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NOTIFICATION

No.H. 11019/5/08-JERC, the 27th October, 2016. In exercise of the power conferred on it by Section 181 read with Sub-section 5 of Section 42 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling in this behalf, and after previous publication the Joint Electricity Regulatory Commission for the states of Manipur and Mizoram hereby makes the following Regulations to amend and replace the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram (Consumer Grievance Redressal) Regulations, 2010 notified vide No.H. 11019/5/08-JERC, the 18th June, 2010 and gazette notified on 28.06.2010 in Manipur and on 23.06.2010 in Mizoram.

INTRODUCTION

- 1.0** The Joint Electricity Regulatory Commission for Manipur and Mizoram (hereinafter "JERC M&M") recognizes the urgency and need for enhancing the levels of service to the electricity consumers in the State of Manipur and Mizoram. It accords high importance to the rights of the consumers. With the objective of safeguarding their interests, JERC M&M proposes that the Distribution Licensees (in the states of Manipur and Mizoram as defined in Clause 17 of Section 2 of Electricity Act, 2003, to the extent of its activities of distribution and supply of electricity) implement these "Redressal of Consumer Grievances" Regulations to streamline and simplify the process for registration and resolution of complaints.
- 2.0** The JERC M&M shall review and modify these Regulations from time-to-time to ensure that the Distribution Licensees continuously focus on further improvement of consumer services.
- 3.0** The Distribution Licensees must strive hard to ensure quality power and good service. The responsibility of timely and satisfactory resolution of consumer complaints lies with the Distribution Licensee. However, if the complaints are not resolved to the satisfaction of the consumer, the consumer will be free to approach the Consumer Grievances Redressal Forum (hereinafter "CGRF") and the Electricity Ombudsman as per the Regulations.
- 4.0** The Distribution Licensee shall take all necessary steps to give wide publicity of these "Redressal of Consumer Grievances" Regulations through publication in newspapers, and through use of the electronic media. This information shall also be made available on their websites. Any changes / improvements will also be similarly publicized. The consumers should also be made aware of their rights and duties from time to time.

All necessary forms / rules related to complaints shall be stocked in sufficient quantities at the concerned offices of the licensee and shall be made available to the consumers as and when required.

- 5.0 The Distribution Licensees shall identify the operational level of officer/person/ registration center for the complainant to approach in the first instance for solution to the grievance of a consumer. It is expected that many of the grievances shall be attended in this first stage itself. The first stage shall also have a three level complaint handling process. This is to enable the concerned circle/division/ sub-division and the immediate superior officer to settle the issues, which may arise on a day-to-day basis. If there is no settlement within the stipulated time, the matters should automatically be referred to the CGRF stating the reason why the complaint is not settled within the stipulated time. The complainant also has the right to approach the Consumer Grievance Redressal Forum if the complaint is not settled within the stipulated time.
- 6.0 The officers/ persons, etc. to be contacted by the consumer in the first instance and also the redressal forum shall comprise of persons to be nominated by the Distribution Licensee. The redressal forum is intended to provide a focal point where the decisions will be taken on the Consumer Grievances without delay and in an objective manner. This is also to give an opportunity to the Distribution Licensee to satisfactorily settle the grievances of the consumer without the need for the Consumer to approach the Ombudsman. In the event the Consumer is not satisfied with the redressal of the grievances by the Forum he will be entitled to make a representation to the Ombudsman.
- 7.0 The Distribution Licensee shall give wide publicity of the name, designation, address and telephone No. of Officials-in-Charge of IGRC Level-I, II and III for information of the consumer.
- The rights of the consumer under these Regulations shall be without prejudice to his other rights.
- 8.0 Forms 1 and 2 are appended to these "Consumer Grievance Redressal" Regulations.

CHAPTER-I GENERAL

1 Short Title, Commencement and Interpretation

- 1.1 These Regulations may be called the Joint Electricity Regulatory Commission for the States of Manipur and Mizoram (**Consumer Grievance Redressal**) Regulations, 2016.
- 1.2 These Regulations extend to the whole of the States of Manipur and Mizoram and shall apply in relation to all matters falling within the jurisdiction of the Commission.
- 1.3 These Regulations shall come into force from the dates of their publication in the Official Gazette of Manipur and Mizoram.
- 1.4 These Regulations shall be construed harmoniously with the standards of performance of Distribution Licensees/Integrated Utilities and the Electricity Supply Code specified by the Commission under the provisions of clauses (x) and (za) of sub-section (2) of Section 181 of the Act. In case of any inconsistency with these Regulations, the standards of performance of Distribution Licensees/ Integrated Utilities and the Electricity Supply Code shall prevail.

2 Definitions

- 2.1 In these Regulations, unless the context otherwise requires –
- (a) "**Act**" means the Electricity Act, 2003 (36 of 2003);
- (b) "**Commission**" means the Joint Electricity Regulatory Commission for the states of Manipur and Mizoram;

