



**U.P. Electricity Regulatory Commission**  
**Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar,**  
**Lucknow - 226010**

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Ref: UPERC/VCA/ 2022/057

Dated: 12 04.2022

**Public Notice**

The Public Hearing for Draft UPERC (Consumer Grievance Redressal Forum) Regulations, 2022 to be held on 04.05.2022 will now be conducted through video conferencing at 11:45 hours in place of physical hearing at 11:00 hours. All stakeholders who wish to participate in the Public Hearing shall send an email on [office@uperc.org](mailto:office@uperc.org) providing the name, email id (preferably Gmail), mobile number and name of organization to register themselves and shall follow the "instruction for Public Hearing in UPERC through Video Conferencing" available on UPERC website ([www.uperc.org](http://www.uperc.org)). The link for Video conferencing will be sent to their respective Email ID.

  
**Secretary**

o/c



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Ref: UPERC/VCA/ 2022/045

Dated: 08 04.2022

**Public Notice**

The Commission has framed Draft UPERC (Consumer Grievance Redressal Forum) Regulations, 2022. The Commission hereby invites written suggestions/ objections/ comments from various stakeholders, which may be sent to the Secretary, Uttar Pradesh Electricity Regulatory Commission, Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow- 226010 on or before 05.05.2022. The draft Regulations have been put on the website of the Commission.

The Commission shall hold "Public Hearing" on 04.05.2022 at 11:30 Hrs on above Regulations in the Office of the Commission.

  
Secretary

## UP Electricity Regulatory Commission

Notification No. UPERC/Secy/Regulation/\_\_\_/\_\_\_\_\_

Lucknow, Dated: ,2022

### UPERC (Consumer Grievance Redressal Forum) Regulations, 2022.

In exercise of the power conferred on it by Section 181 read with sub-sections (5) to (8) of Section 42 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling in this behalf, the Uttar Pradesh Electricity Regulatory Commission hereby makes the following Regulations, namely: -

#### 1. Short Title, Commencement and Interpretation

- 1.1. These Regulations may be called the “UP Electricity Regulatory Commission (Consumer Grievance Redressal Forum) Regulations, 2022”.
- 1.2. These Regulations shall extend to the whole of the State of Uttar Pradesh and shall apply on the Distribution Licensees engaged in the business of distribution and supply of electricity in the State.
- 1.3. These Regulations shall come into force on the date of their publication in Official Gazette.
- 1.4. These Regulations shall be read with the applicable legal framework.
- 1.5.
- 1.6. In case of conflict between English and Hindi version of these Regulations, the English version shall prevail.

#### 2. Definitions

2.1. In these Regulations, unless the context otherwise requires-

- a) “**Act**” means the Electricity Act, 2003;
- b) “**Applicant**” means an owner or occupier of any premises who files an application form with a distribution licensee for supply/connection (both temporary and permanent) of electricity, increase or decrease in sanctioned load or contracted demand, change in title or mutation of name, change in consumer category, disconnection, restoration of supply, termination of agreement, shifting of connection or metering, billing or collection related issues or any other service as the case may be in accordance with the provisions of the Act, rules and regulations made thereunder;

- c) **"Application"** means an application form for above purposes complete in all respects in the appropriate format, as specified by the Commission, along with documents and other compliances;
- d) **"Applicable legal framework"** means the provisions of Electricity Act, 2003 and Electricity Reforms Act, 1999 to the extent same are not inconsistent to the provisions of Electricity Act, 2003;
- e) **"Billing cycle or billing period"** means the period for which regular electricity bills as specified by the Commission, are issued for different categories of consumers by the distribution licensee;
- f) **"Chairman of the Forum"** means the head of the forum who is an Officer of the Licensee as specified in these Regulations.
- g) **"Commission"** means the Uttar Pradesh Electricity Regulatory Commission;
- h) **"Complainant"** means –
  - i. An Applicant/consumer or more than one consumer having grievance or authorized representative of such consumers filing a complaint within the meaning of this Regulation or;
  - ii. Any voluntary consumer association registered under the Companies Act, 1956 (1 of 1956) or under any other law filing a complaint within the meaning of this Regulation.
- i) **"Complaint"** means any grievance made in writing or by digital mode, by a complainant in relation the Application regarding non-conformity with the provisions specified in the Electricity Supply Code or Standard of Performance Regulations notified by the Commission or billing related issues including charging a price in excess of the price fixed by the Commission in tariff order.
- j) **"Consumer"** means any person who is supplied with electricity for his own use by a distribution licensee or the Government or by any other person engaged in the business of supplying electricity to the public under the Electricity Act, 2003 or any other law for the time being in force, and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the works of a

distribution licensee, the Government or such other person, as the case may be;

