

A photograph of a group of people in a rural setting. In the foreground, a person wearing a blue shirt and a white head covering is crouching on the ground, facing away from the camera. Behind them, a group of about seven people are standing. Several of them are holding up white documents or papers, showing them to the camera. The people are dressed in casual clothing like t-shirts, shorts, and saris. The background shows a dirt path, some trees, and a simple building with a tiled roof under a clear sky.

Demanding Electricity Service A Guide for the Community Activist

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May 2015



Prayas (Energy Group)

About Prayas

Prayas (Initiatives in Health, Energy, Learning and Parenthood) is a non Governmental, non-profit organization based in Pune, India. Members of Prayas are professionals working to protect and promote the public interest in general, and interests of the disadvantaged sections of the society, in particular. Prayas (Energy Group) works on theoretical, conceptual regulatory and policy issues in the energy and electricity sectors. Our activities cover research and intervention in policy and regulatory areas, as well as training, awareness, and support to civil society groups. Prayas (Energy Group) has contributed in the energy sector policy development as part of several official committees constituted by Ministries and Planning Commission. Prayas is registered as SIRO (Scientific and Industrial Research Organization) with Department of Scientific and Industrial Research, Ministry of Science and Technology, Government of India.

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May 2015

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Foreword

PRAYAS has brought out a long needed and important citizen's guide for engaging with the electricity sector. Issues of transparency, accountability, and citizen participation in law, policies, and programs are now accepted as necessary prerequisites of democratic governance. In a vast country like India with many marginalised communities, these are even more important principles and tools that can help ordinary people understand issues of policy, planning and delivery in social sector and public utility entitlements. The challenge (especially in technical sectors like electricity) is to convert the rhetoric of transparency and accountability into a practical usable mode of citizen monitoring.

Electricity occupies an important place in rural development priorities in India. The Government is investing heavily in the sector to provide power to all. But it is still a long way from achieving even this minimum objective. While people feel the need for electricity, the combination of high tech machinery, extremely high budgetary requirements and complex management structures, leave citizens and their groups intimidated about how and when to engage with the agencies dealing with electricity policy and delivery. Community activists have felt the need for a simple introduction to the state electricity sector with suggestions from those with expertise on the where, the what, and the how of engaging with the sector.

This guide is an attempt to meet those needs. Prayas is an energy think-tank with a long history of working with consumer groups, community organisations, distribution companies, regulatory commissions and the State and Central Governments, to improve the quality of electricity supply. Their priority has been to address the needs of the small consumers – rural and urban homes with marginal supply, or no electricity; the marginal farmer; or small shopkeepers. They have, in the past, prepared guides and organised workshops to increase awareness on these issues. They have also made many regulatory submissions to introduce pro-poor provisions. This guide is a welcome continuation of their activity. It introduces the major laws, actors, and examines the scope of using RTI in the electricity sector. It demystifies the procedure for making complaints and regulatory submissions. It also helps explore avenues like the Right to Hearing Act (enacted in Rajasthan) and Public Services Guarantee Acts (passed in many states) for redressing grievances in the electricity sector.

Building on the background provided in the guide, activists could plan campaigns in their states, not only to address complaints, but also to make suggestions to the authorities for improvement. Most importantly, it could enable and encourage citizen engagement in a sector that affects almost every citizen today, but where even citizens groups find themselves unequipped to meaningfully engage with the agencies who take decisions that affect their lives.

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1. INTRODUCTION

Lines and transformers may be erected and connections given, but that does not automatically ensure that all will get electricity supply when they want, at a price that they can afford. Ensuring good quality affordable electricity supply, especially for the rural small consumers, is an on-going struggle for the consumer and community. For these struggles to yield results, an activist has to understand the electricity sector and the opportunities to engage with it. This guide is an attempt to help her in this direction. The first section introduces the guide by answering questions like: What is this guide about? What does it cover? Who are the major actors in the electricity sector, especially at the state level? What are the major laws governing the sector?

What is this guide about?

Are electricity related issues the most important for an activist working with the community? Perhaps not. In fact she may give more attention to areas like food, water, sanitation, health, housing, disaster management or education. This is no doubt justified, but across the country, issues related to electricity are becoming equally important. This is because of increasing access to electricity (with the grid reaching nearly 96% of the villages) and growing dependence on electricity for a variety of needs beyond home lighting. This includes water pumping (for drinking or agriculture), powering shops, television, mobile charging, health care and food processing. Electricity supply is something that many aspire for, since it is closely associated with a better quality of life. It is not surprising that quality affordable electricity supply has strong linkages to development.

Lines and transformers may be erected and connections given, but that does not automatically ensure that all will get electricity supply when they want, at a price that they can afford. For small consumers¹, especially in areas where historically electrification levels have been low, ensuring quality affordable electricity supply is an on-going struggle². A well informed activist can play a significant role in assisting the consumer and the community in this struggle. But there are reasons why many activists find it difficult to engage with the electricity sector. This sector has the image of a technically complex sector and it is not easy for the consumer or the activist to understand or deal with it.

This guide attempts to de-mystify the electricity sector by introducing its key actors, policies and programs with specific focus on avenues for intervention. It suggests ideas to the activist to engage with

1 By 'small consumers', we mean those who are marginalised (by income, caste, religion or location) and typically consume small amount of electricity, primarily for subsistence.

2 There is no reliable source of information on actual daily hours of supply to rural homes or time taken to repair when there is a breakdown. Sample surveys like IHDS (2005) report 4-18 hours of supply in different states, whereas the Government reports available at the website of the rural electrification program (www.rggvy.gov.in) reports 11-24 hours (January 2015). As for time taken to repair, it can be anywhere between few days to weeks.

the sector to improve electricity service to the community, primarily the rural and poor households. We hope that it will help the activist to ask right questions or make suggestions to the right agencies, at the right time, using provisions that are within or outside the electricity sector.

Guide is introductory in nature with a broad coverage of the sector, with an all-India perspective. Keeping in mind the massive national programs aimed to provide 24 x 7 power for all by 2019³, there is more attention to the states which have very low electricity access. These include Bihar, Jharkhand, Uttar Pradesh, Odisha, West Bengal, Rajasthan and Assam. But we also clarify that this guide is not written with any one state in mind. It provides a broad outline of the issues and ways to address them. There are many differences in laws and procedures across states and therefore customisation based on study of state-specific documents will be required for effective action. The electricity distribution company has the maximum role in providing electricity service and hence it receives highest attention in this guide. It is referred to as the distribution company, DISCOM (the short form), electricity company or company.

What does this guide cover?

The focus of this guide is to assist the activist in her efforts to improve electricity service to the community. This section

provides a brief overview of the electricity sector introducing the major actors and laws. Section 2 is about addressing consumer issues such as getting a connection, high electricity bills, load shedding and the provisions for complaint redressal. Any activist working with the community would be aware of complaints like these. In addition to the laws and institutions provided in electricity sector, there are also a few other avenues to take up electricity issues. These include the RTI Act, Public Services Guarantee Acts and the Right to Hearing Act (enacted in Rajasthan), which are covered in the third section. The fourth section is on issues such as tariff, load shedding and rural electrification, which are relevant to the whole community. The final section summarises the guide and suggests way forward. *Action ideas are marked in bold italics* in each section and summarised in the final section.

Annexures include a typical electricity bill, application formats (for complaint, RTI application and tariff petition), a note on pro-active disclosure under RTI Act, an overview of the issues in electricity supply to farmers for agriculture and suggestions for further reading.

We realise that setting up power generation projects (coal, hydro, nuclear or renewable based) and erecting electricity lines across the country have significant impact on people's livelihood, forests, local environment and climate change. Yet, topics

3 Power for All initiative announced by the Central Government in 2014, aims to provide access to all households, 24 x 7 power supply to all domestic, commercial and industrial consumers and 8-10 hours supply to agriculture by 2019. Programs for Rajasthan and Andhra Pradesh were announced in December 2014 and are expected to be announced for other states. Total investment required for this is estimated to be around Rs. 15.7 lakh crores (Source: Minutes of meeting of the 44th meeting of the Forum of Regulators, December 2014).

like rehabilitation and resettlement related to power projects, environment impact assessment, livelihood impacts of power projects, generation options (including renewable), end-use efficiency and climate change are not addressed in this guide. This is not because we consider them less important, but because these subjects are complex and vast, requiring a separate publication.

Who are the major actors in electricity sector?

In the area of electricity service, there are many actors at state and national levels. Some are government agencies and some private. There are specific roles for the State and Central Governments and private companies. Central Government is responsible for national laws, plans and programs, whereas the State Government has a major role in distribution of electricity. Central and State Governments set up the legal, policy and regulatory framework, provide budgetary support and own electricity companies. Central Government has many programs for rural electrification, improvement of urban distribution and promotion of renewable energy. Private sector has a growing presence in generation and distribution business. In this section, we describe the major actors at state level and briefly introduce the national actors.

State Actors

Figure 1 gives an overview of major actors in a state and Table 1 gives the description. Companies for generation, transmission and distribution may be state owned or private.

As for private companies, role of State Government is very limited. The major state actors are described below.

Distribution Company or DISCOM is the first interface to the consumer and has the most important role in electricity service. It sets up the infrastructure - lines and substations – and arranges to supply electricity to the consumer through this infrastructure. The infrastructure is often called as the ‘wires’ and electricity supply is the ‘supply’ part of the distribution company. Distribution Companies are mostly owned by State Governments with each State having 3-4 companies⁴. There are some exceptions like private DISCOMs in the cities of Mumbai, Kolkata, Ahmedabad, Surat and Delhi. There were 3 private distribution companies in Odisha till March 2015, when the Odisha Electricity Regulatory Commission revoked their license. There are also private distribution franchisees in a few towns. The first was in Bhiwandi (2007) followed by Agra, Sagar, Gwalior, Ujjain, Nagpur, Jalgaon and many divisions in Odisha. These carry out the distribution function on behalf of the distribution company, based on a contract. Box : ‘Typical organisation of a Distribution Company’ gives an overview of the structure and officials in a distribution company.

4 Tamil Nadu, Kerala, Chhattisgarh and Maharashtra are some exceptions with only one State owned distribution company in the State.

Typical organisation of a Distribution Company

DISCOM functions under the license issued by State Electricity Regulatory Commission. If it is State-owned, then there is also the supervision by the state electricity/energy department. Its area of operation typically covers 4-6 districts. It is headed by a Chairman and Managing Director (CMD) and reporting to him are 2-3 Directors. For convenience of operation, the distribution system under a company is divided into 2-3 zones headed by a Chief General Manager, or Chief Engineer or Executive Director. Under each zone, there are 2-3 circles (each covering a district or a part of a big city) headed by a Superintending Engineer (SE). In each circle there are 3-4 divisions (each covering 2-3 Taluks), headed by a Divisional Engineer (DE) with whom there will be 3-4 subdivisions (covering a Taluk, headed by an Assistant DE) which in turn have 3-4 sections headed by an Assistant Engineer (AE). Each section will have a few subsections covering a cluster of villages or a city suburb. There will be linesmen, meter readers and repair crew to assist in field work. There is a parallel system for metering, billing and revenue collection with meter readers, billing clerks and accounting officers. In many distribution companies, functions like metering, billing and repair are given on subcontracts. To register complaints, consumer can approach the Internal Grievance Redressal Cell of the company at section or sub-section office, fuse off call offices or use toll free telephone numbers. Most distribution companies provide names, addresses and phone numbers of all major officers on their websites and notice boards.

Figure 1: Overview of the key actors in the State Electricity Sector

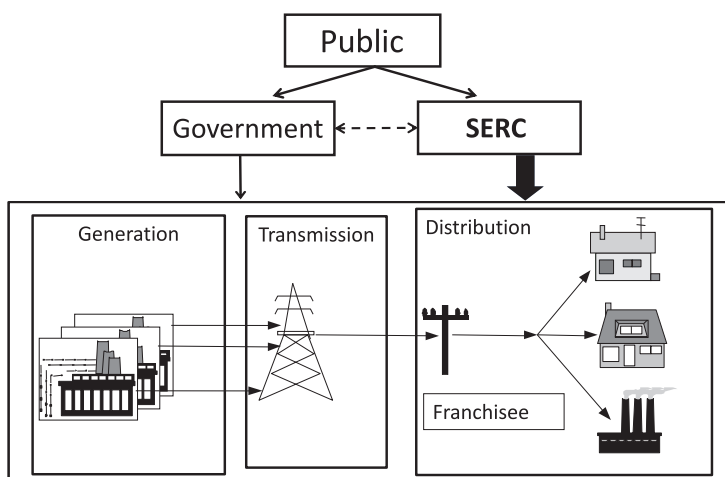


Table 1: Key actors at the State level

Ministry/ Organisation		Functions
State Government/ Energy Ministry		Policies, rules, managing companies, providing budget support.
	State Electricity Regulatory Commission	Decide tariffs, oversee functioning of all generation, transmission and distribution companies, approve all important decisions such as power purchase, capital expenditure, operation norms etc.
	Generating Company	Setting up and operating power generation stations. There can be many companies, some private and some state owned.
	Transmission Company	Company owned by the State Government (called TRANSCO) and Central Government (POWERGRID): sets up and manages transmission lines and substations.
	Distribution Companies (DISCOM)	Typically 3-4 in a State; sets up and manages distribution network. Is responsible for providing supply of certain defined quality and for metering and billing. Some areas may be handed over to 'distribution franchisees' by the distribution company.
	State electricity inspectorate	Chief Electricity Inspector to the Government (CEIG) and its offices are responsible for safety, inspection, enquiry into electricity accidents etc.
	Renewable energy agency	Responsible for promoting renewable energy and energy efficiency.
	State load dispatch centre	Grid operation, decides when and which generators should generate power, manages load shedding.
Private companies		
	Distribution Companies, franchisees	Management of distribution company is by private companies in some states. Franchisees have a contract with a distribution company to manage distribution in a smaller defined area.
	Generating companies	Generates power and sells to distribution companies.