- (c) **“complainant”** shall include:–
- (i) a consumer as defined under Clause 15 of Section 2 of the Act which shall include the legal heirs and successors;
 - (ii) occupier or user of the premises;
 - (iii) any voluntary consumer association registered under the Societies Registration Act, 1860 or under any other law for the time being in force till the Commission notify a procedure for recognition of associations, groups, firms or bodies corporate as registered consumer associations for the purpose of representation before the Commission;
 - (iv) the Central Government or the State Government – or any local authority; and
 - (v) one or more consumers, representing a group of consumers having the same interest;
- (d) **“complaint”** means any grievance of the consumers in the area of supply of the distribution licensee relating to the supply of electricity or rendering of service by the Distribution Licensee and without prejudice to the generality of the above the following:
- (i) any unfair trade practice or a restrictive trade practice adopted by the distribution licensee in providing electricity supply or service to the consumer;
 - (ii) the electricity supply or services hired or availed of or agreed to be hired or availed of by the consumer from the distribution licensee suffer from any defect or deficiency in any respect;
 - (iii) the distribution licensee has charged or proposed to charge for the electricity services mentioned in the complaint, amount in excess of the tariff or price determined or approved by the Commission under the Act;
 - (iv) electricity supply or services are being offered or allowed by the distribution licensee for conveyance or use in contravention of the provisions of any law in regard to standard and or performance or safety or security for the time being in force; and
 - (v) electricity supply or services are being offered or allowed by the licensee without complying with the provisions of law requiring the distribution licensee to display information in regard to the use of such supply or services.
- (e) **“Consumer”** means any person who is supplied with electricity or who has applied for a connection for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under the Electricity Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the network of a licensee, the Government or such other person, as the case may be;
- (f) **“Distribution Licensee”** means a licensee authorised to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply in the state of Manipur and Mizoram respectively or any of its successor entity under the provisions of Section 131 of the Act;
- (e) **“Electricity Ombudsman”** means an authority appointed or designated by the Commission in pursuance of sub-section (6) of Section 42 of the Act and these Regulations, to whom any consumer, who is aggrieved by non-redressal of his grievances by the Forum, may make a representation;
- (f) **“Forum”** means the forum for redressal of grievances of consumers required to be established by Distribution Licensees pursuant to sub-section (5) of section 42 of the Act and these Regulations;
- (g) **“Grievance”** shall mean a grievance of the Consumer arising out of the failure of the Licensee to register or redress a complaint, and shall include any dispute between the Consumer and the Licensee with regard to any complaint or with regard to any action taken by the Licensee in relation to or pursuant to a Complaint;

- (h) **“Internal Grievance Redressal Cell”** (hereinafter **“IGRC”**) means such authority to be contacted by the consumer for redressal of his/her Grievance as notified by the Distribution Licensee before going to the Forum;
- (l) **“representation”** shall mean the representation made to the Electricity Ombudsman by the consumer in person or on behalf of such consumer who is aggrieved by non-redressal of his grievances by the Forum (including dismissal order) within the specified time and in accordance with these Regulations.

2.2 Interpretations

Words and expressions used and not defined in these Regulations but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER-2:

NATURE OF COMPLAINTS AND DUTY OF THE DISTRIBUTION LICENSEES

3 Nature of Complaint and its Registration

- 3.1 Redressal of Consumer Grievances are to be initiated in the form of complaints and at different levels in the prescribed forms 1 & 2 and the Consumer complaints are to be classified as under for convenience of handling of the following categories of grievances:
 - (a) Interruption in power supply
 - (b) Voltage related grievances
 - (c) Load shedding/scheduled outage
 - (d) Meter related grievances
 - (e) Grievances related to billing, collection, etc.
 - (f) Disconnection and reconnection of power supply
 - (g) Delay in new service connection or extension of Load
 - (h) Others
- 3.2 The Distribution Licensee shall have Internal Grievance Redressal Cells (IGRC) at different appropriate locations headed by officers of different levels of the Distribution Licensee and each Cell shall maintain a register for registering the complaints received. IGRC Level-I shall be the Local Office in-charge of the Distribution Licensee, IGRC Level-II shall be the Office in-charge of Division concerned and IGRC Level-III shall be the Office in-charge of Circle concerned.
- 3.3 The Consumer complaints shall be duly registered under the above categories within 2 hours of the receipt of the complaint.
- 3.4 The concerned officers of the Distribution Licensee shall deal with the complaint in the manner set out in Schedule I to these guidelines. The Distribution Licensee shall follow the implementation steps specified in Schedule II.
- 3.5 In the event the grievance of the consumer is not redressed satisfactory to the consumer within the period specified in Schedule –I to these regulations and the consumer does not accept in writing of such satisfactory resolution of the grievance, the officer concerned of the IGR Cell shall within 3 days forward the complaint together with his comments to the higher Level and the Forum for further action.
- 3.6 The consumer may at any time after the expiry of the period specified in Schedule-I approach the Forum for redressal of the grievance in the format set out at Appendix ‘A’.
- 3.7 The Distribution Licensee and its officers, agents and representatives, in dealing with the consumer complaints, shall be guided by the following:
 - (a) the provisions of the Electricity Act, 2003 and the rules and regulations framed there under ;

- (b) the standard of performance for the Distribution Licensee Regulations including as laid down in the Electricity Supply Code, Complaint Handling Procedures, the License terms and conditions under any other order or directions of the Commission shall have to be duly complied with and fulfilled;
- (c) the distribution licensee is undertaking a public utility service and that the consumer who is paying for the service is entitled to expect quality and prompt service;
- (d) the resolution of complaint is done promptly;
- (e) the resolution of the complaint satisfactorily is to preserve or enhance the relationship between the licensee and the consumer;
- (f) the intention should be to encourage amicable resolution of disputes without formal legal representation or reliance on legal procedures;
- (g) the Complaints are generally taken up and decided on first come first serve basis without showing undue preference to any person; and
- (h) proper and accurate records of the complaints received, action taken and the reaction of the consumer concerned are duly maintained.

CHAPTER-3: FORUM FOR REDRESSAL OF GRIEVANCES OF THE CONSUMERS

4 Constitution of the Forum

- 4.1 Any new distribution licensee within six months from the grant of license, establish Forums for redressal of grievances of the consumers in accordance with these Regulations. The existing distribution licensee shall continue with the existing CGRFs constituted as per the JERC M&M (**Consumer Grievance Redressal**) Regulations, 2010 for a period, as may be decided by the Commission. The existing CGRFs shall be reconstituted in accordance with these Regulations in due course as may be directed by the Commission from time to time.
- 4.2 The Forum shall consist of three members to be appointed by the Distribution Licensee with the following composition:
 - (a) A serving officer of the Distribution Licensee or a retired person to be designated by the Distribution Licensee possessing degree in electrical engineering and having at least fifteen years' experience in the distribution of electricity and having served not below the rank of Chief Engineer or Executive Director who will be the Chairman of the Forum. The Chairperson of the Forum along with any of the members shall form the Quorum for the meeting of the Forum.