- k) **“Days”** means clear working days;
- l) **“deficiency”** means any fault, imperfection, shortcoming or inadequacy in the quality or quantity of standard of service, nature and manner of performance with respect to provisions of Supply Code and Standard of Performance Regulations as specified by the Commission;
- m) **“Disconnection”** means the physical separation or remote disconnection of a consumer from the distribution system of the distribution licensee;
- n) **“Distribution Licensee”** means a licensee authorized to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;
- o) **“Electricity Supply Code”** means the U.P. Electricity Supply Code as notified by the Commission from time to time;
- p) **“Electricity Ombudsman”** means an authority appointed or designated by the Commission, under sub-section (6) of Section 42 of the Electricity Act, 2003 and these Regulations;
- q) **“Forum”** means ‘Consumer Grievance Redressal Forum’ constituted pursuant to Section 42(5) of the Electricity Act, 2003, Electricity (Right of Consumers) Rules, 2020 and UPERC (Electricity Ombudsman) Regulations 2021;
- r) **“Grievance” means** failure of the Distribution Licensee to provide the specified or agreed electricity service as specified in the Supply Code and Standard of Performance Regulations giving rise to a complaint.
- s) **“Prosumer”** means a person who consumes electricity from the grid and can also inject electricity into the grid for distribution licensee, using same point of supply.
- t) **“Unauthorized use of electricity”** has the meaning as assigned to it under Section 126 of the Act.

2.2. Words and expressions used and not defined in these Regulations but defined in the applicable legal framework as defined in these Regulations or the

Consumer Protection Act, 1986 or Electricity (Rights of Consumers) Rules 2020 shall have the meanings respectively assigned to them in the said enactment.

2.3. In the interpretation of these Regulations, unless the context otherwise requires:

- a) Words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular term, respectively;
- b) References to any statutes, Regulations or guidelines shall be construed as including all statutory provisions consolidating, amending or replacing such statutes, Regulations or guidelines, as the case may be;
- c) In case of variance between English and Hindi versions of these Regulations, English version shall prevail.

### **3. Constitution of Consumer Grievance Redressal Forum**

3.1. Distribution Licensee may, establish and make operational a forum in accordance with the Electricity (Rights of Consumers) Rules 2020 and these Regulations. To begin with, in order to quickly adopt the framework provided under these regulations, the licensee may set up forums preferably at Circle level & Company level within 45 days from the date of notification of these regulations. The licensee, depending upon its preparedness, may quickly set up forums at sub-divisional, divisional and zonal level also. The forums established under these Regulations shall entertain complaints of the consumers/complainants, who are supplied or to be supplied electricity within the area of respective Circles or Company of the Distribution Licensee till sub-divisional, divisional and zonal level forums are activated depending upon the nature of the complaint as specified in Regulation 3.13.

3.2. On the establishment of “new forums” under these Regulations, the Distribution Licensee and the Chairman of the forum shall notify, by way of wide publicity in at least one English and one Hindi Newspaper, display on the notice boards of the Distribution Licensee and of new forums, the

establishment of the particular new forum under these Regulations along with the following information:

- a) Name of new Forum, Date on which it has started functioning and the name of sub-division/ division/ circle/ zone/ company for which it is operating.
- b) Address of the forum, with telephone nos. and e-mail address
- c) Jurisdiction of the forum as specified in Regulation 3.13

In addition to this, the above information shall also be published on the website of the Forum along with:

- a) functions of the forum and
- b) names of the Chairman and the Members of the Forum

### 3.3. Category wise constitution of forums at different levels

	<b>Chairman</b>	<b>Two Nominated Members (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member</b>
General	Officer of the Licensee of appropriate seniority who shall be nominated by the licensee	Two Nominated Members nominated by the licensee from the consumers of the area of forum	One Nominated Member nominated by the licensee from the prosumers of the area of forum	One independent member to be nominated by the Commission
Rural sub-division	Sub-divisional officer (sub-division in-charge) of the sub-division.	-do-	-do-	-do-
Urban sub-division	Sub-divisional officer (sub-division in-charge) of the sub-division.	-do-	-do-	-do-
Division	Executive Engineer (division in-charge) of the Division.	-do-	-do-	-do-