The energy department of the state formulates state specific policies (like subsidised electricity to agriculture pump sets or small households), provides budget support to state owned companies and is responsible for key appointments. The Chief Electricity Inspector to the Government (CEIG) and its offices are responsible to certify safety of electricity installations. The State nodal agencies for renewable energy (known by different names in different

states) promote renewable energy and energy efficiency (much less extent), mainly through providing subsidies and awareness campaigns.

The State Electricity Regulatory Commissions (SERCs) set up in the 1990's have significant role in revising tariffs, improving quality of service, increasing transparency and promoting public participation. As shown in Table 1, it oversees the functioning of all companies –

Table 2: Organisations at the national level

Ministry/ Organisation		Details - functions/names
Ministry of Power		Electricity Act 2003, national policies, guidelines, programs, overseeing all organisations listed below
Overseen by Ministry of Power	Central Electricity Authority	Preparation of national electricity plans, regulations on safety etc and consolidation of data
	Appellate Tribunal for Electricity	Handle appeals against judgements of CERC or SERCs
	Central Electricity Regulatory Commission	Prepare national regulations, decide tariff in multi state cases
	Power generation corporations	Thermal (NTPC), Hydro (NHPC), Nuclear (NPC)
	Transmission company	POWERGRID, which interconnects states
	Power financing corporations	Power Finance Corporation (PFC) and Rural Electrification Corporation (REC)
	Manufacturing	BHEL - generation equipment
	Grid operation	Load dispatch centre at national and regional levels
Ministry of New and Renewable Energy		Financing and assisting renewable programs and projects
Private Companies		
Overseen by Ministry of Power	Big generating stations, which supply to more than one state	Large coal, hydro or gas based projects and Ultra Mega Power Projects
	Manufacturing, construction, consultancy, companies and contractors	
	Market operators	Electricity traders (who buy and sell power), power exchange (a platform where multiple companies can buy and sell power)

be it Government or private owned. Members of SERC are appointed by the State Government, but SERC is a quasi-judicial body with some level of independence.

National Actors

For an activist, state actors are more important, but it is necessary to have a brief

understanding of national actors since they prepare all the laws and have national programs. Table 2 gives brief details of the actors at the national level.

What are the major laws and regulations?

Electricity sector follows the acts, policies and rules (prepared by the Central or State Governments), court judgements (by the

Supreme Court, Appellate Tribunal for Electricity (ATE) or High Courts) and regulations (prepared by the electricity regulatory commissions). The following paragraphs give a brief overview of these.

Electricity Act is the major central Government Act relevant to the electricity sector. The Electricity Act (2003) provides the legal framework for the electricity sector and has to be followed by all electricity companies. Provisions relevant to the activist working to improve service delivery are:

- Responsibilities of the distribution and supply companies, which include providing supply to anybody who applies for a connection – Universal Service Obligation (Section 43)
- Functions of the regulatory commissions: promoting participatory and transparent process in major functions like revising tariffs (S 64), setting up mechanisms for ensuring quality of supply and service to the consumer and grievance redressal (S 42, 57, 59) and promoting renewable energy (S 86)
- Roles of the State Governments: appoint regulatory commission members (S 82), provide subsidy in advance to the distribution companies based on its own policies (S 65), set up district committees to monitor quality of supply (S 166)

This Act is being amended and the proposed amendments are given in the Box at the end of this section.

The Consumer Protection Act 1986 has provisions to protect the interests of the

consumers in different sectors, including electricity supply. Consumer can complain to the district, state or national forum about poor quality of service by a distribution company.

RTI Act 2005 applies to all public authorities, including distribution companies. Each of them is expected to provide a set of information in public domain as per the clauses of pro-active disclosure and respond to request for information under the RTI Act.

The most relevant policies are the National Electricity Policy (2005), Tariff Policy (2006) and Rural Electrification Policy (2006), all prepared by the Ministry of Power.

The introduction of the National Electricity Policy says: “Electricity is an essential requirement for all facets of our life. It has been recognized as a basic human need. It is a critical infrastructure on which the socio-economic development of the country depends. Supply of electricity at reasonable rate to rural India is essential for its overall development”. And one of the Stated objectives of the policy is: “Minimum lifeline consumption of 1 unit/household/day as a merit good by year 2012”.

Tariff policy gives the framework to decide consumer tariff and mentions the need to ensure low tariff for very small consumers (like those consuming less than 30 units/month).

The stated goals of the Rural Electrification Policy are: “Provision of access to electricity to all households by year 2009, quality and reliable power supply at reasonable rates and minimum lifeline consumption of 1 unit per household per day as a merit good by year 2012”. While elaborating the role of

district committees, this policy emphasises the need for representation of consumer associations and women in district committees (Section 6.2).

There are also electricity rules prepared by the Ministry of Power and regulations on electricity safety prepared by the Central Electricity Authority. At the national level, judgements by the courts (especially the Supreme Court and High Courts) as well as by the ATE are also important. This guide does not cover these.

At the State level, regulations prepared by the State Electricity Regulatory Commissions (SERCs) are important for electricity service. These regulations are available in print form at the SERC office and on their website. Most relevant regulations are: a) Conduct of Business Rules, b) Supply Code, c) Standards of Performance, d) Consumer Grievance Redressal Forum & Ombudsman and e) Regulations on retail tariff.

- a) Conduct of Business Rules Regulation: This is usually one of the first regulations prepared by an SERC and lays down the operational procedure of the SERC. It covers the procedure for filing petitions, measures to have public participation, procedure for public hearings, mandate to issue reasoned orders, clauses ensuring availability of documents for public scrutiny etc. Details of applicable fees is usually covered in another regulation.
- b) Electricity Supply Code and Conditions of Supply regulation: This includes the procedures, rules and conditions that the distribution company needs to

follow for new connections, metering, billing, disconnection, theft etc.

- c) Standards of Performance Regulation: This regulation covers the standards of quality of service to be adhered to by the distribution company and procedures for consumer complaints. It provides time frame for attending to these complaints and the compensation to be paid if the complaint is not addressed within the time frame. Table 3 gives details of some features for a few states. Compensation is automatic in some cases in Odisha, whereas in most states, consumer has to apply to claim compensation. Distribution company is expected to give reports on Standards of Performance, including details of compensation to the SERC and SERC is expected to publish this once a year (Electricity Act, Section 59).
- d) Consumer Grievance Redressal Forum and Ombudsman Regulations: There are separate regulations which describe the Consumer Grievance Forum and Electricity Ombudsman. These cover appointment criteria, salary, duration in which they should issue orders, and process for further appeal.
- e) Regulations on retail tariff: SERC has regulations on retail (consumer), distribution and transmission tariff, out of which retail tariff regulation is the most relevant. It explains the process of tariff determination, including the details that should be provided by the distribution company and the method of tariff calculation.

Table 3: Key information on standards of performance of Distribution Companies

State	Attending to power failure		Attending to Distribution Transformer failure		Solving complaint on bills	
	Time (hour)	Compensation (Rs)	Time (hour)	Compensation (Rs/consumer)	Time (days)	Compensation (Rs/day)
Andhra Pradesh						
Urban	4	100	24	100	1-7	50
Rural	12	100	48	100	1-7	50
Bihar						
Urban	4	50	24	50	1-7	50
Rural	24	50	48	50	1-7	50
Maharashtra						
Urban	3-4	50/hour	18-24	50/hr	1	100/week
Rural	18	50/hour	48	50/hr	1	100/week
Odisha						
Urban	6	100	24	200	30	50
Rural	24	100	48	200	30	50
Rajasthan						
Urban	4-6	50	16-36	100	3-7	50
Rural	24	50	72	100	3-7	50

Activists need to get some understanding of these regulations. Details about Standards of Performance and Grievance Redressal are not given sufficient publicity and activists could publicise State specific details in local language, request the distribution companies to display this

information on office notice boards and assist consumers to use these provisions. Giving suggestions to the SERC on improving the Standards of Performance regulations and it's reporting, as well as on making Grievance Forums more approachable will also help.

Proposed amendments to Electricity Act 2003

There have already been a few minor amendments to the Electricity Act – 2003 and national policies after they were notified. In 2014, there were proposals to bring in a few major changes to the Electricity Act and it is expected that they will be finalised in 2015. The important points in the context of this guide are:

- a) Creation of new electricity supply companies: As of now, the responsibility of managing the electricity distribution network and supplying electricity is given to a single company, called distribution company, or more correctly 'Distribution and Supply Company'. Amendments propose that distribution and supply functions be separated and given to different companies. In a same geographical area, there will be only one distribution company, but there can be many supply companies. All supply companies will use the network of the distribution company to take electricity to the consumer. Select consumers will have a choice to buy electricity supply from any supply company, while having physical connection to one distribution company. The retail tariff of different supply companies in an area can be different, since SERC will fix a maximum tariff and company can supply below this tariff. It is likely that cities may have many supply companies, many of them private. The universal supply obligation (under which any application for connection has to be processed within a given deadline) will remain with the current company, which in most cases is a State owned DISCOM. As far as the activist is concerned, this implies increase in the number of players, challenges in meeting electricity service of small consumers and complexity in handling consumer issues.
- b) Increased certainty in tariff revisions and changes in SERC: SERCs can proactively initiate actions like tariff revision, if the company does not take it up in a timely manner. SERC is now mandated to authorise someone to represent the interests of the consumers in regulatory proceedings. The quantum of fine for non-compliance of directions of the Commission, regulations or the Act has been raised from lakhs to crores.
- c) Increase in electricity markets: Presence of multiple supply companies and many other provisions may increase electricity markets. Whether this will help the small consumers is to be seen.
- d) Promotion of renewables: The amendment has many provisions to promote renewable energy like solar and wind.
- e) Increased role of Central Government: There are provisions which make national policies like Tariff Policy mandatory for SERCs. Central Government can depute members to SERC if there is delay in appointments and can also remove a member.

2. ADDRESSING CONSUMER COMPLAINTS

Consumer complaints about poor electricity service could be about getting a connection, high bills, load shedding or electricity accidents. In addition, theft is an issue which affects the company and the honest consumer. In this section, questions like 'how does one lodge a complaint?' and 'if the distribution company does not address the complaint, what can be done?' are answered. Internal grievance cell of the company, consumer grievance redressal forum and electricity ombudsman are introduced. There is a need to improve the access to these institutions and make their functioning more consumer friendly.

Complaints on electricity connection, bills, load shedding and electricity shock accidents are common in most areas. This section gives an introduction to the most common complaints of residential consumers and provides some ideas to handle them. Before we begin, here is a word of caution. There are many differences in laws and procedures across states and therefore customisation, based on study of state-specific documents will be required for effective action. As mentioned in the first section, this guide is not written with any one state in mind, but provides a broad outline of the issues and ways to address them.

Understanding the most common complaints

Most common complaints from residential consumers can be classified under five groups – connection, metering & billing, load shedding, theft and safety. Some distribution companies describe these in booklets or on their websites. A brief overview is given below.

Electricity Connection

The issues include new connection, transfer, disconnection and reconnection. Details of the procedure are available in the

regulations like Supply Code & Conditions of supply regulation and Schedule of rates & charges prepared by the State Electricity Regulatory Commission. These are briefly covered in a question – answer format below.

1. What should be done before applying for connection?

Electrical wiring has to be completed by a certified electrician with proper earthing and details like the connected load should be ascertained from the electrician.

2. What all are needed to get an electricity connection?

Free connections are given to some houses (BPL, SC/ST etc as applicable) as part of national (RGGVY, now changed to DDUGJY) or state programs (like Biju Gram Jyoti Yojana– Odisha). All others have to submit an application to the Distribution company with relevant documents and a fee. Application form can be obtained free of cost from the local office of the distribution company or can be downloaded from its website. Details like name, address, purpose of usage of electricity, connected load etc., are to be entered. The form has to be accompanied by a proof of ownership of the house and a certificate approving the safety

of electric wiring. A photo identification document of the person submitting the application may also be needed. Fee for a new connection varies across states, and will include application processing fee (a fixed amount based on the consumer category – like residential, commercial etc.) development charges (based on cost of the meter and the connected load – calculated based on the number of electricity points in the house), service connection charges (calculated based on the work to be done to extend connection to the house from the nearest pole) and security deposit (calculated based the expected average bill for 1-2 months use of electricity).

3. What is the proof of successfully submitting the application?

Once the application is accepted by the electricity company, it provides an acknowledgment receipt. If it is not given, one must demand such a receipt. The acknowledgment receipt acts as proof while calculating the prescribed duration for granting a new connection from the date of submission of the application.

4. What happens after application is submitted?

After a certain period, the electricity company will notify the applicant the date for inspection of the premises. Inspection is carried out to check the wiring, decide the actual connected load, estimate the work to be done to give connection from the electricity pole nearby, finalise the location of meter, main switch etc. If the line has to pass through someone else's property, then the applicant has to bear the charges and also obtain the required permissions. If this does not work out, alternate route has to be

decided. Based on the inspection report, the distribution company informs the consumer of any additional charges to be paid for the new connection, which shall be in accordance with the state supply code. Once all formalities are completed and required fees paid, the electricity company is expected to give connection within a specified period given in the Standards of Performance regulations, typically 30 days. Giving connection to all those who apply is an obligation of the company as per the Electricity Act (Section 43) and there is a fine if there is a delay (see Table 3). If there is a delay due to a valid reason (say because some work has to be carried out to grant connection), then consumer has to be informed. In case of agriculture connection, most State Governments fix a limit on the number of connections that can be given in a year and also quotas for some groups. The applicant is to be informed the waiting list for connection and if the number of applications has exceeded the target for that year, this should also be conveyed to the applicant. If there is more delay in these steps or if someone demands more money than what is specified in the Supply Code regulations, consumer can complain to the Internal Grievance Forum of the company or to the Consumer Grievance Forum (see later in this section)

5. What about transfer, disconnection and reconnection?

Transfer of connection will have to be done in cases of change of ownership or death of owner. The necessary form has to be filled up with required details and a nominal fee (as per Supply Code) has to be submitted to the local office of the distribution company. There is a time limit for transfer with fine for delay. Disconnection by the company can

happen if there is power theft or if the consumer does not pay the bill. In such cases, the consumer has to be given written notice, typically at least one week before disconnection. Once the outstanding bill is paid, reconnection is possible, with a fee as per the Supply Code.

