

# GUJARAT ELECTRICITY REGULATORY COMMISSION

## Ahmedabad

### Minutes of the 14<sup>th</sup> Meeting of the Consumer Grievances Redressal Forums

The 14<sup>th</sup> meeting of the Consumer Grievances Redressal Forums of different utilities was convened in the Conference room of the Sardar Patel Institute of Public Administration (SPIPA), Ahmedabad at 11.00 a.m. on 3<sup>rd</sup> May, 2013.

The following were present in the meeting.

#### **Commission and Secretary:**

1. Dr.P.K. Mishra, Chairman, GERC
2. Shri Pravinbhai Patel, Member (Technical), GERC
3. Dr.M.K. Iyer, Member(Finance),GERC
4. Dr.Ketan Shukla, Secretary, GERC

#### **Electricity Ombudsman:**

- Shri V.T. Rajpara, Electricity Ombudsman

#### **Chairpersons / Members / Representatives of Consumer Forums:**

1. Shri P.J.Patel, Chairperson, MGVCL Forum.
2. Shri A.C.Panwala, Chairperson, DGVCL Forum.
3. Shri M.G.Patel, Chairperson, TPL (Ahmedabad) Forum.
4. Shri V.R.Vyas , Chairperson, TPL (Surat) Forum.
5. Shri A.M.Dhebar, Chairperson, PGVCL (Bhuj) Forum
6. Shri S.R.Patel, Member (Technical),UGVCL Forum.
7. Shri M.R. Vajeria, Technical Member, PGVCL (Rajkot) Forum.
8. Shri T.B. Bhimani, Technical Member, PGVCL (Bhuj) Forum.
9. Shri B.J. Dave, Independent Member, PGVCL (Bhuj) Forum.
10. Shri N.V.Parekh, Technical Member, PGVCL (Bhavnagar) Forum.
11. Shri D.J.Dhandhukia, Independent Member, PGVCL (Bhavnagar) Forum.
12. Smt Harsha.S.Chauhan, Independent Member, MGVCL Forum.
13. Shri Y.B.Sukhadia, Technical Member, MGVCL Forum.
14. Shri J.J.Patel, Independent Member, DGVCL Forum.
15. Ms.Y.H.Upadhya, Independent Member, TPL (Ahmedabad ) Forum.
16. Shri S.J.Oza, Technical Member, TPL (Ahmedabad ) Forum.
17. Shri M.N.Chauhan, Independent Member, TPL (Surat) Forum.
18. Shri Bimal Mistry, Technical Member, TPL (Surat ) Forum.
19. Shri J.J.Gandhi, PGVCL, Rajkot.
20. Shri K.N.Parikh, Convener, MGVCL. Vadodara.
21. Shri K.D. Viradia, Convener, PGVCL (Rajkot) Forum.
22. Shri B.K.Maheshwari, on behalf of Convener, PGVCL (Bhuj) Forum.
23. Shri B.R. Icecreamwala, Convener, DGVCL forum.

24. Shri P.D.Halani, Convener, UGVCL Forum.
25. Shri Nikhil Shah, Convener, TPL (Ahmedabad) Forum
26. Smt. P.H. Desai, Convener, TPL (Surat) Forum

**Officers of the Commission:**

1. Shri D.R. Parmar, Joint Director
2. Shri M.N.Khalyani, Dy. Director (Admn.)
3. Kum. C.N. Bhatt, Chief Account Officer
4. Shri A.V. Adhvaryu, Dy. Director
5. Shri Gopal Dayalani, Dy. Director
6. Shri Kashyap Parikh, Under Secretary

**Officer of the Ombudsman:**

- Shri B.J. Shah, Staff Officer, Ombudsman.

Dr. Ketan Shukla, Secretary, GERC welcomed the chairpersons and members of all the Consumer Grievances Redressal Forums (CGRF).

Dr. P.K.Mishra, Chairman, GERC extended a hearty welcome to the new members who have recently joined the Forums and attended the meeting for the first time. He emphasized on the need for regular meetings and interactions among CGRF Forums.

**Item No.1: Confirmation of the minutes of the last meeting:**

The Minutes of the Twelfth Meeting were circulated to the members on 17-01-2013 by letter No. GERC/ADMIN/2012/151 and since no comments were received, the Minutes of the Meeting were confirmed.

