

Do's and Dont's

Consumer Grievance Redressal Forum

Do's

1. General

The following are the basic references required for dealing with petitions received by the CGRF:

- Consumer Grievance Redressal Forum and Electricity Ombudsman regulations
- Tamil Nadu Electricity Distribution Code
- Tamil Nadu Electricity Supply Code
- Electricity Act 2003 and Electricity Rules 2005

The Chairman of each CGRF shall supply copies of the above to the members of CGRF.

2. CGRF Chairman's duties

It is the responsibility of the Chairman of the forum, to ensure that the vacancies of the members of the forum are filled up in time so that the forum has sufficient quorum to dispose the petitions received. CGRF Regulation 3(6) , in this regard states that “ *The quorum of the Forum shall be two among the three members, which includes the Chairperson. The post of the members shall not be kept vacant for more than two months*”. The District Collector may be requested three months in advance as and when a vacancy arises. Delays should be brought to the notice of the Commission.

Chairman is responsible for compliance of the time schedules prescribed for dealing with consumer grievance petition. CGRF regulation 7(7), in this regard states that “*the forum shall complete the enquiry as expeditiously as possible and every endeavor shall be made to pass appropriate order on the complaint within a maximum period of 2 months from the date of receipt of the complaint by the Forum*”

Chairman is responsible for ensuring the dissemination of the information on CGRF to the common public/ consumers. The minimum requirements are :

- a) Display a prominent and eye catching notice in Tamil, at all offices of the distribution , starting from each section office, bill collection centers informing the consumers to approach directly with a petition before the CGRF for all their service related problems and that they need not exhaust the intermittent channels such as AEE/ EE etc.,
- b) Print the following statement in the applications/bills/receipts issued by the licensee(TNEB).

“Consumers whose grievance is not redressed by the official of the licensee may approach the Consumer grievance Redressal Forum(CGRF).”

- c) Media publicity at regular intervals with details such as address of Chairman / CGRF, telephone numbers, e-mail address, and wherever possible, functions of CGRF etc.,
- d) Issue press releases to local papers, local TV channels, on the composition of forum, cases disposed, consumer feedback on the redressal mechanism etc.,
- e) Contact territorial AIR officials and arrange for radio talk to educate the public about the forum.
- f) Above all, educate all officers under your control about the forum, the governing regulations and make them to pass on the information to the consumers, because, only the field officials come in direct contact with the consumers.

3) Grievance disposal procedures

- a) Since the disposal is time bound, designate the Executive Assistant or PRO and make them responsible to maintain a register to watch the progress of each grievance, adhere to the specified time periods and bring to Chairman’s attention on any overshoot etc., for immediate action.

- b) CGRF Regulation 7 should be scrupulously followed in grievance handling procedure. As stated in 7(1), *“On receipt of the grievance from any complainant, the Chairperson shall make endorsement on the grievance subscribing his dated initial.”*
- c) Note that as per Regulation 7(2), *“Within seven working days of receipt of a consumer grievance, the forum shall send an acknowledgement to the complainant.”*
- d) If a petition is returned for attending to any defect, it should be done so with the knowledge of the Chairman and all the defects should be indicated in one go. Petitions not authenticated with signature / thumb impression etc., may be returned for authentication.
- e) When a petition is anonymous, act as per the regulation 7(2) which states that *“If the grievance/petition is anonymous, the same shall be rejected on receipt and placed before the forum in the next available opportunity for recording the same”*.
- f) Admissibility or otherwise should be decided within ten days of receipt of the petition. In case a petition is rejected, the fact should be informed to the petitioner in writing with reasons.
- g) As specified in Regulation 7(4), *“Where the complainant or his representative fails to appear on the date of hearing before the Forum, the Forum may, either dismiss the complaint for default or decide it on merits”*.
- h) Any petition should be finally disposed of within two months from the date of receipt and the order should invariably inform the consumer that he is at liberty to appeal to Ombudsman within thirty days.

4) Orders of the Forum

The orders of the forum should be a speaking one, narrating the grievance, issues to be decided, applicability of regulations/codes etc., reply by the respondents and final decision. The order should be signed by all the members. The dissenting view of any of the members should also be

recorded and communicated. The order should spell out the appeal provision to the Ombudsman and time limit of thirty days for appeal.

If, in the course of the hearing by the forum, the outside members insist for a decision, which is not in line with the Act/ Regulations/Codes/Standing instructions of the licensee etc., but has to be ordered on the basis of majority of votes (two outside members), it is the responsibility of the Chairman/CGRF to bring it to the attention of the other two Members and also record the same in the final orders.

DON'T s

1. Do not dispose of the CGRF petition as a routine representation. Do not forward it to EE/ AEE for routine action. Disposal by a subordinate officer on a petition filed before the CGRF does not amount to disposal.
2. Date of hearing of a petition should be informed to the petitioner individually. A press release or a common notice stating that the Forum would meet on such and such a date is not a correct procedure.
3. Do not reject any petition on minor technical / procedural shortcomings. **Rejection** of any complaint/ petition should be **necessarily informed to the consumer in writing** as stated in **regulation 7(3)**.
4. Most of the cases can be resolved by a patient hearing and do not turn down the consumers without listening to them.
5. Petitions received by the Commission and forwarded to CGRF should be acknowledged and the final disposal informed to the Commission.
6. When only two members including the Chairman are present for a meeting of the Forum and **in the event of equality of votes** while dealing with a complaint, do not keep the complaint / petition pending either for placing in the next meeting with all members (full

quorum) or for appointment of the third member. **Regulation 7(8)** provides the guideline in such cases to “**record the facts and refer it to Ombudsman for final orders**”.

1. **Regulation 22(1)** specifies that “*the Licensee shall comply with the award within the period specified in the award and shall intimate the compliance to the Ombudsman*”. Report on compliance should be submitted by the concerned officer of TNEB within the time limit given for each award. Non compliance of the orders of the Ombudsman will be treated as a violation of CGRF Regulation 22(1) and thus would invite punishment under sections 142 and 146 of the Electricity Act 2003 (reproduced for ready reference in Annexure) .

(BY ORDER OF THE COMMISSION)

Annexure

Sections 142 and 146 of the Electricity Act 2003 which deal with the non-compliance of the directions of the Commission are reproduced below :

142. Punishment for non-compliance of directions by Appropriate Commission – In case any complaint is filed before the Appropriate Commission by any person or if that Commission is satisfied that any person has contravened any of the provisions of this Act or the rules or regulations made thereunder, or any direction issued by the Commission, the Appropriate Commission may after giving such person an opportunity of being heard in the matter, by order in writing, direct that, without prejudice to any other penalty to which he may be liable under this Act, such person shall pay, by way of penalty, which shall not exceed one lakh rupees for each contravention and in case of continuing failure with an additional penalty which may extend to six thousand rupees for every day during which the failure continues after contravention of the first such direction.

146. Punishment for non-compliance of orders or directions—Whoever, fails to comply with any order or direction given under this Act, within such time as may specified in the said order or direction or contravenes or attempts or abets the contravention of any of the provisions of this Act or any rules or regulations made thereunder, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one lakh rupees, or with both in respect of each offence and in the case of a continuing failure, with an additional fine which may extend to five thousand rupees for every day during which the failure continues after conviction of the first such offence:

[Provided that nothing contained in this section shall apply to the orders, instructions, or directions issued under section 121]