Metering & Billing

Meter installed at the consumer's premises records electricity consumption, which is read periodically by the meter reader and bill is issued. Procedure related to metering and billing is given in the Supply Code Regulations. Main issues in this area are briefly covered below in question-answer format.

1. Who owns the meter?

The meter is installed by the company and is their property. It is sealed by the company after installation and consumer should not tamper with it. Consumer has an option of buying a meter as specified by the company, which has then to be certified and installed by the company. The location of the meter is decided by the company in consultation with the consumer, so that meter is accessible for reading and is safe from theft or damage.

2. What if there are problems with the meter?

Meter can be damaged, can stop working or can record wrong reading. The electricity bill has a column, which indicates the status of the meter- for example, healthy, stuck or damaged. Any doubts on the functioning of the meter, or information if it is stolen, should be brought to the notice of the company. Consumer has to pay specified fee for meter testing or replacement. If meter is not working, company is expected to issue

provisional bill based on average consumption, until it is replaced or repaired. Time limit for meter replacement is given in the regulations on Standards of Performance.

3. How are electricity bills prepared and issued?

Based on the meter reading, the distribution company issues bills to the consumer periodically – typically monthly or bi-monthly for residential consumers and quarterly for agriculture. Consumer has to pay the bill amount at the company office before due date. If there is delay, there will be a penalty for late payment. Even if the bill is not received, consumer is expected to check for the bill amount quoting the consumer number and pay the bill amount. Company can disconnect supply if the bill is not paid on time. Some companies have spot billing system, where the meter reader issues the bill on the spot, after reading the meter.

4. What details are there in the bill?

Bills issued by different companies are quite different in terms of details and format. Annexure 1 gives details in a typical electricity bill. A bill contains name and address of the consumer, consumer number, the bill number, name of the local company office, consumer category, period and date of issue of bill, meter reading (starting of the billing period and end of the period), meter health status, units consumed (some companies give information of consumption for previous months), bill amount with break-up of charges, due date of payment and contact numbers of company officials and consumer grievance forum. The break-up of charges would include: fixed charge (amount to be

paid even when there is no electricity usage, to recover cost of basic infrastructure), energy charges (cost of electricity units consumed, calculated based on the tariff order), electricity duty/tax, fuel surcharge (amount decided by the regulatory commission to compensate the company for changes in fuel price), pending arrears (if any) etc. Maharashtra State bills have a photo showing the meter reading, which reduces the chances of wrong entry by the meter reader.

5. What if consumer feels that the bill is high or wrong?

Bill amount can generally increase if more electricity is used, electricity tariff has changed or if there is error in meter reading. Based on previous bills and type of electrical appliances, first level checking can be done on the number of units recorded and the rate applied. Many states have different rates for different slabs and moving from a lower slab to a higher slab

can significantly increase the bill amount. If the consumer feels that the bill is high or wrong, a written complaint should be given to the company, so that investigation for the cause of high bill can be carried out. Meanwhile, consumer can opt to pay an amount based on average consumption in the past few months.

The monthly electricity consumption in units by a small one room house with 2 bulbs and a fan will be around 30 units. If there is also a TV, it will become 50 units. A 2 room house with 2-3 lights, 2 fans, one TV and fridge will consume around 150 units in a month. *Table 4 will be useful for activists to check if the bill is reasonable with respect to the number of lights, fans and appliances at home. It gives a list of typical home appliances, their wattage and units consumed in a month assuming typical hours of daily operation.* If there is any change in watts or hours of usage, the units consumed by an appliance in a month can



be calculated using the formula:

Units in a month = Daily hours of operation
x 30 x Watts/1000

Power failure

Power failure due to unplanned events or planned load shedding is common across the country and is more in villages and small towns. Supply to agriculture is often given only for 7-10 hours at times convenient to the company. The Central Government plans to provide 24 x 7 power to all households by 2019. Till that becomes a reality, the minimum expectation of the consumer is that there is increased transparency and predictability in planned power cuts and equity in addressing power failures across different areas (villages and towns) or consumer segments (small – medium- big or household- shop –industry- agriculture). It is also reasonable that

consumer is given an explanation about power cuts, for example the reasons for limited hours of supply to agriculture.

If load shedding is planned for maintenance or due to power shortage, the company is expected to inform the consumers the timing of load shedding through public notice in Newspapers, TV etc⁵. When there is an un-announced power failure at a consumer location or at many locations due to the failure of a distribution transformer, consumer can complain to the local office of the company or through phone to the call centre. Most distribution companies have toll free telephone numbers and Fuse Off Call offices, where one can lodge a complaint. As indicated in Table 3, the company is expected to restore consumer power supply within 4-6 hours in urban areas and 12-24 hours in rural areas if there is no serious problem. It is expected to

Table 4: Typical monthly consumption by home appliances

S.No	Appliance	Watts	Hours of operation/day	Units in a month
1	Air Conditioner 1 Tonne	1400	6	252
2	Bulb - 60 W	60	4	7
3	Bulb - 100 W	100	4	12
4	Ceiling fan	70	8	17
5	CFL bulb 11 W	11	4	1
6	CFL bulb 15 W	15	4	2
7	CFL bulb 20 W	20	4	2
8	Cooler - small	140	6	25
9	Fridge - small	200	10	60
10	Mixie - small	200	1	6
11	Tube light	50	4	6
12	TV - Colour	100	6	18
13	Water heater	2000	1	60
14	Water pump - small - 1 hp	750	9	203

5 Standards of Performance regulations of some states have the provision that load shedding details should be informed 24 hours in advance, should not last for more than 12 hours and supply should be restored before 6 PM.

rectify distribution transformer failure within a day in urban areas and 2-3 days in rural. In case supply is not restored, company is expected to pay compensation (see Table 3), based on consumer application.

Electricity theft

Electricity theft causes financial loss to the company and affects electricity supply to other consumers in the locality. As per the Electricity Act (Section 135), electricity theft includes tapping or hooking the electricity line, tampering or destroying the meter and using electricity for a purpose other than what was authorised (like commercial activity using a residential connection). As per Sections 126 and 135 of the Electricity Act, the distribution company can inspect the consumer's premises to check theft or un-authorised use and issue notice if they detect such usage. The consumer has to be present during this inspection. Based on the assessment of theft, an order will be issued to the consumer. Consumer can appeal against this order to the authority decided by the State Regulatory Commission.

In addition to departments in the company, states can set up special courts and police stations to handle electricity thefts. Defaulting consumer has to pay the fine or submit objections. Theft can also result in imprisonment up to 3 years. There can also be harassment by the company in the name of theft.

Safety and accidents

Central Electricity Authority (CEA) specifies the safety requirements for construction, operation and maintenance of electric lines. Distribution companies are expected to follow the Central Electricity Supply Measures relating to safety and electricity supply regulations (2010). This document is around 200 pages long and covers required provisions in the company (like having electricity safety officers who carry out periodic safety inspections, maintaining updated maps of electricity lines), general safety requirements (measures to ensure safety of humans, animals and property - like earthing, danger notices, location of junction boxes at home or in the street), general conditions of supply (insulation levels, test procedures) safety provisions for installations and appliances (testing insulation and earthing) and safety requirement for overhead lines and underground cables (joints, minimum clearance above ground, minimum clearance from building, clearance between conductors on a pole⁶). The Electricity Act requires that each State set up an office of the Electricity Inspector. Functions of Electricity Inspector includes enquiry into electricity accidents and carrying out safety inspections.

As per the report of the National Crime Records Bureau in the year 2013, 10,218 people died due to electric shocks and 1690 people due to fire caused by short circuit⁷. This shows that 33 people are dying in a

6 Some relevant clearances for Low Tension lines, which supply electricity to homes: Distance from the ground = 15-19 feet, distance from a building = 4 feet.

7 This is the official data from the report: Accidental Deaths and Suicides in India 2013 – National Crime Records Bureau, Ministry of Home Affairs. Actual numbers may be higher. Table available at: <http://ncrb.gov.in/ads2013/table-1.11.pdf>

day! Every State has a compensation policy for deaths of humans and animals due to electricity shock. This compensation is paid only if the accident is reported in time and it is proved that the distribution company is responsible for the accident. The annual tariff revision proposals submitted by the distribution company usually has details of fatal accidents and ex-gratia compensation. It is reported that ultimately compensation is paid only to a 10-15% of the cases and that too after lot of delay. Instances of damage to houses or appliances due to high or low voltage are also many. In such cases also, compensation is possible only if the consumer proves that the responsibility is of the distribution company.

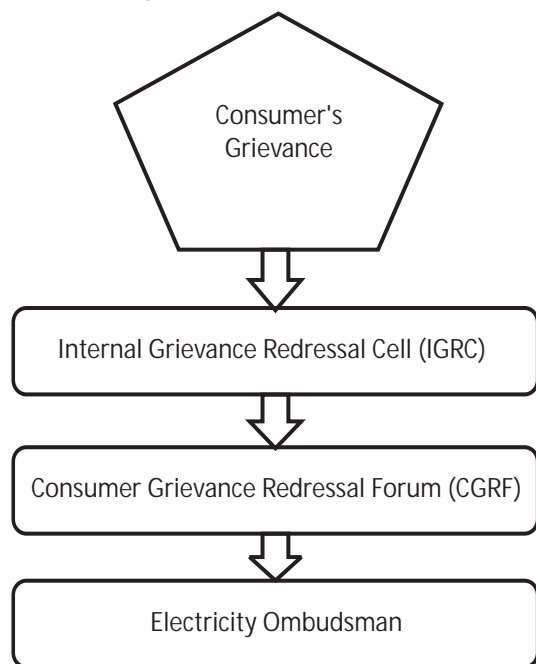
It is unfortunate that the Standards of Performance regulations currently do not cover aspects related to safety and accidents. While all efforts should be made by consumers and distribution companies to reduce and prevent electricity shock accidents, there is a need to develop a national policy to speedily pay compensation to the victims. Compensation should be an immediate gesture of humanity, as in the case of rail or road accidents. Of course speedy compensation cannot be an end in itself, but the hope is that this step will put pressure on all actors including the State Governments and distribution companies to give more attention to safety. Ideally, accidents should lead to proactive safety audits and follow up measures by the distribution company, which should reduce their occurrence. *Activists could file RTI applications or regulatory submissions to get more details about accidents like district or village-wise*

break up, details of humans and animals involved in accidents, compensation paid and check these against field information. They could request regulatory commissions to direct distribution companies to take up safety audits and report measures taken to reduce accidents.

How to Complain?

There are about 20 crore electricity consumers in the country and 80-90% of them are residential consumers⁸. It is natural that there will be many complaints about quality of supply and service. In electricity sector, the distribution companies and regulatory commissions have set up some institutions to address this. In addition to this, consumer can complain to the consumer forums set up under the Consumer Protection Act at the

Figure 2: How to Complain?



8 From the Annual report (2013-14) on the working of State power utilities, Planning Commission (2014) and Tariff submissions of distribution companies

district, state and national levels. This section outlines the complaint mechanism in the electricity sector and gives brief details of consumer forums.

Figure 2 is a schematic of the complaint mechanism in the electricity sector. It can be seen that there are 3 layers in the mechanism. Consumer has to first approach the internal grievance cell of the company. If not satisfied with its action, consumer can approach the consumer grievance forum and subsequently the electricity ombudsman.

Internal Grievance Redressal Cell (IGRC): IGRC or Consumer Service Centre is part of the distribution company and consumer can submit a complaint in a prescribed format through different channels. Complaints could be submitted through a call centre, grievance website or in writing to the local office. Typical format for giving a complaint is given in Annexure 2. It is important to obtain an acknowledgment of the complaint in the form of a docket number, or an email or on the copy of the written complaint. Every distribution company has norms on the response time for complaints, typically a few weeks.

Consumer Grievance Redressal Forum (CGRF): As per section 42 of the Electricity Act and regulations by the respective State Regulatory Commission, every distribution company is expected to set up one or many CGRFs in its area of operation. A CGRF typically has three or four members, with one member familiar with consumer affairs, appointed as per the recommendation of the regulatory commission. Consumer can approach the CGRF if the complaint to distribution company internal grievance cell has not been addressed to the satisfaction

of the consumer. The complaint should include details of the interactions with IGRC. CGRF can operate from a central office or conduct hearings at different locations. Consumer can represent her case personally or through a representative. CGRFs have norms for responding to complaints, typically 1-2 months.

Electricity Ombudsman: As specified by the Electricity Act and State regulations, each State typically has one Electricity Ombudsman, appointed by the Regulatory Commission. Consumer can approach the Electricity Ombudsman if she is not satisfied with the decision given by the CGRF. Office of the Ombudsman also has norms for responding to complaints, typically few months. If consumer is not satisfied with the order of the Ombudsman, she can approach the consumer courts or court of law.

Consumer Forums: Consumer dispute redressal agencies have been set up under the Consumer Protection Act 1986. These are quasi-judicial bodies set up by the Government at district, State and national levels - district consumer dispute redressal forum, state consumer dispute redressal commission and national consumer dispute redressal commission. Consumers can file a case against a seller at these and sellers can be fined if the forum finds deficiency in service. These are usually used for complaints on all products and services, and can be used for electricity services also. There are many consumer organisations which promote use of these forums. Since they cover a wide range of consumers and receive many complaints, usually it takes a long time for getting an order.