	<b>Chairman</b>	<b>Two Nominated Members (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member</b>
Circle	Superintending Engineer (Circle in charge) of the Circle.	-do-	-do-	-do-
Zonal	Chief Engineer ( In-Charge of Zone) of the Zone.	-do-	-do-	-do-
Company	A Director of the distribution Company, nominated by the Chairman of the distribution company.	-do-	-do-	-do-

To begin with, in order to quickly adopt the framework provided under these regulations, the licensee may set up forums preferably at Circle level & Company level within 45 days from the date of notification of these regulations. The licensee, depending upon its preparedness, may quickly set up forums at sub-divisional, divisional and zonal level also.

### 3.4. Eligibility of Nominated Members

	<b>First Nominated Member (Consumers)</b>	<b>Second Nominated Member (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member to be nominated by the Commission</b>
Rural sub-division	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who has at least passed High School.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who has at least passed High School.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who has at least passed High School.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who is at least graduate.</li> <li>• Having good antecedents and</li> </ul>



	<b>First Nominated Member (Consumers)</b>	<b>Second Nominated Member (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member to be nominated by the Commission</b>
	<ul style="list-style-type: none"> <li>• Shall be a rural domestic consumer of the sub-division having contracted load of not less than 2KW.</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a rural agricultural consumer of the sub-division having contracted load of not less than 2KW.</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a person who is a prosumer of the sub-division having contracted load of not less than 2KW.</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>has no outstanding dues of electricity.</li> <li>• Familiar with consumer affairs</li> </ul>
Urban sub-division	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who has at least passed High School.</li> <li>• Shall be a domestic consumer of the sub-division having contracted load of not less than 2KW.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who has at least passed High School.</li> <li>• Shall be domestic consumer of the sub-division having contracted load of not less than 5KW</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of sub-division who has at least passed High School.</li> <li>• Shall be a person having a contracted load of not less than 2KW.</li> <li>• A consumer under existing category continuously for</li> </ul>	-do-

	<b>First Nominated Member (Consumers)</b>	<b>Second Nominated Member (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member to be nominated by the Commission</b>
	<ul style="list-style-type: none"> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	
Division	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of division who is at least a Graduate.</li> <li>• Shall be a domestic consumer having contracted load up to 5 KW</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of division who is at least a Graduate.</li> <li>• Shall be a commercial or small and medium industrial category consumer having contracted load of above 5 KW</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of division who is at least a Graduate.</li> <li>• Shall be a person having a contracted load of up to 5 KW</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of division who is at least a Graduate.</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> <li>• Familiar with consumer affairs</li> </ul>

	<b>First Nominated Member (Consumers)</b>	<b>Second Nominated Member (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member to be nominated by the Commission</b>
Circle	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Circle who is at least a Graduate.</li> <li>• Shall be a domestic consumer having contracted load of not less than 5 to 10 kW load</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Circle who is at least a Graduate.</li> <li>• Shall be a commercial/ industrial consumer having contracted load of less than or equal to 50 kW</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Circle who is at least a Graduate.</li> <li>• Shall be a person having contracted load of not less than 10 kW</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of circle who is at least graduate.</li> <li>• shall be a person, who has performed judicial/ magisterial work in the capacity of ADJ or ADM</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>
Zonal	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Zone who is at least a Graduate.</li> <li>• Shall have domestic</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Zone who is at least a Graduate.</li> <li>• Shall be a consumer having</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Zone who is at least a Graduate.</li> <li>• Shall be a person having contracted</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Zone who is at least a Graduate.</li> <li>• shall be a person, who has</li> </ul>