Provided when the Chairman of the Forum is unable to discharge the functions owing to absence, illness or any other cause, the member indicated in sub-clause (b) of Clause 4.2 of this Chapter shall discharge the functions of the Chairman until the day when the Chairman assumes office.
 - (b) One member shall be a person not below the rank of Superintending Engineer or General Manager of the Distribution Licensee.
 - (c) One shall be a representative of a Consumer Association/Non-Governmental Organization actively engaged in protecting the interests of electricity consumers working preferably at least 5 years on matters concerning consumer's grievances.
- 4.3 The Commission may direct the Distribution Licensee to substitute a member of the Forum with another person as per the composition and qualification provided in Clause 4.2 above if in the opinion of the Commission such substitution is necessary for the proper discharge of the functions of the forum and redressal of the grievances of the Consumers.
- 4.4 Every member of the Forum shall hold office for a fixed term of two years with a provision for extension of term by one more year but shall not be eligible for reappointment at any time after

the expiry of his term of appointment provided that no person shall be appointed as member after he attains the age of 62 years.

Provided that a member of the Forum who is in the employment of the Distribution Licensee upon his transfer shall cease to be a member of the Forum and the Distribution Licensee shall designate another officer as member of the Forum who shall comply with the eligibility criteria set out in clause 4.2(b).

- 4.5** No person shall be appointed and/or be entitled to continue as a member if he stands disqualified on account of his;
- (i) having been adjudged an insolvent;
 - (ii) having been convicted of an offence which in the opinion of the Distribution Licensee involves moral turpitude;
 - (iii) having become physically or mentally incapable of acting as such member;
 - (iv) having acquired such financial or other interest as is likely to affect prejudicially his functions as a member;
 - (v) having so abused his position as to render his continuance in office prejudicial to public interest; or
 - (vi) having been guilty of proved misbehavior.
- 4.6** The Distribution Licensee shall meet the costs and expenses of the Forum including the establishment and staff required to assist the Forum in the discharge of the functions under these Regulations.
- 4.7** The Distribution Licensee shall give publicity of the constitution and existence of the Forum including in the bills raised for the supply of electricity to the consumers and in such other manner as the Commission may from time to time notify. The names and designation of the members of the Forum and the concerned officers of the Forum, the address, e-mail, facsimile and phone numbers of the Forum shall be displayed at all the offices of the Distribution Licensee and shall also be duly publicized.
- 4.8** The Forum shall maintain a regular office at the principal place of business of the Distribution Licensee, where the Forum shall receive the Complaints. The Forum shall have sittings at such Principal Office and also at any other place in the area of supply of the Distribution Licensee as may be decided by the Forum or as the Commission may direct from time to time considering the number of complaints received, the place from where the Complaint is received and the proximity to the principal place of business of the Distribution Licensees and other relevant factors.
- 4.9** A complaint handling procedure for the Forum shall be prescribed by the Distribution Licensee.
- 4.10** A member of the Consumer Grievances Redressal Forum (CGRF) who is representing the Consumers Society/ Association/ Union, but not a working government/ PSU Employee, shall be entitled to get a Sitting allowance of Rs.1000.000 and normal TA/DA at the rate admissible to Superintending Engineer (SE) or General Manager of the Distribution Licensee.
- 4.11** All costs prudently incurred by the Distribution Licensee on establishment and running of the Forum, to the extent reasonable and justifiable, shall be allowed in the determination of tariff of the Distribution Licensee in accordance with the relevant Regulations of the Commission.
- 5 Procedure for Grievance Redressal of the Forum:**
- 5.1** The Forum shall receive the complaints forwarded or filed with the Forum in any format so long such complaint is in writing. The Forum may, however, seek information and details from the complainant in Form 5 appended to these Regulations. The Forum shall also facilitate easy registration of complaints by consumers by notifying an official e-mail address.
- 5.2** The Forum shall send an acknowledgement of receipt of Grievance to the consumer bearing a serial number and date within five (5) working days from the date of receipt of a Grievance. Where the Grievance has been submitted in person, the acknowledgement shall be provided at the time of submission.

- 5.3 Forum shall not admit any Grievance unless it is filed within 1(one) year from the date on which the cause of action has arisen.
- 5.4 The Forum shall not entertain a Grievance:
- (a) unless the consumer has complied with the procedure under Regulation 3 and has submitted his Grievance in the specified form to the Forum;
 - (b) unless the consumer is aggrieved on account of his Grievance being not redressed by the IGR Cell within the period set out in these Regulations;
 - (c) unless the Forum is satisfied that the Grievance is not in respect of the same subject matter that has been settled by the Forum in any previous proceedings; and
 - (d) where a representation by the consumer, in respect of the same Grievance, is pending in any proceedings before any court, tribunal or arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator or authority.
- 5.5 If the Forum is *prima facie* of the view that any Grievance referred to it falls within the purview of any of the following provisions of the Act, the same shall be excluded from the jurisdiction of the Forum:
- (a) unauthorized use of electricity as provided under section 126 of the Act;
 - (b) offences and penalties as provided under sections 135 to 139 of the Act;
 - (c) accident in the distribution; supply or use of electricity as provided under section 161 of the Act; and
 - (d) recovery of arrears where the bill amount is not disputed.
- 5.6 The Forum shall maintain true and correct records of all Complaints received by the Forum from time to time and make available such records for inspection of the Members of the Commission or an officer authorised by the Commission. Such records shall also be open for inspection by the consumers and others who are complainants as defined in this Act. Wherever required by the complainants, the Forum shall provide in writing information of the present status of the Complaint.
- 5.7 The Forum shall redress the grievances expeditiously and shall communicate its decision to the Complainant within a period not exceeding 30 days of the receipt of the Complaint by the Forum. The Forum shall give the reasons in support of its decisions.
- 5.8 The Forum shall be entitled to call for any record and/or require attendance of any person to facilitate and expedite the disposal of the Grievance. The Forum shall also be entitled to direct the Distribution Licensee/Integrated Utility to undertake an inspection.