Effective use of complaint mechanisms:

Institutions like CGRF and Electricity Ombudsman were set up in 2004-05 and call centres a few years later. They have not been very widely used to register and redress complaints, due to low publicity and difficulties in using them. There is a need to improve the access of consumers to these institutions and make their functioning more consumer friendly. Consumers can approach the regulatory commission if the distribution company is not following the orders of CGRF or Ombudsman under Section 142 of the Electricity Act. This is happening very often in states like Maharashtra. It is also to be noted that often companies challenge CGRF or Ombudsman orders before High Courts, and though there is no stay order from the High Court, payment of compensation is deferred. It is the consumer's right to seek payment of the compensation, unless the same is explicitly stayed by the High Court. *These institutions have been operational for over a decade, but due to many reasons they are not being effectively used to address complaints, especially of the small consumer. Activists should popularise these institutions and assist consumers to make use of them.*

But it should also be realised that the problems with quality of supply and service to the consumer have their roots in broader issues with the electricity sector. For example, is there enough electricity to give supply to all? Are the connections metered? Are there proper plans for power generation, distribution system, stocking spares, and upkeep of repair vehicles as well as tools? Are there investments in the expansion and upkeep of the distribution lines and transformers? Does the electricity

company have enough funds to employ sufficient number of people (especially field staff) and to train them well, to install modern infrastructure facilities such as computerised systems to improve speed and accuracy of their operations? If attention is not paid to such issues in time, the result is poor quality of supply and service to consumers. *Addressing these issues need better planning, policy and regulatory processes. To ensure that this happens, activists and citizens will need to understand sector issues and address them at appropriate levels.* The next two sections, on use of RTI and regulatory forums cover this aspect.

3. POTENTIAL OF RTI, RTH AND PUBLIC SERVICES GUARANTEE ACTS IN ELECTRICITY

There are some provisions outside the legal framework of electricity sector, which the activist could employ to improve electricity service. The most important one is the Right to Information Act. RTI applications and the proactive disclosure provisions of RTI can help to access information from distribution companies or Regulatory Commissions that is more granular (say at village level), frequent (say monthly) and relevant from the consumer's point of view. This can in turn be used to improve service quality. Public Services Guarantee Acts of many states and Right to Hearing Act of Rajasthan are other examples.

This section covers the potential of the Right To Information Act (RTI Act 2005), State level Public Service Guarantee Acts and the Right to Hearing Act (RTH Act 2012) of Rajasthan in improving electricity services. The primary focus is on RTI, considering that it is the oldest and has a wide spread support community.

RTI Act provides a powerful tool to the activist to ensure accountability of the distribution company. All over India, there are many organisations with experience in using RTI Act in many areas like National Rural Employment Guarantee Act (NREGA) program, Public Distribution System (PDS), public expenditure, health and education. In the context of RTI Act, distribution, transmission and generation companies, regulatory commissions, ministries and central government financing organisations like Rural Electrification Corporation and Power Finance Corporation are public authorities, which come under the purview of the RTI Act. They have public information officers and appellate authority as prescribed by the Act. As for private distribution companies, RTI activists and public spirited citizens feel that they should be under the RTI Act, but the matter is now

in Courts. See Box: RTI and private distribution companies.

What is the scope of RTI Act in Electricity Sector?

In electricity sector, RTI Act has been used to get information and address issues like delay in electricity connections, compensation for erecting electricity lines over property, details of electricity accidents and making contracts or documents public. More can be done by way of wide-spread or systematic use of RTI applications and strengthening the proactive disclosure provisions.

It is to be noted that, compared to many other sectors, laws in the electricity sector have better provisions for transparency, accountability and participation. Public hearings on electricity tariff, reasoned orders of the regulatory commission which explain the basis of the order, advisory committee consisting of representatives from different interest groups, regulations on standards of performance of distribution companies and Consumer Grievance Redressal Forums with representation of consumers are some examples. Many of these provisions are part of the working of

RTI and private Distribution Companies

Litigation and debates are in progress to decide if private companies (distribution, transmission or generation) come under the purview of the RTI Act. There is a strong feeling in the RTI community that distribution companies, which provide a public service, use many public resources and in which Government often has significant shareholding, are public authorities. This has also been an election promise of some political parties in Delhi elections in February 2015. There are also some doubts if distribution franchisees come under RTI. They should, since they are like a subcontractor to the distribution company to manage the distribution business in some area of its operation. Till these disputes are settled, information provided by private companies to a public authority (like to the regulatory commission by a private distribution company or to the distribution company by a franchisee) can always be accessed using the RTI Act. In the long run, it is better if legal provisions and guidelines for PPP contracts include the requirement that private companies which provide public service are under the purview of RTI Act and CAG Audit. Those interested can read the article, "Known Unknowns of RTI - Legitimate Exemptions or Conscious Secrecy?", by Pankaj KP Shreyaskar, in the June 14, 2014 issue of the Economic & Political Weekly.

the regulatory commissions and the regulatory process offers avenues for transparency and participation. But there are also many challenges, some of which could be addressed using the provisions of the RTI Act.

The most important and popular public regulatory process is the tariff revision, which typically takes place once in a year. All the distribution companies in the State submit petitions to the State regulatory commission, consumers can file objections and public hearings are organised before the tariff order is issued. This process is an opportunity to access important data on the performance of the distribution companies and put forward suggestions (read more on this in section 4). But this process happens only once a year and often there are delays. Sometimes the company does not file the petition at all and the Commission conducts a *suo-moto* (that is on its own accord) tariff

review process. Under such circumstance there is no easy access to data. Another point is that tariff related data is aggregated at distribution company level (or in some cases at district level) and hence may not help to understand issues at a village or district level. It has been noticed that the current tariff process focuses more on distribution company's financials. Issues which are important for consumers, especially rural and small consumers are often neglected. Issues like rural electrification, load shedding, agriculture supply, compliance with standards of performance, etc. do not get sufficient coverage in the tariff proceedings.

RTI applications or the proactive disclosure provisions of RTI can help to access data that is more granular, frequent and relevant from the consumer's point of view. This can in turn be used by the consumer or the activist to improve service quality.

Annexure 2 gives the formats to file RTI applications.

There are some RTI groups and internet discussion forums, which have taken up electricity service quality issues and share such information. These cover areas like safety, accidents, material procurement, shut-down of generators during monsoons, rural electrification program implementation, hours of supply to agriculture, compensation for constructing electricity lines over farms, high electricity bills and publicising information on Standards of Performance. Such efforts have to be wide-spread with the participation of RTI groups.

But it is to be noted that the submission of an RTI application, follow up for responses, appeals to higher levels and using the reply in an effective fashion require time and efforts. Therefore, along with using RTI to obtain relevant information, it is important to work on improving the proactive disclosure by electricity companies.

Strengthening Proactive Disclosure under RTI

Section 4 of the RTI Act mandates all public authorities to proactively disclose information in a specified format through its websites or accessible publications. The state owned distribution, transmission and generation companies, regulatory commissions, funding agencies like public sector banks, Rural Electrification Corporation (REC) and Power Finance Corporation (PFC), Ministry of Power and state energy departments are public authorities who are mandated to have proactive disclosure. Citizen friendly proactive disclosure will remove most of the need for getting information through the

long process of RTI applications. But this is possible only if the information provided is relevant, up to date, easy to understand and presented with some level of analysis to help people to use it effectively. As per the section 4 (1)b of the RTI Act, disclosure is to be made under 17 headings, which cover the following subjects:

- Basic details of the organisation, duties of offices and employees
- Procedure for decision making, including rules and regulations employed
- Arrangement for public consultation for policy making and implementation
- Details of advisory committees
- Details of budget, expenditure and disbursements, including details of subsidies provided
- Details of public information officers

As per the Act, this information is to be updated once in a year. As per sections 4(1) c and d, it is required to publish all relevant facts while formulating important policies or announcing the decisions which affect public and provide reasons for its administrative or quasi-judicial decisions to affected persons. This section requires the public authority to provide updated information in an accessible form and preferably in local language. Websites of most public authorities have a section on RTI, which provide information as suggested. But they are often not up-to-date and not easy to understand. Activist could bring the deficiencies in proactive disclosure to the public information officer of the authority or the State Information Commission. They could also suggest better

formats and procedures to provide information. Annexure 3 gives a draft framework to improve the proactive disclosure of distribution companies and regulatory commissions. This was developed with inputs from RTI activists. It is organised under 8 areas, namely consumer information, supply & service quality, metering & billing, power purchase, fuel purchase, Capital and Operation & Maintenance (O&M) expenditure, State Subsidy – capital and revenue, safety and contracts & reports. This framework could be adapted to the state and the RTI Act provisions, and submissions made to the public authority or the State Information Commission.

Public Services Guarantee Act and Electricity

Starting with Madhya Pradesh in 2010, nearly 18 states have enacted Public Services Guarantee Acts⁹. Acts have different names (other names are: Right to Service, Guaranteed Delivery of Public Service etc) and scope in different states. A bill at the national level, “The Citizens Right to Grievance Redress Bill” was introduced in the Lok Sabha in 2011, but it unfortunately lapsed, since it was not passed before the 2014 Lok Sabha elections. Services provided by many public authorities (similar to those identified by the RTI Act and includes distribution companies) are covered under this Act. Complaint is to be submitted to the Grievance officers of the public authority at the local office or to a 24 x 7 call centre available in some states. If it is not

addressed to the satisfaction of the consumer, appeal can be made to a designated authority at district level. Further appeal is to the State Public Redressal Commission. The national bill proposed to set up a Central Public Redressal Commission also. At each level, there are guidelines on the time for responding to complaints and penalties for delay.

Issues like new electricity connection, modification of connection, billing and metering are covered by this Act in some states. Activist could use the provisions of this Act in the respective State to improve electricity service. It will also be good to re-start work towards a National Act and to bring synergies between these Acts, RTI and the other consumer grievance mechanisms.

Right to Hearing Act and Electricity

Rajasthan was the first (and so far only) State to pass the Rajasthan Right to Hearing Act (RTH) in 2012. As per the provisions of this Act, every Panchayat office is to have provision to accept all complaints regarding any public service from the consumer. Based on the complaint, a public hearing (*Jan Sunwai*) is planned at the district level, presided by a Public Hearing Officer, typically the Collector. Officers of all service delivery organisations (distribution company, water supply department, revenue department etc.) are expected to be present to address the complaints. For appeal by the consumer, there are First and Second Appellate authorities, and for the service delivery organisation, there is a

9 States are: Madhya Pradesh, Chhattisgarh, Uttar Pradesh, Uttarakhand, Bihar, Jharkhand, West Bengal, Odisha, Kerala, Karnataka, Himachal Pradesh, Rajasthan, Delhi, Punjab, Haryana, Jammu & Kashmir, Gujarat and Goa.

Revision Authority. There are time frames to address complaints and penalties ranging from Rs. 500 to Rs.5000 for delay.

Most consumer and community electricity complaints can be raised in this forum. This Act has been actively implemented in some districts of Rajasthan with support of people's organisations like Mazdoor Kisan Shakti Sangathan (MKSS). Hearing camps have been organised in which thousands have participated with complaints about different departments, including electricity.

Activists in Rajasthan could further strengthen the implementation of RTH and those from other states could try to organise camps using other provisions like substation committees, district committees, Electricity Consumer Grievance Forum or Public Services Guarantee Act. They could also try to introduce RTH legislations in their states.

4. ADDRESSING COMMUNITY ISSUES

Broad sector issues like policy design, planning, investment and management are the root causes for poor quality of electricity service to the consumer. Hence it is important that the community activist starts understanding and working towards addressing these sector issues, along with individual consumer complaints. From the view point of the small consumer community, areas which need focus are the annual tariff revision process of the regulatory commission, load shedding and rural electrification. It is also important to take up issues like power purchase planning, agriculture supply, safety problems and livelihood impacts due to erection of power lines. Regulatory commissions provide an opportunity to address these.

The previous sections have given an outline of the electricity sector, consumer issues and the potential of RTI. As mentioned in the conclusion of the section 2 on consumer complaints, the roots of the quality of supply & service issues are with the policy, planning, investment and management of the electricity sector. Engaging with sector actors responsible for this, especially on issues which have a bearing on quality of supply and service will have long standing impact. But this is a longer and perhaps a bit more difficult process. This section gives an outline of three major issues that have significant impact on all consumers, but more on the small consumer. These are consumer tariff revision, load shedding and rural electrification. State Electricity Regulatory Commission (SERC) plays a significant role in these issues and they also provide some opportunities for the activist to represent the interests of the small consumer. Hence SERCs are covered in some detail. We also look at the challenges in rural electrification programs, which are

funded by the Central Government and implemented by State Agencies and a few other State level issues.

What is the State Electricity Regulatory Commission?

State owned generation, transmission and distribution companies are accountable to the state legislature and thus to the public, but are regulated by the State Electricity Regulatory Commission (SERC). SERC also regulates the private companies operating in the State. The primary focus of this guide is on distribution companies and as shown in Figure 1 and Table 1, SERC has a significant role in the operation of the distribution company – whether it is private or state owned.

SERC is set up by the State Government as per the guidelines given in the Electricity Act 2003. It usually consists of a Chairperson, two Members, Secretary and around 10-20 staff¹⁰. Once appointed, it has some level of independence from the State Government

10 As per the Electricity Act, SERC is to have maximum 3 members, including the chairperson. Some SERCs do function with less than 3 members

with a legal mandate, budget allocation, and assured tenure for members etc.¹¹. It is a quasi-judicial body, which means that it has some legal powers in electricity sector, but is not a court which can deal with any subject¹². As per the Electricity Act, SERC is like a civil court and appeals against decisions of SERC have to be made to the High Court in a writ petition or to the Appellate Tribunal for Electricity. SERC functions as per the provisions in the Electricity Act and the regulations prepared by it. There are many provisions promoting transparency and participation in the proceedings of SERC. This includes mandatory public consultations for tariff determination, granting license to distribution company, preparing regulations etc. All proceedings of SERC are open to the public and anyone can make a submission or make a presentation, as per the given procedures. Public can inspect records available with the SERC. SERC has an advisory committee consisting of sector and civil society actors which can give inputs to the commission regarding various issues. All orders of SERC are 'reasoned orders', capturing diverse viewpoints presented during the proceedings, the logic of arriving at a decision and elaboration of the decision. Some SERCs publish regulations and orders in local languages and have the provision of a consumer advocate, who is expected to represent interests of the consumer in regulatory proceedings.

