: none"> - Voltage at the connection point shall not exceed 5% with no individual harmonic higher than 3% - current drawn from the transmission system at the connection point shall not exceed 8% Reliability index fixed by commission: (98%-99.5%) 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> - 4-12 daylight hours in cities & towns - 24 hours-3 days in rural areas - Scheduled outage not to exceed 12 hours <p>Reporting Quarterly and annual reports on all SoPs</p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 for each day of delay in rectification of complaint in restoration of supply 	<p>Standard</p> <ul style="list-style-type: none"> Replacement/Testing of meters: 48 hours Billing complaint resolution time: 3-7 working days Replacement of burnt meters within 7 days Consumer bills complaint resolution time, 5 days (Urban), 10 days (rural) <p>Reporting Quarterly and annual reports on all SoPs</p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 per week of delay in resolving meter complaints Rs 100 per day of delay in resolving billing complaints 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections: <i>as per MPERC supply code 2013</i> <ul style="list-style-type: none"> - LT connection: 60-90 days - HT connection: 90 days - EHT connection: 180 days - Time frame for restoration of connections: 4 hours (towns & cities), 48 hours (rural) <p>Reporting Quarterly and annual reports on all SoPs</p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 per day (LT) & Rs 200 per day (EHT) of delay in services associated with connection services 	-

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
	<ul style="list-style-type: none"> Complaint resolution time for voltage variations: 10-120 days <p>Reporting Quarterly and annual reports on all SoPs</p> <p>Compensation <i>Not defined</i></p>				
WB	<p>Standard</p> <ul style="list-style-type: none"> resolution time for voltage variations: <ul style="list-style-type: none"> - under/over voltage: 15 days- 6 months - voltage fluctuations: 4 days(urban), 8 days (rural) <p>Reporting</p> <ul style="list-style-type: none"> Annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 500 per day of delay in services associated with voltage fluctuations 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> - 3-12 hours (urban) - 6-48 hours (rural) - Scheduled outage not to exceed 12 hours, in case of exceeding time limits temporary arrangement to be made by licensee - If planned outage is more than 6 hrs consumers to be notified 3 days in advance <p>Reporting</p> <ul style="list-style-type: none"> Licensee shall display of actual unplanned / planned interruption and load-shedding details for at least 15 days on website on weekly basis Annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 500 per day of delay in services associated with Supply services 	<p>Standard</p> <ul style="list-style-type: none"> Replacement of faulty meters:10-23 days (urban), 22-37 days (rural) Replacement of meters with accidental faults: 24 hours <p>Reporting</p> <ul style="list-style-type: none"> Annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 500 per day of delay in services associated with metering services 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections (without network augmentation) <ul style="list-style-type: none"> - LV & MV supply: 28 days (rural), 14 days (urban) - HV & EHV supply: 30 days-60 days <p>Reporting</p> <ul style="list-style-type: none"> Annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 500 per day of delay in services associated with connection services 	-
AS	<p>Standard</p> <ul style="list-style-type: none"> Voltage variation Limits: <ul style="list-style-type: none"> - 230 V/400 V: +6% to -6% - 11KV/ 33KV: +6% to -9% - Neutral 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> - 4 hours- 24 hours (Cities & towns) - 24 hours- 5 days (rural) - Scheduled 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for resolution specific to complaints of meters: <ul style="list-style-type: none"> - LT consumers: 7-15 days (urban), 15-30 	<p>Standard <i>Not defined</i></p> <p>Reporting <i>Not defined</i></p> <p>Compensation <i>Not defined</i></p>	

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
	<p>voltage: >2% of supply voltage</p> <ul style="list-style-type: none"> Time frame for Voltage variation complaint resolution: 4-8 hours (If no expansion of network required) <p>Reporting</p> <ul style="list-style-type: none"> Quarterly and annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Determined by commission based on complaints received and claims made 	<p>outage not to exceed 12 hours, in case of exceeding time limits temporary arrangement to be made by licensee</p> <ul style="list-style-type: none"> Target level specified: <ul style="list-style-type: none"> 85%-99% (rural) 90%-99% (urban) <p>Reporting</p> <ul style="list-style-type: none"> Quarterly and annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 5 per consumer for every hour delay to maximum of Rs 100 per consumer 	<p>days (rural)</p> <ul style="list-style-type: none"> HT consumers: 7 days -3 months <ul style="list-style-type: none"> Time frame for resolution of consumer bills: <ul style="list-style-type: none"> 3 days (urban) 7 days (rural) Target level specified for meter complaints: <ul style="list-style-type: none"> LT consumers: 90% (rural), 90%-95% (urban) HT consumers: 99%-100% Target level specified for billing complaints: <ul style="list-style-type: none"> 99% (rural), 99% (urban) <p>Reporting</p> <ul style="list-style-type: none"> Quarterly and annual report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Meter complaints <ul style="list-style-type: none"> Rs 50 per day to maximum of Rs 200 per consumer for LT consumers 		
HR	<p>Standard</p> <ul style="list-style-type: none"> Supply Voltage variation Limits: +10%/-15% Limits for Supply voltage flicker: <ul style="list-style-type: none"> Long term severity: 0.8 at all supply terminals 100% of the time Short term severity: 1 at all supply terminals 100% of the time Supply voltage unbalance shall be $\leq 2\%$ Total Harmonic Distortion limits: <ul style="list-style-type: none"> LV: $\leq 8\%$ MV: $\leq 5\%$ Limits for 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> 4 hours- 24 hours (Cities & towns) 8 hours- 48 hours (rural) Major power failure: 7 days Period of load shedding not to exceed 4 hours per day, in case of exceeding time limits temporary arrangement to be made by licensee Scheduled outage not to exceed 8 hours supply to be restored by 6 Pm on a day <p><i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 100 per day 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for resolution specific to complaints of meters: <ul style="list-style-type: none"> 3 days (urban) 7 days (rural) Time frame for resolution of consumer bills: <ul style="list-style-type: none"> 24 hours – 7 days DL shall ensure that at no point of time the percentage of defective meters to the total number of meters in service exceeds 2%. DL shall ensure that at any point of time the percentage of bills requiring modifications following complaints to the total number of bills issued 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections: <ul style="list-style-type: none"> LT: 37 days 11 KV: 78 days 33 KV: 104 days Target level specified: 98% <p>Reporting</p> <p><i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 200 per day in case of delay in services Rs 1000 per day to a maximum of Rs 10000 for delay in releasing new connection 	<ul style="list-style-type: none"> DL shall establish/strengthen the Call Centre facility for redressal of complaints of its consumers <ul style="list-style-type: none"> Within 2 months from issue of reg. (urban areas) Within 3 months from issue of reg. (rural areas) Rs 100 per day in delay of Compliance of Orders by CGRF and Ombudsman

