

Report on Training Workshop for Civil Society Organisations and CONASC Partners

Jaipur, Rajasthan, June 07-08, 2019

BACKGROUND

CUTS International and Bask Research Foundation are implementing a project on 'Capacity of Electricity Consumers (CBEC)' in Rajasthan with the support of Shakti Sustainable Energy Foundation. Around six Consumer Assistance Cells (CONASCs) will be established in Sawai Madhopur, Chittorgarh and Bikaner districts of Rajasthan to create awareness and build knowledge of consumers about their rights and responsibility in the electricity sector.

A two-day training workshop for CONASC partners and representatives of civil society organisations (CSOs) was organised to create their capacity about grievance redressal process, standard operating procedures (SOPs) and basics of electricity sector for effective future engagement with consumers and distribution company (Discom) officials. The list of attendees have been provided in Annexure I.

The workshop culminated into participants gaining wider perspective of electricity sector in Rajasthan and necessary tools for their future engagement in electricity governance.

This report is an output of the event and covers various sessions, speakers and aspects discussed which are not mentioned in Supply Code, Regulations or elsewhere. A pre- and post-workshop questionnaire were also filled by participants which is used to assess the effectiveness and impact of the workshop. The results of the same are presented in Annexure II.

INTRODUCTION: KEYNOTE ADDRESS

Deepak Saxena, *Assistant Director, CUTS International*

Deepak Saxena in his introductory remarks highlighted the history of Rajasthan's power sector. He informed about reforms in late 1990s which were intended to improve the performance of Discoms by unbundling of State Electricity Boards (SEBs). He iterated the importance of the Electricity Act 2003 in developing a consumer-friendly electricity ecosystem, but also suggested that progress on many parameters of consumer interest and engagement has not been satisfactory. He highlighted the findings of the baseline survey conducted in 2019 in three project-targeted districts of Rajasthan where consumer awareness about various modes of regulatory engagements in the sector was found to be very low. He particularly emphasised that there is a great awareness divide between industrial and urban domestic consumers as compared to rural agricultural and domestic consumers. Therefore, it is vital to implement initiatives on building the capacity of rural consumers in Rajasthan.

Session I: Introduction to CONASC, Objectives, Purpose, etc.

Mohini Ganguly, *Research Associate, CUTS International*

A presentation was delivered explaining the CONASC's main objectives, to empower consumers, support DISCOM initiatives for the same, and hence form a model for consumer-driven service improvement. The CONASC, its background and the plan until August 2019, was discussed during the subject session.

Session II: Introduction to Electricity Governance Structure

Anshuman Gothwal, *Executive Director, Bask Research Foundation*

The objective of the session was to inform participants to the institutional structure in the power sector, history of electricity reforms, their impact on the sector, organisations at both the Central and state government levels. The evolution of policy framework and setup of various organisations in India since independence was discussed. The subsequent developments in the power sector due to poor financial health of SEBs and consequent focus of privatisation and its impacts were discussed. Moving further from financial improvement focussed reforms, the advent of Electricity Act 2003 became a landmark legislation which not only took consumer interests, empowering regulatory institutions, competition into consideration but also introduced non-discriminatory open access, trading, APTEC and many other new concepts.

Session III: Redressal of Consumer Grievances – Existing Tools, Regulations, Procedures

P K Gupta, *Executive Engineer – Commercial, JVVNL*

The objective of the session was to train participants on procedures followed by Discoms for providing services, such as new connection, name transfer, change in load category, metering issues rules etc.; tools for registering complaints such as toll-free number, social media, IT-based solutions and on responsibilities of Discoms towards electricity services as per Standard of Performance regulations mandated by Rajasthan Electricity Regulatory Commission (RERC). Various noteworthy points were highlighted during the discussion as provided below:

- As per a RERC order, the electricity should be billed monthly. Discoms have been unable to adhere with this mandate due to shortage of manpower and requirement of additional infrastructure. However, on the spot billing has now made significant headway on this front.
- In order to verify correct functioning of electricity metre, the number of pulses of the LED attached with the metre can be counted. A well-functioning metre will have 1600 such pulses for 1 KWh 1 Unit) of consumption.
- The slab for fixed charge is determined based on the previous year's average monthly consumption. Water cess (10 paise/unit) is not applicable for domestic consumers. Urban cess (15 paise/unit) is applicable for urban consumers.
- In case of connection transfer, it is automatically done to the legal heir along with security amount in case of death of the original connection holder. However, in case of sale of property, the connection transfer to the new owner will only happen with the written permission of the original owner. Similarly, in case of multiple owners of a property, a connection could only be issued after a no-objection letter has been furnished by all the land/property holders.
- Discoms hire third party contractors to manage the 24*7 call centres. The functioning of these call centres is inefficient as these contractors frequently hire unskilled staff and the staff turnover is high.
- As per the SOPs, faulty transformers have to be repaired/replaced within 72 hours; however there are a number of factors that affect the process. It generally takes more time in remote locations as transformers and transformer testing facilities are not available. Also, for agricultural consumers, there are two-three connections per transformer, therefore during transformer failure, a smaller number of people are affected in comparison to transformer failure for domestic connections, and hence these cases are not prioritised. In addition to that, in case of theft of transformer, an FIR has to be filed by the affected consumer(s) and proof thereof to be provided to the Discom.