SERC issues license to all distribution companies and has the mandate to check if these companies follow the license conditions and other rules formulated by the Government. It can penalise the company or revoke the license if there is any violation. It prepares many regulations (like tariff, conditions of supply, Standards of Performance, Consumer Grievance Redressal Forum, renewable energy promotion etc.), which the distribution company has to follow. It has to approve all power purchase contracts and major investments of the distribution company. In its annual tariff hearing process, it decides the tariff that the distribution company can charge the consumers. In some states (eg. Maharashtra), SERC has played a major role in preparing a transparent procedure for load shedding.

Tariff revision

The annual exercise of SERC to fix the consumer tariff of distribution companies is the most important and well known regulatory process. This process typically takes 3-4 months, ideally beginning in November, with the distribution companies submitting a tariff proposal and concluding with the SERC issuing the tariff order in March. All states may not follow this schedule all the time, but most carry out tariff revision once a year.

Table 4 gives a schematic of the process. The proposal submitted by the company has

11 In addition to the role of State Governments in appointments of SERC members and providing budgetary support, the State Government can give directions to the SERC in matters of policy involving public interest and the annual report of SERC is to be sent to the Government to be tabled in the State assembly.

12 Examples of other quasi-judicial bodies are: State Human Rights Commission, State Information Commission and State Consumer Disputes Redressal Commission

Table 4: Tariff revision process by the Distribution Company

Step	Name	Details	Typical date
1	Tariff proposal by the Company	Details of cost and performance (both past and projection for next year), Compliance with the regulations and directives issued in previous orders, Proposed tariff structure	November
2	Scrutiny by the SERC	Procedure compliance, consistency and completeness	December
3	Technical validation session	Present in Maharashtra, with participation of consumer representatives Check consistency and adequacy of data, demand additional data	December
4	Public notice and inviting comments on the application	Notice in Newspapers, availability of application in the offices of SERC and company as well as website, summary in local language	January
5	Public hearings organised by SERC	At multiple locations in some states SERC hears comments from all those who have submitted and also response from company	February
6	Tariff order by SERC	SERC issues order based on company proposal, comments from the public, company response to comments, inputs on subsidy support by the State Government and its analysis regarding the company's financial and operational performance. The order can also issue specific directives, mandate undertaking of specific studies, surveys, etc.	March

details of the cost incurred in different activities, compliance with performance norms specified in the tariff regulations or previous orders (eg. distribution loss reduction target, metering of feeders and distribution transformers, etc.), expected revenue from consumers and proposal for tariff revision. This proposal is examined by the SERC and if there are any comments, the proposal is revised. In some states (like Maharashtra), there is a technical validation step, when a few consumer groups are involved in discussing the proposal¹³. Once this feedback is incorporated, the proposals are made public (on the website and in print form) and notices issued in newspapers

inviting petitions with comments. Activists can submit petitions to the SERC using the formats given in Annexure 2. SERC then organises public hearings, where all those who have submitted petitions can make presentations. SERC is expected to take feedback from these hearings, incorporate inputs from the State Government (like subsidy and suggestions on low tariff for some sections of consumers) and suggestions by the Advisory Committee before issuing the final order. This process may be held separately for all distribution companies in the state, though usually it is simultaneously held for all state owned distribution companies.

¹³ In some other states, a consumer counsel or consumer advocate appointed by the SERC reviews the tariff proposal and gives suggestions or makes presentation during the public hearing

Tariff public hearing draws a lot of attention in many states and it is important that activists participate in this to represent issues of the small consumers. They could raise issues like rural electrification, poor quality of supply & service, lack of compliance with standards of performance, high losses of the distribution company or theft, mistakes in estimation of electricity consumption by consumers who are not metered (agriculture, small households etc.), low tariff for small consumers etc. To do this, it is required to study the tariff proposals of the distribution company, especially paying attention to the costs¹⁴, performance parameters (such as losses, metering, collection efficiency), investment plans, reports on service quality, directions given by the SERC to the distribution company in previous orders, tariff proposal for different categories of consumers etc. Field information based on surveys on rural electrification, load shedding electricity accidents or consumer complaints could also be used to make submissions.

Load shedding

Since electricity shortage is not going to disappear soon, load shedding is likely to continue for some time to come. It is essential that there is transparency, fairness and predictability in load shedding, so that there is fairness in sharing the shortage. This can be achieved through public consultative processes initiated by State Electricity Regulatory Commissions (SERCs)

to design and monitor load shedding, as has been done in some states.

As long as there are shortages, it is only fair that all should participate in deciding how they should be shared. The current practice of distribution companies preparing load shedding schedules based on broad policy directions of the State Government has many shortcomings. Public consultations are not held to understand the views of different categories of consumers. Many sudden changes are made in announced schedules. There is no proper monitoring to check whether load shedding is carried out as per the announced schedules. There are no incentives/disincentives to consumers based on end use practices (theft, use of energy efficient devices, timely bill payment, etc.). These issues create problems for all consumers. But typically, the rural and the poor who are never consulted, are the worst affected, since most of them depend on electricity for livelihood income.

Load shedding is a topic of heated debate in the media and annual tariff public hearings. Some SERCs like Maharashtra, Odisha, Uttarakhand, Tamil Nadu and Andhra Pradesh have in the past initiated separate regulatory processes on load shedding. This includes consultation papers, load relief regulations (mainly for industry consumers), public hearings and directives to distribution companies. In Maharashtra, the load shedding protocol was debated in public hearings held by the Maharashtra

14 For the distribution company, cost of purchasing power is the main cost. Typically this is around 75-80% of the total cost. Approximate figures for remaining cost components are: operation & maintenance including employee costs (7-8%), capital expenditure (6-7%) and taxes (6-7%). Therefore it is useful to pay maximum attention to reducing power purchase costs so that tariff can be reduced.

State Electricity Regulatory Commission (MERC) since 2005. After detailed public deliberations, the MERC has stipulated 'Principles and Protocols for Load Shedding'. As per this, load shedding is decided based on the area and the levels of electricity loss in that area. Distribution companies are expected to widely publicise the load shedding schedule and publish the actual power flow on all distribution feeders, so that all can check if the declared load shedding is followed. This has brought better predictability and transparency in load shedding.

Activists could try to initiate similar procedures through the SERCs, after collecting information on load shedding experienced by different categories of consumers in different areas. Agriculture is usually the worst affected especially since they are promised supply only for 7-9 hours and this promise is often not kept. It is important to monitor the actual hours of supply to help the farmer and also to form a better estimate of consumption by agriculture pumpsets. This is important since most agriculture pumpsets are not metered and there have been complaints that the distribution company is reporting high estimate of agriculture consumption with a view to project low losses and claim higher subsidy from the State Government. Load shedding information could be captured using manual recording of power cuts through surveys, RTI queries on feeder metering data or initiatives like the

Electricity Supply Monitoring Initiative of Prayas¹⁵.

Rural electrification

The benefits of rural electrification are well known. Giving electricity connection to all those who demand it and providing quality electricity supply can improve quality of life. Electricity in homes for lighting, fans, mobile phone charging, TV and appliances improves the quality of life, helps students to study and in cooking. Electricity for street lighting, drinking water supply, health centres etc. improve safety, health and hygiene. Electricity for shops, workshops, *chakkis*, irrigation pumpsets, handicraft machinery etc. increases the income of families. There was high focus on rural electrification in the decades after independence, especially to support irrigation pumpsets, but this pace slowed down during the electricity sector reforms which began in mid-1990's. Interest and resource allocation for rural electrification picked up again in 2005, with the launching of Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY), the massive national rural electrification program. RGGVY has been absorbed into Deendayal Upadhyaya Gram Jyoti Yojana (DDUGJY) in 2014. Details of this program are given below.

Rural electrification program

RGGVY program (recently modified and renamed as Deendayal Upadhyaya Gram Jyoti Yojana – DDUGJY) was launched by the central Government in 2005. The aims of

15 Electricity Supply Monitoring Initiative of Prayas has a device installed at consumer location, which sends information on power availability to a central computer over mobile network. Such devices have been currently installed at around 100 locations all over India and recorded information can be accessed at www.watchyourpower.org. It is planned to increase the number of devices across the country and activists are welcome to join this initiative.

RGGVY were to construct at least one substation in all blocks, electrify all villages (as per the definition given later in this section) and give free connections to all BPL (Below Poverty Line) households. Central Government gives 90% of the project cost as subsidy and State Governments are to put in the remaining 10%. From 2005 to 2012, nearly one lakh non-electrified villages were connected to the grid (resulting in 94% village electrification) and two crore rural BPL homes were given free connection, by spending about Rs. 29,000 crores.

In 2014, a modified program DDUGJY was launched, which includes the scope of RGGVY. As of now, the plan is that this DDUGJY will continue till 2022 and the estimated cost for the period 2012 to 2022 is Rs. 39,000 crores.

In addition to rural electrification, the modified program DDUGJY has two more components. First is the separation of agriculture and rural feeders (similar to what has been done in Gujarat) and second is the augmentation of rural distribution and transmission. These are also to be completed by 2022 at an estimated cost of Rs. 43,000 crores, out of which 75% will be given by the Central Government as subsidy. All distribution companies, including private companies are eligible for subsidy and financing support. In case of private distribution companies supplying to rural areas (as was in Odisha¹⁶), a State Government agency will implement the project and hand it over to the company for operation. The main actors and their roles in

this program are briefly given below.

1. District Vigilance and Monitoring Committee: As per the Electricity Act (section 166), State Government is to set up district committee to monitor electrification, quality of supply and energy efficiency. Subsequently in 2013, based on a request by the Ministry of Power, Ministry of Rural Development had expanded the scope of District Vigilance and Monitoring Committees, set up by State Government to include review of rural electrification. This committee has a Member of Parliament as the chair, district collector/magistrate/ deputy commissioner as the Member-Secretary and has MPs, MLAs, Zilla Panchayat, Gram Panchayat, NGOs, Bankers etc. as members. In April 2015 the Central Government has requested all State Governments to set up District Electricity Committee. The senior most Member of Parliament (MP) is to be the Chair and members are other MPs, District Collector (Convenor), District Panchayat President, MLAs of the District, Senior representatives from Central Public Sector and Chief Engineer/Superintending Engineer (Member Secretary).

2. Project implementing agency: This could be distribution companies or central sector electricity companies like NTPC, POWERGRID, NHPC. They are to prepare district wise rural electrification project proposals (called the DPR) and submit to state level standing committee for approval. Once the project is approved, implementation is to be carried out in two years. Identified villages/habitations with

16 Till recently, 3 of the 4 distribution companies were private, managed by Reliance. After lot of debates and discussions, in March 2015, the Odisha Regulatory Commission has cancelled the license of all the 3 private distribution companies.

population of more than 100 are to be electrified as per the current definition of electrification (see Box: - Definition of Village Electrification) and all BPL and SC/ST households given free connection with meter, main switch and one light (CFL or LED). The connected load for a BPL household is 250W and for an APL household it is 500W. The cost estimate for providing connection to a household is Rs 3000.

3. State level standing committee: This is chaired by Chief Secretary with representatives from energy, finance, revenue, rural development, Panchayati Raj, forest departments and REC. They have to identify project implementation agencies for the State, approve project proposals and forward it to REC and monitor progress of projects.

4. Rural Electrification Corporation (REC): REC is the nodal agency for this program. Its head office is in Delhi and it has many regional offices. REC prepares guidelines for preparing project proposals and bidding, technical specification for rural electrification, quality control and inspection procedures, agreements with State Governments, implementation agencies and distribution companies. It approves proposals and forwards them to monitoring committee. It also monitors project implementation and fund release.

5. Monitoring Committee: This has Secretary – Ministry of Power as the chairperson, with representatives from Ministry of expenditure, rural development, Panchayati Raj, New & Renewable Energy and Planning Commission. Monitoring Committee approves project proposals,

Definition of village electrification

As per the Ministry of Power, a village is declared as electrified, if:

1. Basic infrastructure such as Distribution Transformer and Distribution lines are provided in the inhabited locality as well as the Dalit Basti hamlet where it exists
2. Electricity is provided to public places like Schools, Panchayat Office, Health Centres, Dispensaries, Community centres etc.
3. The number of households electrified is at least 10% of the total number of households in the village.

There was a condition that the Gram Panchayat should certify that the village is electrified as per the definition on a periodic basis (clause 5.2 of Rural Electrification Policy, 2006), but this is not mentioned currently at the website of RGGVY (http://www.rggvy.gov.in/rggvy/rggvportal/def_elect_vill.htm). Initially there was a condition in RGGVY that rural franchisees have to be set up to complete village electrification. This condition has now been removed.

Please note that the definition for village electrification does not require all households to be having electricity connections, there is no criteria for hours of supply and no clear indication on monitoring the conditions.

guidelines, price benchmarks and monitors projects.

From the details given, it can be seen that DDUGJY involves significant investments to improve rural electricity system. It also has mechanisms for monitoring and review at multiple levels. These programs are operational in all states, but maximum numbers of projects are in states with low levels of household electrification. The actual implementation of the project is carried out by contractors who work for the implementation agencies. Their work of construction of electricity lines, transformers and giving connections can be checked against the project proposal.

The activist could collect District Project Report (DPR) from the website or by using RTI application with the distribution company or REC. The website of DDUGJY (www.rggvy.in) has reports on implementation status reports at State, district and village levels, State-wise disbursement of funds and distribution company-wise hours of supply. Reported status can be checked against ground situation. Field surveys could be conducted to understand issues related to electricity connection to BPL and SC/ST homes- whether connection was given free, meters and lights were installed, correct bills were issued and if hours of supply are at least 6-8 hours. Progress in connections to APL consumers and agriculture pumpsets and availability of electricity to public facilities can also be checked. Observations from these surveys can be reported to the distribution company, Gram Panchayat, public representatives, District Committee, State Monitoring Committee, State Electricity Regulatory Commission or REC.

