

JOINT ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

CONSUMER GRIEVANCES REDRESSAL FORUM AND OMBUDSMAN REGULATIONS, 2019

NO. JERC/Notification/

Dated: July,2019

The Joint Electricity Regulatory Commission, in exercise of the powers conferred by Clauses (r) and (s) of sub-section (2) of 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 it in this behalf makes the following Regulations providing guidelines/directions to the distribution licensees of its jurisdiction for establishing Forum(s) for redressal of grievances of consumers and for the appointing/designating of Electricity Ombudsman by the Commission for making representations against non-redressal of grievances of consumers and the time and manner of settlement of grievances by the Electricity Ombudsman and for matters incidental and ancillary thereto and further to provide the consumers, in their discretion, before approaching the Consumer Grievances Redressal Forum under these Regulations.

CHAPTER-I

SHORT TITLE, COMMENCEMENT, SCOPE, DEFINITIONS AND INTERPRETATION

1. Short title, extent and commencement. - (1) These Regulations may be called the Joint Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2019.

(2) These Regulations shall extend to the whole of the State of Goa and Union Territories (except NCT of Delhi).

(3) These Regulations shall come into force on the date of their publication in the Gazette of Govt of India.

2. Objectives, Scope and application. - (1) Without prejudice to right which a consumer may have apart from the rights conferred upon him under section 42 of the Act, the said section 42 requires every distribution licensee to establish a Consumer Grievance Redressal Forum as per the guidelines of the Commission and any consumer who is aggrieved by non-redressal of his grievance by the forum, may make a representation for the redressal of his grievance to an authority to be known as Ombudsman, to be appointed or designated by the Commission, who is to settle the grievance of the consumer within such time and in such manner as may be specified by the State Commission.

(2)The objective of these Regulations is to lay down the guidelines/directions/instructions for setting up the Consumer Grievance Redressal Forum under section (5) of section 42 of the Act and the time limits within which and the manner in which the Consumer Grievance Redressal Forum and the Ombudsman, to be appointed under sub-section (6) of section 42 of the Act, shall settle the grievances of the consumers.

(3) These Regulations shall be applicable to all the distribution licensees, in the State of Goa and Union Territories (except NCT of Delhi) , in their respective areas of supply.

(4) Nothing contained in these Regulations shall, expressly or impliedly, restrict the rights and privileges of the consumers available to them

3. Definitions .- (1) In these Regulations, unless the context otherwise requires, -

(a) **“Act”** means the Electricity Act, 2003(36 of 2003);

(b) **“Annexure”** means the annexure to these Regulations;

(c) **“Commission”** means the Joint Electricity Regulatory Commission for the State of Goa and Union Territories;

(d) **“Complainant”/Consumer** means and includes

(i) any electricity consumer or consumers including their legal heirs or successors, having a grievance/complaint against a licensee and lodging the same either directly or through their representatives, or

(ii) any voluntary/registered consumer society/association or associations, registered under the law for the time being in force and making the complaints in the larger common or similar interest of the consumers, or

(iii) any person whose electricity connection is disconnected, or

(iv) an applicant for a new connection for the supply of electricity;

(v) A consumer as defined under clause (15) of Section 2 of the Act

(vi) Any unregistered association or group of consumers where they have common or similar interests;

(e) “**grievance**” means, and includes any complaint, relating to any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which has been undertaken to be performed by a licensee in pursuance of a license, contract, agreement or under the JERC Electricity Supply Code 2018 as amended from time to time or in relation to the Distribution Performance Standards of the licensees, as specified by the Commission, and includes billing disputes of any nature and matters related to safety of the distribution system having potential of endangering life or property; or a dissatisfaction of a Consumer arising out of failure of the licensee to register or redress a Complaint and shall include any dispute between the Consumer and the Licensee with regard to any complaint or with regard to any action taken by the licensee in relation to or pursuant to a complaint filed by the effected person. (f)

(f) “**Complaint**” means an application made by consumer before the forum seeking redressal of any grievance with regard to supply of electricity by the licensee;

Provided that the following shall not be considered as the complaint namely,

(i) any grievances arising out of application of Sections 126,127, 135 to 139, 142, 143, 149, 152 and 161 of the Act;

(ii) any matter pending before, or decided by, any court of law, or authority (except an authority under the control of the licensee) or the Forum, and

(iii) any complaint in regard to recovery of arrears where the billed amount is not disputed

(g) “**Forum**” means the Forum for Redressal of Grievances of Consumers required to be established, by the distribution licensee, pursuant to sub-section (5) of section 42 of the Act and the guidelines contained in these Regulations;

(h) “**licensee**” means a licensee authorized to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply and includes a deemed licensee;

(i) “**Member**” means the Member of the Forum and includes the Chairperson of the Forum;

(j) “**Electricity Ombudsman**” means an authority appointed or designated by the Commission, under sub-section (6) of section 42 of the Act, and these Regulations, with whom a representation may be made by any person, who is dissatisfied by the redressal or is aggrieved by the non-redressal of his grievances by the Forum;

(k)“**representation**” means the representation made to the Ombudsman by a complainant, who is aggrieved by the order of the Forum (including the partial or full dismissal order), or non-redressal of his grievances by the Forum within the specified time or dissatisfaction with the order issued by the Forum or non-implementation of the Forum’s order by the licensee within the specified time;

(l)“**time lines**” means the time specified in Annexure-I or any other provisions of these Regulations for processing any complaint or representation made under these Regulations.

(m) **Consumer Dispute** means a dispute where the Licensee or its representative against whom a complaint has been made, denies or disputes the allegations contained in the complaint.

(2) The other words and expressions used and not defined in these Regulations, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

4. Interpretation.- These Regulations shall be construed harmoniously with the Electricity Supply Code notified by the Commission under the provisions of clause (x), and the Distribution Performance Standards of the licensee under clause (za,) of sub-section (2) of section 181 of the Act and in case of any inconsistency with these Regulations, Distribution Performance Standards of the licensee and the Electricity Supply Code shall prevail.