6 Findings of the Forum

- 6.1 On completion of the proceedings conducted under Regulation 5, except where the Forum consists of a single member, the Forum shall take a decision by a majority of votes of the members of the Forum and in the event of equality of votes, the Chairperson shall have the second and casting vote.
- 6.2 If, after the completion of the proceedings, the Forum is satisfied after voting under Regulation 6.1 that any of the allegations contained in the Grievance is correct, it shall issue an order to the Distribution Licensees directing it to do one or more of the following things in a time bound manner, namely-
- (a) to remove the cause of Grievance in question;
 - (b) to return to the consumer the undue charges paid by the consumer;
 - (c) to pay such amount as may be awarded by it as compensation to the consumer for any loss or damage suffered by the consumer.

Provided however that in no case shall any consumer be entitled to indirect, consequential, incidental, punitive, or exemplary damages, loss of profits or opportunity.

- (d) to pay such amount as compensation as specified by the Commission in the standards of performance of Distribution Licensees.
 - (e) any other order, deemed appropriate in the facts and circumstances of the case.
- 6.3** The order of the Forum shall be binding on the consumer and the Distribution Licensee.
- 6.4** Any order passed or direction issued by the Forum shall be implemented or complied with by the Distribution Licensee or the person required by the order or direction to do so and within the time frame stipulated in the order / directions and further intimation of such compliance shall also be made to the Forum within the time frame stipulated in that regard in the order/directions.

CHAPTER-4

REDRESSAL OF GRIEVANCES BY OMBUDSMAN

7 Representation to Ombudsman

- 7.1** Any consumer if aggrieved by the non-redressal of the grievance by the Forum, may make a representation to the Ombudsman in the format set out at Appendix 'B' within thirty days from the date of the decision of the Forum or within thirty days from the date of the expiry of a period within which the Forum was required to take decision and communicate the same to the Complainant.
- Provided that the Ombudsman may entertain an appeal after the expiry of the said period of thirty days if the Ombudsman is satisfied that there is sufficient cause for not filing it within that period.
- 7.2** The Ombudsman shall decide the representation, after providing the complainant and the Distribution Licensee an opportunity of being heard.
- 7.3** (a) For the purpose of carrying out the functions, the Ombudsman may require the Distribution Licensee or any of the officials, representatives or agents of the Distribution Licensee including the Forum to furnish documents, books, information, data and details as may be required to decide the representation.
- (b) The Distribution Licensee and others mentioned above shall duly comply with such requirements of the Ombudsman.
- 7.4** (a) The Ombudsman shall decide the representation finally within three months from the date of the receipt of the Representation of the Complainant.
- (b) In the event the Representation is not decided within three months, the Ombudsman shall record the reasons herefor including the cost to be paid by the Distribution Licensee if the inability to decide within the time is attributable to the Distribution Licensee.
- (c) In case the delay is for reasons attributable to the Complainant, the Ombudsman may reject the Representation.
- 7.5** The Distribution Licensee shall duly comply with and implement the decision of the Ombudsman.

8 Powers of Ombudsman:

- 8.1** The Ombudsman may receive and consider all representations filed by the complainant for non-redressal of the grievances by the Forum under sub-section (5) of section 42 of the Act.
- 8.2** Notwithstanding the above, the Ombudsman shall not entertain any representation in regard to matter which are subject matters of existing or proposed proceedings before the Commission or before any other authority including under Part X, XI, XII, XIV and XV of the Act.
- 8.3** The Ombudsman shall in the first instance act as conciliator in matters which are the subject matter of representation filed.
- 8.4** Subject to the provisions of the Act and these Regulations, the Ombudsman's decision whether the complaint is fit and proper for being considered by it or not shall be final.

8.5 The Ombudsman shall adopt a procedure ensuring transparency and due compliance of the principles of natural justice and due process of law.

8.6 The Ombudsman shall dispose of a complaint fairly and equitably.

9 Recommendations made by the Ombudsman

9.1 When a complaint is settled through conciliation or mediation of the Ombudsman, the Ombudsman shall make a recommendation which he thinks fair in the circumstances of the case. The copies of the recommendation shall be sent to the Consumer and the Distribution Licensee.

9.2 The Consumer and the Distribution Licensee shall send a communication in writing within 15 days of the date of receipt of the recommendation confirming their acceptance of the recommendations made by the Ombudsman in full and final settlement of the complaint made.

9.3 On the receipt of the unconditional acceptance by both the consumer and the Distribution Licensee the office of the Ombudsman shall duly record the same and dispose the representation.

10 Award:

10.1 Where the complaint is not settled by agreement under Regulations 9, the Ombudsman shall hear the parties and pass a speaking award with detailed reasoning the decision on the representation.

10.2 An Award shall be in writing and shall state the nature of the relief including monetary compensation if any, the Complainant is entitled to as per the award.

10.3 A copy of award shall be sent to the Consumer and the Distribution Licensee.

10.4 The Consumer shall furnish to the Distribution Licensee within a period of one month from the date of receipt of the award or within such period the Ombudsman may allow for reasons to be recorded, a letter of acceptance that the award is in full and final settlement of his claim and complaint made.

10.5 The Distribution Licensee shall comply with the award within 15 days of the receipt of the acceptance letter under Clause 10.4 and it shall intimate the compliance to the Ombudsman.

10.6 An order passed or direction issued by the Electricity Ombudsman shall be binding on the parties so named in the order or direction and such order or direction shall be implemented or complied with by the Distribution Licensee or the person required by the order or direction to do so and within the time frame stipulated therein and further intimation of such compliance shall also be made to the Electricity Ombudsman within the time frame stipulated in that regard therein.

