

Frequently Asked Questions (FAQ)(Revised on 11.08.2023)

(General guidelines for consumer reference. Respective Regulations may be read for better clarity)

1. **What is the mechanism available for redressal of grievances of electricity consumers?**

- Maharashtra Electricity Regulatory Commission (Commission), under the Electricity Act 2003, and the Regulations made there under has created mechanism known as Consumer Grievance Redressal Forum (Forum), and Electricity Ombudsman.
- Distribution Licensees have created Web based Portal on which Internal Complaint Redressal System (ICRS) is developed.
- Consumer needs to follow the guidelines to register their complaint on this Web Portal.

2. **What are the Act and Regulations that consumer needs to refer for redressal of grievance? On which web site it is available?**

Normally Act & Regulations mentioned below are useful for consumer: -

- The Electricity Act, 2003.
- Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations 2020 notified on 21.09.2020.
- Maharashtra Electricity Regulatory Commission (Electricity Supply Code & Standard of Performance of Distribution Licensee including Power Quality) Regulation 2021 notified on 25.02.2021.
- The above Act & Regulations are available on website of the Maharashtra Electricity Regulatory Commission (Commission) www.merc.gov.in and on web site of the Electricity Ombudsman (Mumbai) www.mercombudsman.org.in

3. **What is the time provided for the Redressal of complaint under ICRS?**

- DL to provide remedy within 3 working days in case of complaint related to nonsupply, connection, reconnection, or disconnection of supply. [Regulations 3.11 (C)]
- 15 days in other cases. [Regulations 3.11 (C)]

4. **Whether approaching ICRS through Web Portal is compulsory?**
- No. The consumer can directly approach the Forum (Regulation 3.13)
 - It is advisable to file complaint with the ICRS system on Web Portal. By doing this he will be saving his precious time that may be required at Forum.
5. **Whom to approach if consumer is not satisfied with ICRS disposal?**
- Consumer may approach and file the grievance / complaint to the “*Consumer Grievance Redressal Forum*” (*Forum*) of the concerned DL in the prescribed ‘Schedule A’ which needs to be invariably signed by the consumer / complainant.
6. **What is the time limit for filing the complaint before the Forum?**
- Forum as per Regulation 7.8 shall not admit any complaint / grievance after two (2) years from the cause of action.
 - Hence, consumer / complainant should take care that it is filed within two (2) years from the cause of action.
 - It is therefore advisable to file the complaint immediately after it has not been resolved by the DL through ICRS.
7. **What is the time limit for the Forum to decide the grievance or complaint filed by the Consumer?**
- The Forum to decide and issue the order within 15/60 days from the date of filing the grievance or complaint. (Regulation 5.2 & 6)
8. **What is the remedy available to the consumer if the Forum has not given the decision within the time limit?**
- If the Forum fails to give decision within the time limit of 15/60 days, the consumer may immediately approach and file Representation before the Electricity Ombudsman in prescribed ‘Schedule B’ form which needs to be invariably signed by the consumer.
 - However, consumer may at his own will wait for Forum to issue the order.

9. **What if the consumer is not satisfied with the order of the Forum?**

- Consumer / complainant or Even DL can file review of the order with the Forum within 30 days of the date of the order (Regulation 10.1).
- Alternatively, Consumer / complainant (and not the DL) may approach the Electricity Ombudsman within 60 days of the date of the order of the Forum in 'Schedule B' format (Regulation 19.1).
- If the consumer / complainant could not file Representation with the Electricity Ombudsman within 60 days, he has power to condone the delay if sufficient cause is shown to him for not filing it within the said period.

10. **Where is the office of the Electricity Ombudsman (Mumbai) located and his jurisdiction?**

- Electricity Ombudsman (Mumbai) is located at below address:-

Electricity Ombudsman (Mumbai)
108, Arcadia, NCPA Marg, Nariman Point, Mumbai 400 021
Tel. Nos. 022 4969 1092.
Email ID: electricityombudsmanmumbai@gmail.com
Web Site : www.mercombudsman.org.in

- The Electricity Ombudsman (Mumbai) has jurisdiction over 15 districts namely Mumbai, Thane, Raigad, Ratnagiri, Sindhudurg, Pune, Satara, Sangli, Kolhapur, Solapur, Nashik, Ahmednagar, Dhule, Nandurbar, Jalgaon.
- The remaining districts of Marathwada and Vidarbha region are under the jurisdiction of the Electricity Ombudsman (Nagpur) whose office is located at Nagpur.