CHAPTER-II

CONSUMER GRIEVANCES REDRESSAL FORUM (CGRF)

5. Establishment of Forum .- (1) Every distribution licensee shall, within six months, from the grant of licence including the deemed licensee, establish, in its area of supply, under sub-section (5) of section 42 of the Act, a Forum for Redressal of Grievances of the consumers, in accordance with the guidelines contained in these Regulations:

Provided that the distribution licensee may, by an order, after considering factors such as the number of representations received, disposal of representation within the specified time limit, ease of access for the consumer and the geographical area, establish more than one Forum in its area of supply and in that event each such Forum shall have the jurisdiction as the distribution licensee, out of its total area of supply, define the territorial jurisdiction of each Forum in such order.

(2) In order to ensure that all grievances are disposed of within the specified time limit the Commission may, from time to time, direct the licensee to increase the number of Forums to increase their sittings at different locations

6. Headquarters of Forum .- The head office of the Forum shall be preferably at the place of headquarters of the distribution licensee The Forum may, with the overall objective of ensuring that the complaints/grievances are heard and redressed within the time limit specified under these Regulations, conduct its sittings apart from its HQs, at such other places, within its area of jurisdiction, as may be considered necessary and proper by it.

7. Constitution of Forum and Appointments of its Members. - (1) The Forum shall consist of not less than three members including the Chairperson. Out of the three Members, not more than two members shall be appointed by the Commission out of the panel recommended by the licensee and at least one member shall be independent member to be appointed purely by the Commission. The Distribution licensee shall submit a panel of at least 2 persons for each post to the Commission, who are eligible according to the qualifications hereinafter prescribed.

Members shall be a person of experience, ability, integrity and standing and shall work full time. The qualification and experience for appointment of Chairperson and Members shall be as under:-

- (i) **Chairperson** of the Forum shall be a retired district Judge/Additional District Judge or a retired judicial officer having at least 20 years of experience in legal/judicial profession or a retired civil servant not below the rank of a district collector

Or

Shall be a retired officer of any State/Central Power Sector departments/PSU/Autonomous Bodies in Power Sector not below the rank of Executive Engineer or equivalent possessing degree in electrical/mechanical/electronics/computer engineering and having at least 20 years experience or serving officer of the power utilities not below the rank of Executive Engineer. (Not below the rank of Assistant Engineer in case of Lakshadweep and Andaman & Nicobar Islands)

- (ii) **Member** shall be a retired officer of any State/Central Power Sector Department's/PSU not below the rank of Executive Engineer or equivalent possessing degree in electrical/mechanical/electronics/computer engineering and having at least 15 years experience preferably in matters relating to the distribution of electricity or a serving officer of the distribution licensee of the same jurisdiction not below the rank of Executive Engineer. (Not below the rank of Assistant Engineer in case of Lakshadweep and Andaman & Nicobar Islands)
- (iii) **Independent Member** shall be an individual possessing minimum bachelor degree preferably in Engineering (Electrical/Mechanical/Electronics/Computer)/Law/PublicAdministration/Journalism/Economics/Political Science or equivalent having at least 5 years of experience preferably with 5 years of experience in consumer related matters.

Provided that a person to be appointed as Independent Member of the Forum shall not have been in the employment in any capacity under, or agency of, the licensee; for a minimum period of one year prior to his being designated/appointed as the Independent Member of the Forum.

(2) The License shall, for the purpose of appointment of Chairperson and Member of the Forum, other than the Independent member invite applications through public advertisement at least six months prior to accrual of the vacancy, The licensee shall submit for appointment by the Commission, a panel of at least two names against each post two month in advance from accrual of the vacancy. Thereafter, the candidate appointed by the Commission shall join the forum under intimation to the Licensee and the Commission.

(3) No person shall be appointed and/or be entitled to continue as a Member if –

- (i) he has been adjudged as an insolvent; or

- (ii) he has been convicted of an offence which, in the opinion of the licensee, involves moral turpitude; or
- (iii) he has become physically or mentally incapable of acting as such a Member; or
- (iv) he has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member; or
- (v) he has so abused his position as to render his continuance in office prejudicial to public interest; or
- (vi) he has been guilty of proven misbehaviour; or
- (vii) his consistent negligence towards the duties is established
- (Viii) Has without reasonable cause refused or failed to discharge his functions for a period of at least three months; or
- (ix) Ceases to fulfil any of the conditions of his appointment as member; or

8. Removal of Member- (1) An existing Member shall be liable to be removed from his office forthwith on any of the grounds mentioned in sub- regulation (3) of regulation

7.

(2) No Member shall be removed from his office on any ground specified in sub-regulation (2) of regulation 7, unless the licensee has held an independent inquiry. Provided further that the licensee shall duly consider the report submitted by the person nominated to conduct enquiry and shall communicate its decision to the Member with the concurrence of the Commission within a period of two months of the receipt of such report.

Provided further that the Independent Member, appointed by the Commission under clause(ii) of sub-regulation (1) of regulation 7, shall be removed from his office only after the prior approval of the Commission.

9. Presiding Officer of the Forum .- (1) The Chairman of the Forum appointed under regulation 7 (1) (i) shall be the presiding officer of the Forum.

(2)The Chairperson shall have the general powers of superintendence and control over the Forum.

(3) In case the Chairperson of the Forum is unable to discharge the functions owing to his absence, illness or any other cause, the Member appointed under regulation 7 (1)

(ii) shall discharge the functions of the Chairperson, until the day when the Chairperson assumes his office.

10. Tenure of Members .- (1) Every Member to be appointed by the licensee under Clause (i) of sub-regulation (1) of regulation 7, shall be appointed, and shall ordinarily hold office for a period of 3 years which may be extended further for a 3 years term with the prior approval of the Commission subject to the ceiling limit of attaining the age of 65 years.

Provided that no Member, other than the Independent Member of the Forum, shall hold office as such, after he ceases to be the officer of the licensee;

Provided that no Independent Member of the Forum shall hold office as such, after he attains the age of sixty five years.

(2) In case any Member decides to relinquish the post, he may do so after giving a notice of two (2) months in writing to the Licensee or deposit two months salary in lieu thereof.

11. Voting and consensus .- Two Members shall form the quorum for the Forum's meeting and proceedings before the Forum and each Member shall have one vote. In case of equality of votes on any issue, the Chairperson or in his absence the person presiding shall have the second or casting vote.

12. Vacancies .- (1) The licensee shall ensure that the post of a Member is not kept vacant for the period of more than 30 days.