11 Consequences of Non-Acceptance of Award:

If the Consumer does not intimate the acceptance under Clause 10.4 above, the Distribution Licensee shall not be required to implement the award.

12 Punishment for non-compliance of orders/award

Without prejudice to any penalty which may be imposed or prosecution proceeding which may be initiated under the Act, non-compliance of Clause 6.4 and Clause 10.6 of these Regulations in any manner whatsoever shall be deemed to be a contravention of the provisions of these Regulations and the Commission may initiate proceedings *sou motu* or on a complaint filed by any person to impose penalty or prosecution proceeding under Sections 142 of the Act.

13 Powers to Remove Difficulties:

13.1 If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may, by general or special order, direct the Distribution Licensee/Integrated Utility, the Forum and the Ombudsman to take suitable action not being inconsistent with the Electricity Act, 2003 which appears to the Commission to be necessary or expedient for the purpose of removing difficulties.

13.2 The licensee may make an application to the Commission and seek suitable orders to remove any difficulties that may arise in the establishment of the Forum as per these Regulations or otherwise in the implementation of the guidelines.

14 Issue of Orders and Practice Directions:

Subject to the provisions of the Electricity Act, 2003, the Commission may from time to time issue orders and practice directions for the effective implementation of these Regulations to be followed.

15 Powers to Amend:

The Commission may, at any time add, vary, alter, modify or amend any provisions of these regulations.

16 Submission of Reports to the Commission :

16.1 The Forum and the Ombudsman each shall submit a quarterly report on the number of complaints received, redressed and pending within 15 days of the end of the quarter to the Commission.

16.2 The Forum and the Ombudsman each shall also furnish to the Commission by 31st May every year, a report containing a general review of the activities of their offices during the preceding financial year and shall furnish such information as the Commission may require.

17 Repeal and Saving -

17.1 Save as otherwise provided in these Regulations, the Joint Electricity Regulatory Commission for the States of Manipur & Mizoram (Consumer Grievance Redressal) Regulations 2010 is hereby repealed.

17.2 Notwithstanding such repeal, all proceedings and actions taken and orders passed by the Commission or by any authority or Committee under the Regulations or the Orders so repealed, exercising or purporting to exercise jurisdiction under such Regulations or Orders shall be deemed to be as good and valid in law as if it has been so taken and made under the relevant provisions of this Regulations or the Order, as the case may be.

By Order of the Commission

Richard Zothankima,
Assistant Secretary.

SCHEDULE-I

**COMPLAINT RESOLUTION PROCEDURE AND TIME LIMITS
FOR RESOLUTION OF COMPLAINTS.**

- 1 The consumer complaints are to be classified as under for convenience of handling of the following categories of grievances:
 - (a) Interruption in power supply: Fuse-off, etc.
 - (b) Voltage related grievances: Low/high or erratic voltage condition.
 - (c) Load shedding/scheduled outage: Load shedding or scheduled power cuts exceeding 12 hours of duration in a day or power cuts exceeds 25 hours in a week.
 - (d) Meter related grievances: Faulty meter.
 - (e) Grievances related to billing, collection, etc.: Incorrect bill, non- receipt/delayed receipt of bill.
 - (f) Disconnection and reconnection of power supply: Incorrect disconnection and delays in reconnection.
 - (g) Service connection related grievances: Delay in providing service connection including enhancement or reduction of load.
 - (h) Others: Grievances other than the above categories, for example - complaint/information on electricity theft, wastage of energy, misbehavior by Distribution Licensee personnel, irregular entry into consumer's premises by Distribution Licensee employees into consumer premises, etc.

- 2 In respect of any of the above categories of grievances, a complaint can be lodged over telephone, or in person or by post and the Distribution Licensee shall ensure prompt response and action. The complaint other than interruption in power supply, load shedding and voltage related grievances shall be made preferably in person or by post as per Form 1 to make the exact condition about the complaint very clear to the Distribution Licensee. The official receiving the complaint shall register it in Form 1 and issue a Complaint Number. For postal complaints, the receipt shall be dispatched by the next working day.

- 3 The complainant can lodge his/her grievances to the IGRC sequentially (i.e. on non-resolution or unsatisfactory resolution of the complaint at Level-I, Level-II can be approached and on non-resolution of the complaint at Level –II, Level-III can be approached) as below:-
 - i). IGRC Level-I: Local Office in-charge of the Distribution Licensee
 - ii). IGRC Level-II: Office in-charge of Division concerned
 - iii). IGRC Level-III: Office in-charge of Circle concernedImmediately on receipt of any complaint, the officer concerned of the IGRC shall not only take action to redress the grievances on the same day, he will also investigate the reason of delay in providing service.

- 4 In the event the grievance of the consumer is not redressed satisfactory to the consumer within the period specified in Schedule –I to these regulations and the consumer does not accept in writing of such satisfactory resolution of the grievance, the officer concerned of the IGR Cell shall within 3 days forward the complaint together with his comments to the higher IGRC Level and the Forum for further action.

- 5 The Table-1 below outlines the normal time for resolution of complaints.

- 6 The consumer may at any time after the expiry of the period specified in Table-1 can approach the Forum for redressal of the grievance in the format set out at Appendix 'A'.

- 7 Adherence of time limit for rendering the services under various nature of complaints mentioned in Table-1 is subjected to the condition that Distribution Licensee is not prevented from doing so due to extraordinary situations like cyclone, flood, storm or any such occurrences not attributable to the Distribution Licensee.