- An online application can be filed for new connection and document can be uploaded. The stamp paper can be collected by Discom official when he/she comes to set up the connection. In case of occupied or rented property, an indemnity form on stamp paper (Rs 500) is to be submitted along with other documents. Tenants and occupiers are required to pay double security money.
- In case of appliance failure or any other losses, Discom is liable to pay compensation only if five or more houses are affected in the same area.
- 50 percent of the dispute amount as required before discussion of the case in Grievance Redressal-cum-Settlement Forum is not mandatory. Such amount for prior deposition can be appropriately decided by Chairman of the Settlement Forum. If the consumer is unable to pay the determined amount, he/she can choose to pay bill equals to average bill of past six months to avoid disconnection.
- Despite the fact that quality standards are set for supply of electricity, the on-ground performance of Discoms is not according to the set standards due to very high dependency on third party contractors for services and other area-specific challenges.

Session IV: Interactive Discussion on Complaint Filing and Grievance Redressal

Manish Mehta, *Active Consumer Activist and Expert*

Hari Prasad Yogi, *Founder, Consumer Legal Help Society*

The session was moderated by Anshuman Gothwal (BRF) and primarily focused around discussing practical issues faced by consumers and consumer organisations while registering complaints for redressal of grievances. Manish Mehta has the distinction of having made the highest number of petitions to Ombudsman Office and is very actively associated with Grievance Redressal processes in Rajasthan. Hari Prasad Yogi is grassroot consumer champion who is well versed with the legal, regulatory and procedural aspects of electricity distribution sector and is very active in redressal of grievances on various platforms such as Consumer Courts, Forums, RERC etc.

Both speakers provided insights and solutions to queries of participants based on their own experiences with the grievance redressal system. Some of specific points highlighted during the discussion are provided below:

- The security amount displayed on the electricity bill should be checked by consumers for accuracy according to the amount they have deposited. There have been cases where after losing the receipt, the consumers have not been able to recover actual deposit amount due to absence of proper evidence.

- Consumers should particularly check sections with fuel surcharge and other debts/penalties in the electricity bill as those are often incorrectly calculated or printed.
- It was repeatedly highlighted that in divergence to what the regulation suggests, electricity metres are frequently installed outside the house. Such habit causes exposure of the metre to sun, water, heat and other external agents that causes frequent damage and need for replacement. Consumers should ensure that electricity metres are installed inside the house.
- Consumers should cross-check the serial number of metre with what is printed on the electricity bill as they receive each bill.
- In case there is a complaint about metre fault or damage, the standard procedure is the Discom disengaging the metre, packing in a sealed enclosure and sending it to a lab for testing. It is suggested that consumers ensure that the procedure is followed by Discoms. It is also advised to consumers to take a picture of the metre in unpacked condition in case it is not sealed and to make a note of it as they are requested to sign the form by the agent taking the metre for checking.
- It was pointed out that Discoms may not recover any pending charges of bill amount if charges pertain to a period older than two years unless such charges have been continuously shown on the bill and remained unpaid. There have been cases where, after serving an average bill to consumers for a certain period, the balance amount is demanded from consumers for a period after two years or more.
- There have been inefficiencies in subsidy delivery to consumers, due to artificial error notified by bill collection platform bills. Due to round-off errors, bills with decimal amounts are recorded as unpaid, leading to a non-delivery of the subsidy to consumers due to non-payment of the full bill.
- Rural consumers often receive a short window for payment of bills of about 2-3 days despite the fact that regulations mandate bills to be provided at least before 15 days of due date for payment. Though spot billing has improved the situation in the jurisdiction of JVVN, for the areas where this remains an issue, it was suggested that the consumer may return the bill to Discom with a letter notifying that they have been provided less than the authorised time. The Discom is required to revise the date and resend the bill to consumer.
- It was suggested that in absence of any acknowledgment mechanism for grievance filed with Discom, a communication made by post is most efficient making Discoms responsible for a reply in response. Consumer should always keep a copy of the letter and receipt of the communication.

