

MEGHALAYA STATE ELECTRICITY REGULATORY COMMISSION

The Meghalaya State Electricity Regulatory Commission (Redressal of Grievances) Regulations, 2007

(Published in the Gazette of Meghalaya issue dated 22nd February 2007)

Notification No. MSERC/ Regn 2 / 2007. In exercise of the powers under sub section (2) of section 181 read with sub-sections (5) and (7) of section 42 of the Electricity Act 2003, and all other powers enabling it in this behalf, the Meghalaya State Electricity Regulatory Commission hereby makes the following regulations, the same having being previously published in the Gazette of Meghalaya issue dated 3rd August, 2006 and duly considered.

1. Short title and commencement.

- (1) These regulations may be called the Meghalaya State Electricity Regulatory Commission (Redressal of Grievances) Regulations, 2007.
- (2) They shall come into force on the date of their notification in the Gazette of Meghalaya.

2. Definitions.

In these regulations, unless the context otherwise requires-

- (a) "Act" means the Electricity Act, 2003 (36 Of 2003);
- (b) "Commission" means the Meghalaya State Electricity Regulatory Commission;
- (c) "consumer" means a person or group of persons, association or institution receiving supply of electricity from a distribution licensee;
- (d) "Forum" means a forum set up under regulation 3;
- (e) "licensee" means a distribution licensee under the Act;
- (f) "Ombudsman" means the Electricity Ombudsman appointed or designated as such under sub-regulation (1) of regulation 8; and
- (g) "State" means the State of Meghalaya and "State Government" shall be construed accordingly.

3. Setting up of Forums and members thereof.

- (1) Every licensee shall, within sixty days from the coming into force of these regulations or one hundred and eighty days from the date of grant of a distribution licence, set up a Forum for redressal of grievances of consumers.

- (2) A Forum shall consist of a member to be designated as the Chairperson and two other members (collectively referred to as members) of social standing and having experience in dealing with consumer problems, one of whom shall be a woman.
- (3) A member shall hold office for a term of three years from the date of appointment.
- (4) The members and also the staff as may be required shall be appointed by the licensee and the pay, allowances or sitting and other fees of such members and staff, including those of the person referred to in sub-regulation (3) of regulation 6, and other expenses of the Forum shall be borne by the licensee.
- (5) The pay, allowances or sitting fees of the members and staff under sub-regulation (4) shall be fixed with the prior approval of the Commission.
- (6) No person who has attained the age of sixty five years on the date of appointment shall be eligible to be appointed as a member.

4. Grievances and their redressal

- (1) A consumer who is aggrieved by the licensee not solving his grievances may, within fourteen days but not later than twenty-one days from the date of his complaint made to the licensee under sub-regulation (2), seek redressal from the Forum.
- (2) Before moving the Forum under sub-regulation (1) the consumer shall lodge a complaint before the licensee so that the fault or defect is rectified.

5. The grievances

For the purpose of these regulations, grievances may relate to :-

- (a) voltage fluctuation;
- (b) erratic supply of electricity;
- (c) defective billing;
- (d) defective meters;
- (e) defective street lights;
- (f) defaults in attending to routine complaints;
- (g) any other fault or defect which the licensee is duty bound to attend and rectify.

6. Powers and functions of the Forum

- (1) The Forum shall examine and consider all complaints that it receives and pass orders for the licensee to remedy the fault or defect within such time as it may decide.
- (2) In exercising its functions the Forum shall have powers to call for information from the licensee or any other person concerned and to hear him.

- (3) In dealing with any matter, the Forum may engage or consult a person having special knowledge or skill in the field.
- (4) A complaint shall be disposed of within a maximum period of fifteen days from the date of receipt and the complainant consumer and the licensee shall be informed of the decision taken.

7. Other Guidelines.

In the setting up of a Forum the licensee shall ensure:

- (a) accessibility and convenience of the consumers;
- (b) that a Forum is set up to serve consumers covered by each complaint centre;
- (c) that the office of the Forum is kept regularly open and complaints are properly recorded and acknowledged;
- (d) that publicity be given by the licensee that a Forum has been set up with the express purpose of attending to grievances of consumers;

8. The Electricity Ombudsman.

- (1) The Commission shall appoint or designate a person of ability, integrity and standing having experience of not less than twenty years in administration, law or electrical engineering to be the Electricity Ombudsman for the purpose of these regulations.
- (2) The Ombudsman shall not be above the age of sixty five years on the date of appointment and shall hold office for a period of three years.
- (3) A fixed remuneration of rupees fifteen thousand per month` will be paid to a person appointed as Ombudsman.
- (4) The Commission will provide necessary office support to the Ombudsman.
- (5) All expenditure relating to the Ombudsman and his establishment shall be borne by the Commission.

9. Powers and functions of the Ombudsman.

- (1) If the licensee fails or neglects to remove or set right the fault or defect complained of by the consumer or if the Forum neglects or is otherwise unable to deal with the complaint made to it the aggrieved consumer may, within ten days from the last day of the time set for under sub-regulation (1) of regulation 6 or from the date of seeking redressal from the Forum under sub-regulation (1) of regulation 4, as the case may be, make a representation to the Ombudsman for redressal of the grievance.
- (2) On receiving a representation, the Ombudsman shall after due examination and consideration settle the grievance of the consumer.
- (3) In exercising its functions the Ombudsman shall have the powers to call for reply, information data, records and other related documents from

the licensee or from any other person who may be concerned with and to hear them.

- (4) The Ombudsman may, if necessary, engage or consult a person having special knowledge or experience in the matter under consideration for his opinion or advice.
- (5) Notwithstanding anything contained in this regulation the Ombudsman may suo moto take up any matter which is a subject of general grievance by consumers relating to supply of electricity in any area in the State.

10. Miscellaneous.

As far as may be practicable the Forum and the Ombudsman shall strive to promote mutual settlement of any complaint between the consumer and the licensee through mediation and conciliation before embarking on proceedings under these regulations.

11. Power to remove difficulties.

If in any matter any difficulty arises in giving effect to any of the provisions of these regulations the Commission may by general or by special order do anything, not being inconsistent with the Act, which appears to be necessary or expedient for removing the difficulty.