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
	<p>Reliability indices</p> <ul style="list-style-type: none"> - SAIDI: 600 Minutes per customer - SAIFI: 15 interruptions per customer <p>Reporting</p> <ul style="list-style-type: none"> • Quarterly report on PQ parameters <p>Compensation</p> <ul style="list-style-type: none"> • Rs 100 per week for voltage variation & voltage unbalance • Rs 50 per event of voltage swells & dips • Rs 100 per week for voltage harmonics beyond limits • Rs 0.50 for current harmonics beyond limits • 5 paisa/ min/kW of contract demand for SAIDI beyond limits • Rs.50/- per interruption SAIFI beyond limits 	<p>to a maximum of Rs 3000 each affected consumer</p> <ul style="list-style-type: none"> • Rs 100 to each affected consumer in case of default in schedule outage and un scheduled load shedding 	<p>does not exceed 0.1%</p> <ul style="list-style-type: none"> • Target level specified for meter complaints: 95% • Target level specified for billing complaints: 99% <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> • Rs 500 per default in electricity bills • Rs 100 /day for delay in meter complaints 		
DL	<p>Standard</p> <ul style="list-style-type: none"> • Voltage variation Limits: - LT: +6% to - 6% - HT: +6% to - 9% - EHT: +10% to -12.5% • Voltage imbalance should not exceed 3% • Supply frequency as per IEGC • Harmonics level as per IEEE STD 519-1992 • Time frame for Voltage fluctuation complaint resolution:4 	<p>Standard</p> <ul style="list-style-type: none"> • Supply restoration time: 1 hour – 3 days • Scheduled outage 12 hours & supply to be restored by 6 pm on a day • Target level specified 95% <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> • Rs. 50 per hour per consumer for the first two hours of default. Thereafter, Rs. 100 per hour per consumer 	<p>Standard</p> <ul style="list-style-type: none"> • Time frame for resolution specific to complaints of meters: 15 days-72 hours <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> • 10% of excess amount billed for erroneous bill • Rs 50 –Rs 75 for delay in meter complaints 	<p>Standard</p> <ul style="list-style-type: none"> • Time frame for new connections: - 8 days- 8 months for electrified areas - 4 months-12 months for un electrified areas <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> • 1%-1.5% of the demand charges deposited by consumer for each day of default for new connections • Rs. 500 per kW of sanctioned/ contract demand for delay in Connection energized 	<ul style="list-style-type: none"> • Consumers required to make compensation claim within 60 days of SoP violation to Licensee

