

A STUDY ON TANGEDCO'S CONSUMER GRIEVANCE REDRESSAL FORUM (CGRF)

*An Analysis of the Complaints Registered with TANGEDCO's Consumer
Grievance Redressal Forums (2013 - 2017)*



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This article analyses the nature of complaints registered with Tamil Nadu Generation and Distribution Corporation's (TANGEDCO) Consumer Grievance Redressal Forum (CGRF); and further inquires into the efficiency of the institution and the impartiality of its decision making.



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CHAPTER I

1.1. Introduction

Tamil Nadu Generation and Distribution Corporation (TANGEDCO) Ltd., which assumes responsibility for generation and distribution of electricity in Tamil Nadu (TN), has established grievance redressal forums for electricity consumers across the state. These Consumer Grievance Redressal Forums (CGRFs) are quasi-judicial bodies framed as per the regulations of Tamil Nadu Electricity Regulatory Commission (TNERC) and constituted at every electricity distribution circle of TANGEDCO in the state. Consumers may approach the forum at the respective circle for redressal of grievances related to billing, meter, power quality, infrastructure and tariff among others.

This study analyses consumer grievances as registered with TANGEDCO's CGRF from 2013 through 2017. The objective is to understand the functioning of these forums and to further inquire into aspects such as (i) the nature of grievances registered with the forum (ii) the efficiency with which the grievances were resolved (iii) composition of the forum and its impact on judgments provided.

1.2. Background

Formation of CGRF can be seen as a significant measure to protect consumer interests and promote consumer participation. With respect to the electricity sector in India, these measures can be seen as a direct result of the Electricity Act 2003 (EA 2003), which emphasises the need for an institution where consumers' grievances can be addressed with accountability and transparency.

Salient Features of TANGEDCO's CGRF

(As prescribed by TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman, 2004)

Composition of the CGRF: CGRF consists of three members, appointed by the distribution licensee or the electricity utility.¹

The Chairperson of the three-member body is the Superintending Engineer (SE) who is a full time officer of the licensee. On the other two members: (i) One shall be a person with 15 to 20 years experience in financial / legal profession and shall be nominated by the District Collector of the district where the forum is headquartered; and (ii) the other member shall be from a registered society of NGO or a consumer organisation or a consumer activist and shall be nominated by the Commission.

Submission of consumer grievances: Grievances can be submitted in writing to the Chairperson of the forum in a prescribed complaint format (or) it can also be registered on TANGEDCO's online portal under a separate menu called "Petition Entry." Complainants registering online will receive an immediate acknowledgement. And, the complainants registering through a manual/written complaint will receive an acknowledgement, within seven days of receipt of the complaint.

Stipulated time frame for grievance redressal: As of 2004, an order based on the merits/demerits of the complaint was expected to be passed within a maximum period of 2 months from the date of receipt of complaint by the Forum. However, in 2014, this prescribed time frame was revised from a maximum period of 2 months from the date of receipt of complaint to a maximum period of 50 days from the date of receipt of complaint.²

¹ "Electricity utility" means persons, regulated electrical companies, people's utility districts, joint operating agencies, electric cooperatives, municipalities or any combination thereof, engaged in or authorised to engage in the business of generating, supplying, transmitting or distributing electric energy. – In this case, TANGEDCO

² "Part II, Section 7(7) of the Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman, 2004 on 'Grievance handling procedure for the Forum' was amended on 22.10.2014 to read that the "Forum shall complete an enquiry in regard to the complaint and pass appropriate order on the same within a maximum period of 50 days from the date of receipt of complaint by the forum."



1.3. Objectives

- To analyse the nature of complaints registered with TANGEDCO's Consumer Grievance Redressal Forum (CGRF); and
- To enquire into the efficiency of TANGEDCO's grievance redressal institution and the impartiality of its decision making.

1.4. Scope of the Study

This study adapts quantitative methods to review and analyse a total of 241 CGRF complaints from ten distribution circles in Tamil Nadu between 2013 and 2017, as listed on TANGEDCO's Consumer Grievance Redressal Forum's online platform. An in-depth research and data analysis is carried out to examine the (i) nature of complaints registered with CGRF and (ii) efficiency of the grievance redressal process. Additionally, a statistical analysis is performed to inquire into the impartiality of the panel.

1.5. Limitations of the Study

This study focuses on cases registered with the CGRF and made available on its online platform between 2013 through 2017. Data available is limited to electronic copies of orders passed by the forum which lacks uniformity and limits the information that can be retrieved. The limitations of the study can be attributed to the lack of comprehensive data available on cases registered with CGRF.

Box 1. On Lack Of Comprehensive Data

Apart from providing an avenue for consumers to register their complaints and review of the status of their complaints, TANGEDCO's online platform for CGRF also presents all the orders passed across various distribution circles. Although making the CGRF orders publicly available can be seen as the first step towards enhancing transparency of the redressal process, there are several limitations to the extent of the information that can be retrieved from these orders.

On lack of adequate information: Orders passed by CGRF provide information around cases that were either resolved/closed. Given that data available is restricted to the orders passed, there is no information around (i) the number of complaints registered, (ii) the number of active complaints, (iii) the nature of active complaints, or (iv) pendency rate.

On lack of uniformity: The orders passed within and across distribution circles vary drastically in terms of the language, format and extent of information it provides.

While orders passed by CGRF in distribution circles like Madurai and Madurai Metro are written in the regional language - Tamil; CGRF in distribution circles like Coimbatore and Chennai are written in English.

Most orders provide basic information such as (i) date of petition, (ii) date of hearing, (iii) date of order, (iv) details of members, respondent(s) and petitioner, (v) case of the petitioner and (vi) order of the Forum.

Whereas, a few orders merely include a statement around the petition and the corresponding course of action. And few others can be seen providing more elaborate information in addition to the above highlighted basic information. This includes facts of the case, contention of the petitioner, contention of the respondent, points made by members, Chairman's view, views of other members and the Forum's order.

Such lack of uniformity in the format and extent of information hinders transparency in the grievance redressal process.

³ "Chennai North, Chennai West, Chennai South, Chennai Central, Madurai Metro, Madurai, Coimbatore Metro, Coimbatore South, Tirunelveli, Cuddalore



CHAPTER II

2.1. Literature Review

Consumer Redressal Mechanism in India: Several studies have focused on enquiring into the efficiency of the grievance redressal institutions in India, under the Consumer Protection Act 1986. Such studies largely evaluate the functioning and efficacy of consumer dispute redressal forums at National, State and District levels in India or analyse consumer satisfaction or perception of the redressal mechanisms.

