

Four copies please



TAMIL NADU ELECTRICITY REGULATORY COMMISSION

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The Chairman/ CGRFs of
TANGEDCO
(All Superintending Engineers/ EDC, TANGEDCO)

Lr. No. TNERC/D(E)/DD(E)II/D. 583 /20 dt : 27.07.2020

Sir,

Sub: TNERC - CGRF – Procedure to be followed by the forum in regard to hearing of complaints & implementation of certain modifications in the orders issued by Consumer Grievance Redressal Forum (CGRF) / Uniform adoption - Instructions issue of – reg.

- Ref: 1.Proc.No.TNERC/DIR(E)/DD(EI)/F.CGRF/D.No.327/2011/dt:23.03.2011.
2. Lr.No.TNERC/D(E)/DD(E)II/F.CGRF/D.167/12 dt:04.02.2013.
3. Lr.No.TNERC/D(E)/DD(E)II/F.CGRF(Gen)/D /13 dtd.14.08.2013.
4. Lr.No.TNERC/DIR(E)/DD(EII)/F.CGRF/D/. /13 dt.06.09.2013.
5. Lr.No.TNERC/SECY/E.O./F.CGRF/D.No./2013 dated 25.11.2013.
6. Lr.No.TNERC/D(E)/DD(E)II/F.CGRF/D1158/16 dtd.07.09.2016.
7. Lr.No.TNERC/D(E)/DD(E)II/F.CGRF/D.209/19 Dt.01.03.2019.
8. Lr.No.TNERC/D(E)/DD(E)II/F.CGRF/D.274/19 Dt.21.03.2019.

I am directed to state the following:

The Commission had issued general instructions vide Proceedings dt.23.03.2011, under ref.(1) of the procedure to be followed by the Consumer Grievance Redressal Forum while disposing grievances placed before the Forum citing several clauses of the Consumer Grievance Redressal Forum and Ombudsman regulations and expressly stated the consequences to be faced for any contravention of the provisions of the Electricity Act 2003, Rules,

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29/7/20
(P. S. S. S.)*

Regulations and orders of the Commission. A number of instructions have been issued time and again (ref. 2 to 8) to enhance the working of the Forum. Despite issue of various instructions, many lacunae in the disposal of grievances and in defending appeal petitions filed before the Electricity Ombudsman has been brought to the notice of the Commission by the Electricity Ombudsman.

The orders issued by the Consumer Grievance Redressal Forums (CGRF) are in different formats. Some of the orders do not spell out the provision of appeal available to the consumer before the Electricity Ombudsman. In many cases the petitions are not even numbered and are passed down the line as dealt in the case of representations preferred before the licensee. Some of the orders do not contain even the date of hearing or the order no. and sometimes the disposals do not contain decisive orders.

To streamline the functioning of the CGRF the following instructions are issued:

a. The petitions received by the CGRF (herein after Forum) shall be numbered calendar year wise. Eg. Petition first received in 2021 shall be petition No.01/2021.

b. Any petition addressed to the CGRF and received as a hard copy or soft copy online, has to be numbered. The admissibility of the petition or otherwise has to be decided by the CGRF only. The petition shall not be rejected by the Chairperson of the Forum either in the capacity of the Superintending Engineer of the Electricity Distribution Circle or as the Chairperson of the CGRF.

c. Every petition received by the CGRF has to be disposed based on the case presented by the petitioner, facts produced by the Licensee and the provisions of the Act, Rules, Regulations, orders viz. Regulation/sub-regulation no. of Supply, Distribution Code, Section of the E.Act 2003 etc. have to be specified. The order should be a speaking order and decisive with citations of the provisions of the Act/ Rules/ Regulations/ Orders of the Commission. Many of the orders of the CGRF were found to be vague while dealing with provisions of the regulations like just mentioning "As per the TNERC regulations/ As per TANGEDCO rules".

d) The petition submitted to the CGRF/ Chairman/ Chairperson shall not be forwarded down the line to the licensee's officers for replying to the petitioner and the petition closed referring to the reply furnished without considering the case before the meeting of the CGRF.

e. The petitioner should not be directed to approach the licensee with additional documents/ details for solving the issue for redressal of grievance. In such case another hearing should be conducted giving opportunity to the petitioner as well as the Licensee and the final order of the CGRF should be conclusive.

f. The petition shall also not be closed/ disposed/ with directions to the Licensee for further action like to execute the work after obtaining legal opinion etc.

g. Licensee's counter/ reply shall be given to the petitioner well before the hearing date.

h. Minimum 7 days time from the date of receipt of hearing date shall be given to the petitioner for appearing before the forum.

i. Proper intimation shall be given to the petitioner in case the hearing date is postponed in order to avoid hardships to the petitioner as they may have to travel long distance.

j. The provision of appeal before the Electricity Ombudsman available to the consumer should be mentioned in the last para of the order specifying the time limit of 30 days.

k. The CGRF order shall be signed with date by the chairperson and all the members.

l. The original signed order shall be given to both the petitioner and the licensee.

m. The licensee/ petitioner shall address communication to CGRF quoting only CGRF reference (as Chairman/ CGRF/...) and not the reference of licensee (as SE/EE/...)

n. The CGRF order shall be in the judicial format and not in the official letter format or note format. A model format is communicated herewith. All orders passed by the CGRF should be as per the format enclosed.

o. The Chairperson/ CGRF shall ensure that the Counter/ Rejoinder submitted to the Electricity Ombudsman shall be in judicial format and not in official letter format. Every Counter/ Rejoinder filed should have clear details, counter replies and typeset of references made.

The instructions issued above may be followed without any deviation.

Receipt of this communication may be acknowledged.

Encl: Model format (1 sheet)

o/c
27/7/20
(AD/SA)

S. Chinnarajalu
27/7/20
(S.CHINNARAJALU)
Secretary 1/47

Copy to the Electricity Ombudsman/ Chennai-8

Copy to the CMD/ TANGEDCO/ Chennai-2

DESPATCHED
ON 28.07.2020
BY post 2 Imperson

Deep

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM

..... CIRCLE

(Address) :

Phone:

Email:

Website:

CGRF / /No.

(CGRF/M/CBE/No.004) – Example

Date of petition :

Date of receipt of the petition :

Date of Hearing :

Date of order :

In the presence of

..... Chairman

..... Member I

..... Member II

Name & AddressPetitioner/Consumer

Designation and Address
of the Licensee concerned Respondent/Licensee

Complaint of the petitioner :

Contention of the Licensee :

Arguments :

Issues to be decided by the Forum :

Findings :

Order: (operative portion)

If the petitioner is not satisfied with this order, he has the right to file an appeal before the **OMBUDSMAN, No. 19A, Rukmini Lakshmi pathy Salai, (TIDCO Complex), Egmore, Chennai – 600 008** within 30 days from receipt of this order.

Member II

Member I

Chairman