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
	<p>hours-90 days</p> <p>Reporting <i>Not defined</i></p> <p>Compensation</p> <ul style="list-style-type: none"> Rs 25-Rs 100 for each day of default in voltage fluctuation 			<p>through loop</p> <ul style="list-style-type: none"> Rs. 100 for each day of default for delay in transfer of name, load reduction 	
PB	<p>Standard</p> <ul style="list-style-type: none"> Voltage variation Limits: <ul style="list-style-type: none"> LT: +6% to -6% HT: +6% to -9% EHT: +10% to -12.5% Harmonic limits: <ul style="list-style-type: none"> EHT:4% HT:10% LT:15% Time frame for Voltage fluctuation complaint resolution:4 hours-30 days <p>Reporting</p> <ul style="list-style-type: none"> Half yearly and yearly report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 100-Rs 500 for each day of default in voltage fluctuation 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time: <ul style="list-style-type: none"> 4 hours – 24 hours in urban areas 8 hours-48 hours in rural areas Scheduled outage 6-10 hours & supply to be restored by 6 pm on a day <p>Reporting</p> <ul style="list-style-type: none"> Half yearly and yearly report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 50- Rs 2000 depending on consumers (LT,HT,EHT) & hour blocks for delay in restoration of supply 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for resolution specific to complaints of meters: 5 -10 working days Time frame for resolution specific to complaints of bills: 24 hours - 07 working days <p>Reporting</p> <ul style="list-style-type: none"> Half yearly and yearly report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 200-Rs 300 for each day of default in resolution of complaints specific to meters Rs 200-Rs 400 for each day of default in resolution of complaints specific to billing 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections: <ul style="list-style-type: none"> LT: 50 days HT:75-135 days EHT:165 days <p>Reporting</p> <ul style="list-style-type: none"> Half yearly and yearly report on all SOPs <p>Compensation</p> <ul style="list-style-type: none"> Rs 200- Rs 400 for each day of default in supply of new connections Maximum of Rs 2000 for each day of default in supply of electricity 	<ul style="list-style-type: none"> Maximum limit of compensation payable in case of violation of any Standard of Performance shall be Rs. 10,000
HP	<p>Standard</p> <ul style="list-style-type: none"> Voltage Fluctuation Limits – 6% Complaints to be resolved in 6 hours if no system upgradation required and fault in vicinity of consumer premises <p>Reporting</p> <ul style="list-style-type: none"> Licenses to report quarterly details of SAIFI, SAIDI, CAIFI and CAIDI Quarterly and annual reporting on all SOPs to SERC 	<p>Standard</p> <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> 6-48 hours in rural areas 12-48 hours in hill areas <p>Reporting</p> <ul style="list-style-type: none"> Quarterly and annual reporting on all SOPs to SERC <p>Compensation</p> <ul style="list-style-type: none"> Rs. 5-10 per hour of delay in restoration 	<p>Standard</p> <ul style="list-style-type: none"> Replace defective meters within 56 hours Resolve billing complaint within 10 days <p>Reporting</p> <ul style="list-style-type: none"> Quarterly and annual reporting on all SOPs to SERC <p>Compensation</p> <ul style="list-style-type: none"> Metering related - Rs. 100 per day Billing related – Rs. 10 per day 	<p>Standard</p> <ul style="list-style-type: none"> Time frame for new connections (as per Duty for Supply on Request Regulations) – 10 days <p>Reporting</p> <ul style="list-style-type: none"> Quarterly and annual reporting on all SOPs to SERC <p>Compensation</p> <ul style="list-style-type: none"> Rs. 50 per day of default 	<ul style="list-style-type: none"> Commission may call for compliance audit of licensees Licensee to setup call centre at sub-divisions for consumer complaints Commission may increase the compensation amount after hearing complainant and licensee Consumers required to make compensation claim within 45 days of SoP violation to

	Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
	Compensation <ul style="list-style-type: none"> Rs. 5 per hour of delay in rectifying voltage complaint 				Licensee
TN	Standard <ul style="list-style-type: none"> Voltage Fluctuation Limits – 6% to 10% Complaints to be resolved in 48 hours if no system upgradation required Reporting <ul style="list-style-type: none"> Licenses to report monthly details of SAIFI and SAIDI Compensation <ul style="list-style-type: none"> Rs. 250 for failure to visit within stipulated time and Rs. 50 for each day of delay in rectifying voltage complaint 	Standard <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> 1-3 hours for corporations 3-48 hours in urban areas 6-48 hours in rural areas 12-48 hours in hill areas Reporting <ul style="list-style-type: none"> NA Compensation <ul style="list-style-type: none"> Rs. 50 for each six hours of delay in restoration, upto Rs. 200 	Standard <ul style="list-style-type: none"> Replace defective meters within 30 days Resolve billing complaint before next bill Reporting <ul style="list-style-type: none"> NA Compensation <ul style="list-style-type: none"> Metering related - Rs. 100 per day, upto Rs. 1000 Billing related - Rs. 150 of non-reply within stipulated time 	Standard <ul style="list-style-type: none"> Time frame for new connections – 30 days, preferably within week (except for agricultural users) Reporting <ul style="list-style-type: none"> NA Compensation <ul style="list-style-type: none"> Rs. 1000 per day of default 	<ul style="list-style-type: none"> For each standard, overall limit also defined i.e. minimum % of times the standard is to be met Provision in regulations for automatic payment of compensation to consumers
KA	Standard <ul style="list-style-type: none"> Voltage Fluctuation Limits: <ul style="list-style-type: none"> LV: +6% to - 6% HV: +6% to - 9% EHV: +12.5% to -12.5% Reporting <ul style="list-style-type: none"> Licenses required to report monthly details of outage, reliability, SAIFI and SAIDI Monthly and quarterly reporting on all SOPs to SERC Compensation <ul style="list-style-type: none"> Rs. 50 per day to each affected consumer 	Standard <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> 6-24 hours in urban areas 24-72 hours in rural areas Reporting <ul style="list-style-type: none"> Monthly and quarterly reporting on all SOPs to SERC Compensation <ul style="list-style-type: none"> Rs. 50 to each affected consumer on each default 	Standard <ul style="list-style-type: none"> Replace defective meters within 10 days Resolve billing complaint within 7 days Reporting <ul style="list-style-type: none"> Monthly/ quarterly and annual reporting on all SOPs to SERC Compensation <ul style="list-style-type: none"> Metering related - Rs. 50 per day of default Billing related - Rs. 50 per day of default 	Standard <ul style="list-style-type: none"> Time frame for new connections – 30 days Reporting <ul style="list-style-type: none"> Monthly/ quarterly and annual reporting on all SOPs to SERC Compensation <ul style="list-style-type: none"> Rs. 200 per day of default 	<ul style="list-style-type: none"> For each standard, overall limit also defined i.e. minimum % of times the standard is to be met Provision for Solatium of Rs. 50 per day of default, in case of electrical accidents beyond the fault of victim Consumers required to make compensation claim for SoP default
AP	Standard <ul style="list-style-type: none"> Voltage Fluctuation Limits: <ul style="list-style-type: none"> LV: +6% to - 	Standard <ul style="list-style-type: none"> Supply restoration time <ul style="list-style-type: none"> 4-24 hours in urban areas 	Standard <ul style="list-style-type: none"> Replace defective meters within 15 days Resolve billing 	Standard <ul style="list-style-type: none"> Time frame for new connections – 30 days (except for 	<ul style="list-style-type: none"> Consumers required to make compensation claim within 30