Prakash N. Chaudhary 2015ⁱ examines the performance of consumer redressal agencies and their functioning at National, State and District Level in India. The paper analyses data on cases filed /disposed-off / pending in the National Commission and State Commissions (as on 31.03.2014) and compares the efficacy of the forums among themselves based on case pendency and disposal rates. The study observed that the District forum's performance was comparatively better than National and State Commissions.

S K Sinha, Ravi Kumar Gupta, Ishwar Mittal 2015ⁱⁱ studies the perception and satisfaction of complainants towards consumer grievance redressal mechanisms under the Consumer Protection Act 1986. The study focuses on the State of Haryana in particular and adopts a descriptive research design to assess the perception of a sample consisting of 50 complainants. The study outlined implications for policymakers to enhance the effectiveness of the amended Consumer Protection Act 1986 and highlighted that a majority of complainants preferred the setting of consumer forums at a sub-divisional level.

Yemmi Shivayogappa. R., Vibhuti Shivalingapp. G 2018ⁱⁱⁱ evaluates the functioning of National Commission and State Consumer Redressal Forums in India. The paper analyses data, as per National Consumer Redressal Commission, with respect to cases filed, disposed, and pending at all state commissions, as on 30.09.2017 and identifies challenges before functioning of the Forums. Challenges identified include lack of awareness among consumers, slow work process, and lengthy grievance redressal. Drawing from the challenges, the study highlights the need to act actively and solve the consumer's problems within a short period of time.

Consumer Grievance Redressal Forums (CGRF) in the Indian Electricity Sector: Research works that are focused on consumerism and protection of consumer rights briefly discuss grievance redressal forums as an initiative to promote consumer protection, but focus largely on the Consumer Protection Act 1986, consumer awareness, consumer courts, and dispute resolution. And, studies that focus on the electricity sector in India and the transformation in the sector discuss State Consumer Grievance Redressal Forums and their evolution.

Ashish Khanna, Daljit Singh, Ashwini K Swain, Mudit Narain 2015^{iv} traces the evolution of State CGRFs as part of transforming electricity governance in India. This paper examines consumer participation and protection in five states in India through a review of documents, surveys of consumers, and detailed interviews with key stakeholders. The five states include Delhi, Haryana, Karnataka, Maharashtra and Rajasthan. Select groups of consumers in the above mentioned five states are surveyed, in order to understand consumer experience with the grievance redressal mechanism. The results of the survey elucidated that among others, (i) keeping the redressal process simple, (ii) maintaining equity in the composition of the forums and (iii) improving consumer awareness on the forums is crucial.



A Forum of Regulators Report 2016^v a study conducted by PwC, reviews the functioning of CGRF and Ombudsman across select states in India. The select states include Delhi, Gujarat, Haryana, Karnataka, Andhra Pradesh, Madhya Pradesh, Punjab, Uttarakhand, Chhattisgarh, and West Bengal. Several aspects of CGRF and its functioning are covered, such as CGRF composition in the select states, initiatives taken by various states regarding establishment of CGRF & Ombudsman, CGRF regulations across the select states and other consumer service initiatives. Key findings from the study suggest that there is (i) a strong need to improve the reach of CGRFs, (ii) increase consumer education and involvement, and (iii) ensure independence of CGRFs.

2.2. Literature Gaps

This study focuses on cases registered with the CGRF and made available on its online platform between 2013 through 2017. Data available is limited to electronic copies of orders passed by the forum which lacks uniformity and limits the information that can be retrieved. The limitations of the study can be attributed to the lack of comprehensive data available on cases registered with CGRF.

State level gap

Literature available on consumer redressal mechanisms in India, largely focus on National, State and District level consumer dispute redressal forums and agencies. With respect to CGRFs in the electricity sector, its evolution has been widely written about; but, there is limited material on the functioning of CGRFs. This gap reflects lack of focus on TANGEDCO's CGRF and the dearth of comprehensive data available on the complaints registered with the Forum.

Decisional Independence and Impartiality of the Redressal Mechanism

A prominent approach to studying redressal mechanisms has been to evaluate the efficiency of the redressal forums. The efficiency is evaluated across relevant literature and can be seen as focused on either (i) analysing how timely the respective forums have been in resolving the grievances or (ii) surveying select consumers to understand their experience with the forums. One angle that literature around the subject completely misses is the decisional independence and impartiality of the Forum. While there are empirical studies that inquire into the independence of a judicial panel and impartiality, the approach has not been prominent in studies that focus on internal redressal forums. The characteristics of a Forum Member(s), composition of the Forum and if/how the composition affects the judgements are not adequately studied in case of internal redressal institutions like the CGRF.

Box 2. On Decisional independence and impartiality:

Decisional independence and impartiality are the cornerstones of a properly functioning judicial and quasi-judicial system.^{vi} Decisional independence implies that the judges (or) members of the decision making body have the freedom to exercise judicial powers without any interference or influence. And, impartiality requires that the judge should act without improper influence from any source or for any reason, i.e. without favor, bias or prejudice. While the essence of a judicial or quasi-judicial activity resides in the fact that it is exercised with impartiality; decisional independence is the instrumental value or means of safeguarding the essence or fundamental value, that is impartiality.^{vii}

There are several empirical studies that apply statistical tools to analyse and inquire into the two sister concepts of independence and impartiality in judiciary.^{viii} Among these studies, prominent ones demonstrate that the personal characteristics of judges influences how judges decide cases. Political ideology, gender, race, and experience of judges were identified as characteristics that affect their decisions in cases.^{ix} One significant study, reveals that a three-judge panel with a single female judge in comparison to all-male panels reflected an increased success rate for female plaintiffs in sexual discrimination claims.^x

Another pertinent study by Abrams et al concludes that a judge's race matters most when race is a central issue.^{xi}

**Box 2. On Decisional independence and impartiality (Cntd.)**

Most studies that examined the effect of judges' race have been undertaken in the United States and a significant number of these studies highlight that white and African-American judges were more likely to rule in favor of plaintiffs of their own race than for plaintiffs of other races.^{xii} And yet another study presents that institutional dynamics has an impact on panel decision making.^{xiii}

Overall, the body of research suggests that there is a need to develop an understanding around the circumstances under which judges are vulnerable and the extent to which they are able to further a fair and impartial system.



CHAPTER III

3.1. Key Findings

TANGEDCO has over two crore electricity consumers across several consumer categories including agriculture, domestic, commercial, and industrial, among others. These consumers are spread across nine distribution regions and 42 distribution circles.^{xiv} In case of concerns or grievances related to electricity services, these consumers can register their complaints with TANGEDCO at various levels.