	<b>First Nominated Member (Consumers)</b>	<b>Second Nominated Member (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member to be nominated by the Commission</b>
	<p>connection of contracted load not less than 10 kW</p> <ul style="list-style-type: none"> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<p>a connection of HV 1/HV 2 category</p> <ul style="list-style-type: none"> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<p>load of not less than 20 kW</p> <ul style="list-style-type: none"> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>	<p>performed judicial/ magisterial work in the capacity of ADJ or ADM</p> <ul style="list-style-type: none"> <li>• Familiar with consumer affairs</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>
Company	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Company who is at least a Graduate.</li> <li>• Shall have domestic connection of not less than 10 kW load</li> <li>• A consumer under existing category</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Company who is at least a Graduate.</li> <li>• Shall be a consumer having a connection of HV 1/HV 2 category</li> <li>• A consumer under existing category</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Company who is at least a Graduate.</li> <li>• Shall be a person having contracted load of not less than 20 kW</li> <li>• A consumer under existing category continuously for</li> </ul>	<ul style="list-style-type: none"> <li>• Shall be a consumer of the area of Company.</li> <li>• shall be a person, who has performed judicial/ magisterial work in the capacity of ADJ or ADM</li> <li>•</li> </ul>

	<b>First Nominated Member (Consumers)</b>	<b>Second Nominated Member (Consumers)</b>	<b>One Nominated Member (Prosumer)</b>	<b>One Independent Member to be nominated by the Commission</b>
	continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.	continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.	last 3 years, having good antecedents and has no outstanding dues of electricity on the date of application.	<ul style="list-style-type: none"> <li>• Member has attained minimum age of 45 years</li> <li>• A consumer under existing category continuously for last 3 years, having good antecedents and has no outstanding dues of electricity.</li> </ul>

To begin with, in order to quickly adopt the framework provided under these regulations, the licensee may set up forums preferably at Circle level & Company level within 45 days from the date of notification of these regulations. The licensee, depending upon its preparedness, may quickly set up forums at sub-divisional, divisional and zonal level also.

### **3.5. Transitional provisions**

- a) The forums created under UPERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2007 will be termed as “existing forum” in this Regulation, whereas, forums created under this Regulation will be termed as “new forum”;
- b) To begin with, in order to quickly adopt the framework provided under these regulations, the licensee may set up forums preferably at Circle level & Company level within 45 days from the date of notification of these regulations. The licensee, depending upon its preparedness, may quickly set up forums at sub-divisional, divisional and zonal level also. After creation of new forums, the jurisdiction of existing forum shall shrink

in a manner to exclude the original jurisdiction of new created forums depending upon the area of such forum and the nature of complaints to be redressed by such new forum under its original jurisdiction as outlined in table under point 3.13 of these regulations. The Secretary of the existing forum shall be responsible for transferring the records, according to the complaint/ area of consumer, to the new forums within one month of the creation of new forums. Records of the existing forums will be transferred along with a comprehensive list of the cases with notice to the concerned parties regarding transfer of such cases.

- c) Immediately after the creation of any new forum at levels as given in point 3.5(b), the distribution licensee shall, within seven days, inform the Secretary of existing forum about the creation of new forums, which fall within the jurisdictional area of the existing forum. After getting the information about creation of new forums, the Secretary of the existing forum shall transfer the records as given in point 3.5(b).

### **3.6. Selection of Nominated Members**

- a) The Distribution Licensee shall invite applications for appointment for the posts of all Nominated Members of the forum (members to be nominated by the Licensee as well as Independent Member to be nominated by the Commission) through advertisement to be published in newspaper, website of the licensee and the notice board of the respective forum. The Licensee shall forward a copy of such advertisement to the Commission.
- b) The advertisement should contain an application format, which clearly captures the qualification of the candidate, consumer Account number, consumer category, contracted load, duration of being consumer in this category for not less than 3 years, copy of latest electricity bill showing that he has no outstanding dues of electricity and a self-certification of his having good antecedents.
- c) In case of member to be nominated by the Commission, a brief description highlighting experience in consumer affairs is to be submitted by the candidate.
- d) An indicative format has been annexed with these regulations. The licensee may add few parameters, if required.