Table - 1

Sl. No.	Type of Service	Time Limit for rendering services
1	Interruption in power supply (a) Normal fuse-off calls, fuses at the distribution transformer or at the consumer premises. (b) Overhead line/cable breakdowns. (c) Underground cable breakdowns (d) Distribution transformer failure (e) Street Light fault (f) Replacement of damaged Service wire due to consumers fault (g) Replacement of damaged Service wire on account of normal wear and tear or reasons not attributable to the consumer.	<p>Within 4 hours of receiving the complaint in Class-I Cities, within 6 hours of receiving the complaint in Urban Areas, within 24 hours of receiving the complaint in Rural Areas and within 36 hours of receiving the complaint in Remote Areas.</p> <p>Within 24 hours of occurrence of breakdown in Class-I Cities, within 36 hours of occurrence of breakdown in Urban Areas, within 48 hours of occurrence of breakdown in Rural Areas and within 96 hours of occurrence of breakdown in Remote Areas.</p> <p>Within 36 hours of occurrence of breakdown in Class-I cities & Urban Areas, within 72 hours of occurrence of breakdown in Rural Areas and within 144 hours of occurrence of breakdown in Remote Areas, after obtaining clearances.</p> <p>Within 48 hours of receiving the complaint in Class-I Cities & Urban Areas, within 5 days of receiving the complaint in Rural Areas and within 10 days of receiving the complaint in Remote Areas.</p> <p>Within 2 days of detection or receipt of complaint subject to providing of the materials by the local body.</p> <p>Within 3 days from the date of payment of cost of service-wire by the consumer.</p> <p>Within 3 days from the date of receipt of complaint. (The cost of new service-wire is to be borne by the consumer or licensee who born the cost of service-wire required to be replaced by new one.)</p>
2	Load shedding/scheduled power cuts exceeding 12 hours of duration in a day or power cuts exceeds 25 hours in a week without prior notice.	Prompt action for rectification.

<p>3</p>	<p>Voltage fluctuation</p>	<p>On confirmation of the voltage fluctuation exceeding the standard limits, the licensee shall</p> <ul style="list-style-type: none"> (a) ensure that the voltages are brought within the specified limits, within 4 days of original complaint provided the fault is identified to a local problem on the transformer; (b) ensure that the voltages are brought within the specified limits, within 15 days of original complaint provided no expansion/enhancement of the network is involved; and (c) resolve the complaint within 120 days, if up-gradation of the distribution system is required.
<p>4</p>	<p>Meter complaints</p> <ul style="list-style-type: none"> (a) Inspection and checking of meter correctness. (b) Replacement the non-working (stuck up, running slow, fast or creeping) meter at its own cost. (c) Replacement of burnt out meters at its own cost and if the burning of meter is due to causes attributable to licensee. (d) Replacement of burnt out meters at its own cost and if the burning of meter is due to causes attributable to the consumer such as tampering, defect in consumer's installation, meter getting wet, connecting unauthorized additional load etc. 	<p>Within 4 working days of receiving the complaint in Class-I Cities, within 7 working days of receiving the complaint in Urban Areas, within 15 working days of receiving the complaint in Rural Areas and within 20 days of receiving the complaint in Remote Areas.</p> <p>Within 3 working days in Class-I Cities, within 5 working days in Urban Areas, within 15 working days in Rural Areas and within 20 days in Remote areas.</p> <p>Within 3 working days of receiving the complaint in Class-I Cities, within 5 working days of receiving the complaint in Urban Areas, within 15 days of receiving the complaint in Rural Areas and within 30 days of receiving the complaint in Remote Areas.</p> <p>The licensee shall serve a notice to the consumer for recovery of cost of the meter within 7 days of detection and shall replace the meter within 15 days of receiving the payment from the consumer and after necessary corrective action is taken to avoid future damage to the meter.</p>
<p>5</p>	<p>Shifting of meters/service lines</p> <ul style="list-style-type: none"> (a) Shifting the service connection in the existing premises or for deviation for the existing lines at consumer's own cost. (b) Completion of works from date of payment of the charges and necessary clearances for 	<p>The licensee shall inspect and inform the estimated cost to the consumer within 7 days of receipt of application form in Class-I Cities, within 10 days of receipt of application form in Urban Areas and 15 days of receipt of application form in Rural Areas & Remote Areas.</p>

	(i) Shifting of meter/ service line (ii) Shifting of LT/HT line (iii) Shifting of transformer	Within 7 days. Within 20 days. Within 30 days.
6	New connections/additional load (a) In cases where power supply can be provided from existing network. (b) In cases where power supply requires extension of distribution mains: (i) Acknowledgement (ii) Release of power supply from the date of payment of required security and other charges by the consumer seeking extension of supply.	Power supply shall be released within 30 days of receipt of application. The licensee shall acknowledge the receipt of the application within 2 days and shall intimate to the applicant in writing, the amount of security and other charges payable within 7 days of receipt of application for Low Tension, within 15 days of receipt of application for High Tension and within 30 days of receipt of application for Extra High Tension. 30 days in Low Tension supply, 90 days in High Tension supply and 180 days in Extra High Tension Supply. Provided the Distribution Licensee may approach the Commission for more time extension in specific cases and Licensee shall not be held responsible for the delay, if any, in extending supply, if the same is on account of problems relating to right of way, acquisition of land, or the delay in consumer's obligation over which licensee has no reasonable control.
7	Transfer of ownership and change of category and conversion of existing services (a) Title transfer of ownership (b) Change of category (c) Conversion of existing services: (i) Conversion from single phase to Low Tension 3-phase and vice-versa (ii) Conversion from Low Tension 3-phase to High Tension 3-phase and vice-versa.	Within two billing cycles from the date of receipt of application. The licensee shall examine the technical feasibility upon receipt of such application form and inform the consumer within 7 days of receipt of application form about the feasibility. Within two billing cycles from the payment of necessary charges. Within two billing cycles from the payment of necessary charges.
8	Temporary supply of power (a) Issue of demand note if the connection is found technically feasible.	Within 3 days of acceptance of application in Class-I Cities and Urban Areas and within 7 days of acceptance of application in Rural Areas Remote Areas.