Box 3. Complaints under the purview of CGRF & Complaint resolution procedure

• Complaints under the purview of CGRF

The forum shall take up any kind of grievances/complaints as defined below:- defect or deficiency in electricity service provided by the licensee; unfair or restrictive trade practices of licensee in providing electricity services; charging of a price in excess of the price fixed by the Commission for consumption of electricity and allied services; electricity services which will be unsafe or hazardous to public life in contravention of the provisions of any law for the time being in force. However, the consumer's grievances concerned with (i) unauthorized use of electricity as detailed u/s 126 and (ii) offences and penalties as detailed u/s 135 to 141 of the Electricity Act 2003 are excluded from the purview of this forum.

- Section 5, Part II, TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004

• Complaint resolution procedure

To seek resolution for their electricity complaints Consumers can

1. register a complaint through the 24 X 7 helpline - 1912; or
2. make a complaint over phone or in person or through a letter or through email to the section offices or sub division offices concerned; or
3. direct their complaint to officers at a higher level such as Superintending Engineer at the respective distribution circle, or Chief Engineer at the respective distribution region;

4. reach out to the Public Relation Officer at the respective distribution circle office or the Chief Public Relations Officer in the head quarters offices at Chennai who could in-turn take the grievance to the concerned officials.

In case a consumer is not satisfied with the disposal of the complaint even after taking up the issue at the higher level, consumers can

5. approach the Consumer Grievance Redressal Forum (CGRF)

In case a consumer is aggrieved by the order made by the CGRF, consumers may prefer to

6. appeal against such order to the Tamil Nadu Electricity Ombudsman functioning under the Tamil Nadu Electricity Regulatory Commission (TNERC)

The grievance redressal procedure as outlined in box 3. suggests that a complaint registered with the CGRF does not only indicate consumer concerns with the electricity services; but, could also imply dissatisfaction with the disposal of complaint in prior instance(s). Therefore, adapting corrective measures based on an understanding of the nature of complaints registered with the CGRF and its grievance redressal process can help TANGEDCO improve its service delivery and quality.



ON NATURE OF COMPLAINTS

This section provides an insight into (i) the category of consumers who registered most number of complaints with the CGRF; and (ii) the issues around which most complaints were registered.

1. Majority of the complaints have been registered by domestic consumers

The 241 complainants studied were registered by consumers across categories such as domestic, commercial, agriculture, industrial and local body. It was observed that over 75% of the complaints were registered by domestic consumers. And, the complaints registered by consumers from industries accounted for merely 2% of the total complaints.

CONSUMER CATEGORIES	NO OF COMPLAINTS
Agriculture	9
Commercial	40
Domestic	182
Industrial	2
Local body	7
Other	1
Total	241

Table 1: Categories of Complaints

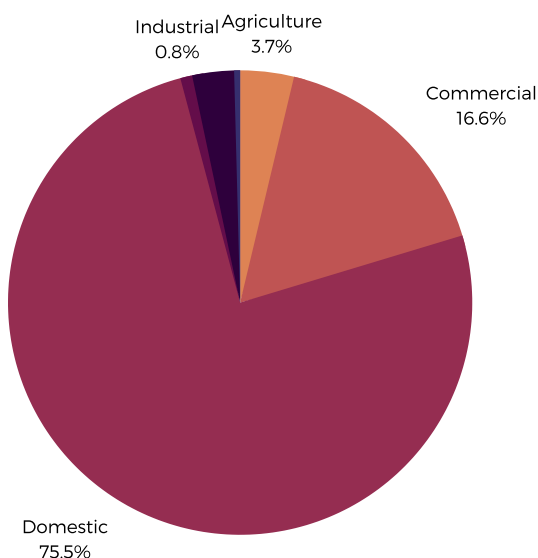


Figure 1: Categories of Complaints

2. Most of the complaints registered were on issues related to power quality and infrastructure

The nature of complaints registered fall under 8 broad categories as listed in Fig. 2. Among these categories, power quality (22%) and infrastructure related issues (20%) were the most frequent grievances of the CGRF, while complaints on tariff change (3%) and requests for new connections (5%) were the least frequent grievances of the CGRF.

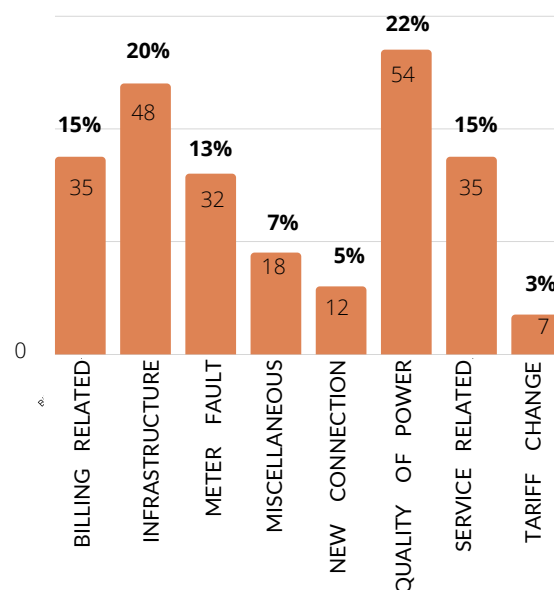


Figure 2: Nature of CGRF Complaints

On the nature of complaints,

it is seen that (i) most of the complaints were from domestic consumers and that (ii) issues pertaining to quality of power supply and infrastructure were among the most registered complaints.



ON EFFICIENCY OF GRIEVANCE REDRESSAL PROCESS

In this section, the various complaints registered with the CGRF are reviewed in the light of its timeliness in resolving the complaints. The percentage of complaints resolved within the stipulated time frame* and the average number of days taken to resolve complaints are presented in relation with the nature of complaints and consumer categories.

*As highlighted in Chapter I, a 2014 amendment to the TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004, revised the time frame to pass an appropriate order on a complaint from a maximum period of 2 months from the date of receipt of complaint to a maximum period 50 days from the date of receipt. This study focuses on complaints registered from 2013 through 2017, covering complaints registered before and after the amendment. Therefore, for the purpose of this analysis, the initially prescribed two months has been considered as the stipulated time frame for the grievance redressal process.

3. More than half of the complaints registered with CGRF were not resolved within the two- month time frame

As prescribed in Part II, Section 7 (7) of TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004, the stipulated time frame for resolution of complaints registered with CGRF is two months since the date of registered complaint. Among the complaints studied, about 43% of the grievances handled were resolved within the said time frame of two months and the remaining 57% of the cases were not resolved within the stipulated time frame.