Electricity Ombudsman (Nagpur)
Plot No.27 to 30, R002, Universal Meadows,
Near Purushottam Bazar, New Sneh Nagar,
Opp. Hotel Radisson Blu, Wardha Road,
Nagpur, Pin Code -440015.
Phone No : 0712-2955735, 0712-2596670
Email : ombudsmanngp@gmail.com
Web Site : www.electricityombudsmannagpur.org.in/

11. **Whether Representations can be emailed to the Electricity Ombudsman?**

- Yes. However, it needs to be submitted in hard copies along with necessary documents duly signed by the consumer either by Registered Post / Speed Post / Ordinary Post or by Courier.

- Scrutiny of the hard copy will finally decide the registration of the Representation.

12. **Whether any deposit is to be paid by the consumer? How it is to be paid?**

- No 'Deposit' is to be paid while filing complaint before the Forum.
- However, if consumer is not satisfied by the Order of the Forum and files Representation with the Electricity Ombudsman and if some amount is required to be paid in terms of Order of the Forum, then it has to deposit 50% of the amount or Rs.25000/- whichever is less. [(Regulation 19.22 (h)]
- The said deposit needs to be paid in the form of Demand Draft (DD) issued in the name of "Electricity Ombudsman MERC Deposit Account" (Payable at Mumbai)
- or by way of NEFT in Central Bank of India, BKC Branch, in the name of "Electricity Ombudsman MERC Deposit Account"
Account No. – 1001791662
IFSC Code – CBIN0281067 (fifth character is zero)
- The amount deposited as above will be refunded or adjusted in the electricity bill as the case may be, within a week from the date of the order.

13. **Whether the Advocate can appear or represent before the Forum or Electricity Ombudsman?**

- Advocate (within the meaning of the Advocates Act 1961) cannot appear before the Forum or the Electricity Ombudsman (Regulation 8.10).
- The Consumer or the DL can represent his own case or authorize any Representative to represent the case.
- However, authorized Representative cannot withdraw Representation / Complaint without written consent from the party expressly issued in this regard (Regulation 19.19).

14. **Is it necessary for both the parties to be physically present for the scheduled hearing?**

- If hearing is on digital platform through Video / Audio conferencing, then parties can join from their respective places with the appropriate authorization.
- Even Representatives are allowed on such digital platform provided they are appropriately authorized.

○ If any party or their authorized Representative failed to appear for the scheduled hearing either through digital platform or physical hearing, Forum or Electricity Ombudsman can decide the matter ex-parte.

○ Above mentioned points hold good for physical hearing also (Regulation 8.14 / 19.21).

15. **Is any court fee or stamp duty needs to be paid, while filing grievance /complaint with the ICRS, Forum or the Electricity Ombudsman?**

○ There is no fee or stamp duty payable by the consumer either at ICRS, Forum or the Electricity Ombudsman while filing the complaint.

16. **Whether settlement can be done before the Electricity Ombudsman?**

○ It is always the best available options. However, as per Regulation 19.9 mandates the Electricity Ombudsman to explore the possibility of settlement.

○ There is no such provision available for the Forum. However, this does not debar both the parties to propose for settlement.

17. **What are the situations in which Forum & Electricity Ombudsman can reject the grievance filed by the consumer?**

○ The Forum shall reject the grievance at any stage under the following circumstances. (Regulation 7.9)

In cases where proceedings in respect of the same matter and between the same complainant and the Licensee are pending before any court, tribunal, arbitrator or any other authority, or a decree or award or a final order has already been passed by any such court, tribunal, arbitrator, or authority.

In cases, which fall under Sections 126,127,135 to 139, 152, and 161 of the Act.

In cases where the grievance has been submitted two (2) years after the date on which the cause of action has arisen.

In cases of recovery of arrears where the bill amount is not disputed; and

In the case of Grievances, which are;

- (i) Frivolous, vexatious malafide;
- (ii) Without any sufficient cause; or

- (iii) where there is no prima facie loss or damage, or inconvenience caused to the Complainant or the consumers who are represented by an association or group of consumers:

Provided that no Grievance shall be rejected unless the Complainant has been given an opportunity of being heard.