Provided that in case the licensee is unable to fill the vacant post within a period of 30 days, the Commission may, at the request of the licensee, grant such additional time, as it deems fit, to the licensee for the purpose of filling up of such vacancy.

(2) No act or proceedings of the Forum shall be deemed to be invalid by reason of any defect in the constitution of the Forum or by reason of the existence of a vacancy amongst its Members.

13. Remuneration - (1) The Chairperson and Members shall be eligible to receive a consolidated remuneration of Rs.65,000/- and Rs. 60000/- per month respectively. They shall also be entitled for TA/DA while out on duty as eligible to Class I officers of the rank of Deputy Secretary of Level 12 in the Central Government. They shall also be entitled for 12 days Casual Leave in a calendar year.

Notwithstanding, the Commission reserves the right to enhance the consolidated remuneration of Chairperson and Member upto 10% per annum after evaluating various performance parameters assigned by the Commission.

(2) The pay and allowances and other conditions of service of the Member from amongst the serving officer shall be the same as he shall be otherwise entitled while in service along with Deputation allowance as admissible.

(3) The pay and allowances and other benefits and terms and conditions of appointment of the Member shall not be varied to his disadvantage after appointment.

14. Secretariat- (1) The office space, staff and other facilities required by the Members of the Forum, for efficient functioning of the Forum shall be provided by the licensee.

(2) The expenses of the Forum, including remuneration to all the members including to the independent member shall be borne by the licensee and shall be allowed as pass through expense in the Annual Revenue Requirements of the licensee. The licensee shall appoint a Nodal officer to act as the facilitating link between the Forum & the Licensee and also for fulfilling day to day requirements of CGRF.

15. Particulars of the Forum to be widely published.- The name, location, e-mail address, telephone and fax numbers of the Forum, shall be widely published by the

licensee through newspapers from time to time, at least once in each quarter, and displayed on the website and all the offices of the licensee and the Commission, and shall also be intimated to the consumers through electricity bills by printing necessary details on the back side of the bills. These particulars shall also be publicized through electronic media.

CHAPTER-III

RIGHT TO APPROACH THE FORUM

16. Right to approach the Forum .- (1) The Complainant shall, in respect of matters falling under the jurisdiction of the Forum, have the right to approach the Forum directly, established under these Regulations existing within the licensee;

(2) The Complainant can also approach the Forum in the following events :-

(i) if the licensee fails to register a grievance/complaint; or

(ii) if the licensee fails to resolve a grievance/complaint ; or

(iii) if the consumer/complainant is not satisfied with the redressal of his grievance/complaint by the licensee.

CHAPTER-IV

PROCESS FOR SUBMISSION AND REDRESSAL OF GRIEVANCES

17. Submission of grievances .- (1) The Complainant can submit his grievance either in person or through post, e-mail or fax giving the particulars of his grievance preferably as specified in ANNEXURE – II:

Provided that the Forum shall take cognizance of any grievance submitted based on the merit of the case and will not reject any grievance for the sole reason of its not having been submitted in the specified format.

(2) The Complainant may also submit his grievance at the nearest Division (EEs'Office), Sub-Division(AEs'Office), Section(JEs'Office)office of the licensee or at any the other Complaint-Receiving Centres, set up by the licensee.

(3) All such Complaint-Receiving Centers as mentioned above shall accept the grievances from complainants falling within the jurisdiction of the Forum and the grievances along with other supporting documents, so received, shall be forwarded to the relevant Forum within the next working day by way of fastest available means.

(4) The Complainant shall be issued acknowledgement of the receipt of grievance by the Complaint Receiving Centre:

Provided that in case of receipt of grievance-

(a) in person, the acknowledgement shall be issued immediately;

(b) by post, e-mail or fax, the acknowledgement shall be despatched latest by the next working day:

Provided further that in case of receipt of grievance in the Complaint Receiving Centre, the contact details of the appropriate Forum shall be supplied alongwith the acknowledgement by the next working day.

(5) The licensee shall designate one of its officer at Divisional/Sub-Divisional/Sectional HQs and a staff at the normal complaint receiving centres apart from above HQs as a nodal officer to monitor and ensure that all Complaints Receiving Centres forward the complaints received by them as per time lines specified under these Regulations.

(6) On receipt of complaint made under sub-regulation(1) of this regulation, the Forum may, by order under intimation to the Complainant, allow the complaint to be proceeded with or rejected:

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

(7)Where a complaint is allowed to be proceeded with under sub-regulation(6), the Forum shall proceed with the complaint in the manner provided under these Regulations.

18. Prioritization of complaints .- As far as is possible and practical, the grievances shall be prioritized for redressal based on the following priority order :-

- (1) non-supply
- (2) connection/disconnection of supply
- (3) meter-related issues
- (4) billing-related issues
- (5) other issues:

Provided that it should be ensured that all grievances are disposed of within the time lines specified under these Regulations.

19. Limitations/ pre-conditions for submission of grievance. - The Forum may reject the grievance at any stage under any or more of the following circumstances :-

- (a) 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;
- (b) in cases which fall under sections 126, 127, 135 to 139, 142, 143, 152, and 161 of the Act;
- (c) in cases where the grievance has been submitted two years after the date on which the cause of action has arisen; and
- (d) 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.

20. Process. - (1) The Forum shall forward a copy of the grievance to the concerned officer of the licensee or the employee / employees named in the grievance.

(2) The concerned officer of the licensee shall furnish para-wise comments to the Forum on the grievance within the time lines specified in Annexure-I, failing which the Forum shall proceed on the basis of the material available on record.

(3) The Forum may call for any record from the licensee or from the Complainant as is relevant for examination and disposal of the grievance, and both the parties shall be

under obligation to provide such information, document or record as the Forum may call for and where a party fails to furnish such information, document or record and the Forum is satisfied that the party in possession of the record is withholding it deliberately, it may draw an adverse inference in relation thereto.

21. Inspection. - (1) The Forum may direct the licensee to undertake an inspection or engage a third party to undertake such inspection with regard to the grievance, as may be required for expeditious redressal of the grievance or it may in special circumstances of a case and recording reasons therefore and at the instance and request of the Complainant, engage a third party (other than the licensee) to undertake inspection and obtain an independent report.

