

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION

AMENDMENT IN CONSUMER COMPLAINT HANDLING PROCEDURE (CCHP)

Background Paper

Sub-section 5 of Section 42 of the Electricity Act 2003, provides that every distribution licensee shall establish a Forum of Redressal of Grievances of the consumers in accordance with the guidelines specified by the State Commission. Accordingly, the Commission issued PSERC (Forum and Ombudsman) Regulations, 2005, which was replaced with PSERC (Forum and Ombudsman) Regulations, 2016 notified vide notification dated 26.12.2016.

For speedy resolution of consumer grievances, the Commission under regulations 4 & 5(2) of PSERC (Forum & Ombudsman) Regulations, 2005 has notified Consumer Complaint Handling Procedure (CCHP) vide Notification No. PSERC/Secy./Regu.88 dated 4th October, 2013 laying down the guidelines and constituting various Dispute Settlement Committees for redressal of the consumer's complaints. To increase the representation of consumers in these Dispute Settlement Committees, Punjab State Electricity Regulatory Commission approved the 1st amendment in CCHP which was issued vide notification No. PSERC/Secy./Regu.107 dated 16.09.2015..

Thereafter, Principal Secretary to Govt. of Punjab, Department of Power issued a office order no. 1/29/2015-EB(PR)254 dated 30.03.2016 under section 108 of the Act directing the Commission to amend clause 4(1)(ii) and 4(1)(iii) of the CCHP. A revised proposal was issued by Principal Secretary to Govt. of Punjab, Department of Power under section 108 of the Act vide office order no. 1/29/2015-EB(PR)458 dated 31.05.2016 directing the Commission to amend clause 4(1)(ii) and 4(1)(iii) of the CCHP. The matter was examined and the Commission issued order dated 10.08.2016 in this regard. Accordingly, 2nd amendment to CCHP was issued vide notification no. PSERC/Secy./Regu. 115 dated 12.08.2016.

Now, Government of Punjab, Department of Power (Power Reforms Wing) vide Order No. 1/29/2015-EB (PR)/282 dated 9th May, 2017 has issued following directions under section 108 of the electricity Act, 2003:

“Whereas the Punjab State Electricity Regulatory Commission (PSERC) vide his Notification No.PSERC/Secy./Regu.88 dated 04.10.2013 and its subsequent amendments Notification No.PSERC/Secy./Regu.-107 dated 16.09.2015 & Notification No.PSERC/Secy./Regu.-115 dated 12.08.2016 has approved the constitution of Dispute Settlement Committees for redressal of complaints relating to supply of electricity by the Distribution Licensee under Consumer Complaint Handling Procedure in terms of the provisions of Regulation-5 (2) of the “PSERC (Forum & Ombudsman) Regulation, 2005.

Whereas, for public welfare and resolution of Disputes in a time bound manner, the Government of Punjab in exercise of powers conferred upon it under Section 108 of the Electricity Act, 2003 directs that the Punjab State Electricity Regulatory Commission shall be guided in the matter relating to the Consumer Complaint Handling Procedure as per the amendment below henceforth:-

Amendment to Clause 4(1)(ii) : Circle Dispute Settlement Committee (CDSC).

The Clause 4(1)(ii) shall be substituted as under:-

- a) Dy.Chief Engineer/Superintending Engineer (DS) concerned. : Chairperson
- b) One officer from Accounts & Finance Cadre not below the rank of Dy.CAO/Dy.CA or of equivalent status. : Member
- c) One officer from Commercial Wing Not below the rank of Addl.SE /Sr.Xen. : Member
- d) Representatives of Industry (to be Nominated by Director, Department of Industries and Commerce, Punjab). : Nominated Member

Amendment to Clause 4(1)(iii) : Divisional Dispute Settlement Committee (DDSC).

The Clause 4(1)(iii) shall be substituted as under:-

- a) Addl.SE/Sr.XEN (DS) concerned : Chairperson

- b) One officer from Accounts & Finance Cadre not below the rank of Accounts Officer. : Member
- c) XEN/AEE/AE to be designated by SE (DS) Circle from within the Circle. : Member

The clause 4(1) of the CCHP issued vide notification dated 04.10.2013 has been numbered as 4(2) after 2nd amendment to CCHP issued vide notification dated 12.08.2016. However, in the order of Govt. of Punjab as mentioned above, clause 4(2)(ii) and (iii) have inadvertently been mentioned as clause 4(1)(ii) & (iii). Accordingly, it is proposed to amend the clause 4(2)(ii) and clause 4(2)(iii) of the CCHP, relating to composition of CDSC and DDSC respectively. In the amended composition of CDSC, there will be four members instead of five at present. Similarly, in DDSC, there will be three members instead of four at present. It is therefore proposed to amend clause 6(8) of the CCHP as under:

“(8) The quorum for ZDSCs shall be three members, out of which atleast two shall be members of the distribution licensee. The quorum for CDSCs/DSCs shall be atleast two members of the distribution licensee. All the decisions shall be taken on the basis of majority of the members present and voting. In case of equality of votes on any issue, the Chairperson shall, in addition, have a casting vote.

For timely disposal of grievances:

- a) Committees shall hold hearings at least once in a month or more depending upon pendency of cases.
- b) The Chairperson of the Committee shall co-ordinate and specify days and time for hearings to ensure availability of officers of Commercial and Accounts wings.
- c) Agenda for hearings shall be prepared in advance and due intimation in this regard to be sent to the aggrieved consumer as well as to the concerned office of the distribution licensee.
- d) No adjournment shall be ordinarily granted unless sufficient cause is shown and reasons for grant of adjournment have been recorded in writing by the Committee.

- e) Where the concerned officer/official of the distribution licensee or complainant (or its representative) fails to appear before the Committee on the date fixed for hearing on more than two occasions, the Committee may decide the grievance ex-parte.

Accordingly, it is proposed to amend the clause 4(2)(ii), 4(2)(iii) and 6(8) of the CCHP as per regulation 2.22 of the PSERC (Forum and Ombudsman) Regulations, 2016.