- e) The Members nominated by distribution licensee shall be selected from the applications received against the advertisement subject to fulfilling the eligibility of such persons in their respective category.
- f) In case of independent members to be nominated by the Commission for forums at Circle, Zone and Company level, the distribution licensee shall forward all the applications of eligible applicants, as specified in the Regulations. In case of independent member to be nominated by the Commission for forums at sub-division and division level, the Licensee shall forward the applications of three most suitable eligible applicants to the Commission.
- g) The Commission will select the member from the applications forwarded by the Licensee. In case of any dispute, it will be settled at Commission level.
- h) The Commission shall notify the appointment of Independent Member.
- i) In case of occurrence of vacancy in the post of a Nominated Member by reason of death, resignation, or removal the selection should be done within 60 days of the occurrence of vacancy as per the provisions in these Regulations.
- j) In case of vacancy due to superannuation or end of tenure of such nominated Member, the Distribution Licensee shall start the process of selection at least three months before the date of occurrence of vacancy and shall complete the process prior to such superannuation or end of tenure.
- k) In case of vacancy of the post of any Nominated Member in a forum, the Licensee may appoint link officer for the vacant post, who shall be fully competent to take part in the proceedings of the forum. The 'link officer' for a vacant post of Nominated Member shall be a Nominated Member against the same category.

### **3.7. Quorum of the Forum**

- a) Minimum of three members shall constitute the quorum. However, no proceeding will take place in absence of the Chairman of the forum.

### **3.8. Vacancies etc., not to invalidate proceedings.**

No act or proceeding of the forum shall be invalid merely on the ground of existence of any vacancy or defect in constitution of the forum, if quorum is there.

### **3.9. Terms and Conditions of Nominated Members**

- a) The nominated member shall have a term of three years from the date of his joining in the forum. Provided that such nominated member shall be eligible for one-time re-appointment for a second term of three years either in the same forum or in the forums, which are placed vertically above in the hierarchy of the forums.

Provided further that no nominated member shall hold post as such after he has attained the age of 70 years.

- b) The members nominated by the distribution licensee and the Commission shall be paid remuneration by the licensees on per sitting basis as specified in Annexure 2 of these regulations. The remuneration shall be in accordance with the Orders issued by the Commission from time to time.
- c) Any Nominated Member may relinquish his office by giving three months prior notice in writing to the Distribution Licensee/ Commission as the case may be.

### **3.10. Removal of Member**

Any Nominated Member may be removed by the Distribution Licensee/ Commission, as the case may be, if such Member has been adjudged insolvent or is guilty of misconduct, or has been convicted of an offence involving moral turpitude or has become physically or mentally incapable for discharge of his function or has been found to have acquired financial interest affecting prejudicially his function.

Provided that Independent Nominated Member or any other Nominated Member of the forum, shall not be removed, until an enquiry conducted by an officer of the Licensee who is at least one rank senior to the Chairperson of the forum establishes to the satisfaction of the Licensee or the Commission, as the case may be, that it has become necessary in the interest of justice to remove the Member of the forum. Provided that such person cannot be removed without affording a reasonable opportunity of hearing.

Provided that nothing contained in this section shall apply to the Chairman of the forum, who shall be subject to his departmental disciplinary proceedings.

### **3.11. Jurisdiction of the Forum**



- a) The forum shall not entertain a complaint, if it pertains to matters related to assessment in case of unauthorized use of electricity, appeal in case of assessment, theft of electricity and electricity materials, issues related to interference with meter and works of licensee, even if done negligently, matters related to compounding in case of electricity theft or issues related to electricity accidents.
- b) The forum shall not entertain a complaint if it pertains to the same subject matter for which any proceedings before any competent court, authority or any other forum is pending or a decree, award or a final order has already been passed by any competent court, authority or forum.
- c) The forum may not entertain a complaint in cases where the complaint has been submitted three year after the date on which the cause of action had arisen.

Provided that the forum may, for reasons to be recorded in writing, entertain a complaint which does not meet the aforesaid requirement.

Provided further that no complaint shall be rejected unless the complainant has been given an opportunity of being heard.

### **3.12. Proceedings of forum**

- a) The forums at all levels shall operate at a place provided by the licensee for the functioning of the forum at such time as the Chairman of the forum may direct on any working day. The forum shall observe such rules of procedure regarding the transaction of business in its hearings as may be formulated by the forum or the licensee. The forum shall not be bound to follow the procedure prescribed in the Civil Procedure Code 1908(Act 5 of 1908).
- b) The forum at all levels shall have at least four sittings in a month and shall conduct its proceeding only when the quorum is fulfilled. The forum shall in the last week of every month display, at its website and display board in its office, the dates of sitting of forum for the coming month along with

the cases to be taken on such sittings. However, on the direction of the Chairman of the forum and based on the urgency of the matter, additional cases may be notified.