(2) The expenses of such third-party inspection, except expenses of inspection at the request of the Complainant, shall be borne by the licensee, and to the extent reasonable and justifiable, such expenses shall be allowed as pass through expense in the determination of tariff in accordance with the relevant Regulations of the Commission:

Provided that if inspection is taken up at the request of the Complainant, the expenses shall be deposited in advance by him, which may or may not be refunded by the Forum depending on whether the grievance is found to be of substance or not.

22. Promotion of settlement by conciliation.- The Forum may in appropriate cases call the designated officer or the concerned officer of the licensee, as the case may be, for negotiations in order to seek redressal of the grievance filed before it and if the matter is settled through negotiations, it may be recorded as a decision and conveyed to the Complainant and the licensee by the order of the Forum. Subsequent to such settlement of case, the consumer shall have no right to file a representation to the Ombudsman in that matter.

23. Hearing of representations.- (1) Where the Forum comes to the conclusion that the Complainant and the designated officer or the concerned officer of the licensee, as the case may be, are required to be heard for redressal of a grievance due to failure of conciliation process, the Forum shall call the Complainant and the designated officer

or the concerned officer, as the case may be, with the details of the case and documents, if any, as may be necessary.

(2) Where the complainant or the licensee or his representative is unable to appear before the Forum on the date fixed for hearing on more than two occasions consecutively the Forum may, for reason to be recorded in writing, dispense with the presence of such person and may decide the grievance ex-parte.

(3) No adjournment shall ordinarily be granted by the Forum, unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Forum.

(4) The Forum may make an order as to the cost, occasioned by the adjournment, to be paid by the defaulting party to the non defaulting party and/or to the Forum.

24. Appearance through an Advocate.- A complainant, distribution licensee or any other person who is a party to any proceedings before the Forum may either appear in person or authorise any person, other than an Advocate (within the meaning of the Advocates Act, 1961), to present his case before the Forum and to do all or any of the acts for the purpose.

25. Interim Order. - Upon request of the complainant, the Forum may issue such interim orders pending final disposal of the grievance as it may consider necessary:

Provided that the Forum shall have the power to pass such an interim order in any proceeding, hearing or matter before it, as it may consider appropriate if the complainant satisfies the Forum that prima facie, the distribution licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations made thereunder or any order of the Commission, provided that the Forum has jurisdiction on such matters:

Provided further that, except where it appears that the object of passing the interim order would be defeated by delay, no such interim order shall be passed unless the opposite party has been given an opportunity of being heard.

26. Issuance of Order.- (1) On receipt of the comments from the licensee or otherwise and after conducting or having made such inquiry or local inspection conducted as the

Forum may consider necessary, and after affording reasonable opportunity of being heard to the parties, the Forum shall take a decision.

(2) If, after the completion of the proceedings, the Forum is satisfied that the allegations contained in the grievance are correct, it shall -

(a) issue an order to the distribution licensee directing it to do one or more of the following things in a time-bound manner, namely:-

(i) to remove the cause of grievance in question;

(ii) to return to the complainant the undue charges paid by the complainant along with the interest at the rate equal to the short Term Prime Lending Rate of the State Bank of India as on 1st April of the financial year for the period for which the undue disputed amount was withheld by the licensee; or

(b) pass any other order, deemed appropriate in the facts and circumstances of the case.

(3) If, after the completion of proceedings, the Forum is satisfied that the allegations contained in the grievance are incorrect or if the interim Order issued under regulation 25, need not be confirmed, the Forum shall set aside the said interim Order and restore the other party to the position to which it would have been in the absence of such interim Order.

(4) The Order of the Forum shall be reasoned i.e. in the form of speaking order and the reasons given by the Forum in support of the Order, including those by the dissenting Member, if any, shall form a part of the Order, and the Members who heard the matter shall sign the Order.

(5) In cases of grievances related to non-supply, connection or disconnection of supply, the Forum shall pass the order within 15 days of filing of the grievance and in cases of other grievances, the order shall be passed within 45 days of filing of the grievance:

Provided that in the event of a grievance being disposed off after the specified maximum period, the Forum shall record, in writing, the reasons for the same at the time of disposing the said grievance under intimation to the Ombudsman.

(6) The order of the Forum shall be communicated to the complainant and the licensee in writing within three days. A certified copy of every order passed by the Forum shall be delivered to the parties and Electricity Ombudsman. The orders be also

uploaded on the website of the licensee under the link CGRF. (A separate link is to be created by the Licensee in their website for this purpose)

(7) The Forum may at any time, after affording an opportunity of being heard, review its Order either on its own motion or an application of any of the parties to the original proceedings, within 30 days of the order on-

- (i) the discovery of new and important matter of evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time the order was made;
- (ii) on account of some mistake or error apparent from the face of the record;
- (iii) for any other sufficient reasons.

27. Compliance of the order of Forum. - (1) The licensee shall comply with the order of the Forum within 15 days or within such shorter period as may be directed by an order made by the Forum, from the date of receipt of the order. In appropriate cases, considering the nature of the case, the Forum, upon the request of the licensee, may extend the period for compliance of its order up to a maximum of three months. Non-compliance of the order of the Forum shall be treated as violation of the Regulations of the Commission and accordingly liable for action under section 142 of the Act.

(2) The concerned officer of the licensee shall furnish a compliance report of the order of the Forum within seven days from the date of compliance, to the Forum and to the complainant. The Forum shall keep a record of the compliance of its orders and review the same every month. In case of non-compliance of its orders, the Forum shall take up the matter with the higher authorities of the licensee for compliance.

28. Representation against the Forum's order. - (1) A complainant may prefer a representation before the Ombudsman appointed/ designated by the Commission under the following circumstances:-

- (a) if the complainant is aggrieved by the non-redressal of the grievance by the Forum within the period specified,
- (b) if the complainant is not satisfied with the order passed by the Forum, and
- (c) if the complainant is aggrieved by the non-implementation of the Forum's order, by the licensee

- (2) The representation under sub-regulation (1) shall be made-
- (a) in case the complainant is aggrieved by the non-redressal of the grievance by the Forum within 30 days after the time limit specified for the issuance of the Forum's Order;
 - (b) in case the complainant is not satisfied with the Order passed by the Forum, within 30 days after issuance of the Order by the Forum;
 - (c) if the complainant is aggrieved by the non-implementation of the Forum's Order, by the licensee, within 30 days after the time limit specified for the implementation of the Order.
- (3) The Forum may settle any grievance in terms of an agreement reached between the parties at any stage of the proceedings before it and there shall be no right of representation before the Ombudsman against such an order.

