

Minutes of the Meeting of Consumer Grievance Redressal Forums

held at GERC, on 13th July, 2009 at 15.00 hours.

The following members / representatives of Consumer Grievance Redressal Forums of various Distribution Licensees and members / staff of the Commission were present in the meeting:

Commission and Secretary:

1. Dr. P.K. Mishra (Chairman, GERC),
2. Shri P. S. Shah (Secretary, GERC)/Electricity Ombudsman

Chairmen/ Members / representatives of Consumer Forums

1. Shri K.B.Daftary, Chairman, PGVCL (Bhavnagar) forum.
2. Shri B. P. Jani, Independent Member, PGVCL (Bhavnagar) forum.
3. Shri U.I. Oza., Convener, PGVCL (Bhavnagar) forum.
4. Shri S.A. Pota, Chairman, MGVCL forum.
5. Prof. Dr. R.C.Desai, Independent Member, MGVCL forum.
6. Shri K. R. Shah, Member, MGVCL forum
7. Shri P.L.Mistry , Convener, MGVCL forum
8. Shri S.R.Desai., Chairman, DGVCL forum.
9. Shri A.M.Desai, Independent Member, DGVCL forum.
10. Shri M.B.Parikh, Member, DGVCL forum.
11. Shri T.D.Davda, Add.Chief Engg., DGVCL
12. Shri A.M.Dhebar, Chairman, PGVCL(Rajkot) forum
13. Shri K.S. Malkan, Member, PGVCL(Rajkot) forum.
14. Shri K.D.Viradia, Convener, PGVCL(Rajkot) forum.

15. Shri M.G. Patel, Chairman, UGVCL Forum
16. Shri R.B.Kothari, Member, UGVCL forum
17. Shri C.L.Sharma, Convener, UGVCL forum
18. Shri C.M.Joshi, Chairman, PGVCL (Bhuj) forum.
19. Prof.A.K.Joshi, Independent member, PGVCL (Bhuj) forum
20. Shri N.B.Shah, Convener, PGVCL (Bhuj) forum.
21. Prof. P.D.Munshi, Chairman, TPL, Surat forum.
22. Shri J.T.Bhanvadia, Independent member, TPL, Surat forum
23. Shri Shailesh R.Desai, Member, TPL, Surat forum
24. Mrs. P.H.Desai, Convener, TPL, Surat forum
25. Shri P.B. Patel, Chairman, TPL , Ahmedabad forum.
26. Shri R. B. Sinha, Independent Member, TPL , Ahmedabad forum.
27. Shri B.M.Bhatt, Member, TPL , Ahmedabad forum
28. Shri F. A. Garari, Convener, TPL ,Ahmedabd forum

Officers of the Commission:

Shri D. R. Parmar, Joint Director, Shri S.R.Pande, Legal Advisor, Smt. A.S.Dani,
Dy.Director, Shri D.R. Parmar, Executive

1. A meeting of all the Consumer Grievance Redressal Forums (CGRFs) was convened on 13th July, 2009 to review their functioning and to share the experiences of the CGRFs.
2. The meeting was chaired by Dr. P.K.Mishra, Chairman, GERC.

3. Shri P. S. Shah, Ombudsman and Secretary, GERC, extended a warm welcome to the participants. He mentioned that though this meeting is not mandatory, with a view to sharing the ideas and monitoring of CGRFs, Commission prefers to convene the meeting at regular intervals.
4. At the outset, Chairman, GERC mentioned that protection of Consumers' interest and better quality services to consumers are very important areas as envisaged in the Electricity Act, 2003. In the last meeting it was pointed out that the functioning of CGRFs is a major area of concern now, but it is not given enough weightage so far. CGRFs need to take a proactive approach, so that core issues are resolved effectively.

He also pointed out that FOR had constituted Working Group on "Protection of Consumer Interest". Some suggestions were circulated with the agenda. However, it will be useful to circulate the whole report for the information of the CGRFs.

5. Then after agenda items were taken up for discussion,

Item No. 1:

To take note of the record of proceedings of the last meeting

The minutes were circulated to all the Forums/Members vide Commission's letter No. GERC/SEC/2008 /02872 dated 24.12.2008. As there were no suggestions on it, the same was taken on record.

Item No. 2:

Action Taken Report:

The following action points of the last meeting (held on 21.10.2008) were discussed in the meeting.

5. Addressing consumer complaints

In the last meeting it was pointed out that the methodology and system of working vary from CGRF to CGRF. Hence, it was suggested that complaints be registered properly and should be disposed of by speaking orders. Secretary, GERC invited members to express their views regarding methodology adopted by CGRFs with focus on two main aspects: (i) every complaint received at CGRF should be registered, and (ii) it should be disposed of with a speaking order. He stated that it is observed that the complaints received by the CGRF are sent to Division/Sub-Division Office or circle office and such complaints are not disposed of by speaking orders.

Shri S.A. Pota, Chairman, MGVCL, CGRF stated that CGRF is a quasi judicial body. The complaint received upto circle level is internal matter and can not be entertained as a complaint before CGRF.

Shri A.M.Dhebar, Chairman, PGVCL (Rajkot), CGRF stated that they first register the complaint, ask for report from the field officer concerned and then after hearing, it is disposed of by a speaking order. Shri P.B. Patel, Chairman, CGRF, TPL, Ahmedabad stated that the complaints received are registered and orders passed thereon are uploaded on their website.

Shri T.D. Davda, Additional CE, DGVCL stated that the complaints received at CGRF related to policy matters are decided by the CGRF, otherwise the same are sent to subdivision/Division Office or circle office with direction to dispose the same.