Power Quality	Supply/ Outage	Metering/ Billing	New Connection	Others
6% - HV: +6% to -9% - EHV: +10% to -12.5% • Complaint resolution within 10 days if no network expansion/enhancement required • Harmonic Limits (THD): - 132 kV: 3% - 33 kV: 8% - 11 kV: 8% Reporting • Monthly/quarterly and annual reporting on all SOPs to SERC Compensation Rs. 50 per day to each affected consumer	- 12-48 hours in rural areas Reporting • Monthly/quarterly and annual reporting on all SOPs to SERC Compensation • Rs. 50 - 100 to each affected consumer on each default	complaint within 7 days Reporting • Monthly/quarterly and annual reporting on all SOPs to SERC Compensation • Metering related - Rs. 100 per day of default • Billing related - Rs. 50 per day of default	agricultural users) Reporting • Monthly/quarterly and annual reporting on all SOPs to SERC Compensation • Rs. 100 per day of default	days of SoP violation to Licensee

Review of CGRF Regulations

State	Composition	Appointment process	Maximum period for resolution	Remarks
GJ	<ul style="list-style-type: none"> 3 members (chairperson, technical member & independent member (consumer expert)) Technical member of the forum shall be among the serving officer of the licensee 	<ul style="list-style-type: none"> Appointed by licensee: chairperson & technical member Nominated by Commission: independent member 	<ul style="list-style-type: none"> Within 7 days of receipt of complaint (for complaint related to disconnection of supply) Within 30 days of receipt of complaint (for other complaint) 	<ul style="list-style-type: none"> Forum shall direct the concerned Licensee to pay a fine @ Rs. 10 per day of delay of forwarding per Complaint to the Forum
MH	<ul style="list-style-type: none"> 3 members (chairperson, technical member & one member) In case the licensee has less than 1.5 lac consumer the forum may consist of a single member in the form of chairperson 	<ul style="list-style-type: none"> Appointed by licensee: chairperson & technical member Appointed by Commission: one member with experience of 5 years in consumer grievances 	<ul style="list-style-type: none"> Within two months from the date of receipt of complaint 	<ul style="list-style-type: none"> Licensee shall have at least one IGR cell for the area of supply to redress Grievances in a timely manner. A consumer can submit complain to the Forum if not satisfied with the remedy provided by the IGR Cell
RJ	<ul style="list-style-type: none"> One chairman & One independent member 	<ul style="list-style-type: none"> The Commission will nominate one independent Member in each Forum 	<ul style="list-style-type: none"> Within 30 days & in any case not exceeding 45 days from the date of receipt of complaint 	<ul style="list-style-type: none"> Forums established at sub-divisional, divisional, district & corporate levels No fee for the redressal of non-monetary nature of grievances, whereas

State	Composition	Appointment process	Maximum period for resolution	Remarks
				registration fees applicable for monetary grievances
MP	<ul style="list-style-type: none"> 3 members (one consumer expert, one technical & one commercial expert) The technical & commercial members are current employees of licensee Licensee after consultation with the Commission shall designate any of the three Members as Chairperson of the Forum 	<ul style="list-style-type: none"> Nominated by Commission: Consumer expert (independent member) Appointed by licensee: Technical and Commercial members 	<ul style="list-style-type: none"> Within 6 weeks in normal cases Within 8 weeks in any circumstances 	<ul style="list-style-type: none"> Forum shall arrange Consumer Redressal Shivar at various District Head Quarters in consultation with the Nodal Officer of the Licensee Forum shall take into cognizance the complaints received in the shivar and settle the grievances as per procedure
WB	<ul style="list-style-type: none"> Forum shall consist of as many GRO as required. At least one GRO at each sub district/district /zone levels. At least one Central Grievance Redressal Officer (CGRO) at the corporate level of the Licensee. 	<ul style="list-style-type: none"> GRO at the sub district/district/zonal levels appointed from employees of licensees One or more CGRO at the corporate level appointed from employees of CGRO 	<ul style="list-style-type: none"> 40-60 working days from the date of sending acknowledgement to the petitioner For referred cases time limit shall be extended by 10 days from above timeline 	
AS	<ul style="list-style-type: none"> 3 members (chairperson, technical member & independent member) Technical member: current employee of licensee 	<ul style="list-style-type: none"> Appointed by licensee with approval of commission 	<ul style="list-style-type: none"> Within 30 days from the date of receipt of complaint 	<ul style="list-style-type: none"> Level I & Level II for lodging complaints and remedial action by the licensee A consumer can submit complain to the Forum if not satisfied with the remedy provided by Level I & Level II Licensee shall establish a link facilitating a consumer to lodge a complaint and track the status of the complaint
HR	<ul style="list-style-type: none"> 3 members (one legal, one technical, & one consumer expert) 	<ul style="list-style-type: none"> Appointed by licensee Licensee shall designate one of the members to be the Chairperson of the Forum. 	<ul style="list-style-type: none"> Within three months from the date of receipt of complaint 	<ul style="list-style-type: none"> Forum shall submit a report to the Commission for the every quarter of calendar year
DL	<ul style="list-style-type: none"> 3 members (one legal, one chairperson the independent member (technical), & one consumer expert) 	<ul style="list-style-type: none"> Commission to form a selection committee for selecting members comprising of: Chairperson of the Commission, Member of the Commission, Subject Specialist 	<ul style="list-style-type: none"> Within 60 days from the date of receipt of complaint 	<ul style="list-style-type: none"> Forum shall submit a quarterly & yearly report
PB	<ul style="list-style-type: none"> 3 Members (Chairperson 	<ul style="list-style-type: none"> Chairperson shall be appointed/nominated 	<ul style="list-style-type: none"> Within 45 days from the date of filing of 	