29. Reporting requirements.-

- (1) The Forum shall, within 7 days of the close of the quarter to which it relates, submit a quarterly report on disposal of grievances to the licensee, Commission and Ombudsman.
- (2) The quarterly report should be submitted in accordance with the format as specified in ANNEXURE III or any other format as prescribed by the Commission from time to time
- (3) The Forum shall, within 45 days of the close of the financial year to which it relates, also furnish a yearly report containing a general review of the activities of the Forum during the financial year to the licensee, Ombudsman and the Commission.
- (4) The forum shall also conduct from time to time (at least once in every quarter) consumer awareness vis-à-vis public interaction programme, explaining to the consumers their rights as consumers serviced by the licensee. The Licensee shall also participate in such

programme and facilitate the Forum and bear the expenditure in arranging such programmes.

CHAPTER-V

OMBUDSMAN

30. Qualifications, terms of appointment and removal of Ombudsman (1) In terms of sub-section (6) of section 42 of the Act, the Commission may, from time to time, appoint or designate a person as the Ombudsman to discharge the functions in accordance with sub-section (7) of section 42 of the Act.

(2) The Commission may appoint or designate more than one Ombudsman for a licensee or a common Ombudsman for two or more licensees considering factors such as the number of representations received, disposal of representations within the specified time limit, ease of access for the consumers and the geographical area.

(3) The Commission shall invite applications through public advertisement for the appointment of the Ombudsman, and shall also form a Selection Committee for recommending names for the appointment of the Ombudsman by the Commission.

(4) The Ombudsman appointed by the Commission shall be a person of integrity, repute and standing preferably in the electricity sector having experience in any of the areas viz Law, Management, Engineering, Finance, Economics, Commerce, Public Administration who has served at the level of Joint Secretary to the Government of India or equivalent or as Additional District Judge or Superintending Engineer in the Government of India / State Government/State Power utilities or equivalent or General Manager in Schedule 'A' Central Public Sector Undertaking (CPSU) or equivalent in any public or private sector undertaking or a non-governmental organization whose level of experience in the opinion of the Commission can be treated as comparable to the aforesaid.

Notwithstanding anything above, the Commission may designate any of its Officers to act as the Ombudsman.

(5) No person shall be appointed or be entitled to continue as the Ombudsman, if -

- (a) he has been adjudged as an insolvent;
- (b) he has been convicted of an offence which, in the opinion of the Commission, involves moral turpitude;
- (c) he has become physically or mentally incapable of acting as an Ombudsman;
- (d) he has acquired such financial or other interest as is likely to affect prejudicially his functions as an Ombudsman;
- (e) he has abused his position so as to render his continuance in office prejudicial to public interest;
- (f) he has been guilty of proven misbehaviour;
- (g) he has been negligent towards his duties; or
- (h) his consistent negligence towards the duties is established;

Provided that the Ombudsman shall not be removed from his office on any ground specified in this sub-regulation, unless the Commission has, on an inquiry, concluded that the person ought, on such ground or grounds, be removed.

(6) The Ombudsman shall, before entering upon his office, make and subscribe to, before the Chairperson of the Commission, an oath of office and secrecy in such manner and form as may be determined by the Commission.

(7) A monthly remuneration of Rupees Seventy Five Thousand and fifteen thousand as conveyance allowance shall be payable to the Ombudsman and all other terms and conditions for the appointment of the Ombudsman shall be such as may be determined by the Commission. He shall be entitled for economy air fare and shall be entitled for payment of daily allowance and local travel as applicable to class one officer of the level of Joint Secretary in the Central Government. He shall also be entitled for 12 days causal leave in a calendar year and reimbursement of expenses towards use of mobile for official purposes subject to a ceiling of Rs. 1000 per month.

Notwithstanding the above, the Commission reserves the right to enhance the payment of monthly remuneration (excluding other allowances) to the Ombudsman

upto 10% every year after evaluating various performance parameters assigned by the Commission.

(8) The Ombudsman shall hold office for a fixed term of three years and extendible for another term not exceeding three years;

Provided that the Ombudsman shall not hold office as such after he attains the age of 65 years.

(9) The Ombudsman may, by giving three month's written notice or paying three months consolidated emoluments in lieu of the notice period, resign from his office.

31. Office of the Ombudsman .- (1) The Ombudsman's office shall be located at such place as may be decided by the Commission.

Provided that the Ombudsman may hold hearings or proceedings at various places, within his jurisdiction, in order to expedite the disposal of representations received before him.

(2) The Ombudsman appointed under sub- regulation (1) shall devote his whole time to the affairs of his office and shall not undertake any other part time or honorary work.

(3) The Commission shall provide the Ombudsman with office space and minimum required supporting staff and also monitor the Public Awareness Programme being conducted by the Forums in their respective jurisdiction.

(4) All expenses of the Ombudsman including that of its office and supporting staff shall be borne by the Commission which in turn shall be recovered from the licensee and where there are more than one licensee such expenses shall be borne by them in proportion to their latest approved net Annual Revenue Requirement and such expenses shall be pass through in tariff.

(5) The Commission shall approve the budget estimates along with quarterly expenditure phasing for the year before the commencement of the financial year and the licensee shall release quarterly advance accordingly in the last month of the

previous quarter for all expenses related to every succeeding quarter for the Ombudsman including its office.

(6) The licensee shall make provision in the Annual Revenue Requirement of all expenses for recovery through tariff and actual expenses shall be adjusted during true up.

(7) The name, location, email address and telephone numbers of the Ombudsmen shall be widely publicised through newspapers and displayed on the websites and the offices of the licensees and the Commission, and shall be intimated to the consumers through electricity bills. These may also be publicised through electronic media.

32. Format for submission of representation .- The complainant shall submit his representation to the Ombudsman as per the format specified in ANNEXURE -IV.