**Item No.2: Action Taken Report**

The Compliance status as per Annexure – 1 of agenda on the decisions of the 13<sup>th</sup> Meeting of CGRF held on 28<sup>th</sup> December 2012 was discussed.

While discussing the Compliance Report, representatives of each Forum explained the Action Taken as under:

Shri S.R. Patel, Member (Technical), UGVCL Forum intimated that a small pamphlet named “Grahak Margdarshika” was prepared containing details of CGRF and Ombudsman alongwith details of SoP and distributed to consumers with electricity bills.

Shri A.C. Panwala, Chairperson, DGVCL Forum briefed about wide publicity given to the consumers on the CGRF and Ombudsman through Gujarati and English newspapers. The printing work of a pamphlet is in the process.

(Action : DGVCL )

Shri P.J.Patel, Chairman briefed the Commission that a Small booklet named “Grahak Margdarshika” is already distributed to consumers along with electricity bills.

Member of PGVCL submitted a sample of pamphlet, for which printing work is under process. It was suggested that similar pamphlets can be issued by other CGRFs/Utilities as well. (Action : PGVCL)

Shri M.G.Patel, Chairperson, TPL (Ahmedabad) Forum stated that a draft for pamphlet providing details of CGRF and Ombudsman was prepared. However the cost of printing was around 40 to 60 lacs for Ahmedabad and Surat licensee area. Hence the company is evaluating more cost effective options. Chairman, GERC suggested that the cost of printing of small pamphlets should not be made an excuse for not distributing the same. Expeditious action be initiated in this regard.

(Action : TPL - Ahmedabad and Surat)

### **Item No.3 : Information of CGRF & Ombudsman on Website.**

The GERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations 2011 stipulates that information be provided on website of distribution licensee giving wide publicity of Forums. The Commission noticed that such information is not fully covered on their websites.

Member, CGRF, DGVCL stated that the details of CGRF and Ombudsman have been now provided on DGVCL website. However, it was noticed that details regarding CGRF and Ombudsman are not correct and he was directed to check and update the same with correct information.

Chairman, GERC also suggested that brief profiles of members of CGRF may also provided on website of distribution licensee alongwith information regarding functioning of CGRF and Ombudsman.

(Action : All DISCOMs)

#### **Item No.4 : Review of Performance**

While reviewing the quarterly performance report of each CGRF for 3<sup>rd</sup> & 4<sup>th</sup> quarters of 2012-13, Chairman appreciated that almost all the Forums have arranged more meetings in the quarter, except Bhuj for timely redressal of grievances.

Chairman queried regarding the regular review of implementation of CGRF Orders, the Chairperson of respective forums stated that orders are reviewed regularly and there are no pending orders for implementation.

The Commission observed that there is no uniformity in furnishing quarterly reports by Forums. The discrepancies noticed were discussed and it was decided to submit quarterly report as per Annexure 1 enclosed herewith.

Chairman, GERC asked Forums to submit details of ( 1 ) Orders in favour of consumers and licensees and ( 2 ) the status of licensee's compliance against each such grievance, which contains the details like (i) Date of order (ii) Time limit specified by the Forum in the order (iii) Date of compliance etc.. for the year 2012-13. This will be discussed as agenda item in next meeting.

(Action : All DISCOMs)

#### **Item No. 5 : Presentation by Forums.**

Presentations were made by the Ombudsman and representatives of UGVCL, PGVCL, Rajkot and Bhuj and TPL Surat Forums on typical cases and discussed during the meeting.

Gist of the cases presented by Forums and Ombudsman are as under :

#### **UGVCL Forum :**

The complainant had a grievance of supplementary bill issued by Sub-division office for high consumption recorded in meter and lab report. The Forum instructed respondent to submit the details of MRI, which was studied in details and clarification also sought from meter suppliers. In the findings, the meter was found defective for no fault of the consumer and hence the forum ordered to cancel the supplementary bill issued to consumer.

### **PGVCL Bhuj Forum :**

The applicant had grievance regarding change of name not done by PGVCL. The respondent informed the Forum that change of name was not done because of insufficient documents provided by applicant and have not submitted the required documents even after such request. The forum analysed the documents submitted while releasing the connections, site panchnama and other details. The forum ordered that the change of name may be processed by the respondent on receipt of the consent from all joint holders in land record. The respondent after verification changed the name of consumer.