State	Composition	Appointment process	Maximum period for resolution	Remarks
	(consumer expert), Finance expert, Technical member) <ul style="list-style-type: none"> Chairperson is an independent member The other two members are among the serving officers of the licensee 	by the Commission and other two members shall be appointed by the licensee	Complaint <ul style="list-style-type: none"> Within 15 days from the date of filing of Complaint related to connection & disconnection of supply 	
HP	<ul style="list-style-type: none"> 3 Members including (Chairperson, two members) The two members are among the serving officers of the licensee 	<ul style="list-style-type: none"> Independent member (consumer expert) appointed by commission Technical & Finance expert appointed by licensee 	<ul style="list-style-type: none"> Within 45 days from the date of filing of Complaint Within 15 days from the date of filing of Complaint related to connection, disconnection of supply & quality, reliability 	<ul style="list-style-type: none"> Applicable fees voltage wise for each representation: Rs 100 (LV),Rs 500 (HV) & Rs (1000) EHV Rs. 1,000/- for each adjournment, to be paid by the defaulting party to the non-defaulting party and /or to the Forum
TN	<ul style="list-style-type: none"> 3 Members including (Chairperson, financial/legal expert, consumer expert) Chairperson of the forum shall be a full time officer of the licensee 	<ul style="list-style-type: none"> Appointed by the distribution licensee 	<ul style="list-style-type: none"> Within two months from the date of receipt of complaint 	
KA	<ul style="list-style-type: none"> 3 members (Chairperson, One member, consumer expert) Chairperson of the forum and one member other than consumer expert shall be a full time officer of the licensee 	<ul style="list-style-type: none"> Appointed by the distribution licensee (Chairperson, One member) Commission nominates (consumer expert) 	<ul style="list-style-type: none"> Within 60 days from the date of receipt of complaint 	
AP	<ul style="list-style-type: none"> Four members including the Chairperson (Technical), Member (Finance) and Member (Legal), and one independent Member, who is familiar with Consumer affairs Technical & Finance members shall be serving officers of the Licensee 	<ul style="list-style-type: none"> Appointed by Licensee, Independent member appointed by Commission 	<ul style="list-style-type: none"> Within 60 days from the date of admission of complaint 	<ul style="list-style-type: none"> Penalty as per section 142 & 146 of the EA Act 2003 on non-compliance of orders

Review of Ombudsman Regulations

State	Composition	Appointment	Maximum period for resolution	Remarks
GJ	<ul style="list-style-type: none"> One Ombudsman for a Licensee or an Ombudsman for two or more Licensees 	<ul style="list-style-type: none"> Commission to form a selection committee for selection of the Ombudsman 	<ul style="list-style-type: none"> Within 45 days 	<ul style="list-style-type: none"> Non-compliance of order shall be liable to appropriate action by commission (fine up-to Rs.1 lakh or 3 months imprisonment) as per section 142,146 & 149 of the EA Act 2003.
MH	<ul style="list-style-type: none"> One or more Ombudsman for a Licensee To be provided a secretariat 	<ul style="list-style-type: none"> Appointed by Commission 	<ul style="list-style-type: none"> Within two months 	<ul style="list-style-type: none"> Fees required for filing representation as decided by commission Penalty as per section 142 & 149 of the EA Act 2003 on non-compliance of orders
RJ	<ul style="list-style-type: none"> One or more Ombudsman as required 	<ul style="list-style-type: none"> Commission to form a search committee or by advertisement 	<ul style="list-style-type: none"> Within three months 	<ul style="list-style-type: none"> Prepare a report on Six Monthly basis giving details of the nature of grievances of the consumer dealt with by the Electricity Ombudsman
MP	<ul style="list-style-type: none"> Ombudsman or Ombudsmen separately for each Licensee or Common for two or more Licensees 	<ul style="list-style-type: none"> Appointed by Commission 	<ul style="list-style-type: none"> Within three months 	-
WB	<ul style="list-style-type: none"> One or more Ombudsman for each licensee or combined for two or more licensee as required 	<ul style="list-style-type: none"> Appointed by Commission 	<ul style="list-style-type: none"> Not beyond 90 days 	-
AS	<ul style="list-style-type: none"> Ombudsman or Ombudsmen separately for each Licensee or Common for two or more Licensees will also be provided a secretariat 	<ul style="list-style-type: none"> Commission to form a selection committee for selection of the Ombudsman 	<ul style="list-style-type: none"> Within three months 	-
HR	<ul style="list-style-type: none"> One Ombudsmen separately for each Licensee will also be provided a secretariat 	<ul style="list-style-type: none"> Commission to appoint an Ombudsman 	<ul style="list-style-type: none"> Within 3 months 	<ul style="list-style-type: none"> Electricity Ombudsman shall entertain no appeal by any consumer, who is required to pay any amount in terms of an order of the Forum unless the appellant has deposited 50% of the amount
DL	<ul style="list-style-type: none"> More than one Ombudsman for a licensee 	<ul style="list-style-type: none"> Commission to form a selection committee for selecting members comprising of: <ul style="list-style-type: none"> Chairperson of the Commission, Member of the Commission, Subject Specialist Ombudsman shall be assisted by Secretary, Advisors and supporting Staff selected by the selection committee formed by the 	<ul style="list-style-type: none"> Within 3 months 	<ul style="list-style-type: none"> Prepare a report on Six Monthly basis giving details of the nature of grievances of the consumer dealt with by the Electricity Ombudsman