Session V: Exercise on Writing an Application to Grievance Redressal-cum-Settlement Forum/Ombudsman

Anurag Mishra, *Associate Fellow, CUTS International*

A case study was presented where participants were requested to provide solutions to a real-life issue related to electricity sector in order to assess the understanding of grievance redressal process and SOPs among participants.

The participants were asked to write an application to the relevant electricity official, requesting resolution of the issue. The applications later were reviewed by D K Jain, Deputy Director, Office of Electricity Ombudsman, Rajasthan. The session was moderated by Anurag Mishra, CUTS.

Session VI: Understanding the Electricity Bill

Anmol Soni, *Research Associate, Bask Research Foundation*

The session commenced by describing household's electricity metres and their navigation menu. Various sections of the Electricity Bill and the relevant billing information along with schemes for rebates, penalties and other charges on Electricity Bill in Rajasthan were discussed.

The tariff structure for various electricity consumer categories was explained and participants were educated on how to calculate the power usage by a particular consumer and provide rough estimate of the electricity bill through an interactive assessment.

Session VII: Exercise on Estimation of Demand for new electricity connection

Anmol Soni, *Research Associate, Bask Research Foundation*

This session began with a practical demonstration on how to estimate the power demand for various appliances with explanation of units used to measure electrical power. Thereafter, an exercise was conducted on consumption calculation with a worksheet where trainees worked on electricity consumption and connected load requirement of a sample domestic house.

Session VIII: Escalation of Grievances: CGRF and Ombudsman

D K Jain, *Deputy Director, RERC Ombudsman Office*

The session shed light on the grievance redressal procedure through Forums and Ombudsman office. The session focussed on escalation of grievances, roles and duties

and procedure of lodging complaints before the Electricity Ombudsman. Issues and suggestions highlighted during the discussion are provided below:

- The grievance addressed to grievance redressal forums should be written to the chairman of respective forums. Consumers are recommended to always deposit the required fees and submit receipt from the Discom office with the grievance application.
- All the details should be mentioned in the complaint letter as anything missed may have repercussions later. If one wants compensation or stay on disconnection or action by the Discom, it has to be mentioned in the complaint letter itself. All pertinent documents should be attached as proofs which will facilitate the decision.
- The forum chairman/Ombudsman can allow interim stay of adverse action by the Discom such as disconnection of supply etc. if requested in the grievance.
- Once the complaint letter is sent to Ombudsman, within seven days, a notice is sent to the concerned forum and licensee. The particular forum has to submit reply to Ombudsman with a proof that a copy has been sent to aggrieved consumer. After that, consumer is asked for a voluntary reply. After 15 days, there is generally a single hearing which leads to final decision in one-two days.
- In case, the reply from the CGRF/Discom official is not up to the mark, a notice is sent to MD and concerned staff for revised reply. If required, a second hearing is held.
- After the decision is made, consumer has to send consent letter to licensee within 15 days that he is satisfied with the decision of Ombudsman. If Discom fails to follow the decision, consumer can write to RERC under Section 142 of non-compliance of order.

Session IX: Tariff Calculation

Anshuman Gothwal, *Executive Director, Bask Research Foundation*

This session aimed at building the understanding of participants about tariff determination process, relevant regulations and tools for participation of consumers and consumer organisations in the process. The tariff determination process followed by Discoms was discussed and it was highlighted that Discoms are bound by statutory obligation to submit a petition to regulatory commission in a timely manner and then the commission approves tariff as per regulations after prudence check. The different components of tariff petition pertaining to consumer interest were emphasised.

In the follow-up discussion, participants shared their willingness to come together and represent consumer interests at the RERC during petition hearings. The complexity of

the petition document was also highlighted which required special skills to provide comments and feedback on the subject.

Closing Remarks and Feedback Session

Anurag Mishra, *Associate Fellow, CUTS International*

The workshop commenced after a feedback session to learn views of participants on relevance of such workshop. An analysis of the same has been presented in Annexure III. Participants emphasised on the need of such initiatives in the sector in future as well so that there is effective participation of consumers. The session ended with an expression of gratitude to participants and training experts.