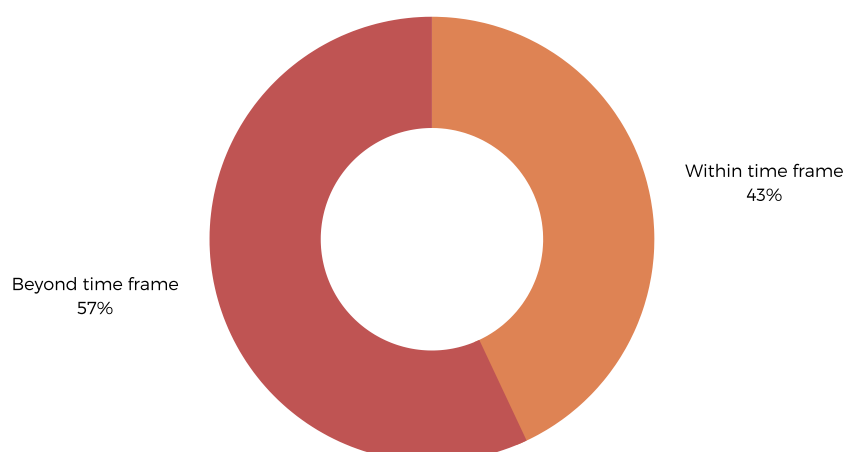


Figure 3: Timeliness of Resolutions

4. Most complaints around meter fault, quality of power supply and infrastructure were not resolved within the two-month time frame

The most handled complaints of the CGRF were on issues related to power quality and infrastructure. And, most of these complaints were not resolved within the two-month time frame. On the other hand, most complaints around tariff change and new connections were resolved within two months. Figure 4 clearly shows that the CGRF was not able to resolve most complaints around technical issues such as power quality, infrastructure and metering within the stipulated time frame.

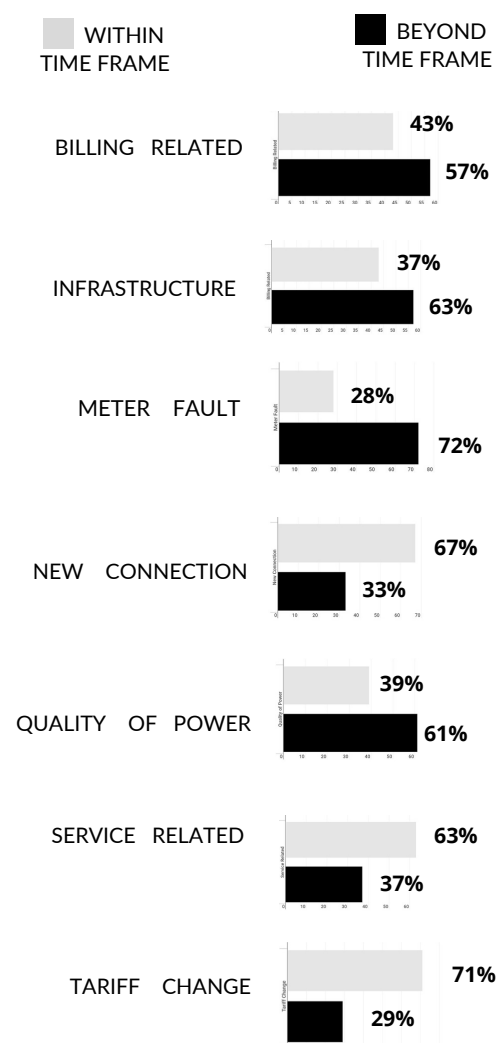


Figure 4: Timeliness of Grievances Resolved based on Nature of the Complaints



5. On an average, complaints registered by commercial consumers have taken the most number of days to be resolved

The following table shows the maximum, minimum and average number of days taken to resolve grievances under various consumer categories. The average number of days taken to resolve complaints registered by commercial consumers has been the highest; whereas, the average number of days taken to resolve complaints registered by agriculture consumers has been the lowest. On an average, all complaints, except the ones registered by agricultural consumers and consumers from the local body have taken longer than 2 months to be resolved.

NATURE OF COMPLAINTS	NO OF DAYS TAKEN TO RESOLVE		
	max	min	avg
Agriculture	74	1	36
Commercial	254	5	85
Domestic	220	1	71
Industrial	91	61	76
Local Body	97	1	40
Other	70	70	70

Table 2: Categories wise time taken for resolving grievances

6. On an average, complaints related to meter fault and billing have taken the most number of days to be resolved

The following table shows the maximum, minimum and average number of days that the CGRF has taken to resolve different kinds of complaints. The average number of days taken to resolve complaints around meter faults have been the highest; whereas, the average number of days taken to resolve complaints around tariff change has been the lowest. On an average, complaints pertaining to changes in tariff and service related issues have been resolved in less than two months. But all other complaints have taken longer than the two months time frame.

NATURE OF COMPLAINTS	NO OF DAYS TAKEN TO RESOLVE		
	max	avg	min
Billing Related	203	71	1
Infrastructure	145	65	1
Meter Fault	192	82	17
New onnection	254	71	1
Quality of Power	194	74	1
Service Related	176	52	1
Tariff Change	75	39	4

Table 3: Complaints wise time taken for resolving grievances

7. Amendments to the regulatory norm around the grievance handling procedure did not improve CGRF's timeliness in resolving complaints

The regulatory norm around the grievance handling procedure as prescribed in 2004 was amended on 08.09.2014. In addition to reducing the time frame for grievance handling to 50 days, the 2014 amendment made the procedure relatively more stringent. It was observed that the these amendments did not help improve CGRF's timeliness in resolving complaints



Box 4. Amendments to Section 7 (7), Part II, TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004

In 2004, the regulatory norm around the time frame for handling grievances read as follows:

*"On receipt of the comments from the licensee or otherwise, the forum shall **complete enquiry as expeditiously as possible and every endeavour shall be made to pass appropriate order** on the complaint within a maximum period of **2 months** from the date of receipt of complaint by the forum."*

Section 7 (7), Part II, TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004