State	Composition	Appointment	Maximum period for resolution	Remarks
				commission
PB	<ul style="list-style-type: none"> More than one Ombudsman for a licensee 	<ul style="list-style-type: none"> Commission to appoint an Ombudsman 	<ul style="list-style-type: none"> Within 60 days 	
HP	<ul style="list-style-type: none"> Ombudsman separately for each Licensee or Common for two or more Licensees 	<ul style="list-style-type: none"> Commission to form a selection committee for selection of the Ombudsman 	<ul style="list-style-type: none"> Within 60 days 	<ul style="list-style-type: none"> Ombudsman shall submit to the commission a half yearly and yearly report on all representations filed
TN	<ul style="list-style-type: none"> Appoint one or more persons as ombudsman will also be provided a secretariat 	<ul style="list-style-type: none"> Commission to appoint an Ombudsman 	<ul style="list-style-type: none"> Within three months 	
KA	<ul style="list-style-type: none"> One Ombudsman for the whole State of Karnataka 	<ul style="list-style-type: none"> Commission to appoint an Ombudsman 	<ul style="list-style-type: none"> Within two months 	
AP	<ul style="list-style-type: none"> Ombudsman separately for each Licensee or Common for two or more Licensees 	<ul style="list-style-type: none"> Commission to appoint an Ombudsman 	<ul style="list-style-type: none"> Within 60 days 	<ul style="list-style-type: none"> Ombudsman shall submit to the commission yearly report on all representations filed Penalty as per section 142 & 146 of the EA Act 2003 on non-compliance of orders²

Review of important cases with respect to consumer protection

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
J&K	JKSERC	JKSERC/48/S M of 2014	Sue-Moto	JKPDD	<ul style="list-style-type: none"> The SERC directed JKPDD to establish CGRF within 4 week time
WB	Supreme Court	(2002)8SCC71 5	WBERC	CESC	<ul style="list-style-type: none"> WBERC had issued an order determining the tariff for the CESC Limited for the years 2000-01 and 2001-02. CESC went on appeal to the Calcutta High Court, which not only re-determined and enhanced the tariff, but also declared that there is no need for public hearings and consumers have no right to represent before the regulatory commission Rejecting the contention of the Calcutta High Court, the Supreme Court has said that various provisions provided in the ERC Act and other Regulations empower the Commission to permit any group of consumers to participate in any proceedings before it
MH	Supreme Court	AIR2008SC97 6, JT2007(10), (2007)8SCC38 1	MERC	Reliance Energy	<ul style="list-style-type: none"> The Commission had issued so-moto notice to Discoms on practice of billing on average basis rather than actual meter reading and directed to refund such bills Discom went to APTEL, and APTEL set aside Commission's order, asking individual consumers to approach CGRF as Commission did not have powers on such matters

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
					<ul style="list-style-type: none"> Commission went to SC and SC ordered that the Commission has power to issue a general direction to licensees that they should abide by conditions of the licence issued by them
OR	Supreme Court	CIVIL APPEAL NO. 7303-7704	Bharat Jhunjhunwala	UPERC	<ul style="list-style-type: none"> One individual, not being a consumer of the distribution licensee, filed an appeal against the order of UPERC regarding tariff for power to be procured by the State Distribution licensees from an IPP (hydro project) located in Uttarakhand APTEL held that the Appellant was not a 'person aggrieved' by the order of the State Commission as it is not a consumer of UP Discoms. Appellant argued that it had filed a PIL. APTEL dismissed the application on the ground that PIL is not maintainable. It was challenged by the individual before SC. SC upheld the decision of APTEL.
NDL	District Court	RCA No. 18/19	Umllesh yadav	TPDDL	<ul style="list-style-type: none"> Appellant had been slapped a fine on the charge of his meter being faulty. He approached Trial court where the petition was dismissed on grounds of Section 41(h) of the Specific Relief Act. The plaintiff had equal efficacious remedy under the Electricity Act which he did not avail and straightway approached to the civil court. Hence, the suit was dismissed. Appellant challenged the judgement in District Court where it was again dismissed on the same ground.
BH	High Court	Case 449 of 2019	Sanjiv Kumar	South Bihar Power Distribution Company	<ul style="list-style-type: none"> Regarding jurisdiction of High Court on matters related to correction of bill amount The Court directed the Petitioner to approach CGRF
UP	UPERC	Petition No. : 1425 12019	Jaypee International Sports	Electricity Ombudsman, UPPCL	<ul style="list-style-type: none"> The Petitioner approached Ombudsman which remanded the case to CGRF. Petitioner then approached the Commission regarding the power of Judicial Superintendence over the Ombudsman. As Per the Petitioner: <ol style="list-style-type: none"> Exercising the power of remand is beyond the jurisdiction of the Electricity Ombudsman as it is not an Appellate Authority over the CGRF. The Commission, while not having jurisdiction to adjudicate disputes between consumer and the Discom on the merits, nevertheless retains jurisdiction to pass appropriate orders where consumer is aggrieved by any order passed by Ombudsman which