	(b) Intimation to applicant if the connection is not found technically feasible. (c) Supply of power.	Within 7 days for LT connection and 15 days for HT/EHT connection after receipt of application form. On payment of applicable charges after clearing dues, if any.
9	Consumer bills complaint (a) Acknowledgement of complaint (b) Resolution of the complaint	Immediately if received in person and within 7 working days, if received by post. Within 24 working hours of its receipt, if no additional information is required to be collected and within 15 working days of receipt of complaint in case any additional information is required.
10	Disconnection of supply (a) On the request of consumer (b) Refund of advance consumption deposits/ consumption security and meter security along with "No- Dues certificate".	Within 3 days from the receipt of application in Class-I Cities, within 7 days from the receipt of application in Urban Areas and within 10 days from the receipt of application in Rural Areas & Remote Areas. Within 30 days from the date of clearance of all dues outstanding by the consumer in Class-I Cities and Urban Areas, and within 45 days from the date of clearance of all dues outstanding by the consumer in Rural Areas & Remote Areas.
11	Reconnection of supply following disconnection due to non-payment of bills	Within 48 working hours of receipt of production of proof of payment by the consumer in Class-I Cities, Urban Areas, Rural Areas and Remote Areas.
12	Others	Normally not exceeding 15 days and a written reply shall be made along with resolution of the complaint.

SCHEDULE -II**IMPLEMENTATION STEPS**

To ensure that these Guidelines is put in place and action taken accordingly, the following steps will be taken by the Distribution Licensee:

(1) Consumer Grievance Register:

All information regarding complaints received at the respective office and their redressal shall be maintained in a "Consumer Grievance Register" in the specified format at all IGRC Levels and in the office of the forum.

(2) Monthly Report:

The higher officers shall review the above "Consumer Grievance Register" fortnightly and records shall be maintained in a Monthly Report in specified format. The Inspecting Officer shall also review the above register of complaints and follow-up action from time to time. A synopsis of the format, represented circle wise, shall be posted on the websites of the Licensee. The progress of the resolution by the Forum shall also be posted on the website of the licensee every month.

(3) Complaint Monitoring Cell:

There shall be separate Complaint Monitoring Cell in the offices of the Executive Engineer/Deputy General Manager, Superintending Engineer/General Manager, Chief Engineer/Executive Director and the Engineer-in-Chief/Managing Director concerned of the Distribution Licensee. This cell shall maintain the records of delay in providing service to consumers and monitor actions taken to redress complaints and take remedial action, if necessary.

(4) Daily Report :

Information on the following parameters shall be reported to the Complaint Monitoring Cell in the office of the concerned Chief Engineer/Executive Director and the Engineer-in-Chief/Managing Director:

Number of problems of interruption of power/fuse-off/fault calls not attended to for more than 24 hours. This should be accompanied with a brief description of the issues involved.

Name of areas where load shedding/scheduled outage continued for more than 24 hours.

Number of cases where unauthorized entry into consumer's houses were reported.

(5) Reasons for non-redressal of Complaints:

In case of failure by the notified officer to resolve the complaint to the satisfaction of the consumer within the specified time limit, he shall report the reasons for the failure to the Executive engineer/ Deputy General Manager and Superintending Engineer/General Manager concerned on a monthly basis.

(6) Availability of Forms/Rules:

The licensee will ensure the availability of the following items at all offices for the convenience of the consumers:

- a) Regulations for Redressal of Consumer Grievance.
- b) Various forms for lodging of complaints.

- c) Application form for power supply.
- d) Seniority list for new connections.
- e) Electricity Supply Code
- f) Schedule of Miscellaneous Charge.
- g) Consumer Rights Statement.
- h) Approved Performance Standards.
- i) Applicable electricity tariff and surcharges/duties.
- j) Display of the names, addresses and telephone numbers of officers on the notice boards.
- k) Display of the office timings for bill collection on the notice boards.
- l) Display of the time schedule of the power cuts on the notice board.
- m) Display of target time-period within which the different types of problems will be resolved by the licensee.

(7) Central Complaint Centre:

The licensee shall establish Central Complaint Centre in due course where consumers should be able to lodge complaint through telephonic conversation or through the Internet. Licensee should make arrangements to acquire a single telephone number for the entire state where consumers can lodge complaint. The Central Complaint Centre will receive all the complaints of the licensee and will provide a token number to the complainant. The Central Complaint Centre shall thereafter initiate steps to process the complaint. The licensee may implement this facility first of all in cities and thereafter extend the same facility to the rural areas.

(8) Infrastructure and Training:

The Distribution Licensee shall ensure that all adequate infrastructure is put in place to handle the complaint redressal mechanism and to ensure that all time limit are adhered to. It shall be the responsibility of the Distribution Licensee to ensure that there are adequate phone lines to take all complaint calls, that the complaint desk is manned at all times, that adequate training on telephone and personal etiquette is undertaken, that all necessary forms/rules/procedures, etc are available at all times and all other necessary steps are taken to ensure that consumers have a good experience in their interaction with the officers/staff.

Form – 1
Cost of Form – Re 1/-

Registration of Grievance at Level-I

Grievance No. & Date

(To be provided by office)

Consumer No.: _____

1. Name and address : _____

2. Telephone No. of complainant: _____

3. Type of problem (Please tick the type of problem applicable) _____

Interruption	Voltage	Loadshedding	Meter	Bill	Disconnection	NewConnection	Others
--------------	---------	--------------	-------	------	---------------	---------------	--------

4. Brief description of grievance : _____

5. Any other information : _____

6. Date and time of complaint : _____ Signature of complainant

_____Tear from here _____

To be retained by consumer

Complaint No. & Date

(To be provided by office)

Consumer No : _____

1. Name of consumer : _____

2. Brief description of complaint : _____

3. Target date and time to resolve grievance : _____ (To be provided by office)

Signature and name of staff receiving the application

Designation & Seal

(Please provide your complaint number in any future communication)