### **PGVCL Rajkot Forum :**

The applicant had applied for agriculture connection in 1995 which was processed in the normal priority in the year 2011. PGVCL had started line erection work on payment of estimate; however as the farmers of nearby land objected to erection of poles, the work was stopped. PGVCL had approached the Sub Divisional Magistrate under section 16 of the Telegraph Act, 1885 for right of way. However, the applicant cancelled his application for new connection and accordingly PGVCL refunded the same to the applicant. The applicant subsequently refused to accept the cheque for refund of this amount and requested the reconsideration of cancelled application through a different route. PGVCL office rejected the application for reconsideration of the cancelled application. The applicant approached Forum. Forum ordered that, the respondent should verify any other alternative to lay electric line and reconsider the application. The respondent released the connection as per the new feasibility report as ordered by Forum.

### **TPL –Surat :**

The Complainant filed a grievance in the Forum that ELCB be installed at the consumer premises and should be provided by TPL and the company is violating Rule 61 (A) of Electricity Rules 1956. Rule 61(A) clearly specifies that all the installations other than low voltage installations having load below 5Kw, shall be controlled by an earth leakage protective device. A letter dated 6.5.2011 bearing No.CEI-T-1/12237/11 was received from the office of Chief Electrical inspector directing the Company to insist on ELCB to be installed at the consumer premises failing which the release order shall not be issued.

On the basis of clarification of Chief Electrical Inspector and provisions in Regulations, Forum ordered rejected the request of applicant.

**Ombudsman :**

The Ombudsman sought views on the issue as to whether distribution licensee, irrespective of limitation of period, can recover the charges from the consumer, for the electricity supplied for any length of the period as specified in the EA 2003?

Section 56(2) of the Electricity Act, 2003 and Section 6.4.8 of Supply Code prescribe that “No sum due from any consumer shall be recoverable after the period of two years from the date when such amount became first due. The Section further provides that recovery for the period of more than two years can be made provided such amount is continuously shown as recoverable as arrears. Thus the entire recoverable amount is an ascertained amount and “such” ascertained amount must have been “continuously” shown as recoverable arrears. The Distribution Licensee cannot impose a burden on the consumer. Such an action is not provided under the Act and Supply Code.

Provisions contained under the Code framed by the Commission expressly impose period of limitation and prohibit the Distribution Licensee from demanding payment for dues more than two-year old.

Chairman directed to present two cases, with facts and analysis, during the next meeting of CGRF and Ombudsman.

Chairman appreciated the presentations made by Forums on typical cases which show seriousness in redressing consumer complaints. It was decided that the forums of MGVCL, DGVCL, PGVCL Bhavnagar and TPL-Ahmedabad would make presentation on typical cases during the next meeting.

Thereafter the meeting ended with a vote of thanks to the Chair.

**( Dr. Ketan Shukla )**  
**Secretary**

**Annexure 1**  
**QUARTERLY REPORT BY FORUM**

Name of the Forum : \_\_\_\_\_

Quarter : \_\_\_\_\_

Financial Year : \_\_\_\_\_

**1.0 Status of Grievances redressal**

Sr. No	Parameter	Delay in restoring supply	Quality of supply	Meter problem	Billing problems	Quality of service	Delay in connection*	Others	Total
1	Grievances Pending at the end of previous quarter								
2	Grievances received during the quarter								
3	Total Grievances (1+2)								
4	Grievances redressed during the quarter								
5	Grievances Successfully redressed during the quarter	a) Within 45 days							
		b) After 45 days							
6	Balance Grievances to be redressed (3-4) at the end of the quarter								
7	Grievances pending for more than 45 Days								

(\* includes all applications for New Connection, Additional Load, Reduction of Load, Shifting of connection etc..)

Final Hearing Completed and only pending for issue of orders :  
 Number of cases redressed in favour of Licensee :  
 Number of cases redressed in favour of Consumer :  
 Number of Sittings in the quarter :

## Annexure 1

### 2.0 Status of compliance by licensee

a. Out of the total number of grievances successfully redressed during the quarter, state number of grievances in which the order specifies directions for the licensee: \_\_\_\_\_

b. Describe the status of licensee's compliance against each such grievance, which contains the details like (i) Date of order, (ii) Time limit Specified by the Forum in the order, (iii) Date of compliance, etc.

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