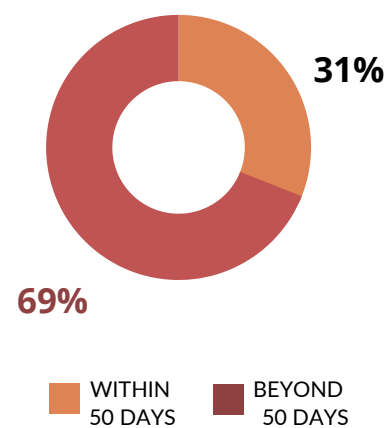
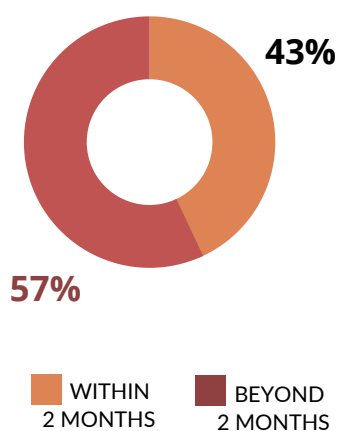
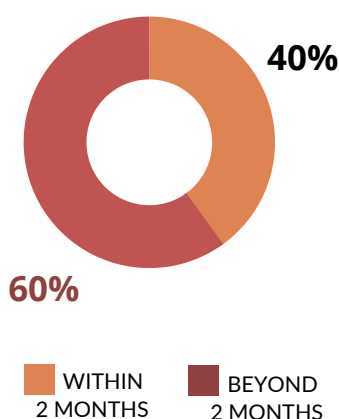
Subsequently, in 2014, the regulatory norm around the time frame for handling grievances was amended to read:

*"On receipt of the remarks from the licensee or otherwise, the forum shall initiate enquiry in regard to the complaint after serving a notice of the said enquiry on the complainant and the licensee concerned, mentioning "date, time and venue" of the enquiry by registered/speed post/special messenger and **complete the said enquiry expeditiously and pass appropriate order** on the complaint within a maximum period of **fifty days** from the date of receipt of complaint by the forum"*

Section 7 (7), Part II, TNERC's Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004, amended as per Commission's Notification No. TNERC/CGR&EO/6-10 dated 8.9.2014(w.e.f 22.10.2014)

After the 2014 amendment, there was a 3% increase in the number complaints that were resolved within the 2 month time frame. But then, considering that the time frame for handling grievances was reduced to 50 days as per the amended regulations; a 9% decrease can be observed in the number of complaints resolved within the stipulated time frame. Therefore, the 2014 amendment made the grievance handling process more stringent and resulted in a decline in CGRF's timeliness in resolving the complaints.

BEFORE 2014 AMENDMENT



AFTER 2014 AMENDMENT

Figure 5: Timeliness of Grievances Resolved - Before and After the 2014 Amendment

**2****On efficiency of the grievance redressal process:**

Studying the time taken by the CGRF to resolve complaints registered with them suggests that in more than 50% of the cases, complaints are not resolved within the time frame prescribed by the regulations.

This reflects a strong need for the forum to be more efficient in its grievance resolution process, especially with respect to grievances that tend to take the longest period of time to be resolved such as: (i) Complaints made on faulty meter and incorrect billing, (ii) Complaints made on quality of power and infrastructure, which also happen to be the most frequent complaints (iii) Complaints registered by commercial and industrial consumers, (iv) Complaints registered by domestic consumers, who also happen to register the most number of complaints

ON IMPARTIALITY**Inherent bias**

One of the striking aspects of TANGEDCO's CGRF is its composition, where the Chairperson of the CGRF is a full time officer of the utility. This reflects an inherent bias in the system where the executive and judicial bodies in context are not independent of each other. Additionally, drawing from the literature review on the subject which suggests that characteristics of judges and institutional dynamics can influence how judges decide cases; there is a need to inquire if the panel functions with impartiality. Therefore, this section investigates if the orders passed by the panel operates are favourable to the utility due to the inherent bias in the system.

8. A majority of grievances were handled by three CGRF members

Given that the CGRF is an internal grievance institution and the role of the utility in the panel is indispensable; it is crucial to abide by checks and balances that ensure justice and fairness. One such a check is having a three member panel as prescribed by the regulations.

It was observed that around 60% of the grievances/cases were handled in the presence of three CGRF members and about 40% of the grievances/cases were handled in the presence of two CGRF members.

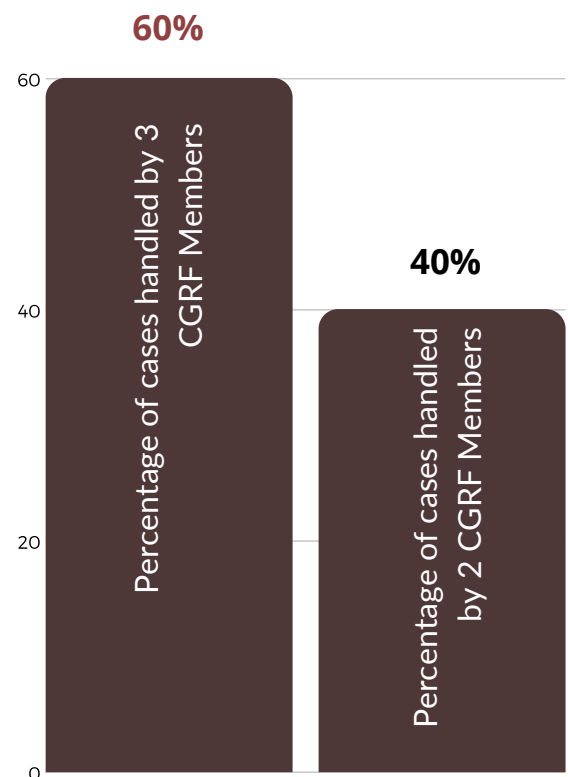


Figure 6:
Percentage of cases handled by 2 and 3 member panels



9. Most of the judgments passed have been favourable to the consumers

The following figure shows that more judgments were awarded in favour of consumers (complainants) as compared to the utility. In 62% of the complaints the judgments were in favour of consumers and about 22% of the complaints were favoured towards the utility and around 7% of the complaints were awarded as partial (i.e. in favour of both the utility and the consumer). And, nearly 9% of the complaints were declared as sub judice.