Above provision is also applicable to the Electricity Ombudsman.

18. **Whether decision given by the Electricity Ombudsman is binding on both the parties?**
- Yes. Order of the Electricity Ombudsman is final and binding on both the parties.
19. **Can any party if not satisfied by the order of the Electricity Ombudsman challenge it?**
- Yes. It can be challenged it in appropriate Court of Law, and not the Commission.
20. **Whether consumer can directly file its grievance / complaint with the Electricity Ombudsman?**
- No. It has first to file with Forum.
 - The Electricity Ombudsman is an Appellate Authority for the order of the Forum.
21. **Whether normal complaints sent by email or letter to the Electricity Ombudsman are entertained?**
- No. Direct complaints received by email or letter are not entertained.
22. **How will the parties get the order of the Electricity Ombudsman?**
- A certified copy of the order shall be sent to the litigants in the order. (Regulation 20.8).
 - In addition, it is sent to the Commission, and the concerned Forum for information.
 - All these copies are sent by ordinary post / courier.
 - Order is also uploaded within a day or two on the website (www.mercombudsman.org.in)
23. **If the order of the Forum or Ombudsman has not been complied by the Distribution Licensee, what is the remedy available to the consumer?**

- If it is not complied by the DL as per the directions in the order, petition as per rules of the Commission can be filed under Section 142 of the Electricity Act, 2003.
- Address of the Commission

The Secretary,
Maharashtra Electricity Regulatory Commission
13th floor, Centre 1, World Trade Centre, Cuffe Parade,
Mumbai 400 005. Tel. No. 022 2216 3965 / 2216 3969.

Secretary

वारंवार विचारण्यात येणारे प्रश्न (FAQ) सुधारीत (दिनांक ११.०८.२०२३)

(ग्राहकांनी अधिक स्पष्टतेसाठी संबंधित विनियम वाचावत.)

१. वीज ग्राहकांच्या तक्रारीचे निवारण करण्यासाठी कोणती यंत्रणा उपलब्ध आहे?

- महाराष्ट्र विद्युत नियामक आयोग (आयोग) यांनी विज कायदा २००३ मधील तरतूदी नुसार, ग्राहकांच्या तक्रार / गाऱ्हाणे निवारण्याकरीता 'ग्राहक गाऱ्हाणे निवारण मंच (मंच) आणि विद्युत लोकपाल' यंत्रणा निर्माण केली आहे.
- सर्व वितरण परवानाधारकांनी वेब पोर्टल तयार कले आहे, सदर वेब पोर्टलवर 'अंतर्गत तक्रार निवारण यंत्रणा' (Internal Complaint Redressal System) (आयसीआरएस) विकसित केली आहे.
- ग्राहकाने सदर वेब पोर्टलवरोल मागदर्शक सुचनांनुसार तक्रार नोंदवावी.

२. तक्रार निवारण करण्यासाठी, ग्राहकांना कोणता कायदा व विनियम उपयुक्त आहेत? ते कोणत्या संकेतस्थळांवर उपलब्ध आहेत?

साधारणतः ग्राहकांना तक्रारीच्या अनुषंगाने खाली नमुद केलेला कायदा, व त्या अंतर्गत तयार केलेले विनियम उपयुक्त आहेत.

- विद्युत कायदा, २००३
- महाराष्ट्र विद्युत नियामक आयोग (ग्राहक गाऱ्हाणे निवारण मंच आणि विद्युत लोकपाल) विनियम २०२० (दिनांक २१.०९.२०२० रोजी अधिसूचित).
- महाराष्ट्र विद्युत नियामक आयोग (विद्युत पुरवठा संहिता, वितरण परवानाधारकांच्या कृतीचो मानक आणि पॉवर क्वालिटी) विनियम, २०२१ (दिनांक २५.०२.२०२१ रोजी अधिसूचित).
- सदर कायदा व विनियम खालील संकेतस्थळावर उपलब्ध आहे.
 - अ) महाराष्ट्र विद्युत नियामक आयोग :- www.merc.gov.in
 - ब) विद्युत लोकपाल (मुंबई) :- www.mercombudsman.org.in

(Mumbai)