33. Pre-conditions/ limitations for entertaining complainant's representation .-

(1) The representation may be entertained by the Ombudsman only if all of the following conditions are satisfied that :-

(a) it has been filed by the complainant being the aggrieved consumer or the association representing the consumer/s;

(b) the complainant has, before making a representation to the Ombudsman, approached the Forum constituted under sub-section(5) of section 42 of the Act, for redressal of his grievance;

(c) the representation by the complainant, in respect of the same grievance, is not pending in any proceedings before any court, tribunal or arbitrator or any other authority or a decree or award or a final order has not been passed by any such court, tribunal, arbitrator or authority;

(d) the representation is not in respect of the same cause of action which was settled or dealt with on merits by the Ombudsman in any previous proceedings whether or not received from the same complainant or along with one or more complainants or one or more of the parties concerned with the cause of action;

(e) the complainant is not satisfied with the redressal of his grievance by the Forum or the Forum has rejected the grievance or has not passed the order within the time-limit specified; or the licensee has not implemented the Forum's Order ;

(f) the complainant has filed the representation before the Ombudsman within 30 days from the date of receipt of the decision of the Forum or the date of expiry of the period within which the Forum was required to take the decision or the date of expiry of the period within which the distribution licensee was required to implement Forum's order whichever is applicable:

Provided that the Ombudsman may entertain a representation after the expiry of the said period of thirty days if the Ombudsman is satisfied that there is sufficient cause for not filing it within that period;

(g) the representation of the complainant does not fall under sections 126, 127, 135 to 139, 152 and 161 of the Act.

(2) Subject to the provisions of the Act and this Regulation, the Ombudsman's decision as to whether the representation is fit and proper for being considered by it or not, shall be final.

(3) The Ombudsman may reject the representation at any stage if it appears to him that the representation is -

(a) frivolous, vexatious, malafide;

(b) without any sufficient cause;

(c) there is no prima facie loss or damage or inconvenience caused to the complainant :

Provided that the decision of the Ombudsman in this regard shall be final and binding on the complainant and the distribution licensee:

Provided further that no representation shall be rejected in respect of sub-clauses (a), (b) and (c) unless the complainant has been given an opportunity of being heard.

34. Promotion of settlement by conciliation. - (1) As soon as it may be practicable to do so, but not later than seven days from the date of receipt of the representation, the Ombudsman shall serve a notice to the concerned officer of the licensee named in the representation along with a copy of the representation and endeavour to promote a settlement of the representation by mutual agreement between the complainant and the licensee through conciliation or mediation.

(2) For the purpose of facilitating settlement of the representation, the Ombudsman may follow such procedures, as he may consider appropriate.

(3) When a representation is settled through mediation of the Ombudsman, the Ombudsman shall make a recommendation which he thinks fair in the circumstances of the case and shall send the copies of the recommendation to the complainant and the licensee.

(4) If the complainant and the licensee accept the recommendations of the Ombudsman, they will send a communication in writing, within 15 days of the date of receipt of the recommendations, stating clearly that the settlement communicated is acceptable to them, in totality, in terms of the recommendations made by the Ombudsman, and are in full and final settlement of the representation.

(5) The Ombudsman shall make a record of such an agreement in his order and thereafter close the case.

35. Hearing of representations .- (1) After registering the representation, the Ombudsman, within seven days of registration, shall call for records relating to the representation from the concerned Forum and the concerned Forum shall send the entire records, within seven days from the date of receipt of such notice, to the office of the Ombudsman.

(2) The Ombudsman may require the licensee or any of the officials, representatives or agents of the licensee to furnish documents, books, information and data as may be required to decide the representation and the licensee shall duly comply with such requirements of the Ombudsman.

(3) Where the representation is not settled by agreement within a period of 30 days from the date of receipt of the representation or within such extended period as the

Ombudsman may deem fit duly considering the overall time limit specified, the Ombudsman may determine the manner, the place, the date and the time of the hearing of the matter as the Ombudsman considers appropriate.

(4) The Ombudsman may hear the parties and may direct the parties to submit written statements or submissions in the matter.

(5) A complainant, distribution licensee or any other person, who is a party to any proceedings before the Ombudsman, may either appear in person or authorise any person to present his case before the Ombudsman and to do all or any of the acts for the purpose.

(6) Where the complainant or the licensee or their representative is unable to appear before the Ombudsman on the date fixed for hearing on more than two occasions consecutively the Ombudsman may, for reasons to be recorded, dispense with the presence of such person and, reject or decide the representation ex-parte.

(7) No adjournment shall ordinarily be granted by the Ombudsman unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the Ombudsman.

(8) The Ombudsman may make such orders as to the cost, occasioned by the adjournment, to be paid by the defaulting party to the non-defaulting party and/or to the Ombudsman.

36. Ombudsman Power to issue Interim Order :- (1) Upon the request of the complainant, the Ombudsman may issue such interim orders at any stage during the disposal of the representation as it may consider necessary:

Provided that the Ombudsman shall have the power to pass such an interim order in any proceeding, hearing or matter before it, as it may consider appropriate if the complainant satisfies the Ombudsman that prima facie the distribution licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations

made thereunder or any order of the Commission, provided that, the Ombudsman has jurisdiction on such matters:

Provided further that, except where it appears that the object of passing the interim order would be defeated by delay, no such interim order shall be passed unless the opposite party has been given an opportunity of being heard.

(2) The Ombudsman shall be guided by the principles of natural justice, and subject to the other provisions of these Regulations, the Ombudsman shall have power to regulate its own procedure.

37. Issuance of Order. - (1) The Ombudsman shall pass a written speaking order giving reasons for all his findings and stating the nature of the reliefs to which the complainant is entitled as per the order.

(2) The Ombudsman shall pass an order as early as possible, but in any case, within 60 days from the date of receipt of the representation and where there is delay in the disposal of a representation within the said period, the Ombudsman shall record the reasons for such delay.

(3) The order passed by the Ombudsman shall set out -

- (a) issue-wise decisions;
- (b) reasons for passing the order;
- (c) reasons for vacation of the interim Order, if any, made under regulation 36 and its impact;
- (d) directions, if any, to the distribution licensee or complainant, and
- (e) any other order, deemed appropriate in the facts and circumstances of the case.

(4) A copy of the order shall be sent to the parties and also to the concerned Forum for information within one week from the date of such order.