Other community issues

In addition to tariff, load shedding and rural electrification, there are other issues which also have major impact on the community. Some examples are power purchase planning, subsidy allocation and disbursement by the State Government, handing over distribution to franchisee and policies on compensation for land use for power lines and compensation for accidents.

Activist can study these and give suggestions to the SERC and the State Government. The regulatory powers of the SERC are wide, enabling it to act on almost all aspects of distribution and generation companies. Activists and consumer organisations can file separate petitions to raise important issues. Filing such petitions with SERC is not very costly or difficult, but may need lot of follow-up and patience. Legal assistance would certainly help, though not necessary.

As mentioned in the section on Tariff revision, power purchase forms 75-80% of the distribution company and any optimisation on this can reduce tariff. The distribution companies should plan power purchase well in advance so that maximum power is purchased from cheaper generating stations based on long term contracts. Planning is very often short term and ad-hoc, resulting in high costs in power purchase or load shedding. *Activist can ask for a breakup of power purchase from different sources and suggest reduction of high-cost power purchase.*

Many states announce low tariff for some classes of consumers like irrigation pumpsets, cottage industry etc. State Government provides subsidy to the

distribution company to compensate for this. In some states like Odisha, there is no subsidy provided by the State Government, making it difficult for distribution company to give low tariff. In many states, subsidy is announced but not paid in time, making it difficult for the company to ensure low tariffs. Providing low tariff to small consumers is not only a gesture towards social justice but also an economic investment to catalyse development.

Activist can demand adequate and timely subsidy planning and disbursement by the State Government.

Land owners are supposed to get compensation for land used for electricity lines (for the land used for tower construction and for the land under the lines) and substations. These are governed by the Electricity Act, 2003 and Works of licensee rules, 2006 prepared by the Ministry of Power. As per these, consent of the land owner is to be taken and compensation negotiated directly with the owner. If the land owner does not agree, then the District Magistrate (or Police commissioner or officer assigned by the State Government) has to be approached, who can fix the compensation as annual rent or fixed amount or both. Farmer organisations and RTI groups report cases where permission is not taken and the compensation is denied. There have been many cases in High Courts and ATE on this issue, but no satisfactory arrangement has evolved. *Activist could enquire about such cases and take them up with the SERC, State Government and public representatives, so that land owners get a fair compensation.*

Deaths and losses due to electricity accidents were mentioned in section 2. Due

to many complications in the procedure, proper compensation is paid in very few cases. Unfortunately the Standards of Performance regulations of the distribution company do not include accidents. *Activists could work with State Government and regulator to make the procedures simpler, hike the amount of compensation and ask the distribution companies to carry out safety audit in rural areas and slums. All these would help to reduce accidents.*

It is also important that interests of consumers who are marginalised (due to caste, income, gender, location etc) are represented in different forums. As an example, understanding the gender aspects of electricity service is important. Quality electricity supply has higher impact on the well-being and income of women. This could be due to lighting & appliance use while cooking, safety due to street lights, drinking water supply schemes, *Anganwadis* etc. It is important to give special attention to understand these aspects and represent them in forums like Consumer Grievance Forums, District Committees, Regulatory Commissions etc. A first step could be to increase the representation of women in these bodies. *Activist could conduct field surveys to understand issues of women and represent them in these forums.*

Rural distribution franchisees were to be set up as part of rural electrification program from 2005 to carry out all or part functions of the distribution company, but this experiment has had limited success. These have been discontinued in the current rural electrification program. Franchisees are also being set up in a few towns. The distribution company selects the franchisee based on a tendering process and has a contract with

the franchisee. It specifies the roles and responsibilities of the franchisee. All regulations and orders of the regulatory commission are applicable to the franchisee. *Activist can monitor contract awarding and check contract terms to ensure that it is fair and transparent. They can also monitor the performance of the franchisee against the contract terms and bring any differences to the notice of the company and regulator. Independent field surveys can be conducted to check if franchisee's claims on loss reduction and improvement in service are valid.*

An important community issue is electricity supply to agriculture, a very crucial service for rural areas. With low tariffs and revenue collection (many agriculture pumps do not have meters), distribution companies neglect agriculture power supply leading to poor quality of supply. The hours of supply

are typically 7-9 hours, and that too mostly during night. There are many outages during these assured supply hours. There are frequent failures of motors and distribution transformers, adding to the burden of farmers. Annexure 4 gives some more details on this complex issue. *In the area of electricity, activist could collect information on the actual hours of supply given to the pumpset as against the committed schedule, encourage farmers to optimise water and electricity use, request distribution companies to conduct regular substation level meetings with the participation of farmers and raise the concerns of the farmers in all available platforms. It is also important to monitor the progress of programs like feeder separation, High Voltage Distribution System (HVDS) and solar pumpsets which have the objective of improving power supply to the farmer.*

5. WAY FORWARD

The objective of this guide is to help the activist to improve the quality of electricity service, especially to rural small consumers. It has introduced the electricity sector giving an outline of the major laws, policies and actors, with higher attention to State level actors. A brief outline of the common consumer complaints and opportunities to address them has been given. The potential of laws and institutions outside the electricity sector – such as the RTI Act, Public Services Guarantee Act and Right to Hearing – in electricity sector has been explored. Methods to raise community issues like tariff, load shedding and rural electrification, in regulatory public hearings

have also been covered.

Can the activist expect some results based on such efforts? Experiences from different states show that the answer is YES. Few examples in tariff concessions, load shedding, rural electrification and complaint handling are given in the Box: "A few stories of success".

Before we conclude, a consolidated summary of major action ideas mentioned in different sections of this guide is given below.

- Assist the consumers in addressing complaints in getting a connection, high

Few stories of success

In the past few years, consumer groups, community organisations and individuals have engaged with the electricity sector in states like Maharashtra, Andhra Pradesh, Karnataka, Rajasthan and Odisha with some success. This includes tariff concessions, better load shedding practice, rural electrification and complaint handling. These have been through regulatory public hearings, use of RTI and representations to Government. We present a few of them which we have come across.

Tariff concessions for BPL consumers: Many states do have a separate category for small, residential consumers (based on low consumption, typically 30 or 50 units/month) with a tariff equal to 30-50% of the cost of supply. In most states, these consumers are poor and account for 60-70% of the total domestic consumers. There are many issues in the implementation of low tariff, which result in the poor having to pay incorrect and unaffordable bills. Sometimes if the consumption exceeds 30 units in a month, consumer is removed from this category and then it is not easy to return to it. In many states, there is a fixed charge of Rs. 15-20/month to be paid even if there is no consumption. Based on regulatory submissions and suggestions, in Maharashtra and Chhattisgarh, the criterion for BPL category was fixed as consumption of 360 units/year as opposed to 30 units/month. This small change has helped many BPL consumers, since an occasional higher consumption in a month (due to a festival or a billing mistake) does not deny them low tariff. Suggestion for removing fixed charges has been taken up by a few states. There are also examples for other small consumers (small shops, cottage industry, community water supply schemes etc) demanding low tariff in public hearings and succeeding.

Load shedding: As long as there are shortages, it is only fair that all should participate in deciding how they should be shared. In Maharashtra, due to the efforts of many organisations, distribution companies prepared load shedding plans and regulatory commission held public hearings on load shedding at multiple locations. Based on these, a load shedding protocol was decided and implemented by the company. To help consumers monitor the implementation, meter readings on all feeders were made available on the website of the company. This measure has increased transparency, predictability and fairness in load shedding.

RTI applications have been made to get information on the actual hours of supply to agriculture pumpsets and their consumption. The replies have been used to challenge the claims of longer hours of supply and higher consumption.

Akshay Prakash Yojana implemented in Maharashtra a few years ago is another example. It attempted to regulate power use through consumer-utility partnerships. Villagers were asked to regulate electricity use during peak hours, using it only for residential lighting during these times. Electricity used for agricultural pumps, flour mills, lights required in schools etc. was scheduled for use only during the non-peak hours. Theft was also checked and people were asked to give up appliances consuming extremely high amounts of electricity, like hot plates, heaters etc. The demand in these villages dropped, sometimes by as much as 50-70%. In return they were given 22 hours of assured electric supply in a day. This scheme had been implemented in 4,611 villages and according to Maharashtra distribution company figures, had reduced the peak demand by 960 MW. After sometime, unfortunately, this scheme had to be discontinued due to many reasons.

Rural electrification: Organisations in many states have used RTI applications to obtain details of rural electrification programs towards ensuring that their households are covered and the committed work is carried out by the contractors. Right to Hearing '*Jan sunwais*' have been used in Rajasthan to raise complaints like high bills, lack of supply of CFLs, lack of electricity supply to new connections etc.

Complaint handling: Organisations have used RTI and representations to distribution company to improve the functioning of Consumer Grievance Redressal Forums (CGRF). This included ensuring that the CGRF is set up by the company, consumer representative is appointed as a member and CGRF holds sitting in different locations to hear complaints. Some organisations have held public meetings with company officials and public representatives to speed up redressal of complaints. RTI applications in Maharashtra have helped to improve the display of Standards of Performance in distribution company notice boards across the State.

bills, power cuts and accidents by studying the State specific procedures and using organisations like Internal Grievance Cell of company, Consumer Grievance Forum and Electricity Ombudsman. Consumer Courts also could be used. High bills could be checked against the expected electricity consumption using Table 4

- Ask distribution company to give publicity to Standards of Performance and grievance redressal forum through display on notice boards and electricity bills. Encourage consumers to use the grievance forum.
- Use provisions of RTI Act to ensure accountability of the distribution company and franchisees. Use RTI submissions to access data that is more granular, frequent and relevant from the consumers' point of view. Highlight the deficiencies in proactive disclosure to the public information officer of the authority or the State Information Commission. Suggest better formats and procedures to provide information under pro-active disclosure.
- Use the Public Grievances Act, present in some states to attend to electricity service complaints. It will also be good to re-start work towards a national Act and bring synergies between these Acts, RTI and the other consumer grievance mechanisms.
- Activists in Rajasthan could further strengthen the implementation of Right to Hearing Act and those from other states could try to organise grievance camps using other provisions like substation committees, district committees, Electricity Consumer Grievance Forum or Public Services Guarantee Act. They could also try to introduce RTH legislations in their states.

• Study the annual tariff proposals, submit comments and participate in SERC public hearings to represent issues of the small consumer, like tariff, load shedding and rural electrification. Demand public hearings on load shedding and publication of feeder level data as was done in Maharashtra.

Issues like power purchase planning and compensation for accidents can also be raised. Use RTI applications and field surveys to gather data and present those in public hearings

• On rural electrification, follow the website of DDUGJY (www.rggvy.gov.in) to monitor district level projects, status of electrification up to village level and inspection reports. Organise field surveys to understand the issues in getting connection, bills and hours of power supply. If possible, participate in the Electricity Supply Monitoring Initiative of Prayas to monitor quality of power supply. Follow meetings of district committees and State standing committees, which are expected to monitor progress. Raise issues on quality of construction, connection and power supply with distribution company, regulatory commission and public representatives.

• Study cases where land has been acquired for setting up electricity lines without permission of the owner or where compensation has not been paid. Raise such cases in SERC and with public representatives.

• Understand issues in electricity service which specifically impact the marginalised like scheduled caste/tribe or women and raise them in different forums. Work to increase the representation of scheduled caste/tribe or women in district committees, SERC advisory committee,

Consumer Grievance Redressal Forum etc.

Finally, as stated in the introduction, this guide provides a broad picture and has to be customised to the context of the particular state where the activist is working. This would require studying the relevant state laws, policies and regulations. It is also important to keep track of changes

or amendments and regulations and work with other groups engaging with electricity. But there is a lot common across states, and this guide will provide a good starting point. We hope that this guide will help community activists to feel confident to take up electricity service issues of the small consumers, especially in rural areas.

Annexure 1: Typical Electricity Bill

[illegible]

- 1 Local office address
- 2 Consumer details
- 3 Consumer category
- 4 Connected load
- 5 Units consumed
- 6 Meter reading/status
- 7 Photo of meter
- 8 Units consumed in the past months
- 9 Complaint phone number
- 10 Contact details for IGRC
- 11 CGRF contact details
- 12 Bill period
- 13 Bill amount
- 14 To be paid by
- 15 Fixed charge
- 16 Energy charge
- 17 Electricity Duty
- 18 Fuel adjustment charge
- 19 Arrears
- 20 Security deposit

Note : This is a sample bill and bills vary across states.

Annexure 2: Application formats

This Annexure gives typical formats for consumer complaints, RTI applications and petitions on tariff to the regulatory commission. The exact formats vary from state to state and we feel that these formats could be simpler. These will help the activist to make a beginning. Text given in italics in brackets is notes.

Complaint to Internal Grievance Cell of the DISCOM

Date:

From:

Name:

Address:

To:

Executive Engineer

Internal Grievance Redressal Cell

(Circle Name)

(DISCOM name)

Dear Sir,

Subject: *(Nature of complaint)*

Consumer Related Information *(You can find this on your electricity bill)*

Consumer No. _____ Name of Division office _____

Circle Office: _____ Zone _____

Grievance Related Information

(Explain the grievance, attach copies of any relevant documents. Give any information regarding the relevant communication on the complaint with local office or with billing centre)

DECLARATION

I, *(Name)*, the consumer declare that: (i) the information furnished herein above is true and correct; and (ii) I have not concealed or misrepresented any fact stated herein above and the documents submitted herewith.

Yours faithfully

(Signature)

If you wish, you can nominate someone to represent you. In this case you need to submit a nomination form.

NOMINATION

I, the above named consumer hereby nominate Shri/Smt....., who is not an Advocate and whose address is, as my representative in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me. He/She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Consumer)

Application to Consumer Grievance Redressal Forum

Date:

To:

Consumer Grievance Redressal Forum

(Name of the DISCOM and address of the Forum). *This is typically available on the electricity bill, DISCOM website or notice boards*

From:

Name of the consumer:

Full address:

Type of connection and Consumer No: *(Available on the electricity bill)*

Distribution Licensee name: *(Available on the bill)*

Details of complaint

(Give a brief description of the grievance)

Details of previous communication on this complaint

(Give date of complaint to local office, Internal Grievance Forum, their response etc.)