- c) Any matter before the forum shall be decided by majority votes of existing members, and in the event of equality of votes, the Chairman shall have a casting vote. All orders shall be signed by the Chairman and Members of the forum present in the case.
- d) All orders of the forum shall be authenticated by the officer of the licensee duly authorized by the Chairman in this behalf.
- e) Complaint shall be accompanied by a fee as specified in table below through cash or Indian postal order or demand draft or banker's cheque or Electronic Fund Transfer or any other instrument specified by the licensee and shall be accounted appropriately by the licensee in its accounts.

<b>Type of consumer category</b>	<b>Fees</b>
Agricultural & Residential	Rs. 25 per KW (Max of Rs. 50)
Commercial	Rs. 100 per KW (Max of Rs. 1000)
Small & Medium Industries	Rs. 75 per KW (Max of Rs. 750)
Large & Heavy Industries	Rs. 100 per KW (Max of Rs. 1000)
Others	Rs. 50 per KW (Max of Rs. 500)

The above table may be revised/modified by the Commission from time to time through its orders.

- f) No complaint shall be rejected unless an opportunity of hearing is provided to the complainant.
- g) Every Complaint shall be heard as expeditiously as possible. The forum shall adjudicate upon a Complaint by a speaking order at the earliest and preferably within 30 days but not later than 45 days from the date of receipt of complaint by the forum.
- h) The forum may pass such interim orders, as it may consider necessary, pending final disposal of the complaint.
- i) The supply of the consumer shall not be disconnected without giving him notice as specified in Supply Code and, if disconnected, shall be reconnected within 24 hours if he has deposited the amount directed by the forum.

### 3.13. Hierarchy of forums for complaints

- a) Original Jurisdiction - The consumer shall register its complaint at sub-divisional/ divisional/ circle/ zonal/ company level forums depending upon the nature of complaint as provided under:

S. No.	Level of Forum	Nature of Complaint
1.	Sub-Division Level	<ul style="list-style-type: none"> <li>• Quality of Supply               <ul style="list-style-type: none"> <li>○ Hours of Power Supply</li> <li>○ Restoration of Supply</li> <li>○ Interruption /Failure of Power Supply</li> </ul> </li> <li>• For all LT loads: new connection/ additional load</li> <li>• Reconnection of supply following disconnection due to non- payment of bills</li> <li>• Disputes related to bills and assessments less than Rs. 50,000</li> <li>• Payment of interest on security deposit</li> </ul>
2.	Division Level	<ul style="list-style-type: none"> <li>• Change of Distribution Transformer</li> <li>• Shifting of Lines/Service lines</li> <li>• All Meter related complaints including</li> </ul>

		<ul style="list-style-type: none"> <li>○ Meter Reading</li> <li>○ Replacement of defective meter after test report</li> <li>○ Replacement of burnt meter</li> <li>● For HT loads upto 1 MW: New connection/ additional load</li> <li>● Permanent Disconnection of supply (Refund of security deposit and issue of no dues certificate)</li> <li>● Reconnection of supply following disconnection due to reasons other than non-payment of bills</li> <li>● Disputes related to bills and assessments equal to and greater than Rs. 50,000 and less than Rs. 5 lakhs</li> <li>● Payment of interest on security deposit</li> </ul>
3.	Circle Level	<ul style="list-style-type: none"> <li>● Temporary Disconnection</li> <li>● Change of Power Transformer</li> <li>● For HT loads more than 1 MW: New connection/ additional load</li> <li>● Complaints regarding expansion/augmentation of network required</li> <li>● Disputes related to bills and assessments up to equal to and greater than Rs. 5 lakhs and less than Rs. 15 lakhs</li> <li>●</li> </ul>
4.	Zonal Level	<ul style="list-style-type: none"> <li>● Disputes related to bills and assessments equal to and greater than Rs. 15 lakhs and less than Rs. 1 Crore</li> </ul>
5.	Company Level	<ul style="list-style-type: none"> <li>● Standards of Performance related issues</li> <li>● Complaints related to functioning and performance of Call Centre</li> <li>● Disputes related to bills and assessments equal to and greater than Rs. 1 Crore</li> <li>● All appeals of the lower forums shall be made before the company level forum</li> </ul>