ANNEXURE I: LIST OF PARTICIPANTS

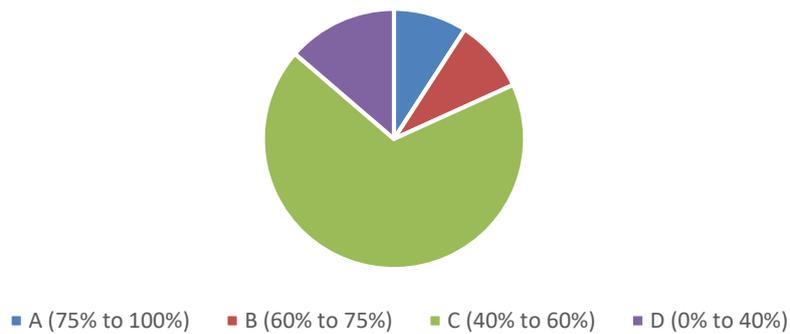
| Name | Designation and Organisation | Place |
|------------------------|--|------------------|
| Aishwarya Sharma | Legal Intern, Bask Research Foundation | Jaipur |
| Akshay Sharma | Programme Associate, CUTS International | Jaipur |
| Anmol Soni | Research Associate, Bask Research Foundation | Jaipur |
| Anshuman Gothwal | Executive Director, Bask Research Foundation | Jaipur |
| Anurag Mishra | Associate Fellow, CUTS International | Jaipur |
| Archee Gupta | Malaviya National Institute of Technology | Jaipur |
| Bhagwan Lal Sharma | Upbhokta Suchana Evam Paramarsh Samiti | Chittorgarh |
| Bharat Bhati | Marudhar Ganga Society | Jodhpur |
| Chagan Lal Prajapat | Desert Resource Center | Phalodi, Jodhpur |
| Chandra Prakash Barala | Malaviya National Institute of Technology | Jaipur |
| D. K. Jain | Deputy Director, RERC Ombudsman Office | Jaipur |
| Deepak Saxena | Assistant Director, CUTS International | Jaipur |
| Dharmendra Chaturvedi | Programme Officer, CUTS International | Jaipur |
| Dharmendra Sharma | Sawai Madhopur | Bikaner |
| Dipak Gode | Desert Resource Centre | Sawai Madhopur |
| Hanuman Prasad Yogi | Consumer Legal Help Society | Sawai Madhopur |
| Hari Prasad Yogi | Founder, Consumer Legal Help Society | Sawai Madhopur |
| Harsh Kumar Sharma | Sawai Madhopur | |
| Madan Giri Goswami | Senior Programme Office, CUTS CHD | Chittorgarh |
| Manish Mehta | Active Consumer Stakeholder | Bundi |
| Megha Yogi | Consumer Legal Help Society | Sawai Madhopur |
| Mohan Lal Meghawal | Programme Assistant, CUTS CHD | Chittorgarh |
| Mohini Ganguly | Research Associate, CUTS International | Jaipur |
| Nagendra Mathur | Desert Resource Center | Bikaner |
| P.K. Gupta | EE-Commercial, JVVNL | Jaipur |

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|---------------------|--|----------------|
| Priti Taneja | CUTS-CHD | Chittorgarh |
| Radhika Khandelwal | Programme Associate, CUTS International | Jaipur |
| Raghvendra Singh | Ajmer Zila Gramin Upbhokta Sansthan | Ajmer |
| Rakesh Kumar Parmar | Samajik Vikas Samiti | Dholpur |
| Rimjhim Yogi | Consumer Legal Help Society | Sawai Madhopur |
| Sapna | Malaviya National Institute of Technology | Jaipur |
| Shristi Garg | Advocate | Chittorgarh |
| Shweta Garu | CUTS CHD | Chittorgarh |
| Shyam Lal Tailor | Chairman, Upbhokta Suchna and Paramarsh Samiti | Chittorgarh |
| Udai Singh Mehta | Deputy Executive Director, CUTS International | Jaipur |
| Uma Shankar Yogi | Consumer Legal Help Society | Sawai Madhopur |
| Vijendra Kumar | Desert Resource Center | Bikaner |
| Vishal Narula | Research Associate, Bask Research Foundation | Jaipur |

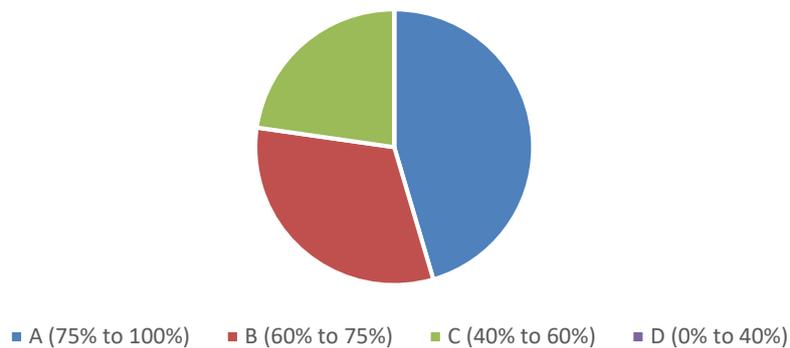
ANNEXURE 2: RESULTS OF PRE & POST WORKSHOP QUESTIONNAIRE



Number of People Scored in Each Category in Pre-workshop Questionnaire



Number of People Scored in Each Category in Post-workshop Questionnaire



ANNEXURE 3: ANALYSIS OF FEEDBACK FORMS