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
					<p>is in contradiction of the guidelines issued by the Commission.</p> <ul style="list-style-type: none"> • The Court pointed out three issues on which clarification was required for giving judgement on the Petition: • Whether a consumer can approach the Commission against the order of the Electricity Ombudsman in accordance with regulations of the Commission? • As per the UPERC- Consumer Redressal Forum and Ombudsman Regulations 2007-"The consumer or the Distribution Licensee, aggrieved of the decision of the Ombudsman, may approach any Court or Tribunal having jurisdiction to decide such grievance.", thus shutting out the jurisdiction of the Commission to sit in the appellate capacity on the order of Electricity Ombudsman. • Whether approaching of a consumer to the Commission against the order of the Electricity Ombudsman is in accordance with the scheme of the Electricity Act 2003? • Hon'ble Supreme Court, in its judgement in MERC vs Reliance Energy has held that individual consumer grievances should be settled by forums created under Section 42 (5) & 42 (6) of the Electricity Act 2003 viz. CCRF & Electricity Ombudsman and Commission has a power to issue general direction but it should not intervene into individual cases. Thus, Electricity Act 2003 does not mandate Regulatory Commission to delve into the individual consumer grievances. • If the state regulation permits a representation before the Commission against the order of ombudsman, while being inconsistent to Electricity Act 2003, has yet not been challenged or its virus struck down, what should be the treatment? • The Commission cited 2 Supreme Court cases (BhartiSadan vs AICTE, Starwire vs HERC) to conclude that if a regulation is inconsistent to the provisions of an act then the provision of the act will be considered superior and the regulation will be set aside. • Petition was dismissed.
NDL	High Court	344/W.P.(C)/2 007	Yogesh Jain	BSES Yamuna Power Ltd.	<ul style="list-style-type: none"> • Regarding the Jurisdiction of Commission for handling cases related to defective meters. • The Consumer approached High Court directly and requested to quash its electricity bill • The court ruled that under Section 42(5) and clause 3f of the act; the

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
					CGRF does have authority to check defective meters; hence dismissing the petition on grounds of availability of alternative effective remedy (Article 226 of Constitution) in the form of the Consumer Forum. The Petitioner was directed to file a complaint before CGRF.
NDL	High Court	Cm appl. 11398/2015	BRPL	Ratna Bhat	<ul style="list-style-type: none"> Regarding jurisdiction of CGRF on cases related to Theft of electricity. The Consumer had approached CGRF regarding a power theft charge, on which the forum passed an order BRPL then approached the High Court questioning the authority of the forum to pass orders on cases related to power theft Court upheld that in case of theft CGRF would have no jurisdiction to entertain a complaint of a consumer citing the Regulation 7,8 of DERC (Guidelines for Establishment of Forum for Redressal of Grievances of the Consumers And Ombudsman) Regulations, 2003 and section 42(5) of the Electricity Act
GJ	High Court	LPA/1759/2010	Manoramaben Kansara	MGVCL	<ul style="list-style-type: none"> The case delves on the issue whether the Consumer Disputes Redressal Forum has jurisdiction to entertain complaint regarding bills raised under Section 126 of the Electricity Act, 2003 or against the action taken under Section 135 of the Electricity Act, 2003 The High Court ruled that since there was no deficiency in service on the part of the Electricity Companies, the consumer must approach the Appellate Authority under Section 127 of the Act
MH	APTEL	Appeal 164 of 2018.	Century Rayon	MSEDCL, MERC	<ul style="list-style-type: none"> Regarding compensation for power outages under "Continuous Supply" consumer category Consumer was put under a special category of HT customers, insured Continuous Supply, with a 7% higher tariff than similar customers. The Consumer approached MERC with the plea that there had been a lot of interruptions in the power supply, and he must be reimbursed for the extra 7% tariff charged for the unplanned outage periods MERC ordered MSEDCL to reimburse the amount to the petitioner. MSEDCL filed a review petition to forego the payment citing that the term "Continuous Supply" did not mean in the literal sense of the word This petition was dismissed by MERC, but MERC introduced a new

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
					<p>"60 hr/month interruption" clause which stated that the consumer would be eligible for reimbursement only if there were unplanned outages for more than 60 Hrs a month.</p> <ul style="list-style-type: none"> The Appellant then moved to APTEL which ruled in its favour citing that term "Continuous Supply" did mean uninterrupted power except in cases of which are beyond the control of the Distribution Licensee (Section 44 of Electricity Act) and that the introduction of 60 Hrs test was without merit.
NDL	CIC	CIC/DELRC/C/2018/145468/DERCM	Akshay Kumar Malhotra	DERC, TPDDL	<ul style="list-style-type: none"> Whether the CGRF is a public authority amenable to the RTI Act or governed by the provisions laid down by the DISCOMS. The Petitioner filed a RTI complaint which was rejected by the Respondent on the ground that CGRF is established by the DISCOMS under Section 42(5) of the Electricity Act, 2003 and do not fall within the purview of the RTI Act, 2005. This was upheld by the Commission. Hence, no information can be directed to be furnished.
TN	National Consumer Disputes Redressal	III (2002) CPJ 322 (NC)	S.A Raja	TN Electricity Board	<ul style="list-style-type: none"> Banking facility was provided to captive consumers by the State Electricity Board, at a charge of 2% of the energy generated Complainant is that complainant purchased two wind mills of NEPC which earlier was having arrangement with the Electricity Department; due to which he had to suffer losses. After going through the provision under Clause (d) of Section 2 (i), the National Commission further held that the complainant was not a consumer as the complainant was not buying any goods and was also not hiring or availing any services from the opposite parties for consideration and therefore the Consumer Protection Act was not applicable.
UP	APTEL	Appeal No. 165 of 2005	MVVN Ltd.	Lucknow Alloys Pvt. Ltd.	<ul style="list-style-type: none"> Regarding State Commission's jurisdiction on matters between Licensee and Consumer Lucknow Alloys approached the CGRF regarding a billing issue. Unhappy with the judgement, he then approached UPERC which then passed a judgement in his favour Discom then approached APTEL challenging the authority of UPERC to pass judgement on a matter involving licensee and consumer APTEL cited Section 86 of Electricity Act 2003, by which the State Commission only has