(5) The licensee shall duly comply with and implement the decision of the Ombudsman on the representation filed by the complainant within 15 days of the issuance of the Order.

(6) Non-compliance of the Ombudsman's orders shall be deemed to be a violation of these Regulations and shall be liable for appropriate action by the Commission under the provisions of the Act.

(7) No party can file an appeal before the Commission against the order passed by the Ombudsman. However, this is without prejudice to the rights of the complainant and the licensee to seek appropriate remedy against the order passed by the Ombudsman before appropriate bodies.

(8) The Ombudsman may, at any time, after affording an opportunity of being heard, review his Order, either on his own motion or on an application of any of the parties to the proceedings, within 30 days of the Order on –

- (i) the discovery of new and important matter of evidence which, after the exercise of due diligence, was not within his knowledge, or could not be produced by him at the time the order was made;
- (ii) on account of some mistake or error apparent from the face of record;
- (iii) for any other sufficient reasons.

38. Reporting requirements.- (1) The Ombudsman shall, within 7 days of the close of the period to which it relates, submit to the Commission a quarterly report on all the representations filed before it.

(2) The report shall cover-

- (a) facts of the representations;
- (b) responses of parties in brief;
- (c) opinion of the Ombudsman on the compliance of Distribution Performance Standards by the licensee;
- (d) key directions issued to the licensee and/ or to the consumer in the order; and
- (e) compliance of order by the licensee and/ or to the consumer.

(3) The Ombudsman shall within 45 days of the close of the financial year to which it relates also furnish a yearly report containing a general review of the activities of the Ombudsman's office during the financial year to the Commission and the State Government.

CHAPTER –VI
MISCELLANEOUS

39. Commission's Power of Superintendence & Control:- The Commission shall have the general powers of superintendence and control over the Forum and Ombudsman and for this purpose may call for any record from the Forum/Distribution Licensee/Ombudsman and issue appropriate orders/directions thereupon. The Forum/Distribution Licensee/Ombudsman shall duly comply with such directions as the Commission may issue from time to time.

40. Power to remove difficulties .- If any difficulty arises in giving effect to any provisions of these Regulations, the Commission may, by a general or special order, direct the distribution licensee, the Forum or the Ombudsman to take suitable action, not being inconsistent with the Act, which appears to the Commission to be necessary or expedient for the purpose of removing the difficulties.

41. Power to issue practice directions:- Subject to the provisions of the Act, The Commission may from time to time issue orders and practice directions in furtherance of these Regulations.

42. Power to amend:- The Commission may, at any time vary, alter, modify or amend any provisions of these Regulations.

43. Repeal and Savings .-

(1) On and from commencement of these regulations, the Joint Electricity Regulatory Commission (Guidelines for establishment of Forum for redressal of Grievances of the Consumers) Regulations, 2009 and Appointment and Functioning of Ombudsman Regulations, 2009” alongwith amendments as carried out thereto, shall stand repealed.

(2) Notwithstanding such repeal anything done or action taken or purported to have been taken, or proceedings initiated under such repealed Regulations, shall be deemed to have been taken under these Regulations to the extent that the same were not inconsistent with the Act.

- (3) The provisions of these Regulations shall be without prejudice to the right, which the consumer may have apart from the rights conferred upon him by these Regulations.
- (4) All appointments made, and documents executed, before the commencement of these Regulations, shall continue to have effect till the expiry of the period for which such appointment has been made or the document has been executed.
- (5) All appointments made or initiated (advertisement issued) under JERC (Establishment of forum for redressal of grievances of Consumers) Regulations, 2009 and Appointment and Functioning of Ombudsman Regulations, 2009 shall be deemed to be duly made under these Regulations. The Remunerations of existing members and Chairman of the forums and Ombudsman shall stand revised from the date of notification of these Regulations.

By order of the Commission

Secretary

Joint Electricity Regulatory Commission

(See Regulation 3(k), 20(2), 34, 35 and 37)

TIME LINES

Sr. No.	Description of action to be taken	Time lines Specified	Time from which period begins to seen
PART-I	Complaints/representations before the Forum		
1	Forwarding complaints to the Forum when sent through Complaint Receiving Centers of the distribution licensee	By the next working day	
2	Acknowledge of receipt of complaint- (a) When presented in person (b) When received by post, email or fax. (c) When received through the Complaint Receiving Centres	On same day By the next day By the next day	On the receipt of the complaint by the Forum
3	Forwarding of complaints to the concerned officer of the licensee- (a) In case of connection/ disconnection of supply. (b) In other case	1 day 2 days	On the receipt of the complaint by the Forum

4	Response of the Licensee on the complaint - (a) In case of connection/ disconnection of supply. (b) In other case	5 days 15 days	From the date of receipt of complaint.
5	Making available the record or to furnish any information to the Forum-	7 days	From the date of requisition of the record or information
6	Making of Orders by the Forum- (a) In cases of connection or disconnection of supply. (b) In other case	15 days 45 days	From the date of receipt of the complaint.
7	Compliance of the Orders of the Forum	15 days or the shorter period, directed by Forum within which Order is to be complied with	From the receipt of the Order by the licensee.
8	Reporting of compliance by the Licensee to the Forum	7 days	From the date of compliance.
Part-II	Representation before the Ombudsman		
1	Making representation to the Ombudsman (a) Against the Forum's Order (b) For the non- redressal of grievance	30 days 30 days	From the date of Order by the Forum. After the expiry of 30 days time allowed under item (a)

	(c) For the non compliance of the Forum's Order by the licensee	Two months	From the date of Order of the Forum.
2	Settlement by Conciliation		
	(a) Service of notice to the concerned officer of the Licensee for settlement through mediation of the Ombudsman.	7 days	From the date of receipt of representation.
	(b) Acceptance of the recommendations of the Ombudsman.	15 days	From the date of receipt of recommendations of the Ombudsman.
	(c) Making a record of the conciliated agreement.	7 days	After the acceptance of the recommendation by the parties.
3	Registration of Representation		
	a) Registration of representation where the grievance is not settled by mediation or conciliation by the Ombudsman.	30 days	From the date of receipt of the representation by the Ombudsman.
	b) Calling of record from the Forum	7 days	From the date of registration of the representation by the Ombudsman.

	c) Sending of record by the Forum	7 days	From the date of receipt of the notice from the Ombudsman.
4	Order of the Ombudsman	90 days	From the date of receipt of representation.
5	Compliance of the Ombudsman's Order	15 days	From the issue of the Order
PART-III	Submission of Reports		
1	Submission of Reports by the Forum		
	(i) Quarterly	15 days	After the close of the quarter.
	(ii) Yearly	45 days	After the close of the year.
2.	Submission of Reports by the Ombudsman-		
	(i) Quarterly	15 days	After close of the period
	(ii) Yearly	45 days	After the close of the financial year.

