Explanatory Memorandum

The Electricity Act, 2003 makes comprehensive provisions seeking to protect the interests of consumers. The commitment of the law makers in terms of safeguarding consumers' interests gets reiterated right in the preamble of the Act which reads as follows:

"An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalization of electricity tariff, ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal and for matters connected therewith or incidental thereto."

2. The Electricity Act, 2003 makes elaborate provisions which seek to protect the interests of consumers. The National Electricity Policy and the Tariff Policy framed under the Act reinforce its provisions. They stipulate a road map and action plan for various stakeholders in ensuring protection of consumers' interests. In line with the provisions of the Act and the policies, steps have been taken in the State towards institutionalizing the mechanisms of grievance redressal machinery, such as the Consumer Grievance Redressal Forum (CGRF) and the Ombudsman. Performance standards have also been specified delineating, inter alia, the requirements on quality of supply.

3. Accordingly, the Chhattisgarh State Electricity Regulatory Commission (Redressal of grievances of consumers and establishment of forum and Electricity Ombudsman) Regulations, 2004, was notified on 15 February 2005. Thereafter, Chhattisgarh State Electricity Regulatory Commission

(Redressal of grievances of consumers) Regulations, 2007 was notified on 22 December 2007 and CSERC (Redressal of Grievances of Consumers and Establishment of forum and electricity Ombudsman) Regulation 2004 and its first amendment issued in 2005 were repealed and replaced by these Regulations. Subsequently, Chhattisgarh State Electricity Regulatory Commission (Redressal of grievances of consumers) Regulations, 2011 was notified on 4th March 2011 and CSERC (Redressal of Grievances of Consumers) Regulations, 2007 was repealed and replaced by these Regulations.

4. The Central Government came up with the Electricity (Rights of Consumers) Rules, 2020 on 31st December, 2020. The Rules prescribes that the distribution licensee shall establish Consumer Grievance Redressal Forum (CGRF) under sub-section (5) of section 42 of the Act at different levels to cater the needs of the sub- division, division, circle, zone, company level. Section 181 of the Act mandates to make Regulations consistent with Act and Rules made thereunder. In order to align the Regulations and make it consistent with Rules draft Chhattisgarh State Electricity Regulatory Commission (Redressal of grievances of consumers) Regulations, 2022is prepared.

5. The Rule recommends that forum may be assigned different types of grievances depending on the nature of the grievance and the level at which it can be best resolved. Looking to the situation of the State ,nature and number of complaints it is felt that establishing Consumer Grievance Redressal Forum (CGRF) at each region level of distribution licensee may be able to resolve the issues of consumers of the State. Also, the draft Regulations makes provisions that CGRF established at regional level be mandated to conduct at least one sitting in each revenue district of their regionin a month along with head office to address the consumer grievances. Also, e hearing may be held through video conferencing or similar

arrangements as appropriate provided the complainant has access to such facility.

6. The Electricity (Rights of Consumers) Rules, 2020 prescribes that the forum shall be headed by an officer of the licensee of appropriate seniority. It is felt that the requirement in the Rule 15 of the Electricity (Rights of Consumers) Rules, 2020 that the Forum shall be headed by an officer of the licensee of appropriate seniority did not imply that the officer had to be a 'serving' officer of the licensee.The Rules 2020 also recommends that the Appropriate Commission shall nominate one independent member who is familiar with the consumer affairs. In view of this draft Regulations proposes to nominate independent member who shall also be the head of the Forum.The retired officer of licensee or Government or PSU shall be anindependent member and head of the Forum..

7. The Rules,2020 recommends that the forum shall consist of officers of the licensee and have not more than four members as consumer and prosumer representatives.In view of this it is proposed that consumer and prosumer representative be empaneled by the Forum and the forum may deliberate issues of the consumers from such consumer representatives.