7.1 Development of website of forums and uploading decisions of forums on website.

CGRF of DGVCL mentioned that it will start to upload their decision on their website within a short time.

7.2 Steps are taken for publicity of CGRFs.

Chairman observed that, some CGRFs do not meet regularly. They have to organize meeting on regular basis. Looking to the cases dealt by CGRFs in the last quarter in some of the license areas like MGVCL, TPL, Surat there do not seem to be many complaints. CGRF should look into this aspect and verify the reasons for less number of complaints and whether consumers have less awareness or CGRF is not easily accessible.

Item No. 3:

Discussion/opinion on issues suggested by the FOR Working group on consumer protection

- (1) Time limit of 45 days should be observed by CGRFs.
- (2) CGRF is not to be treated as the second channel of appeal.

Chairman observed that in Gujarat it appears that CGRF is not acting in same manner. CGRF works as second channel instead of the first channel.

- (3) Involvement of Consumer association and NGOs:

Chairman observed that NGOs, which can work on behalf of rural consumers, and having knowledge of electricity can work as independent persons and protect the consumers' interest. He mentioned that some reputed and independent NGOs/consumer associations could be identified to help and educate consumers regarding SOP, Consumer charter etc.

(4) Notifying Consumer Charter:

Chairman mentioned that the working group of FOR has suggested that every licensee and CGRF should prepare consumers' charter/citizens' charter. Such charters cover most of the points as suggested in consumer Rights statement. Most of the CGRFs confirmed the existence of consumer charters. PGVCL CGRF mentioned that PGVCL has prepared such a charter and put up on their website. Secretary, GERC requested all CGRFs to send copies of such consumer charters to the Commission for information.

(Action by all CGRFs).

Item no.4:

Presentation by TPL, Surat and UGVCL on steps taken on consumer awareness

Shri S.R.Desai, Member, CGRF, TPL, Surat and Shri M.G.Patel, Chairman, UGVCL made power point presentations in the meeting.(Copy enclosed). The presentations gave a picture of the efforts made by TPL, Surat and UGVCL for the awareness of electricity consumers regarding not only consumer grievance redressal, but also on safety and energy conservation.

Chairman stated that the the licensees- TPL, Surat and UGVCL have different areas: urban and rural. Thus, both the presentations were very illustrative depicting various modes to educate urban and rural consumers. This will be very useful for other CGRFs to review their efforts for consumer awareness. He also suggested that to apprise the Commission about the efforts taken for consumer awareness, CGRFs of MGVCL and PGVCL (Rajkot) will make presentation in next meeting of CGRFs.

(Action by CGRFs of MGVCL and PGVCL (Rajkot))

Dr. R.C. Desai, MGVCL CGRF raised issues like old dues of previous consumer and clarification regarding dealing of complaints under section 126 and 135. Chairman suggested that such legal issues may be sent in advance before meeting so that the same can be circulated and views of other CGRFs may be obtained. Shri K.S. Malkan, Member, PGVCL (Rajkot) suggested that a separate budget allocation should be made for CGRFs. Chairman mentioned that this point may be put before meeting of M.D.s of all Discoms.

Shri B. P. Jani, Independent Member, PGVCL (Bhavnagar) forum suggested that an order of CGRF, which rejects the claim of a consumer, should mention that "This order can be challenged before Electricity Ombudsman ". This suggestion was accepted and it was agreed that such orders should mention time limit of one month to approach Electricity Ombudsman and the address of Electricity Ombudsman.

(Action by all CGRFs).

Item no. 5:

Need for uniformity in the working

Secretary, GERC mentioned that some issues of policy nature should be decided by the Apex co-ordination committee and such issues should be dealt uniformly by Discoms. After discussing some of the common issues such as old dues of previous owner, Chairman, expressed his view that uniformity in the working does not mean that the decisions given on some common issues should be the same; but it envisages that procedural uniformity should be achieved. This

includes full time availability of CGRF/responsible officer at the place of CGRF. Minimum requirement, infrastructure facility etc. should be available with CGRF and should have regular meetings.

Shri P.B.Patel, Chairman, TPL, CGRF mentioned that officers are available from 10.00 AM to 5.00 PM. and the CGRF meet every Saturday.

Shri A.M.Dhebar, PGVCL (Rajkot) mentioned that the CGRF has a full time Convener and he receives complaints on mobile also. He receives at least two or three complaints a day on mobile phone.

Item no. 6:

Timely Disposal of the complaints

Chairman stressed upon the timely disposal of complaints. He pointed out that a decision should not be taken without proper deliberation, just to observe the time limit. Such practice may result against the interest of the consumers.

Item No. 7:

7.1 Recommendation of Parliamentary Standing Committee on energy

Secretary mentioned that the Parliamentary Standing Committee on Energy has presented its report regarding "Role of SERCs in protection of interest of consumers' interest". The Committee recommended that the consumers' grievances should be given due importance and the mechanism provided in the Electricity Act, 2003 regarding CGRFs and Ombudsman mechanism should work independently out of any government control(s). This is pointed out in the meeting with the idea that CGRFs are independent bodies and they should not,

while working as Members of the Forums, look to their organizational hierarchy.

At present two members of forum are from the company and as such this is very important while considering representations of the consumers with ultimate aim to protect the interest of the consumers.

He emphasized that the Members of CGRF should be bold enough to take decision objectively and in accordance with law.

7.2 Constitution of CGRFs

Secretary pointed out that in the interest of justice, every decision of CGRF should as far as possible be taken when an independent member is present.

6. Recommendations of the working Group of FOR on "Consumer Protection" are enclosed as directed by the Chairman. Copies of the presentations are also enclosed for information.
7. The meeting concluded with a vote of thanks to the chair.