ANNEXURE- II

(See Regulation 17)

GRIEVANCE SUBMISSION BEFORE FORUM

APPLICATION TO FORUM FOR REDRESSAL OF GRIEVANCE

Date*: _____

1. Name of the Complainant: _____

2. Full address of the Complainant *: _____

Pin Code*: _____

Phone no.*: _____

Fax no.: _____

Email id: _____

3. Nature of Connection and Consumer no.* (*in case of having applied for a connection, state the application number*):

4. Division/Sub Division/Section Name*: _____

5. Complaint receiving centre number*: _____

6. Category of grievance (*please tick the relevant box/ boxes*):

- a. Wrong billing ___ b. Recovery of arrears ___ c. Faulty Meter ___ d. Burnt meter ___
e. Supply interruption ___ f. Harmonics in supply ___ g. Supply voltage related ___
h. Deficient service ___ i. Delay in providing new connection ___ j. Reconnection ___
k. Change in connected load ___ l. Transfer of connection ___
m. Others (*please specify*) _____

7. Name, designation and office address of the employee / employees against whom grievance has been filed (*if any*):

—

8. Details of the grievance, facts giving rise to the grievance* (*If space is not sufficient please enclose separate sheet*)

9. Nature of relief sought from the Forum

10. List of documents enclosed (*Please enclose copies of any relevant documents which support the facts giving rise to the grievance*)

11. Declaration

(a) I/ We, the Complainant /s herein declare that:

(i) the information furnished herein above is true and correct; and

(ii) I/ We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith.

(b) The subject matter of the present Grievance has never been submitted to the Forum by me/ or by any one of us or by any of the parties concerned with the subject matter to the best of my/ our knowledge.

(c) The subject matter of my / our Grievance has not been settled through the Forum in any previous proceedings.

(d) The subject matter of my / our Grievance has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority / court / arbitrator.

Yours faithfully

(Signature)

(Complainant's name in block letters)

NOMINATION – (If the Complainant wants to nominate his representative to appear and make

submissions on his behalf before the Forum, the following declaration should be submitted.)

I/We the above named consumer hereby nominate Shri/Smt.

, whose address is

.....

.....

..... as my/our REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us.

He/She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Complainant)

ACKNOWLEDGEMENT OF RECEIPT

The complainant (alongwith supporting documents) comprised of _____ pages from _____ for redressal of grievance _____ has been received on _____

Signature of the office-in charge

Name _____

Designation _____

Date _____

ANNEXURE III

(See Regulation 29)

QUARTERLY REPORTING BY FORUM

Quarter: ____ Financial Year: ____

1. Status of grievance redressal

S. No	Parameters	Delay in restoring supply	Quality of Supply	Meter Problems	Billing Problems	Quality of Service	Others	Total
1	Grievances pending at the end of previous quarter							
2	Grievances received during this quarter							
3	Total grievances (1+2)							
4	Grievances attended during this							

	quarter							
5	Balance grievances to be attended (3-4)							
6	Grievances successfully redressed during this quarter							
7	Grievances in the process of redressal							
8	Grievances escalated to Ombudsman							

Note: Sum of rows 6, 7 & 8 should be equal to row 4

2. Status of compliance by licensee

a. Of the number of grievances successfully redressed during the quarter, state the number of grievances in which the order specified directions for the licensee:

b. Describe the status of the licensee's compliance against each such grievance. _____

ANNEXURE- IV

(See Regulation 32)

SUBMISSION OF REPRESENTATION BEFORE OMBUDSMAN

Date*: _____

To

The Ombudsman

(specify full address)

Dear Sir / Madam

SUB: (please make a mention of the order of the Forum from which a representation to the Ombudsman is being made)

Details of the grievance are as under:

1. Name of the Complainant: _____

2. Full address of the Complainant *: _____

Pin Code*: _____

Phone no.*: _____

Fax no.: _____

Email id: _____

3. Nature of Connection and Consumer no.* *(in case of having applied for a connection, state the*

Application

number): _____

4. Division/Sub Division/Section Name*: _____

5. Name and Address of the Forum*: _____

6. Date of submission of grievance by the Complainant to the Forum* (*please enclose 3 copies of the grievance*): _____

7. Details of the representation, facts giving rise to the representation* (*If space is not sufficient please enclose separate sheet*)

8. Whether the consumer has received the final decision of the Forum? (*If yes, please enclose three copies of the Forum's order conveying its final decision*)

9. If the consumer has received the final decision of the Forum, whether any amount was assessed by the Forum to be paid by the consumer to the licensee? (*If yes, please enclose receipt of the deposit of 1/3rd of such amount with the Ombudsman*)

10. Nature of relief sought from the Ombudsman

11. List of documents enclosed (*Please enclose three copies of all relevant documents which support the facts giving rise to the representation*)

12. Declaration

(a) I/ We, the Complainant/s herein declare that:

(i) The information furnished herein above is true and correct; and

(ii) I/ We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith.

(b) The subject matter of the present representation has never been brought before the Office of the Ombudsman by me/ or by any one of us or by any of the parties concerned with the subject matter to the best of my/ our knowledge.

(c) The subject matter of my/ our representation has not been settled through the Office of the Ombudsman in any previous proceedings.

(d) The subject matter of the present representation has not been decided by any competent

Authority/court/arbitrator, and is not pending before any such authority / court / arbitrator.

Yours faithfully

(Signature)

(Complainant's name in block letters)

NOMINATION – (If the Complainant wants to nominate his representative to appear and make submissions on his behalf before the Ombudsman, the following declaration should be submitted.)

I/We the above named consumer hereby nominate Shri/Smt.
, and whose address is

.....

..... as my/our REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us.

He/She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Complainant)