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
					<p>jurisdiction over disputes between the Licensee and the Generating Company.</p> <ul style="list-style-type: none"> The APTEL further stated that Electricity Act allows consumers to approach SERC against any order issued by Ombudsman. Hence, the Commission cannot assume jurisdiction to hear the appeal from the order of CGRF simply because the Ombudsman had not been established till then
JH	National Consumer Disputes Redressal	REVISION PETITION NO. 355 OF 2004	JSEB	Anwar Ali	<ul style="list-style-type: none"> As per section 2(c) of the CPA 1986, consumer fora has jurisdiction to entertain complaints alleging any defect or deficiency in the supply of electricity or alleging adoption of any unfair trade practice by the supplier of electricity The consumer fora has no jurisdiction over matters relating to the assessment of charges for unauthorized use of electricity, tampering of meters etc. which fall under the domain of special Courts constituted under the Electricity Act, 2003
KA	Supreme Court	CIVIL APPEAL NO 1879 OF 2003	KPTC	Ashok Iron Works	<ul style="list-style-type: none"> The Supreme Court arrived at a finding that an electricity consumer falls within the definition of a 'consumer' in Section 2(o) of the Consumer Protection Act 1986 and that any deficiency in the service provided to such a consumer can be raised before the consumer forums established under the act. Ashok Iron Works applied to Karnataka Power Transmission Corporation for the supply of electrical energy and paid the amount demanded by KPTC. However, KPTC did not commence the supply of electricity Accordingly, Ashok Iron Works filed a complaint under the Consumer Protection Act 1986 claiming damages for delay in the supply of electricity KPTC contested the claim on the grounds that section 2(1)(d) of the CPA 1986, excluded persons who availed services for any commercial purposes, from the definition of consumers and since Ashok Iron Works was engaged in commercial activity, the claim of the respondent was invalid. The Supreme Court held that supply of electricity was in no way a sale and purchase of goods under Section 2(1)(d)(i) of the act, instead it found that supply of electricity to a consumer is indeed a 'service' as defined in Section 2(1)(o) of the act Having concluded that Ashok Iron Works was covered by the

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
					definition of 'a person' and that the supply of electricity is indeed a service, the Supreme Court held that if the supply of electricity were not provided in time, this would constitute a service deficiency.
NDL	District Court	Suit No.1477 / 17	Jamna Devi	TPDDL	<ul style="list-style-type: none"> • The case delves on the issues of recovery of damages is barred by Indian Limitation Act • The facts of the case state that, the consumer was supplied electricity through a temporary connection attracting higher tariff rates, and that the connected was not converted into a permanent connection on application of consumer • The consumer approached Court for getting a permanent connection as well as recovery of extra tariff that it had paid over the years due to Temporary connection charges. • The Discom pleaded that the suit is barred under the provision of limitation Act. • The Court found no merit in the submissions of non-feasibility of the defendant and also allowed recovery of differential tariff. • The Court stated that the cause of action of the plaintiff is a continuous one and is renewed every moment till the installation of the electricity meter by the defendant. The suit was within the prescribed period of Limitation. This issue was decided in favour of the plaintiff.
RJ	APTEL	Appeal No. 202 & 203 of 2006	AVVNL	Sisodia Marbles, Safe Polymers, RERC	<ul style="list-style-type: none"> • The Appellant approached APTEL with issue of non-payment of dues by the Respondents. • The Respondents submitted that the recovery of bills was invalid as the timeline of 2 years from when the bill was first due had already passed under Section 56(2) of the Electricity Act. • Issue here is interpretation of the words 'first due' occurring in Section 56 (2) of the Electricity Act, 2003, is involved in these appeals. • APTEL ruled that "the charges would become first due for payment only after a bill or demand notice for payment is sent by the licensee to the consumer. The date of the first bill/demand notice for payment, therefore, shall be the date when the amount shall become due and it is from that date the period of limitation of two years as provided in Section 56(2) of the Electricity Act, 2003 shall start running." • Respondents were instructed to pay the dues as the timeline of 2 years had not passed from the

State	Judicial Body	Case No.	Appellant	Respondent	Brief of the case
MP	Supreme Court	AIR 2002 SC 551	Shail Kumari & Other.	M.P Electricity Board	<p>date of generation of bill.</p> <ul style="list-style-type: none"> • Applicability of Law of Strict Liability and Act of Stranger • A workman got electrocuted as a result of a live wire on the road and died as a result. • It was pleaded on the respondent side that the electrocution occurred owing to the siphoning of the electric energy by the third respondent. But the Court did not accept it. • The rule of 'Strict Liability'⁴⁵³ was followed. According to the rule, the defendant was held liable irrespective of the fact that he tried to avoid the harm by taking precautions. • The exception 'Act of Stranger' was pleaded by the Board but the court decided that it was not applicable to the board since it was the duty of the board to foresee and avoid the consequences of the act of a stranger. • The Board had to pay compensation of 4.3 lakhs.



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