Note: Till the time forums are established at sub-division and division level the functions of Forums at division and sub-division level shall be taken up by forum at Circle level. Till the time forums are established at Zonal level, the functions of forums at Zonal level shall be taken up by forums at Company level.

b) Appellate Jurisdiction –

In case the consumer is aggrieved by the decision of forum the consumer may approach the appellate jurisdiction within 30 days or where the forum in

their original jurisdiction has failed to redress the grievance within the specified period of 45 days, the consumer may approach the appellate jurisdiction within next 30 days as provided under

Original Decision	Appellate jurisdiction
sub- divisional / divisional/ circle/zonal level forum	company level forum or Electricity Ombudsman
company level forum	Electricity Ombudsman

- c) Further, if the matter is not decided by the Company level forum having Appellate jurisdiction within the specified time of 45 days, the consumer may prefer an appeal with Electricity Ombudsman within 30 days.

### 3.14. Decision of the Forum

- a) The decisions of the forum shall be in writing, supported by reasons and by majority of votes.
- b) While giving judgement or decision, in case the Chairman or any Member of the forum dissents, he shall give his dissenting judgment with reasons. However, majority view of the forum shall be final in the judgement.
- c) The forum may also decide any complaint in terms of settlement reached between the parties at any stage of the proceedings before it and in such case, there shall be no right of appeal before the Company level forum or Ombudsman, as the case may be, against such order.
- d) If Company level forum decides to award compensation, it shall be in accordance with the UPERC (Standards of Performance) Regulations, 2019 as amended from time to time.
- e) The order of the forum shall be communicated to the complainant and Distribution Licensee in writing within 3 working days and Distribution Licensee shall comply with the decision of the forum within 30 days of the receipt of the order.
- f) Any person may obtain copy of the Orders of the forum on payment of Rs.10/- per page.

### **3.15. Order related to payment of money by Electricity Ombudsman**

Unless otherwise agreed by parties, where the order is for the payment of money-

- a. to the Distribution Licensee, Forum shall include in the sum for which the order is made and a surcharge at such rate as applicable on due money, for the period between the date on which the cause of action arose and the date on which order is made or any other date as considered justified by Forum;
- b. to the complainant, the Forum shall include in the sum for which the order is made and an interest at the rate of sixteen per cent per annum compounded every six month on the due money, for the period between the date on which the cause of action arose to the date on which order is made or any other date as considered justified by Ombudsman.
- c. a sum directed to be paid by the Forum as provided at (a) or (b) above, if not paid/adjusted within fifteen days, shall attract an interest at the rate of sixteen percent per annum from the date of order the date of payment.

### **3.16. Miscellaneous provisions**

- a) The Distribution Licensee shall be responsible to provide adequate secretarial support, office accommodation and infrastructure facilities to the forum for efficient functioning.
- b) The forum shall necessarily obtain an email address to facilitate easy registration of complaints by consumers.
- c) The constitution of forums, under these Regulations, and compliance of the various provisions thereof shall be deemed to be a condition of the license and non-compliance shall be dealt with in accordance with the provisions of the Electricity Act 2003.
- d) The distribution licensee shall give wide publicity of the forum office, its complete address, contact details and procedure for registration of grievances through print and electronic media and notice boards of its various offices and also intimate the same to the consumers through electricity bills.

- e) The performance of forums shall be monitored by the Commission. The forums will send quarterly reports to the Commission, in respect of standards of performance, other performance parameters and consumer grievances related information showing the extent to which the time schedule has been followed in redressing the consumer grievances.

#### **4. Appeal before Electricity Ombudsman**

##### **4.1.**

- (i) Any consumer aggrieved by the order made by the sub-divisional/ divisional/ circle/ zonal/ company level forum in their original jurisdiction may prefer an appeal to the 'Electricity Ombudsman' within next 30 days.
  - (ii) where the forum in their original jurisdiction has failed to redress the grievance within the specified period of 45 days, consumer may prefer an appeal to the 'Electricity Ombudsman' within next 30 days.
  - (iii) In case the Company level Forum in its Appellate jurisdiction has failed redress the grievance within the specified period of 45 days, consumer may prefer an appeal to the 'Electricity Ombudsman' within next 30 days.
  - (iv) 'Electricity Ombudsman' may, for reason to be recorded, entertain an appeal after the expiry of the specified period, if it is satisfied that there was sufficient cause for not filing the same within that period.
- (v) The appeal shall be in writing signed by the consumer or his authorized representative and shall state-
- a) Name and address of the consumer.
  - b) Name and address of the Distribution Licensee.
  - c) Name and address of the forum, where original grievance was filed
  - d) Name and address of the Company Level Forum if the appeal is against the order of the Company, Level Forum in its Appellate jurisdiction or due to non-redressal of grievance by company Level Forum within the specified period
  - e) Fact giving rise to appeal
  - f) Relief sought
  - g) Any other relevant fact