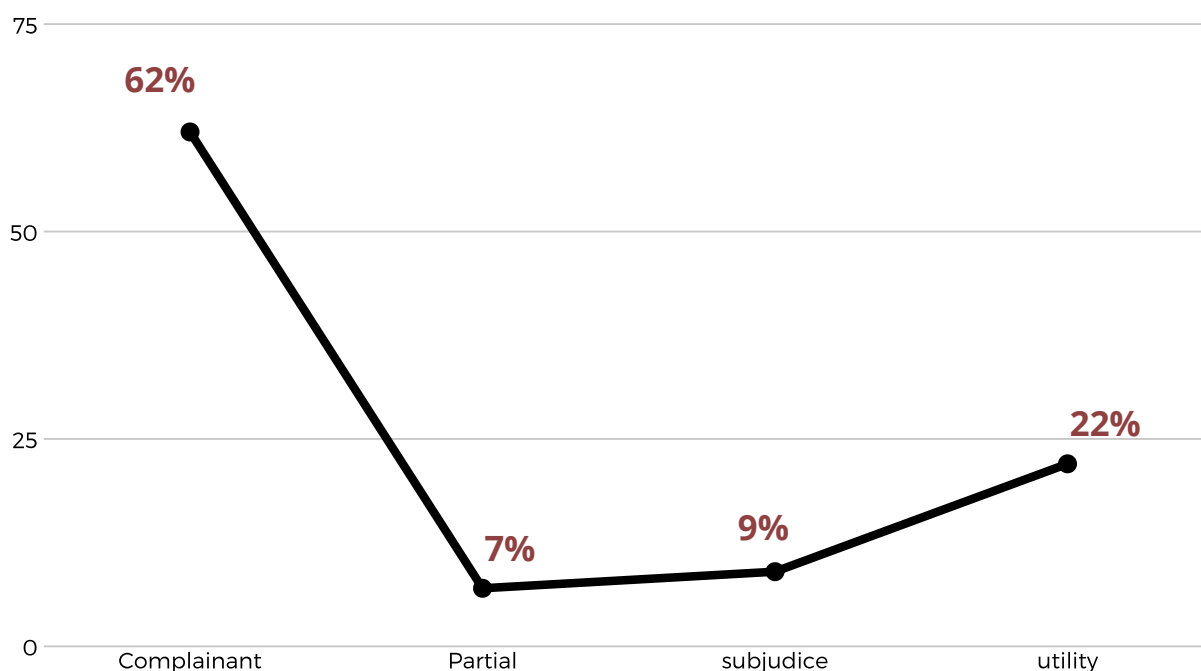


Figure 7: Percentage of favourable outcomes

10. In whose favour the judgment was passed does not impact the time taken to pass the judgment

Given that the CGRF is an internal grievance institution and the role of the utility in the panel is indispensable; it is crucial to abide by checks and balances that ensure justice and fairness. One such a check is having a three member panel as prescribed by the regulations.

Ho : In whose favour the judgment was made impacts the judgment duration The hypothesis was tested by using Analysis of Variance (ANOVA) method which is a combination of Chi square variables in dual and F-test.

ANOVA						
Source of Variation	SS	Df	MS	F	p-value	F critical
Between Groups	46738.8	7	6676.97	3.34	0.0021	2.05
Within Groups	465407.52	233	1997.46			
Total	512146.3	240.0				

Since the F-Statistic value is higher than the F-Critical value, we reject the Null hypothesis that in whose favour the judgment was made impacts the judgment duration



11. Gender of the complainant does not impact grievance resolution

To enquire into whether there is any correlation between the gender of the complainant and grievance resolution the below null hypothesis was assumed:

H_0 : Gender impacts in whose favour the Judgment was passed

Phi Coefficient ϕ	
Consider $XY=N$	
$N_{00} \times N_{11} - N_{01} \times N_{10}$	-312
$N_{00} \times N_{11} \times N_{01} \times N_{10}$	38834784
$\chi^2 A$	6231.756
ϕ	-0.05007

Since the Phi Coefficient is very less, we can reject the null hypothesis and conclude that the gender of the complainant and result of judgment are not correlated.

On Impartiality:

Contrary to the suspicion that arises from its structure, CGRF could be seen as largely impartial. A majority of complaints were handled by a three member panel, suggesting that the Forum predominantly complies with the regulations around the constitution of forum(s) for redressal of consumer grievances. Further, the judgments/orders passed by CGRF do not suggest favouritism towards the utility.

Establishing impartiality goes a long way in building trust among the consumers and assuring them of a just and fair redressal mechanism.



CHAPTER IV

4.1. Summary of Findings

Based on the analysis, it can be observed that TANGEDCO's CGRF takes longer than 60 days to resolve most of its complaints. Especially for complaints from domestic consumers and recurring issues related to power quality and infrastructure. While the forum needs to focus on the promptness with which it resolves complaints, it should be lauded for reflecting no sign or form of partiality towards the utility, although the presiding member of the CGRF belongs to the utility.

ON NATURE OF COMPLAINTS

1. Majority of the complaints have been registered by domestic consumers; and
2. Most of the complaints registered were on issues related to power quality and infrastructure.

ON EFFICIENCY OF THE GRIEVANCE REDRESSAL PROCESS

3. More than half of the complaints registered with CGRF were not resolved within the two-month time frame;
4. Most complaints around meter fault, quality of power supply and infrastructure were not resolved within the two-month time frame;
5. On an average, complaints registered by commercial consumers have taken the most number of days to be resolved;
6. On an average, complaints related to meter fault and billing have taken the most number of days to be resolved; and
7. Amendments to the regulatory norm around the grievance handling procedure did not improve CGRF's timeliness in resolving complaints.

ON IMPARTIALITY

8. A majority of grievances were handled by three CGRF members;
9. Most of the judgments passed have been favourable to the consumers;
10. In whose favour the judgment was passed does not impact the time taken to pass the judgment; and
11. Gender of the complainant does not impact grievance resolution.



4.2. Recommendations

To understand the current ways of the redressal mechanism and to further device more efficient methods to resolve consumer grievances in a timely manner, CGRF should permit for an in-depth study and analysis of complaint handling. To facilitate the same, CGRF should:

- Strengthen the accessibility and availability of data on complaints registered with the Forum and ensure that the data is granular and provides for the below:
 - Total number of complaints registered with the CGRF
 - Method of CGRF complaint submission
 - Category of consumer grievance
 - Total number of complaints resolved – within 50 days
 - Total number of complaints resolved – after 50 days
 - Total number of pending cases
 - Number of cases in which the complainant was compensated
 - Date of filing complaints
- A standard format should be developed for the orders passed on the complaints registered with the CGRF, across the distribution circles. This format should include the below information:
 - Date of petition
 - Date of hearing
 - Date of order
 - Details of members, respondent(s) and petitioner
 - Case of the petitioner
 - Facts of the case
 - Contention of the petitioner
 - Contention of the respondent
 - Points made by members
 - Chairman's view
 - Views of other members
 - The Forum's order.

Providing adequate information in a standard format will enhance transparency in the way that the proceedings are conducted.

CGRF should build a repository of indexed cases and develop best practices so that it would serve as a quick-to-refer guide for grievance redressal in case of recurring complaints. Additionally, institutional capacity building for members of the forum could improve the efficiency of the redressal process.

To ensure that there is ease of doing business in the complaint handling system, the forum should focus on developing consumer awareness around methods of complaint submission and procedures involved in complaint handling.