Relief sought from the Forum

(Describe what you are requesting the Forum)

List of documents enclosed

(Give a list and enclose copies of documents, like copy of complaint to internal grievance cell, their reply etc)

DECLARATION

I, *(Name)*, the consumer herein declare that: (i) the information furnished herein above is true and correct; and (ii) I have not concealed or misrepresented any fact stated herein above and the documents submitted herewith.

The present complaint has been intimated to the distribution company on *(date)* and I am not satisfied by the remedy/ no remedy was provided *(choose whichever is not applicable)* within the period of two months from the date of original intimation.

I have not submitted a complaint on the same issue to the Forum and no settlement on the same complaint has been done by the Forum. It is also not pending in any other Forums or Courts.

Yours faithfully

(Signature)

(Consumer's name in block letter)

NOMINATION *(If you are nominating someone to represent you)*

I, *(name)* the consumer hereby nominate Shri/Smt....., who is not an Advocate and whose address is, as my representative in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me. He/She has signed below in my presence.

ACCEPTED

(Signature of Representative)

(Signature of Consumer)

(Format for application to the Electricity Ombudsman is quite similar to this. Address should be that of the Ombudsman and details of the complaint to the Forum should also be mentioned)

RTI Application Format

To,

The Public information Officer,

(Name of the Office with Address)

Subject: Application for obtaining information under the Right To Information Act, 2005

(1) Full name of applicant:

(2) Address:

(3) Particulars of the information required

(i) Subject matter of Information:

(ii) The period to which the information relates:.

(iii) Description of the information required: (in 150 words)

(iv) Whether the information is required by post or in person:

(the actual postal charges shall be included in additional fees)

(v) In case by post:

(Ordinary, Registered or Speed Post)

(4) Whether the applicant is below poverty line:

(If yes, attach the photocopy of the proof there of.)

Place:

Date: *Signature of applicant*

Note: Pay Rs. 10 by cash or by Pay order. For some State Government bodies you can also affix a 10 rupee Court Fee stamp on the application as application fee. For Central Government bodies the most convenient way paying the application fee is by an Indian Postal Order in the name of 'Accounts Officer, (name of organization)

RTI Appeal Format

From

(Appellant's name and address)

To: First Appellate Authority

Subject: Appeal under Section 19 (1) of the Right To Information Act 2005

1. Full name of the Appellant:
2. Address:
3. Particulars of the State Public Information Officer:
4. Date of receipt of the order appealed against:
5. Last date for filing the appeal:
6. The grounds for appeal:
7. Particulars of information-
 - a.) Nature and subject matter of the information required: .
 - b.) Name of the office or department to which the information relates: .

Place:

Date:

Signature of appellant

Enclosed: Copy of RTI application of with proof of receipt by PIO.

Fee of 20 by way of court fee stamp or postal order as applicable. No fee for appeals in the Central Government bodies.

Regulatory Tariff hearing – format for submitting petition

You can file a petition to the SERC, giving comments on the tariff proposal submitted by the DISCOM to the SERC. You can get a copy of this proposal from the website of SERC or from the offices of SERC/DISCOM. The exact format of the petition, requirement of affidavit and number of copies to be submitted varies from state to state. This will be available in the Conduct of Business Regulations of the SERC. Fee is charged for some regulatory submissions, but there is no fee for objections filed for tariff proposals. Details will be available in the SERC regulation on fees. Typical format for tariff petition is given below. It has 3 parts – cover page, affidavit and petition. Text given in brackets in italics is notes.

1. Cover Page

BEFORE THE *(Give the name of the SERC)*

(Address of SERC)

Case No: *(Find this from the petition that the DISCOM has made to the SERC)*

File No: *(This will be filled by the SERC office)*

IN THE MATTER OF

(Few sentences or bullet list of items giving the summary of the petition)

Name and full address of the petitioner:

(Give name and address of the organisation if you are filing on behalf of the organisation or your name and address if you are filing on your behalf)

Represented by:

(Give your name if you are filing the petition on behalf of an organisation, else leave it blank)

and

Name and address of the Respondents:

Chairman and Managing Director

(Give the name and address of the distribution company)

2. Affidavit

(Format varies from state to state. Some states require the affidavit to be notarised.)

BEFORE THE *(Give the name of the SERC)*

(Address of SERC)

Case No: *(Find this from the petition that the DISCOM has made to the SERC)*

File No: *(This will be filled by the SERC office)*

IN THE MATTER OF

(Few sentences or bullet list of items giving the summary of the petition)

AFFIDAVIT VERIFYING THE PETITION

I, *(Your name)*, son of *(Your father's name)* do hereby solemnly affirm and state as under:

I. *(This point is needed if you are filing the petition on behalf of an organisation)* I am the authorised representative of *(name of the organisation)*, the petitioner in the above matter and am duly authorised by the said applicant to make this petition on its behalf.

II. The statements made in the paragraphs of the accompanying petition are true to my knowledge, derived from the filing of the tariff petition by the DISCOMs and the material gathered by us and made available to me and are based on information and advice received which I believe to be true and correct.

Solemnly affirm

(Signature)

Deponent

(Date)

(Notary sign and seal if needed)

(Place)

3. Petition

BEFORE THE *(Give the name of the SERC)*

(Address of SERC)

(Give your full petition. In the end, give a summary of your requests to the commission, including a request to be given an opportunity to be heard in person, so that you will be invited to present the petition in the public hearing.)

Annexure 3: Pro-active Disclosure

The distribution companies (DISCOM) and State Electricity Regulatory Commissions (SERC) already provide lot of information on their websites under RTI proactive disclosure and other headings. Our suggestion is to organise and improve this facility. When this is done, RTI proactive disclosure section will become the single window for key information that a citizen or a civil society analyst needs for monitoring and engaging with an authority. Need for separate RTI application to obtain information will be minimal. Information could be given in the RTI section itself or links to sources could be provided. Information should be up-to-date, with date of update and it will be useful to have archives for past few years (say 3).

RTI Act Sections 4 (1) b, c and d, which cover proactive disclosure are reproduced below.

4 (1) b: Publish the following:

- (i) the particulars of its organisation, functions and duties;
- (ii) the powers and duties of its officers and employees;
- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
- (iv) the norms set by it for the discharge of its functions;
- (v) the rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions;
- (vi) a statement of the categories of documents that are held by it or under its control;
- (vii) the particulars of any arrangement that exists for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof;
- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public, or the minutes of such meetings are accessible for public;
- (ix) a directory of its officers and employees;
- (x) the monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations;
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (xii) the manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes;

- (xiii) particulars of recipients of concessions, permits or authorisations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (xv) the particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;
- (xvi) the names, designations and other particulars of the Public Information Officers;
- (xvii) such other information as may be prescribed; and thereafter update these publications every year;

4 (1) c: publish all relevant facts while formulating important policies or announcing the decisions which affect public

4 (1) d: provide reasons for its administrative or quasi-judicial decisions to affected persons.

Activist can first check if complete and up-to-date information is provided under proactive disclosure and use the information for representation.

This note provides a framework to improve proactive disclosure section by public authorities in a State electricity sector, with primary focus on distribution and regulation. The objective of this framework is to enrich the information already provided under pro-active disclosure (like contact information, some reports etc). This is organised in nine areas and under each area, information required is mentioned with brief description and relevant authority. Public authorities covered include distribution companies (DISCOM), State Electricity Regulatory Commissions (SERC), Generation Company (GENCO) and Electricity Inspector. For giving suggestions on improving the proactive disclosure to the information officer of the authority or the State Information Commission (as provided in section 18 of the RTI Act), it is necessary to select the relevant items and include them in one or more of the 17 headings given in section 4 (1)b of the RTI Act.

Areas

- A. Consumer information
- B. Supply and service quality
- C. Metering & Billing
- D. Power Purchase
- E. Fuel purchase
- F. Capital and Operation and Maintenance (O&M) expenditure
- G. State Subsidy – capital and revenue
- H. Safety
- I. Contracts and Reports

Table: Details of Pro-active Disclosure

Area	Item	Brief Description	Authority	Remarks
A. Consumer information				
1	Tariff schedule	Category wise, Slab wise fixed, variable and any other charges (Fuel surcharge, electricity duty etc) for current year and previous year	SERC	Available in tariff order, but good to have easy access to the pages with this information
2	Connection Details	Consumer category wise procedure, documentation and charges for getting or modifying a connection	DISCOM	Details of charges and soft copies of form to be available
3	Consumer Complaint Procedure	Contact numbers, escalation procedure for complaints	DISCOM	
4	Regulatory submissions	Procedure, format and fees for making regulatory submissions – comments on tariff petitions, power purchase, load shedding etc	SERC	
B. Supply and service quality				
1	Distribution Transformer (DT) failure rate	Quarterly (or annual), Division wise tables - Number of DTs, total capacity, failures, average time to repair	DISCOM	DISCOM and SERC will have this information
2	Planned load shedding	Quarterly (annual) sub-division wise tables – hours of load shedding, loss levels, remarks (like exceptions for some offices or schedule for agriculture)	DISCOM	
3	Actual load shedding	Quarterly (annual) sub-division wise tables – hours of load shedding, loss levels, remarks (like exceptions for some offices or schedule for agriculture)	DISCOM	

Continued....

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Area	Item	Brief Description	Authority	Remarks
B. Supply and service quality				
4	Actual hours of supply on agriculture 11 kV feeders	Monthly information for all 11 kV feeders which supply electricity primarily to agriculture pumpsets	DISCOM	
5	Energy flow on all 11 kV feeders	Monthly energy flow on all 11 kV feeders	DISCOM	
6	Fuse off calls	Annual, category wise, circle wise tables: Number of consumers, fuse off calls received, attended within specified benchmark time, average hours taken to attend, compensation paid	DISCOM	
7	CGRF Functioning	CGRF details: Composition, contact address and phone numbers CGRF Functioning: For each CGRF, table giving annual complaints filed, type of complaint, complaints disposed, disposed in whose favour	DISCOM	
8	Ombudsman functioning	Ombudsman details: Composition, contact address and phone numbers Ombudsman Functioning: Table giving annual complaints filed, type of complaint, complaints disposed, disposed in whose favour	SERC	
9	Compliance Report	Annual Standards of Performance compliance report as per section 59(2) of Electricity Act 2003 (This would cover many of the points mentioned above)	SERC	
C. Metering and Billing				
1	Feeder Meter installation & functioning Status	Annual report: Circle wise number of 11 kV feeders, number with automatic metering, energy sent out (if metered)	DISCOM	

Continued....

Continued....

Area	Item	Brief Description	Authority	Remarks
C. Metering and Billing				
2	DT Meter installation & functioning status	Annual report: Circle wise number of DTs, number with meters, number of meters functioning (as of end of Financial Year - FY) energy sent out (if metered)	DISCOM	
3	Consumer Meter installation & functioning Status	Annual report: Circle wise, category wise, number of consumers, number with meters installed, number of meters functioning, number with average billing, number with zero billing (last 3 as of end of FY)	DISCOM	
4	Consumer Billing and Collection	Annual report: Circle wise, category wise, number of consumers, energy billed, revenue collected, average billing rate	DISCOM	
5	Consumer arrears status	Annual report: Circle wise, category wise, number of consumers, arrears (as of end FY), names of consumers with arrears higher than Rs.50,000/-	DISCOM	
D. Power Purchase				
1	Power Purchase	Annual report: Source wise cost and quantum of power purchase. Indicate the Renewable Power Purchase Obligation targets set by the SERC and the details of actual renewable energy purchase.	DISCOM	
2	Short term power purchase	Quarterly reports on short term bilateral power purchase which should list name of the supplier, location of the plant, total tariff, nature of contract (RTC, peak, off-peak, etc.) and whether the supplier was chosen based on bidding.	DISCOM	

Continued....

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Area	Item	Brief Description	Authority	Remarks
D. Power Purchase				
3	Status of capacity addition	Status of capacity added through long term bidding: No of tenders issued for case-1 and case-2, quantum of capacity to be tied up, Request for Proposal (RFP), Request for Quotation (RFQ) and other bidding documents published for bidding process, No of bidders selected, Letter of intent issued, if any, final discovered tariff and Power Purchase Agreement (PPA) signed	DISCOM	
4	Capacity addition plans of Distribution companies	Capacity addition plans of all distribution licensee for next three to five years (depending on control period specified in the tariff regulations)	SERC	
5	Adoption of competitively discovered tariff	Tariff adoption orders of all competitively discovered tariff processes	SERC	One time reporting
6	Capacity addition Plan of State GENCO	Approved total capacity addition of State Generating company: Quantum, location, fuel supply status, approved capital cost per MW, expected date of commissioning	SERC	Coinciding with Multi Year Tariff (MYT) process and updated as needed.
7	Project monitoring / Status	Six monthly report: Unit wise capacity under construction, its current status, planned date of commissioning, revised/expected date of commissioning, major mile stones achieved, capital expense till date	GENCO	
E. Fuel				
1	Domestic fuel contracts	Unit wise details of fuel supply agreements: Agreed quantity and grade of coal, Coal India Limited (CIL) subsidiary from which Fuel Supply Agreement (FSA) quantum will be met, mode of coal transport for each FSA	GENCO	

Continued....

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Area	Item	Brief Description	Authority	Remarks
E. Fuel				
2	Import details	Annual or six-monthly report. Source wise name of the company, mode of contract, destination port/terminal, quantum and landed cost	GENCO	
3	Coal realisation	Unit wise: quantum of coal met through domestic coal supply, import and/or e-auction	GENCO	
4	Fuel Cost	Annual report: Station wise fixed and variable cost, heat rate, Plant Load Factor (PLF), Net generation and auxiliary consumption	GENCO	
5	Domestic coal realisation	Quarterly report: Station wise (ideally unit-wise), coal received through FSA as against the quantum that was supposed to be supplied as per FSA terms	GENCO	
F. Capital and O&M Expenditure				
1	Project wise summary	Annual report: Project wise summary – Name, scope, objective, Budget, source of funds, start date, end date, amount capitalised in FY, remarks	DISCOM	
2	Operation & Maintenance summary	Annual report: Circle wise O&M budget under different heads, objective, actual amount spent in FY, Projects approved by SERC and those not approved, Human resource report (posts sanctioned, filled, vacancies at different levels)	DISCOM	
G. State Subsidy				
1	Project wise summary	Annual report: Project wise, source, conditions	DISCOM/ SERC	
2	Revenue subsidy	Annual report: Heads, amount committed, amount received, remarks	DISCOM/ SERC	

Continued....