Provided that if appeal is being filed for challenging the order of Forum either in its original jurisdiction or in its Appellate jurisdiction a copy of the order of Forum shall also be enclosed with the appeal.

## **5. Meeting with Forum**

The Commission may hold meeting with the Chairperson and/or Members of the forum as and when the Commission considers it appropriate.

## **6. Miscellaneous**

6.1. The Commission may from time to time issue such order or instruction or direction, as it considers necessary, to the forum for discharge of their functions under these Regulation.

6.2. The Commission may, by order, provide for or clarify any matter on which no provision is made in these Regulations, or the provision made is apparently insufficient.

6.3. The forum shall exercise such other functions as the Commission may, by order, specify from time to time.

6.4. The Members of the forum, when purporting to act under any provision of the Electricity Act, 2003 or under any provision of these Regulations or directions or orders issued there under, shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code, 1860 and Section 2 of the Prevention of Corruption Act, 1988.

## **7. Procedure and Compliance with principles of natural justice-**

Subject to provisions of these Regulations, the forum shall be guided by the principles of natural justice and shall have powers to regulate its own procedure not inconsistent with these Regulations.

## **8. Savings**

(i) Nothing contained in these Regulations shall affect the rights and privileges of the consumer under any other law for the time being in force, including the Consumer Protection Act, 1986.

(ii) Nothing contained in these Regulations shall affect the validity of the orders issued by the existing forums till these remain in existence for the area, which continues to remain with these forums with gradual formation and transfer of jurisdiction to newly created forums. Further, any order issued,



and procedure adopted by the existing forums while discharging their functions under the UPERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2007, shall be deemed to be issued under these regulations.

**9. Power to remove difficulty**

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, on its own motion or on the matter being brought before it by any person, the Distribution Licensee or a group or association of consumers, issue such general or special order, not inconsistent with the provisions of the Electricity Act 2003, as it may consider necessary or expedient for the purpose of removing the difficulty.

**10. Power to Amend**

The Commission may, at any time vary, alter, modify, or amend by notification any provision of these Regulations.

**11. Repeal**

The part of UPERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2007 containing dispensation about constitution of forum, eligibility of members, qualification of members and other aspects related to functioning of CGRFs in the State shall stand repealed with effect from the appointed date.

By Order of the Commission

Secretary

## **ANNEXURE 1 - Indicative format of application form of nominated members**

- Name of Candidate:
- Age of candidate (should not be more than 65 yrs.):
- Father's Name:
- Mobile Number:
- Email ID (if available):
- Address:
- Qualification (As provided in the Regulations 3.4):
- Electricity Connection number/ Account Number:
- Contracted Load:
- Consumer Category:
- Duration since when the consumer is in above category (should not be less than 3 yrs.):
- Self-Certification about good antecedents (a note around 50 words)

- Self-Certification that he is not a defaulter of electricity (copy of latest electricity bill to be enclosed and to be certified by the licensee after receipt of application)
  
- In case of Independent Members
  - For Circle Level Forum – Registration Certificate at bar and other documents demonstrating 10 years of legal practice in case of legal practitioner or for consumer affairs related experience (details in a note of around 100 words)
  - For Company Level Forum – Documents demonstrating experience of judicial work and also a fact that he/ she has been minimum an ADJ/ ADM level officer

The requirements for forums established at sub-division, division and zonal level forums shall be provided through the Order of the Commission.

**ANNEXURE 2: Remuneration of nominated members on per-sitting basis at different levels of CGRF**

<b>Level of Forum</b>	<b>Remuneration/ Nominated member / Sitting</b>
Circle level forum	Rs. 2,000
Company level forum	Rs. 5,000

The Remuneration of nominated members for forums established at sub-division, division and zonal level forums shall be provided through the Order of the Commission.