4.3. Conclusion

This study analysed the nature of complaints registered with TANGEDCO's CGRF; and further inquired into the efficiency of the institution and the impartiality of its decision making. As a result, it has been identified that the redressal mechanism at the Forum is largely impartial but lacks in efficient and timely redressal of grievances. CGRF should focus on protecting consumer interests through recommendations outlined in the study. These recommendations could ensure timely resolution of recurring complaints and complaints that tend to take longer than the stipulated time. It would in-turn, benefit the consumers in getting their grievances resolved effectively and the minimise the time, effort and resources spent by CGRF in handling grievances



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Annexure

Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004
(Relevant sections of the regulations as provided between pages 30 to 35 of TNERC's Consolidated
Regulations - As amended upto 31-03-2015 have been extracted and provided below)

Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman 2004

Principal Regulations and Amendment

- (1) Notification No.TNERC/CGR&EO/6/1, Dated 08.01.2004)
- (2) Notification No.TNERC/CGR&EO/6-1, Dated 03.10.2005)
- (3) Notification No.TNERC/CGR&EO/6-2, Dated 22.02.2007)
- (4) Notification No. TNERC / CGRF&EO /6-3/ dated 05.11.2009)
- (5) Notification No. TNERC / CGRF&EO /6-5/ dated 28.11.2011)
- (6) Notification No. TNERC / CGRF&EO /6-6/ dated 22-03-2013)
- (7) Notification No. TNERC / CGRF&EO /6-7/ dated 02-11-2013)
- (8) Notification No. TNERC / CGRF&EO /6-8/ dated 25-02-2014)

In exercise of the power conferred on it by section 181 read with sub-sections (5), (6) and (7) of section 42 of The Electricity Act, 2003 (Act No: 36 of 2003) and all other powers enabling it in this behalf, the Tamil Nadu Electricity Regulatory Commission makes the following Regulations, namely:-

PART - 1 - GENERAL

- 1 i) These Regulations may be called the “Regulations for Consumer Grievance Redressal Forum and Electricity Ombudsman, 2004”.

Short title,
Commencement

ii) These extend to the whole of the State of Tamil Nadu.

iii) These shall come into force on 10.6.2004.

2 In these Regulations, unless the context otherwise requires:

Definitions

(a) "Act" means the Electricity Act, 2003.

(b) "area of supply" means the area within which a distribution licensee is authorized by his/her/their licence to supply electricity.

(c) "Chairperson" means the Chairperson of the forum.

(d) "Commission" means the Tamil Nadu Electricity Regulatory Commission.

(e) "complainant" means—

(i) a consumer of electricity supplied by the Licensee including applicants for new connections;

(ii) any voluntary consumer association registered under the Companies Act, 1956 (1 of 1956) or under any other law for the time being in force;

(iii) the Central Government or any State Government - who or which makes the complaint;

(iv) one or more consumers, where there are numerous consumers having the same interest;

(v) in case of death of a consumer, his legal heirs or representatives.

(f) "complaint" means any grievance made by a complainant in writing on:- (i)

defect or deficiency in electricity service provided by the licensee;

(ii) unfair or restrictive trade practices of licensee in providing electricity services;

(iii) Charging of a price in excess of the price fixed by the Commission for consumption of electricity and allied services;

(iv) Electricity services which will be unsafe or hazardous to public life in contravention of the provisions of any law for the time being in force.

(g) "consumer" means any person who is supplied with electricity for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under this Act 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 licensee, the Government or such

other person as the case may be.

(h) "defect" means any fault, imperfection or shortcoming in the quality, quantity, purity or standard of service, equipment or material which is required to be maintained by or under any law for the time being in force or under any contract, express or implied, or as is claimed by the distribution licensee in any manner whatsoever in relation to electricity service.

(i) "deficiency" means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of supply which is required to be maintained by or under any law for the time being in force or has been undertaken to be performed by distribution licensee in pursuance of a contract agreement or otherwise in relation to electricity service or performance standard, violations of Electricity Supply Code, contraventions of Act, Rules or Regulations made thereunder with regard to consumer interest.

(j) "distribution system" means the system of wires and associated facilities between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the consumers.

(k) "Electricity Ombudsman" means an authority to be appointed or designated by the Commission, under sub-clause (6) of Section 42 of the Act, with whom a representation may be made in accordance with sub-clause 17 (1) of these Regulations.

(l) In particular and without prejudice to the generality of the term the "electricity service" means electricity supply, metering, billing, maintenance of electrical energy, maintenance of distribution system and all other attendant sub service etc.

(m) "Forum" means 'forum for redressal of grievances of consumers' to be constituted by each distribution licensee in accordance with these Regulations.

(n) "Licensee" means a person who has been granted a licence under section 14 of the Act.

(o) Words and expressions used and not defined in these Regulations but defined in the Act, or the Consumer Protection Act, 1986 (68 of 1986) shall have the meanings respectively assigned to them in these Acts

PART-II CONSUMER GRIEVANCE REDRESSAL FORUM

- 3 (1) Every distribution licensee shall establish a forum or forums for redressal of grievances of the consumers in accordance with these Regulations.

Constitution of
forum(s) for
redressal of consumer
grievances

- (2) A licensee may establish more than one forum so as to ensure that any

consumer in the area of supply of the licensee shall not have to travel more than 100 Kilometres to submit his complaint with the forum for redressal. The concentration of the consumers in a particular area and the number of complaints expected to be received and the constraints of the forum in disposing of the complaint within the stipulated time frame may also be taken into account to determine the places and the number of forums to be established.

(3) The head office of the forum shall be at such place(s) as each distribution licensee may specify in accordance with the sub-clause 3 (2)

(4) The forum shall consist of three members to be appointed by the distribution licensee with the following composition.

(a) Chairperson of the forum shall be a full time officer of the licensee not lower in rank than the rank of Superintending Engineer.

(b) One member shall be a person with 15 to 20 years experience in financial / legal profession and shall be nominated by the District Collector of the district where the forum is head quartered.

(c) ²[Another member shall be from a registered society of NGO or a consumer organization or a consumer activist and shall be nominated by the Commission.].²

(5) Every member of the forum except the Chairperson shall hold office for a term of three years and shall not be eligible for reappointment as such. Provided that no member shall hold office as such after he has attained the age of sixty two years. The person occupying the designated post of the Distribution Licensee to act as Chairperson shall be deemed to be the Chairperson of the forum

(6) The quorum of the forum shall be two among the three members, which includes the Chairperson. The post of the Members shall not be kept vacant for more than two months.

(7) The honorarium for each sitting shall be decided by the Licensee subject to approval by the Commission and TA / DA and other allowances payable to the members shall be as applicable to Class I officers of the State Government.