Continued....

Area	Item	Brief Description	Authority	Remarks
H. Safety				
1	Human Accidents	Procedure: For reporting, investigating, compensation Annual report: Circle wise, number of accidents, number fatal, number attributable to DISCOM, compensation paid	DISCOM/ Electricity inspector	
2	Animal Accidents	Procedure: For reporting, investigating, compensation Annual report: Circle wise, number of accidents, number fatal, number attributable to DISCOM, compensation paid	DISCOM/ Electricity inspector	
3	Accidents involving loss of property	Annual report: Circle wise, number of accidents, number fatal, number attributable to DISCOM, compensation	DISCOM/ Electricity inspector	
4	Right of Way	Procedure: Details of clearances required for power lines (voltage wise), norms and procedure for compensation to land owner, responsibility of the land owner, responsibility of the DISCOM Annual information: Details of new lines, compensation paid	DISCOM	
I. Contracts & Reports				
1	Franchisee agreement	Contracts of the DISCOM with the franchisees, approved by SERC	DISCOM/ SERC	
2	CAG audit report	Performance audit report of DISCOM and GENCO by CAG (past 3 years) and action taken reports	DISCOM/ GENCO	Link to CAG report could also be given

Annexure 4: Agriculture and electricity

Electricity based pumping is the backbone of agriculture in India, especially in all states in the Deccan Plateau (Maharashtra, Telangana, Andhra Pradesh, Karnataka and Tamil Nadu), Madhya Pradesh, Rajasthan, Gujarat, Punjab and Haryana. These 10 states have significant agriculture consumption and high population of deep submersible wells. Agriculture consumption is reported to be 20-40% of the total electricity use in these states. With spread of water intensive crops, increasing reach of electricity grid and rising prices of diesel (the alternative for electricity, common in states like Bihar and UP), the role of electricity based irrigation pumpsets for agriculture has been rising, with about 4-5% annual growth in numbers.

In many villages, agriculture pumpsets are the most important consumer of electricity, usually amounting to 75-80% of the total village consumption. In some states, feeder separation has been implemented, with the electricity line supplying to agriculture pump separate from that supplying to the village. With low tariffs and revenue collection (many agriculture pumps do not have meters), distribution companies neglect agriculture power supply leading to poor quality of supply. The hours of supply are typically 7-9 hours, and that too mostly during night. There are many outages during these assured supply hours. Majority of the farmers are marginal and small, who invest bare minimum in pump protection or efficiency. There are frequent failures of motors and distribution transformers, adding to the burden of farmers.

For the farmer, odd hours of supply and frequent power failure result in many problems. There are many electricity shock accidents because farmer has to operate the pump at night and the quality of the distribution system is bad. Power failure leads to disruption in farming and high repair cost. The State Government imposes on the number of agriculture connections that can be released in a year, resulting in long wait time for getting a connection (years in states like Rajasthan).

The village supply quality is linked to the quality of supply to agriculture pumps. To break this link, a feeder separation program is planned under DDUGY, under which feeders to the villages and pumpsets will be separated. Some states are implementing High Voltage Distribution System (HVDS), with small transformers supplying to 2-3 pumps. This is expected to reduce power thefts and improve voltages. All these programs involve significant public expenditure.

Supplying quality and affordable electricity for agriculture is important not only for the farmer's livelihood, but also for the country for food security and self-reliance. What the farmer needs is water for irrigation at the time suitable for farming operation. This aspect and the problems of the farmers are often neglected. It is important to raise the electricity related issues of the farmer in public hearings, grievance forums and with public representatives.

It is to be noted that the problems of farmers are not related to electricity alone. Crop failures and high financial losses due to low prices are common. Water tables have been

falling in many states, especially due to spread of water intensive crops and increasing population of deep bore wells compared to open wells. Farmers have to often dig many times before a bore well yields water leading to high expenditure. In addition to deaths due to electricity shocks, many farmers are committing suicide due to crop failure & high debts, often caused by the failure of bore wells. It is well known that agriculture sector is in distress and poor quality of electricity supply also contributes to it. It is necessary to also work with groups working on water sheds, natural resource management, low input agriculture, solar pumpsets etc to gain a full picture.

In the area of electricity, activist could collect information on the actual hours of supply given to the pumpset as against the committed schedule, encourage farmers to optimise water and electricity use, request distribution companies to conduct regular substation level meeting with the participation of farmers and raise the concerns of the farmers in all available platforms. It is also important to monitor the progress of programs like feeder separation, HVDS and solar pumpsets which have the objective of improving power supply to the farmer.

Issues in electricity based agriculture pumping can be fully understood and addressed by bringing all actors together to work out a solution. This includes the electricity actors – pump suppliers & repairers, distribution company, Regulatory Commission and state energy department. It also involves people who work in the areas of water use, alternative cropping, use of fertilisers & pesticides, supply of seeds, storing and marketing of agriculture produce, those who give loans to farmers etc.

Annexure 5: Suggestions for further reading

1. Acts and Policies (with all amendments, available at law book stores or indicated website)
 - a. Electricity Act 2003; <http://powermin.nic.in/Electricity-Act-2003>
 - b. National Electricity Policy 2005;
http://powermin.nic.in/national_electricity_policy.htm
 - c. Tariff Policy 2006; http://powermin.nic.in/upload/pdf/Tariff_Policy.pdf
 - d. Rural Electrification Policy 2006;
<http://powermin.nic.in/upload/pdf/RE%20Policy.pdf>
 - e. RTI Act 2005; <http://www.rti.gateway.org.in/rtiActandRules.do>
 - f. Right to Hearing Act, Rajasthan 2012;
http://www.ard.rajabasthan.gov.in/Right_To_Hearing_Act.aspx
2. Important State specific regulations, available at the respective SERC, in print form and on the website
 - a. Conduct of Business Rules
 - b. Electricity supply code and General conditions of supply
 - c. Standards of Performance
 - d. Terms and conditions for determination of tariff (usually there are separate regulations for retail supply tariff - which means consumer tariff, distribution tariff and transmission tariff)
 - e. Consumer Grievance Forum
3. Important State specific documents
 - a. Latest tariff order; available with the SERC and at its website
 - b. Members of the State Advisory Committee, minutes of their meetings; available at the SERC websites
 - c. Proactive disclosure details under RTI available at the websites and reports of distribution companies (currently only for State owned)
 - d. Chief Electrical Inspector to the Government (CEIG): Some states have separate website for CEIG, which describe their functions. In other cases, details are available at the website of the State Energy Ministry
4. Rural electrification program
 - a. Website of RGGVY/DDUGJY (www.rggvy.gov.in) gives Government orders, overview, status reports – State, district and village wise

- b. Website of Power for all, launched in 2015:
<http://powerforall.co.in/DashBoardLogin.aspx>
 - c. Website of REC (www.recindia.nic.in) gives details of quality inspection reports in DDUGJY
5. Key information of the Indian electricity sector
- a. Website of CEA (www.cea.nic.in) gives periodic reports on status of the power sector, village electrification, pumpset energisation, tariff for different consumers in different states etc. This site also has regulations on safety.
 - b. Website of the Ministry of Power (www.powermin.nic.in) has laws, policies, regulations and guidelines. The annual report of the Ministry gives an overview of the power sector.
 - c. Website of the Planning Commission (now NITI Aayog, but www.planningcommission.nic.in has the archived data) has the Five Year Plans, many reports including reports on the working of State utilities 2013-14:
http://planningcommission.gov.in/reports/genrep/rep_arpower0306.pdf
 - d. Website of Power Finance Corporation has performance report of power utilities. <http://www.pfcindia.com/Content/PerformanceReport.aspx>
6. Useful guides and other material
- a. Know your power: A citizens' primer on the electricity sector, Prayas, 2006
 - b. Awareness and action for better electricity service, Prayas, 2008
 - c. Consumer's guide for better electricity services, Prayas, 2008
 - d. Electricity for All: Ten Ideas towards Turning Rhetoric into Reality, Prayas, 2010
 - e. Some SERCs (Odisha, MP, Karnataka) have published consumer guides in local language
 - f. Right to Public Services: A comparative perspective of implementation of guarantee of public services in select states of India, Tina Mathur, COD – Hyderabad, 2012, available at:
http://www.codhyd.org/COD53012/images/RightToPublicServices_TinaMathur.pdf
 - g. Katiyabaaz - a documentary film released in 2014, showing the tragedy of the deteriorating electricity distribution in Kanpur city. Information available at <http://www.powerless-film.com/index.php>
 - h. RTI primers/booklets published by NCPRI -New Delhi, Centre for Good Governance - Hyderabad (<http://www.cgg.gov.in/>), YASHADA- Pune (<http://www.yashada.org>), National Book Trust -New Delhi, School of

Democracy – MKSS - Rajasthan, available at sites like RTI foundation (see g), <http://rtiocc.cgg.gov.in/> (they run 7/15 day certification courses on RTI)

- i. RTI email discussion groups/information websites like: www.rtiindia.org, <https://groups.yahoo.com/neo/groups/INDIARTI/info>, <http://www.rtifoundationofindia.com/>, <http://righttoinformation.gov.in/>, <https://rtionline.gov.in/> (for online filing of RTI applications to public authorities under the Government of India), <http://rti.india.gov.in/>
- j. Portal for public grievances of all Government of India ministries and departments <http://www.pgportal.gov.in/GrievanceNew.aspx>

Related Publications of Prayas (Energy Group)

1. 'Review of Maharashtra Power Sector Policy and Regulation: Lessons, Challenges and Opportunities', Chapter in 'Development policy in Maharashtra: Prospects, challenges and options' Edited By Pradeep Apte and Rajas Parchure (2015)
2. A Commentary on the Electricity (Amendment) Bill (2014)
3. Report on Prayas Round Table on Gender and Electricity (2014)
4. Largesse that wasn't: The Story of Coal Shortages in India(2014)
5. 10 Questions to Ask About Electricity Tariffs (2014)
6. Ensuring Electricity for all: Ultra Mega Power Project for the Poor (2013)
7. Black and Dirty: the Real Challenges Facing India's Coal Sector (2013)
8. Electricity in Megacities (2012)
9. Thermal Power Plants on the Anvil : Implications and Need for Rationalization (2011)
10. Rajeev Gandhi Rural Electrification Program: Urgent Need for Mid-course Correction (2011)
11. Electricity for All : Ten Ideas towards Turning Rhetoric into Reality (2011)
12. Transition from MoU to Competitive Bidding : Good Take-off but Turbulence Ahead . Review of Thermal Capacity Addition Through Competitive Bidding in India (2011)
13. Consumer's Guide for Electricity Services: Information on Consumer Related Rules and Regulations (2010)
14. Review of the Distribution Franchisee Model Implemented by MSEDCL in the Bhiwandi Circle (2009)
15. Awareness & Action for Better Electricity Service Booklet (2008)
16. Know Your Power: A Citizens' Primer on the Electricity Sector (2006)
17. A Critical Review of the Performance of Delhi's Privatized distribution companies and the Regulatory Process – Prayas Occasional Report (2006)
18. Quality of Service of Distribution Utilities – Need for End to End Commitment : Prayas Occasional Report (2005)
19. India Power Sector Reforms Update- Various Issues - Update of Power Sector Reforms in Andhra Pradesh, Uttar Pradesh and Odisha (2001 to 2005)
20. A Good Beginning but Challenges Galore, Report Based on Detailed Survey of 12 Electricity Regulatory Commissions in India (2003)

These publications are available at www.prayaspune.org/peg or on request

Prayas (Energy Group) participates in power activities as a member of the following committees:

- CERC Advisory Committee (from 1998), MERC State Advisory Committee (from 1999), APERC State Advisory Committee (from 2007), DERC State Advisory Committee (from 2015), TSERC State Advisory Committee (from 2015)
- Expert Committee of the MNRE to make a RE Law for India (2015)
- MoP Advisory group on Distribution Reforms (2014)
- Member of the Sustainable Growth Working Group of the Indo-US energy dialogue (2014)
- Knowledge partner in the Planning Commission/NITI Aayog initiative – India Energy Security Scenarios 2047 (2013)
- Steering Committee on Energy for 12th Five Year Plan (Planning Commission), Working Group on Power for 12th Five Year Plan (2011)
- Planning Commission Expert Group on Strategy for a Low Carbon Economy (2010)



There is no doubt that electricity has a key role in improving the quality of life and catalysing country's development. Understanding this, there are massive efforts to ensure 24 x 7 power supply to all. This is indeed welcome, but there is an important point to remember. Lines and transformers may be erected and connections given, but that does not automatically ensure that all will get electricity supply when they want, at a price that they can afford. Ensuring good quality affordable electricity supply for the small consumer, especially the rural and the poor, is an on-going struggle for the consumer and community. An activist has to understand the electricity sector and the opportunities to engage with it, to make the struggle yield results. This guide is an attempt to help her in such an engagement.

This guide attempts to de-mystify the electricity sector by introducing its key actors, policies and programs with specific focus on avenues for intervention. It suggests ideas to the activist to engage with the sector to improve electricity service to the community, primarily the rural and poor households. We hope that it will help the activist to ask right questions or make suggestions to the right agencies, at the right time, using provisions that are within or outside the electricity sector. This includes engagements with Regulatory Commissions during tariff hearings, using RTI to obtain relevant information and participating in Right To Hearing programmes to address consumer complaints.

We hope that these engagements will help to improve the quality of electricity supply to the rural and poor consumers.



Prayas (Energy Group)