Form-2
Cost of Form-Re 1/-

Grievance Registration at Level-II/III

Grievance No. & Date

(To be provided by office)

Consumer No. _____

1. Name and address : _____

2. Telephone No. of complainant : _____

3. Name of office (Level-I/II) where complaint was registered earlier : _____

4. Brief description of grievance : _____

5. Date and time on which complaint at Level-I/Level-II office was registered : _____

6. Grievance No. (given by licensee at Level-I/II): _____

7. Please attach copies of communication with Level-I/II office (Optional):

8. Date : _____ Signature of complainant

_____Tear from here _____

To be retained by Consumer

Complaint No. & Date

(To be provided by office)

Consumer Number : _____

1. Name of consumer : _____

2. Brief description of complaint : _____

Signature and name of staff receiving the application

Designation and Seal

(Please quote complaint number in future communications)

Name of office : _____

Place : _____

Complaint Receiving Register

P

S. No.	Date	Time	Complaint No.	Name of complainant and his telephone number	Type of problem	Complaint	Remarks
1	2	3	4	5	6	7	8

Month : _____

Monthly report on complaints received

S/No.	Name Of office	Type of complaint	Complaints at the beginning of the month (No)	No. of complaints received during the month (No)	Complaints under Col.3 that are resolved (No)	Complaints under Col.4 that are resolved	No. of complaints pending at the end of the month					No. of Complaints redressed within stipulated time	No. of Complaints not redressed within stipulated time	Remarks (including reasons for non-redressal of complaints).
							More than 6 months	3 to 6 months	1 to 3 months	For 1 month	Total			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Appendix-A

APPLICATION TO FORUM FOR REDRESSAL OF GRIEVANCE

Date _____

1. NAME OF THE CONSUMER _____
2. FULL ADDRESS OF THE CONSUMER _____
PIN CODE _____
PHONE NO. _____
FAX NO. _____
EMAIL ID _____

3. PARTICULARS OF CONNECTION AND CONSUMER No.
(Please state nature of connection)

4. DISTRIBUTION LICENSEE _____

5. DETAILS OF THE GRIEVANCE, FACTS GIVING RISE TO THE GRIEVANCE

(If space is not sufficient please enclose separate sheet)

6. DATE OF ORIGINAL INTIMATION OF GRIEVANCE BY THE CONSUMER TO THE DISTRIBUTION LICENSEE (INTERNAL GRIEVANCE, REDRESSAL CELL)

7. REMEDY PROVIDED BY THE DISTRIBUTION LICENSEE, IF ANY *(If remedy has been provided, please enclose relevant communication from the Distribution Licensee)*

8. NATURE OF RELIEF SOUGHT FROM THE FORUM

(Please enclose any proof to support claim, if any)

9. LIST OF DOCUMENTS ENCLOSED

(Please enclose copies of any relevant documents which support the facts giving rise to the Grievance)

Appendix - B
REPRESENTATION BEFORE ELECTRICITY OMBUDSMAN
No. _____ of year _____

Date _____

(TO BE FILLED UP BY OFFICE)

To
The Electricity Ombudsman
(Address)

Dear Sir,

SUB: Please make a mention of the order of the Forum from which a representation to the Electricity Ombudsman is being made.

Details of the Grievances are as under:

1. NAME OF THE CONSUMER _____
2. FULL ADDRESS OF THE CONSUMER _____
PIN CODE _____
PHONE No. _____
FAX NO. _____
EMAIL ID _____
3. NAME AND FULL ADDRSS OF THE DISTRIBUTION LICENSEE, PIN CODE, PHONE NO./FAX NO. _____
4. NAME AND FULL ADDRESS OF THE FORUM, PIN CODE, PHONE./FAX NO. _____
5. PARTICULARS OF CONNECTION AND CONSUMER NO.
(Please state nature of connection)
6. DATE OF SUBMISSION OF GRIEVANCE BY THE CONSUMER TO THE FORUM

(Please enclose three copies of the Grievance)
7. SUBJECT MATTER OF THE REPRESENTATION _____
8. DETAILS OF THE REPRESENTATION, FACTS GIVING RISE TO THE REPRESENTATION
(If space is not sufficient please enclose separate sheet)

9. Whether the consumer has received the final decision of the Forum ?
(If yes, please enclose 'three copies' of the Forum's order conveying its final decision)
10. NATURE OF RELIEF SOUGHT FROM THE ELECTRICITY OMBUDSMAN

(Please enclose 'three copies' of documentary proof, if any, in support of your claim)

11. NATURE AND EXTENT OF MONETARY LOSS, IF ANY, CLAIMED BY THE CONSUMER (IF ANY) BY WAY OF COMPENSATION

Rs. _____

(Please enclose documentary proof, if any, to show that such loss is actual loss caused as a direct consequence of alleged act, omission or commission of the Distribution Licensee)

12. LIST OF DOCUMENTS ENCLOSED

(Please enclose 'three copies' of all the documents which support the facts giving rise to the Representation)

13. DECLARATION

(i) I/We, the consumer /s herein declare that:

(a) the information furnished herein above is true and correct; and

(b) I/We have not concealed or misrepresented any fact stated in herein above and the documents submitted herewith.

(ii) The subject matter of my/our representation has never been brought before the Office of the Electricity Ombudsman by me or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge.

(iii) The subject matter of my/our representation has not been settled through the Office of the Electricity Ombudsman in any previous proceedings.

(iv) The subject matter of the present representation has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/arbitrator.

Yours faithfully,

(Signature)

(Consumer's name in block letter)

NOMINATION – (If the consumer wants to nominate his representative to appear and make submissions on his behalf before the Electricity Ombudsman or to the Office of the Electricity Ombudsman, the following declaration should be submitted).

I/We the above named consumer hereby nominate Shri/Smt.....who is not an Advocate and whose address isas my/our REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us. He/She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Consumer)