¹[The Chairperson shall make use of his office space, secretarial staff and other facilities for efficient functioning of Forum. The members by virtue of their office shall not be entitled to claim any separate accommodation in the office premises of Chairperson or any separate secretarial staff and other facilities. The members of the forum may avail of the office premises of the Chairperson and the secretarial staff, only for the limited purpose of attending the sittings of the Forum on the days on which they are scheduled to be held and dictating the decisions of the forum to the secretarial staff appointed for the above purpose without causing any inconvenience or prejudice to the normal use of office premises and secretarial staff for discharging their normal functions.].¹

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¹Substituted as per Commission's Notification No. **TNERC/CGR&EO/6-1 dated 03.10.2005** (w.e.f. 07.12.2005) which before substitution stood as under:

"The office space, secretarial support and other facilities required by members for efficient functioning of forum shall be provided by the distribution licensee"

²Substituted as per Commission's Notification No. **TNERC/CGR&EO/6-7 dated 02.12.2013** (w.e.f.25.12.2013) which before substitution stood as under:

"Another member shall be from a registered society of NGO or a consumer

organization or a consumer activist and shall be nominated by the District Collector of the district where the forum is head quartered”

(8) Notwithstanding anything contained in sub-clause 3(5), a Member (other than the Chairperson) may relinquish his office by giving in writing to the Licensee a notice of not less than two months

(9) Notwithstanding anything contained in sub-clause 3(5), where the Commission is satisfied that in the public interest or for the reason of incapacity of any Member, it is necessary so to do, it may for reasons to be recorded in writing remove any Member from his office.

4. Subject to the other provisions of these Regulations, the forum shall have jurisdiction to entertain the complaints within the jurisdiction of the distribution licensee. If there is more than one forum in the same Licensee’s area, then the area of jurisdiction may be decided by the Licensee in accordance with sub-clause 3 (2).

Jurisdiction of the forum

- 5 The forum shall take up any kind of grievances/complaints as defined in clause 2 (f) of these Regulations. However, the consumer's grievances concerned with

Kind of grievances that can be taken up by the forum

- (i) unauthorized use of electricity as detailed u/s 126 and
- (ii) offences and penalties as detailed u/s 135 to 141 of the Electricity Act 2003 are excluded from the purview of this forum.

- 6 (1) The Licensee shall notify details such as the address, telephone numbers and email address of the Forum often in the media. The Licensee shall make available copies of the procedure for lodging complaints to the Complainants at free of cost. The applications/bills/receipts issued by the Licensee to the consumers shall contain the address of the concerned Consumer Grievance Redressal Forum and the statement **'Complainants whose grievance is not redressed by the official of the Licensee may approach the Consumer Grievance Redressal Forum'** shall also be printed on it.

(2) Every grievance to the forum must be submitted in writing to the Chairperson of the forum in the complaint format given in Annexure-I. The complaint can also be lodged through email to the respective forum’s email ID (which will be published by them widely). Such mode of complaint can be in text format with the required information and address of the complainant.

Grievance filling procedure

7. 7 (1) On receipt of the grievance from any complainant, the chairperson shall make endorsement on the grievance subscribing his dated initial. Grievances received shall be registered and serially numbered for each year.

(2) Within ¹[five] working days of receipt of a consumer grievance, the forum shall send an acknowledgement to the complainant. If the grievance / petition is anonymous, the same shall be rejected on receipt and placed before the forum in the next available opportunity for recording the same.

Grievance handling procedure for the forum

(3) On receipt of a complaint and following the procedure mentioned under sub-clause 7.1, the forum may, by order allow the complaint to be proceeded with or reject. Provided that the complainant shall be informed in writing if the complaint is rejected. Provided further that the admissibility of the complaint shall ordinarily be decided within 10 working days from the date on which the complaint was

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¹Substituted as per Commission’s Notification No. TNERC / CGRF & EO/6-10/ dated 8.9.2014 (w.e.f.22.10.2014) which before substitution stood as under:

[seven]

received. Where a complaint is allowed to be proceeded, the forum may proceed with the complaint in the manner provided under these Regulations.

(4) A copy of the admitted complaint shall be forwarded simultaneously to the nodal officer of the concerned licensee for redressal or to file objection in writing if the licensee is not agreeable to the request of the complainant.

(5) The licensee shall furnish the para-wise comments on the grievance ³[to the forum and the complainant]³ within ⁴[10]⁴ days of receipt of the letter from the forum, failing which the forum shall proceed on the basis of the material record available. The complainant can represent himself or through a representative of his choice. Where the complainant or his representative fails to appear on the date of hearing before the forum, the forum may ⁵[decide it on merits]⁵.

(6) The forum shall be entitled to call for any record of the licensee and also from the complainant in respect of the grievance received by the forum for examination and disposal of the grievances.

(7) ⁶[On receipt of the remarks from the licensee or otherwise, the forum shall initiate enquiry in regard to the complaint after serving a notice of the said enquiry on the complainant and the licensee concerned, mentioning "date, time and venue" of the enquiry by registered/speed post/special messenger and complete the said enquiry expeditiously and pass appropriate order on the complaint within a maximum period of fifty days from the date of receipt of complaint by the forum.]⁶

(8) All decisions shall be taken by a majority of votes by the members present and in the event of the equality of the votes, the facts may be recorded and referred to the Electricity Ombudsman for final orders. All the members present shall sign every order passed by the forum. ²[The decisions of the forum shall be strictly in accordance with the provisions of the Act, the rules and

² Inserted as per Commission's Notification No.TNERC/CGR&EO/6-1/dated 03.10.2005(w.e.f 7.12.2005)

³Inserted as per Commission's Notification No. TNERC/CGR&EO/6-10 dated 8.9.2014(w.e.f 22.10.2014)

⁴ Substituted as per Commission's Notification No. TNERC/CGR&EO/6-10 dated 8.9.2014(w.e.f 22.10.2014), which before substitution stood as: [15]

⁵ Substituted as per Commission's Notification No. TNERC/CGR&EO/6-10 dated 8.9.2014(w.e.f 22.10.2014), which before substitution stood as :[either dismiss the complaint for default or decide it on merits.]

⁶[¹] Substituted as per Commission's Notification No. TNERC/CGR&EO/6-10 dated 8.9.2014(w.e.f 22.10.2014), which before substitution stood as under:

[On receipt of the comments from the licensee or otherwise, ¹[the forum shall initiate an enquiry in regard to the complaint after serving a notice of the said enquiry on the complainant and the licensee concerned, mentioning "date, time and venue" of the enquiry by registered post with acknowledgement and complete the said enquiry]¹ as expeditiously as possible and every endeavor shall be made to pass appropriate order on the complaint within a maximum period of 2 months from the date of receipt of complaint by the Forum.]

[¹] Substituted as per Commission's Notification No. TNERC / CGRF & EO/6-3/ dated 05.11.2009 (w.e.f.06.01.2010) which before substitution stood as under: