CONSUMER PROTECTION FRAMEWORK
FOR
PETROLEUM & NATURAL GAS SECTOR
- A WAY FORWARD



सत्यमेव जयते

REPORT OF THE HIGH LEVEL EXPERT COMMITTEE

MARCH, 2025

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LIST OF ABBREVIATIONS

AGCL : Assam Gas Company Limited
ATGL : Adani Total Gas Limited
BGL : Bhagyanagar Gas Limited
BPCL : Bharat Petroleum Corporation Limited
CC : Call Centre
CEO : Chief Executive Officer
CGD : City Gas Distribution
CGRF : Consumer Grievance Redressal Forum
CNG : Compressed Natural Gas
CPGRAMS : Centralised Public Grievance Redress and Monitoring System
CRM : Customer Relations Management
CSEP : Centre for Social and Economic Progress
CVOC : Central Vista Oversight Committee
DCS : Domestic Customer Service
DBTL : Direct Benefit Transfer for LPG
EV : Electric Vehicle
GA : Geographical Area
GaGL : Gail Gas Limited
GGL : Gujarat Gas Limited
GMO : General Manager Office
GoI : Government of India
HLEC: High Level Expert Committee
HPCL: Hindustan Petroleum Corporation Limited
HSD : High Speed Diesel
IGL : Indraprastha Gas Limited
IOCL : Indian Oil Corporation Limited
IOAGPL : IndianOil-Adani Gas Private Limited
IRDAI : Insurance Regulatory and Development Authority of India
LPG : Liquified Petroleum Gas
MDG : Marketing Discipline Guidelines
MGL : Mahanagar Gas Limited
MNGL : Maharashtra Natural Gas Limited
MoP&NG : Ministry of Petroleum & Natural Gas
MS : Motor Spirit
MWP : Major Works Projects

NEPL : Nayara Energy Private Limited
NGOs : Non-Governmental Organisations
NGPL : Natural Gas Pipe Line
OMCs : Oil Marketing Companies
PEG : Prayas (Energy) Group
PMO : Prime Minister's Office
PNGRB : Petroleum Natural Gas and Regulatory Board
PNG : Piped Natural Gas
PSU : Public Sector Undertaking
RBI : Reserve Bank of India
RJBP : Reliance Jio-BP
RO : Retail Outlet
SGL : Sabarmati Gas Limited
SLA : Service Level Agreement
TGDPL : Think Gas Distribution Private Limited
TGPL : Torrent Gas Pvt. Ltd.
ToR : Terms of Reference
VCOs : Voluntary Consumer Organisation

FOREWORD & ACKNOWLEDGEMENTS

At the outset, the High-Level Expert Committee conveys its appreciation to Dr. Anil Kumar Jain, Chairperson, PNGRB for taking an important initiative and constituting this Committee to find a way forward to protect consumer interest in the petroleum and natural sector. Chairman and Members of HLEC convey their gratitude to the Chairperson and Members of PNGRB for choosing them to be part of this Committee.

2. HLEC examined the PNGRB Act, 2006, Regulations notified by PNGRB, various other related legislations such as Consumer Protection Act, 2019. It also obtained relevant data and response to the specific questionnaire from various oil and natural gas entities and the consumer organisations. HLEC also held discussions with them during the stakeholder consultation meetings as part of the stakeholder consultation process. After extensive examination of the data/material submitted by PNGRB as well as entities and the discussions held with the entities during the stakeholder consultation meetings, the Committee made its recommendations as detailed in Chapter 9 of this report.

3. The Committee would like to clarify that it has made suggestions for protecting the consumer interest at large and implementation of some of the recommendations of the Committee may come under the lense of legal scrutiny.

However, this evolution will only help in the direction of protecting consumer interest.

4. HLEC conveys thanks to the entities of petroleum products and natural gas for providing responses to the questionnaire and for their active participation in the discussions as part of the stakeholder consultation process. HLEC also conveys thanks to the consumer organisations that have provided their responses and participated in the discussions.

5. HLEC appreciates the excellent support rendered to it by the PNGRB officials led by Shri S.C. Gupta and Lt Col. Kumar Abhishek.

Ratan P Watal 10/3/25

(Ratan P. Watal)
Chairman

10/03/25 10/3/2025

(S.C. Batra)
Member

(K. Rajeswara Rao)
Member

(K.K. Gupta)
Member

10/3

(Nitin Patil)
Member

(Ashok Pendse)
Member

(S.C. Gupta)
Member Secretary

EXECUTIVE SUMMARY

Government of India enacted the Petroleum and Natural Gas Regulatory Board Act in the year 2006 to provide for the establishment of Petroleum and Natural Gas Regulatory Board to regulate the refining, processing, storage, transportation, distribution, marketing and sale of petroleum, petroleum products and natural gas excluding production of crude oil and natural gas so as to protect the interests of consumers and entities engaged in specified activities relating to petroleum, petroleum products and natural gas and to ensure uninterrupted and adequate supply of petroleum, petroleum products and natural gas in all parts of the country and to promote competitive markets and for matters connected therewith or incidental thereto. Accordingly under the provisions of this Act, Government of India established the Petroleum and Natural Gas Regulatory Board in the year 2007.

2. There are consumer protection related provisions in the Act. As per the Section 11(a) of the Act, the functions of the Board include "protection of the interest of consumers by fostering fair trade and competition amongst the entities". In order to obtain guidance from industry and experts to augment its regulatory mechanism for effectively implementing the above mandate and put in place appropriate practices and regulations for protection of consumers in Oil and Gas Sector in the country, PNGRB constituted the High-Level Expert Committee (HLEC) under the Chairmanship of Shri Ratan P. Watal, Former Finance Secretary, GoI and Chairman, Central Vista Oversight Committee.

3. As part of stakeholder consultation process, HLEC held consultations with some of the major entities engaged in natural gas and petroleum products marketing. With reference to its ToR, HLEC examined the consumer related provisions under the PNGRB Act, 2006, Regulations notified by PNGRB, various other related legislations such as Consumer Protection Act, 2019 apart

from the data/material submitted by PNGRB and entities during the stakeholder consultation meetings.

4. HLEC made several recommendations with an aim to ensure protection of consumer interest as detailed in Chapter 9. It may be clarified that the Committee in its own wisdom has made suggestions for protecting the consumer interest at large. The Committee feels that the main objective of GoI, PNGRB and the entities in the petroleum and natural gas sector would be to take care of the public interest i.e. protecting the consumer interest. Each institution complements the work of the other when it comes to consumers' interest. Implementation of some of the recommendations of the Committee may come under the lense of legal scrutiny. However, this evolution will only help in the direction of protecting consumer interest.

5. Following are the salient recommendations of HLEC:

5.1 **Measures for effective implementation of section 11(f) (i) to (vi) of PNGRB Act, 2006**

5.1.1 All the functions listed under Section 11(f) (i) to (vi) are for the protection of consumers' interest and implementation of these provisions do not harm the interest of the entities. Moreover, there is no agency working towards consumer interest and safeguarding provisions listed under Section 11(f) (i) to (vi) of the PNGRB Act, 2006. Hence, without getting into the issue of the intention of GoI for not notifying any of the petroleum, petroleum products and natural gas as required under Section 11(f) of the Act even after more than one and a half decades of enacting the Act and establishing the Board, which is in the policy domain of the Government, the Committee is of the opinion that PNGRB can take measures to cover the functions listed under Sections 11(f) (i) to (vi) to the extent they fulfil the basic objective of the Act, till such time the Government notifies the petroleum, petroleum products and natural gas.

5.1.2 The Board could segregate all the consumer interest related provisions for not only the natural gas but also for the petroleum products and include them in separate Regulations under the provisions of Section 61(2)(za) read with the Preamble and other provisions of the Act, which could be called as "Regulations for protection of Consumer Interest in Petroleum, Petroleum Products and Natural Gas". While framing such Regulations, care should be taken that the genuine commercial interest of entities is not jeopardized.

5.1.3 The Committee recommends considering the following while formulating the suggested Consumer Protection Regulations:

(1) The suggested Regulations should specify uniform complaint redressal mechanism / monitoring system / process for all entities.

(2) PNGRB could specify standardization of the classification of complaints / requests to be followed by all the entities in similar business.

(3) It could be mandated to treat all consumers, including the ones who lodge their complaints with central / state government or bodies like PMO / MoP&NG / PNGRB, etc., at par.

(4) PNGRB could facilitate exchange of good practices and improve them towards providing better consumer protection and service among all the entities in petroleum and natural gas sector.

(5) PNGRB could specify a common monitoring system to bring in efficiency in the field of consumer protection.

(6) PNGRB could engage with the concerned ministry(ies) to mandate formation of "Consumer Protection Committee" to be part of entities' Board in line with the other committees of the Board.

(7) All the entities, except a few, have their own processes for handling of complaints/requests without any Service Level Agreement (SLA). PNGRB could mandate a standard process for handling of complaints/requests with SLA.

(8) PNGRB must take active part at national level and mandate entities to participate in "consumers rights awareness campaign". Through these campaigns, consumers could be made aware of the "complaint / request redressal process" along with SLAs.

(9) PNGRB could set up its own "Consumer Protection Cell" for effective and efficient monitoring and bringing in focus on consumer's rights of the entire petroleum and natural gas sector. This cell will be also helpful to analyse the data and keep on taking the cause forward proactively.

(10) In the current scenario, it may appear that Ombudsman is not needed. But, considering the tremendous growth in petroleum and natural gas sector resulting in increased consumer base in the entire sector, mandating an Ombudsman is necessary and to be seen as a step forward taken proactively.

(11) Documentation of the "lessons learnt" could be explored, particularly concerning safety incidents and material failures. By sharing insights and best practices, stakeholders can foster a culture of safety and continuous improvement across the petroleum and natural gas sector, ultimately enhancing overall safety standards and operational effectiveness.

(12) The Committee recommends reviving of the scheme it had initiated in the year 2010 for registration of Voluntary Consumer

Organizations (VCOs) and Non-Government Organizations (NGOs) that are dedicated to serving the users of Petroleum Products and Natural Gas in the country. PNGRB should have periodic interactions with the registered VCOs and NGOs to make them aware of the consumer rights, complaint redressal mechanism, etc., obtain feedback from them and take appropriate actions to strengthen the systems and processes for protection of consumer interest. This initiative will foster gathering feedback and address grievances from consumers at the grassroots level. Additionally, these organizations can utilize their expertise from various fields, to contribute to the development of the market and build trust with consumers.

5.2 Scope of Powers of Board under Section 12(1) of the PNGRB Act, 2006

5.2.1 The provisions of the Act and the intentions of the legislature can be understood through Section 56 of the PNGRB Act, 2006. This section specifically prohibits civil courts from hearing any cases related to matters under the jurisdiction of the PNGRB Act, 2006. Hence, the Committee is of the opinion that PNGRB can hear and entertain the complaints filed before it under Section 25 of the PNGRB Act, 2006, subject to the rider as contained in proviso to section 25(1) read with Sections 11(a) and 12 of the PNGRB Act, 2006 to ensure resolution of disputes and in consonance with the judicial precedent and intent of the legislature.

5.3 Mechanism to ensure effective implementation of Section 11 (a) read with Preamble to the PNGRB Act, 2006

5.3.1 The Committee recommends that PNGRB could ensure mandating and monitoring 6 parameters of consumer rights such as Right to Safety, Right to

Information, Right to Choose, Right to be Heard, Right to seek Redressal and Right to Education, by the entities in petroleum and natural gas sector by incorporating relevant provisions in the suggested Consumer Protection Regulations.

5.3.2 PNGRB could design and implement a comprehensive consumer awareness campaign in collaboration with various consumer protection organisations/associations, concerned government agencies and the entities. In this regard, PNGRB could take measures including the following:

a) Creating a dedicated webpage on the PNGRB's official web site clearly outlining consumers' rights and available options for exercising those rights.
b) Establishing information boards in operational areas to inform consumers about their rights and choices.
c) Developing a dedicated information page or booklet/document that details consumers' rights and the options available to them, which should be provided whenever a consumer requests a connection. This booklet/document should clearly outline the rights and choices available to consumers, ensuring they are fully informed at the outset of their relationship with the service provider.
d) The above booklet/document should be made as an integral part of the agreement signed between the entity and the consumer. By incorporating this information as part of the agreement, stakeholders can enhance transparency and empower consumers to exercise their rights effectively.

5.3.3 PNGRB can empower consumers and promote greater awareness of their rights, especially, in the natural gas sector by implementing the following:

(i) Ensuring access for the general public to the progress of Major Works Projects (MWP) is crucial for transparency and accountability. This access

should be provided in real time or at predefined intervals, allowing the community to stay informed about developments. By making this information readily available, stakeholders can engage more effectively with the processes and outcomes of these projects, fostering a sense of involvement and trust in the regulatory framework.

(ii) It is essential to provide the general public with access to network development plans categorized by geographic area. PNGRB could mandate that entities publish these plans on their websites, ensuring that links to this information are also readily available on the PNGRB's official webpage. This initiative would promote transparency and empower consumers by keeping them informed about the infrastructure developments in their regions, thereby enhancing public engagement and trust in the natural gas sector.

(iii) A comprehensive initiative focused on consumer education in the natural gas sector is essential. This program should cover crucial topics, including the physical and chemical properties of natural gas, safe handling practices, and emergency protocols. Additionally, it should provide guidance on how to conserve natural gas, outline safety requirements, and explain commercial terms and related matters. Consumers should also be informed about their rights and how to protect them, as well as the processes in place for addressing their concerns, complaints, and suggestions. By implementing this educational framework, stakeholders can empower consumers, enhance safety, and promote responsible usage of natural gas.

(iv) An ombudsman system may be developed and integrated into the consumer complaint resolution framework. This system should be designed to ensure fair and effective handling of consumer grievances, providing a dedicated mechanism for addressing complaints that may not be resolved at initial levels. By establishing a structured process for the satisfactory

implementation of the ombudsman system, stakeholders can enhance consumer confidence, promote transparency, and ensure that consumers receive timely and equitable resolutions to their issues. The Committee has made its specific recommendations in this regard subsequently in this chapter.

(v) A thorough review of existing regulations and legal provisions be conducted to ensure that consumers have the right to choose their natural gas supplier. This review should aim to identify and eliminate any barriers that currently restrict choice to the consumers, thereby promoting a more competitive and consumer-friendly market. Empowering consumers with the ability to select their suppliers will enhance their options, foster competition, and ultimately lead to better service and pricing within the industry.

5.3.4 There have been numerous policy changes by the GOI since deregulation of petroleum products and several companies have been granted licences to undertake retailing of petroleum products. Further ROs originally selling MS/HSD are now retailing multiple products and services such as CNG, alternate environment friendly fuels and EV charging not only by PSU OMCs, but also Pvt Oil Companies. Technological development has facilitated better comfort and trust to the consumers from Quality and Quantity point of view. At the same time, consumers/customers are continuously exposed to the challenges which come with these developments and not always providing them the best redressal of the complaints and satisfaction, etc. It is, therefore, necessary for bringing the provisions of the Control Orders (including the Marketing Discipline Guidelines) issued by the GOI through MoP&NG in respect of LPG and MS/HSD under the purview of PNGRB through an enactment of legislature or amendment of the PNGRB Act, 2006 for uniform applicability and monitoring of the public sector and private entities.

5.4 Avoidance of conflict with existing provisions relating to Consumer Protection in other statutes

5.4.1 Despite providing coherence in the Consumer Protection Act vis-à-vis the PNGRB Act, the legislature had already anticipated the malicious routes that an entity may adopt to evade dispute resolution mechanism under either of the Acts by engaging into forum shopping. Therefore, to avoid conflict or overriding jurisdiction, the legislature had already inserted a proviso to Section 25 of the PNGRB Act, 2006, which specifies that no complaints will be taken up by the Board, that are maintainable before the redressal forums established under the Consumer Protection Act, 1986. Likewise, an inference can also be drawn to Section 100 of the Consumer Protection Act, 2019, which provides that the Act *shall* be in addition to and not in derogation of the provisions of any other law for the time being in force.

5.4.2 Whenever there is a breach of conditions as stipulated under the contract, as entered between the parties, they can opt for arbitration and/or approach the concerned civil court having territorial and pecuniary jurisdiction, for seeking compensation in accordance with Section 73 of the Indian Contract Act, 1872. However, if the breach pertains to violation of regulation framed by the Board, then they must approach the Board by filing a complaint under relevant provisions of the PNGRB Act, 2006 and extant regulations.

5.4.3 Although there is no collision of powers with authorities empowered/established under any other Act, even if a collision is anticipated to occur in future, an inference is drawn to latin maxim, i.e., Generalia specialibus non derogant, which means that general laws do not prevail over special laws or, the general law does not detract from specifics. Justice Griffith said in R V. Greenwood, [1992] 7 O.R. (3d) 1, “The maxim generalia specialibus non derogant means that, for the purposes of interpretation of two statutes in

apparent conflict, the provisions of a general statute must yield to those of a special one."

5.4.4 PNGRB Act, 2006, enacted by legislature, is a special law to govern matters related and incidental to petroleum, petroleum products and natural gas, which may supersede other Acts established for governing other spheres. Further, in absence of overriding provision under the PNGRB Act, 2006, an action taken by the Board in beneficial interest of consumers, either while exercising regulatory or judicial functions, will be in addition to and not in derogation of a provision in any other law for the time being in force.

5.5 Existing provisions for appointment of Ombudsman with regard to protection of consumer interest and suggestion for institution of a suitable mechanism in oil and gas sector

5.5.1 Keeping in view that the consumer base, especially in natural gas, is growing throughout the country, the Committee is of the view that it is better to establish the mechanism of Ombudsman in petroleum and natural gas sector so that the consumers of both petroleum products and natural gas could approach the Ombudsman if their complaints do not get resolved at the highest level of complaint redressal matrix of the entities concerned. Hence, the Committee recommends the following:

1) To begin with, Board could nominate Region level Ombudsmen for dealing with the complaints that could not be resolved at entity level of both petroleum products and natural gas consumers in the respective regions.

2) The Board could bear the expenses towards compensation, etc of the Ombudsmen.

3) The Board has to undertake periodic review of the functioning of the

each of the Regional level Ombudsman. Depending upon the number of complaints received by them and the resultant work load, the Board could consider increasing the number of Ombudsman in the region duly earmarking their jurisdiction covering the cluster of states within that region.

4) As and when warranted, the Board could expand the mechanism and appoint Ombudsman for each state or cluster of states.

5) The Board could follow the mechanism such as criteria for nomination/appointment of Ombudsmen and their role and responsibilities, etc. as stipulated by RBI and IRDAI by making suitable changes applicable for the petroleum and natural gas sector.

6) The Board and the entities could give wide publicity advising the consumers whose complaints do not get resolved at entity level can approach the Ombudsman for resolution.

7) The Board could include appropriate provisions related to the Ombudsman mechanism in the suggested Consumer Protection Regulations.

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CHAPTER 1

CONSTITUTION OF THE HIGH LEVEL EXPERT COMMITTEE BY PNGRB

In order to obtain guidance from industry and experts for augmenting its regulatory mechanism to effectively implement the mandate given under the provisions of the PNGRB Act, 20026 and put in place appropriate practices and regulations for protection of consumers in Oil and Gas sector in the country, PNGRB constituted the High Level Expert Committee under the chairmanship of Shri Ratan P. Watal, Former Finance Secretary & Chairman, Central Vista Oversight Committee, Government of India. Copy of the PNGRB Order is at Annex-1.

2. **Composition of the Committee**

Following is the composition of HLEC:

Shri Ratan P Watal, Chairman, CVOC (Former Finance Secretary), GoI	-	Chairman
Shri K Rajeswara Rao, Principal Adviser, CVOC, GoI	-	Member
Shri S C Batra, Former Member (Legal), PNGRB	-	Member
Shri K K Gupta, Former Director (Marketing), BPCL	-	Member
Shri Nitin Patil, Former CEO, Gujarat Gas	-	Member
Shri Ashok Pendse, Consumer Activist	-	Member
Shri S.C. Gupta, JA I/C (Monitoring), PNGRB	-	Member Secretary

3. **Terms of Reference of the Committee**

Following are the Terms of Reference of the HLEC:

(i) To examine & suggest measures for effective implementation of Section 11(f) (i) to (vi) of PNGRB Act, 2006.

(ii) To examine scope of powers of Board under section 12(1) of PNGRB Act, 2006.

(iii) To examine existing Regulations of PNGRB and suggest mechanism to ensure effective implementation of Section 11(a) r/w Preamble to PNGRB Act, 2006.

(iv) To clarify avoidance of conflict with existing provisions relating to consumer protection in other statutes.

(v) To examine existing provisions for appointment of Ombudsman with regard to protection of consumer interest in other regulatory bodies and suggest institution of a suitable mechanism in oil & gas sector.

CHAPTER 2

MEETINGS OF THE HIGH-LEVEL EXPERT COMMITTEE

HLEC held six meetings and held detailed deliberations. During these meetings, the Committee examined the relevant provisions of the PNGRB Act, 2006, Regulations notified by PNGRB and various other statutes such as Consumer Protection Act, 2019 and Indian Contract Act, 1872.

2. The Committee also examined the relevant data sought from PNGRB and oil & natural gas entities. The Committee held deliberations with major oil and natural gas entities and some of the consumer fora as part of the stakeholder consultation process.

3. Record Notes of the meetings held by HLEC are at Annex - 2.

CHAPTER 3

DEFINITION OF THE CONSUMER

HLEC noted that there is no definition of consumer provided in the PNGRB Act, 2006. However, PNGRB in the Code of Practice for Quality of Service for City or Local Natural Gas Distribution Networks Regulations defined four categories of natural gas consumers as under:

1) "Domestic consumer" means a consumer who is provided PNG connection for the purpose of cooking or for other own domestic use and not for commercial use.
2) "Commercial consumer" means a consumer who is provided PNG connection for commercial purpose.
3) "Industrial consumer" means an industrial establishment which is provided PNG connection within the authorized CGD network.
4) "CNG consumer" means consumer who is supplied CNG for use as fuel for vehicle through CNG station.

2. HLEC observed that "Consumer" has been defined in the Electricity Act, 2003 and the Consumer Protection Act, 2019 as under:

Definition of Consumer in the Electricity Act, 2023

> "*Consumer means any person who is supplied with electricity for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under this Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the works of a licensee, the Government or such other person, as the case may be;"*

Definition of Consumer in the Consumer Protection Act, 2019

"consumer means any person who -

(i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

(ii) hires or avails of any service for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such service other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person, but does not include a person who avails of such service for any commercial purpose.

Explanation. - For the purposes of this clause, -

(a) the expression "commercial purpose" does not include use by a person of goods bought and used by him exclusively for the purpose of earning his livelihood, by means of self-employment.

(b) the expressions "buys any goods" and "hires or avails any services" includes offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing."

CHAPTER 4

RELEVANT PROVISIONS OF THE PNGRB ACT, 2006

With reference to its ToR, HLEC examined *inter alia* the following provisions of the PNGRB Act, 2006:

Preamble

"An Act to provide for the establishment of Petroleum and Natural Gas Regulatory Board to regulate the refining, processing, storage, transportation, distribution, marketing and sale of petroleum, petroleum products and natural gas excluding production of crude oil and natural gas so as to protect ***the interests of consumers and entities*** *engaged in specified activities relating to petroleum, petroleum products and natural gas and to ensure uninterrupted and adequate supply of petroleum, petroleum products and natural gas in all parts of the country and to promote competitive markets and for matters connected therewith or incidental thereto"*

Functions of the Board: -

Section 11 (a)

"(a) protect the interest of consumers by fostering fair trade and competition amongst the entities;"

Section 11(f)

" in respect of notified petroleum, petroleum products and natural gas-

(i) ensure adequate availability;

(ii) ensure display of information about the maximum retail prices fixed by the entity for consumers at retail outlets;

(iii) monitor prices and take corrective measures to prevent restrictive trade practice by the entities;

(iv) secure equitable distribution for petroleum and petroleum products;

(v) provide, by regulations, and enforce, retail service obligations for retail outlets and marketing service obligations for entities;

(vi) monitor transportation rates and take corrective action to prevent restrictive trade practice by the entities;"

Powers regarding complaints and resolution of disputes by the Board

Section 12 (1)

(1) The Board shall have jurisdiction to-

(a) adjudicate upon and decide any dispute or matter arising amongst entities or between an entity and any other person on issues relating to refining, processing, storage, transportation, distribution, marketing and sale of petroleum, petroleum products and natural gas according to the provisions of Chapter V, unless the parties have agreed for arbitration;

(b) receive any complaint from any person and conduct any inquiry and investigation connected with the activities relating to petroleum, petroleum products and natural gas on contravention of -

(i) retail service obligations;

(ii) marketing service obligations;

(iii) display of retail price at retail outlets;

(iv) terms and conditions subject to which a pipeline has been declared as common carrier or contract carrier or access for other entities was allowed to a city or local natural gas distribution network, or authorisation has been granted to an entity for laying,

building, expanding or operating a pipeline as common carrier or contract carrier or authorisation has been granted to an entity for laying, building, expanding or operating a city or local natural gas distribution network;

(v) any other provision of this Act or the rules or the regulations or orders made there under."

Filing of Complaints

Section 25(1)

"A complaint may be filed before the Board by any person in respect of matters relating to entities or between entities on any matter arising out of the provisions of this Act:

"Provided that the complaints of individual consumers maintainable before a consumer disputes redress forum under the Consumer Protection Act, 1986 (68 of 1986) shall not be taken up by the Board but shall be heard and disposed of by such forum.

Explanation.- For the purposes of this sub-section, the expression "consumer disputes redress forum" shall mean the district forum, State Commission or, the National Commission, as the case may be, constituted under the provisions of the Consumer Protection Act, 1986 (68 of 1986)."

CHAPTER 5

PNGRB REGULATIONS NOTIFIED UNDER SECTIONS 11(A) AND 12(1) OF THE PNGRB ACT, 2006 AND THEIR RELEVANT PROVISIONS

5.1 The Committee examined the relevant provisions of the following Regulations notified by PNGRB under Sections 11(a) and 12(1) of the PNGRB Act, 2006:

1. CGD Authorisation Regulations;
2. CGD Exclusivity Regulations;
3. CGD Access Code Regulations;
4. CGD Service Regulations.

5.2 The relevant provisions of these Regulations are at Annex - 3.

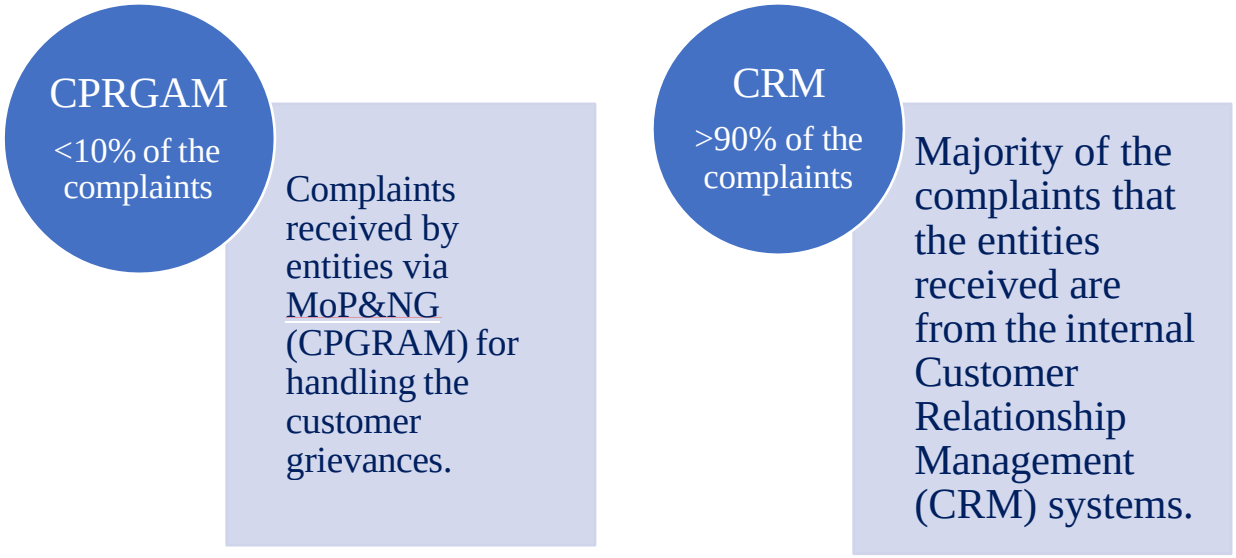
CHAPTER 6

EXISTING PRACTICES OF ENTITIES FOR COMPLAINTS REDRESSAL MECHANISM (PETROLEUM PRODUCTS AND NATURAL GAS)

6.1 The Committee sought to know from the entities engaged in marketing of petroleum products and natural gas about their existing practices for complaints redressal mechanism. The information provided by these entities is summarised in this chapter.

6.2 **Complaint modes and channels**

6.2.1 Complaints received by the OMCs and CGD entities are through two modes which entered in their systems:

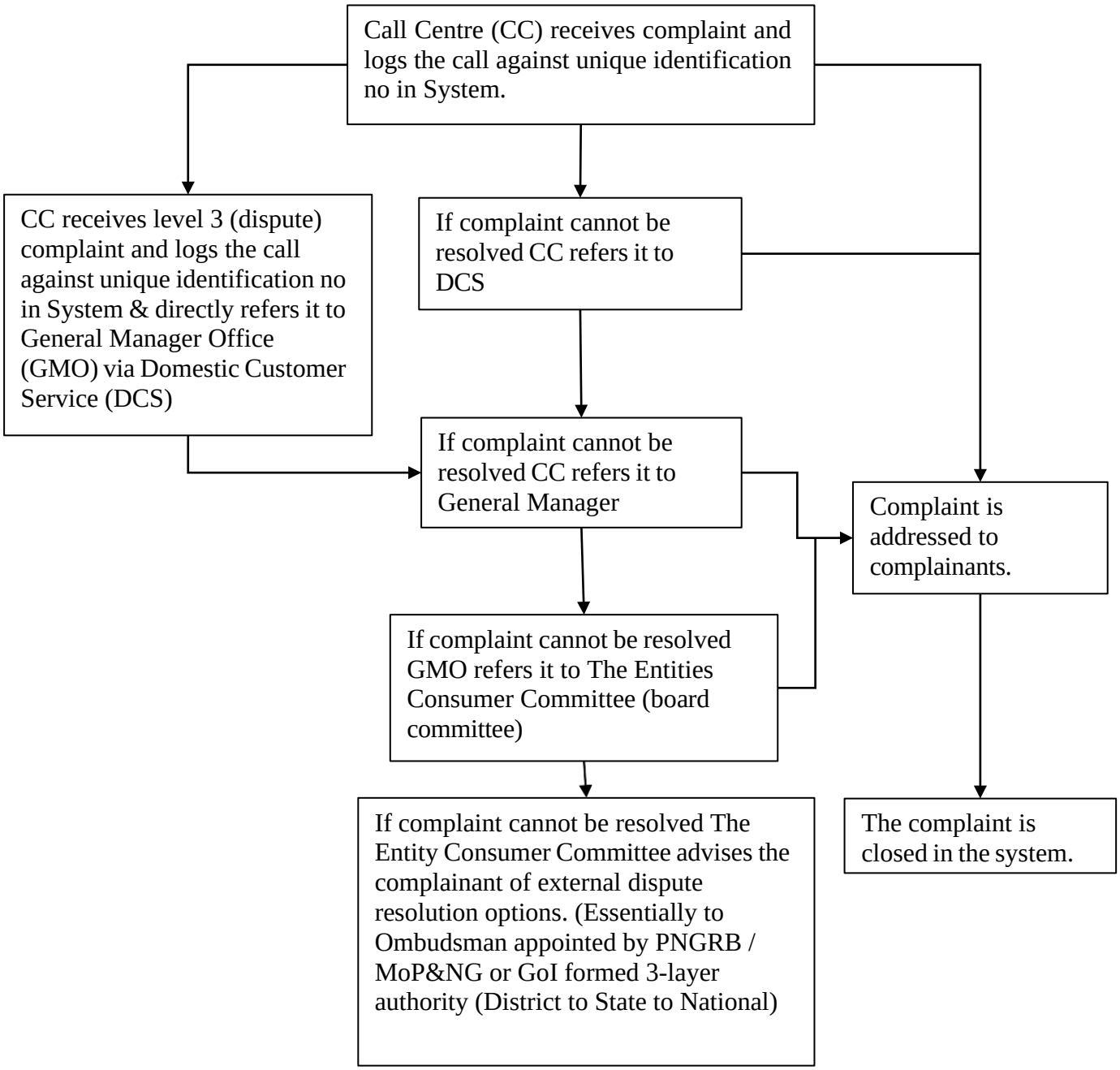


6.2.2 CPGRAMS is an online platform available to the citizens 24x7 to lodge their grievances to the public authorities on any subject related to service delivery. It is a single portal connected to all the Ministries/Departments of Government of India and states.

6.2.3 The complaints in CRM are received through various channels. Greater than 90% of complaints are received through calls, website & social media channels. All the complaints are mapped to the respective designated officers

for redressal. The officer gets notification on receipt of complaint on CRM system and takes further action to redress the same and update action taken on his sales buddy account.

Existing Complaint Mechanism for entities dealing in Petroleum products and Natural Gas



1) **Communication**:
    a) Information about complaints process available in plain language and accessible formats.
    b) Where and how to make complaints.
    c) Information required from complainant.
    d) Process for handling complaints.
    e) Time periods for various stages of complaint.
    f) How to obtain feedback on complaint status.

2) Receipt of Complaints:
    a) Complaints immediately recorded in GDBS (Complaint Management System).
    b) Includes description of complaint, customer details, service/process complained about, due date for response, data relating to complaint, and any immediate action taken.

3) Tracking Complaints:
    a) Complaint tracked from receipt to resolution.
    b) Complainant can contact entity for status update.

4) Acknowledgement and Initial Assessment:
    a) Complaint acknowledged within 24 hours.
    b) Initial assessment of severity conducted.
    c) Employee identifies themselves, actively listens, records detail, determines complainant's desires, shows empathy, and explains proposed action.

5) Investigation of Complaints:
    a) All complaints investigated thoroughly.

6) Response to Complaints:
    a) Entity provides response and remedy as outlined in policy.
    b) Employee responsible for providing response within agreed timeframe.

7) **Communicating Concluding Actions:**

a) Once complaint resolved, complainant contacted immediately by appropriate means (letter, fax, email, telephone).

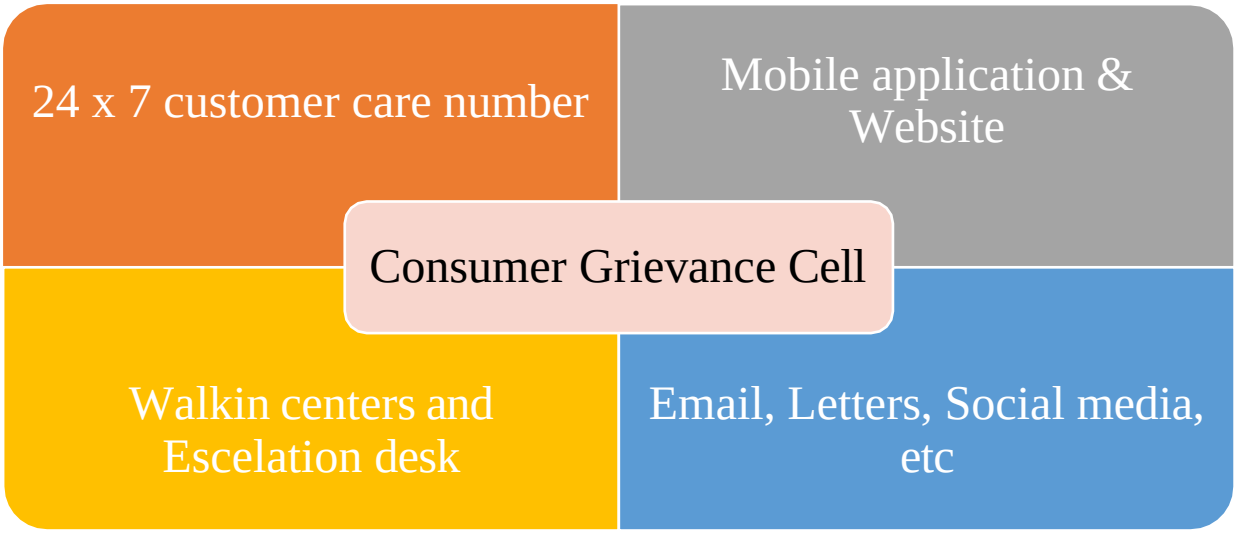
8) **Closing the Complaint:**

a) If complainant accepts decision, agreed action carried out, and records updated.

b) If complainant doesn't accept decision, complaint remains open, and complainant made aware of other recourse options.

6.3 Consumer Redressal Mechanism followed by CGD entities

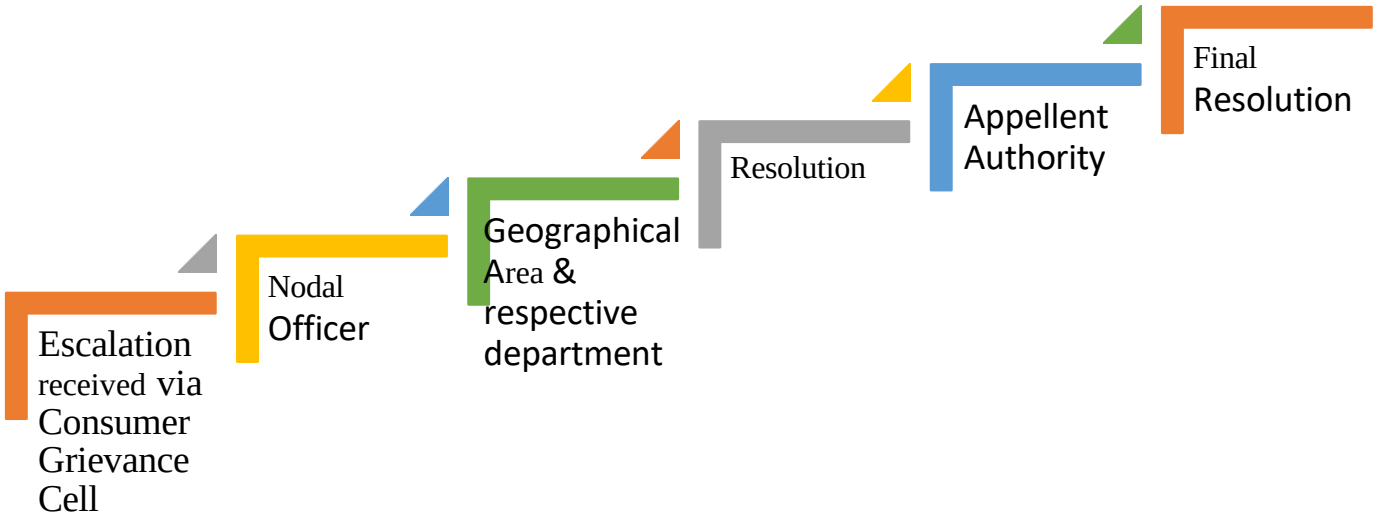
6.3.1 CGD is a vital infrastructure network that delivers natural gas to households, industries, and commercial establishments in urban areas. Entities operating and catering to millions of consumers providing Natural gas are having an obligation to provide adequate service standards, it is essential to setup a Customer Grievance Cell to address the daily complaints, requests and enquires that are generated through the following modes of which the company and consumer opt for communicating: -



6.3.2 Procedure for registering and complaint handling: -

1. All customers have unique ID that is created upon registration of connection, Complaint registered against unique ID at any above avenue.
2. All the received complaints get registered in System either by CSR or automatically if medium is Customer portal or App.
3. Unique Complaint number gets generated from the system and communicated to customers along with expected time of resolution.
4. Basis on the Customer ID and type of complaint, responsible GA is notified, where the requisite department gets designated in the system such as O&M, Project, Marketing etc of the respective GA.
5. Respective team reviews complaints and provide resolution to customer and completes the complaints in system with remarks on the action taken.
6. A track of all the complaints is available in the system against each unique customer id.
7. Service level Agreement (SLA) is defined for each type of complaints and reviewed periodically.
8. Performance gets measured based on the SLA achievements at regular interval.

6.3.3 Escalation Matrix followed for complaints in CGD entities:



Step 1: Consumer Grievance Receipt & Grievance Assessment

The process initiates with the receipt of a consumer grievance through various channels such as helpline numbers, online portals, or customer service centres. Grievances can range from billing disputes to service interruptions or safety concerns. These grievances are further assessed and on urgency and severity which are either solved immediately with an appropriate response to the consumer.

Step 2: Nodal Officer Intervention

If the grievance requires further investigation or resolution beyond the initial level, it is escalated to the designated Nodal Officer.

The Nodal Officer serves as a liaison between the consumer and the relevant departmental authorities.

Step 3: Geographical area & Departmental Resolution

The Nodal Officer forwards the escalated grievance to the respective geographical area or department responsible for addressing the issue. The department conducts a thorough investigation and takes necessary actions to resolve the grievance within a specified timeframe.

Step 4: Resolution Communication

Once the grievance is resolved, the Consumer Grievance Cell communicates the resolution to the consumer, providing details of the actions taken and any compensation or remedial measures, if applicable.

Step 5: Appellate Authority Review

If the consumer is dissatisfied with the resolution provided, they have the option to escalate the matter to the designated Appellate Authority. The Appellate Authority conducts a review of the grievance and the actions taken by the department, ensuring compliance with regulations and fairness in the resolution process.

Step 6: Final Resolution

The Appellate Authority provides a final decision on the grievance, either upholding the previous resolution or recommending further actions for resolution. The decision of the Appellate Authority is communicated to the consumer, marking the closure of the grievance escalation process.

6.4 Consumer Redressal Mechanism for LPG dealerships & Retail Outlets followed by PSU Oil Marketing Companies

6.4.1 To attain a proper dialect various channels have been developed by entities which consumer can opt for their query addressal: -

I) Toll free number customer care no.
II) 24 x 7 Emergency number
III) Official website
IV) Social media like Twitter, Facebook, etc
V) Customer Portal setup by OMC's
VI) OMC's Mobile App
VII) Written Letter to OMC
VIII) MoP&NG: CPGRAM Online channel.
IX) MoP&NG e-SEVA portal.

6.4.2 Additional to receiving the complaints entities check the interaction status on a fortnightly basis and then the vintage of each open interaction is worked out, mapped to the concerned state offices/ regions, and shared with all the state role holders every fortnight. Reviews are also conducted with the State role holders on the open CRM system complaint.

6.4.3 For all complaints with higher vintage, the concerned role holders are contacted telephonically and follow up emails are also sent for redressing the complaint by the entities. Further, Marketing Discipline guidelines (MDG) also

exist to penalise the erring dealers/distributors in case customer's grievance is found genuine during investigations.

6.4.4 As per the Marketing Discipline Guidelines (MDG) provisions, it is mandatory to maintain a suggestion / complaint book at all the Retail Outlets. The same is made available to the customer on demand.

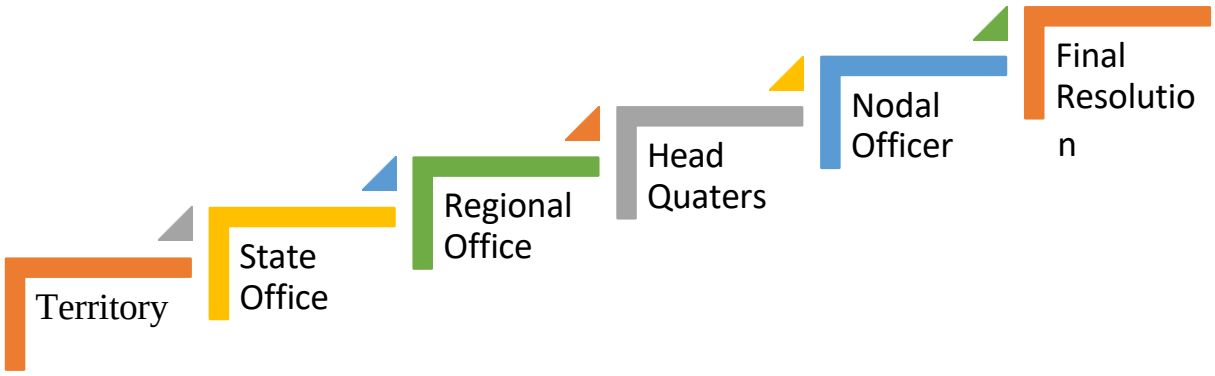
a) A message indicating availability of this book is also prominently displayed at the Retail Outlets and LPG Distributorships.
b) During dealer/distributor inspections, the field officer goes through the suggestion/complaint book and takes suitable action as deemed fit as per the contents registered by any customer therein. The complainant is also contacted wherever necessary.

6.4.5 Contact details of the Field Officer / Retail Divisional Office / Customer Service Cell are displayed at all the Retail Outlets & LPG distributorships, for the convenience of the customer to contact the Company Officials or writing to them in case of any complaint /feedback /suggestion.

6.4.6 Also, customer right's board as per Citizen Charter is displayed at the Retail Outlets. It makes proactive disclosure of services, which are provided to the customers with Grievance Redressal Mechanism's follows by entities.

6.4.7 Customer satisfaction surveys are also conducted to collect feedback for the services performance of the entities and many complaints are also received through such surveys which are also resolved on timely basis.

6.4.8 Escalation Matrix followed for complaints dealing in LPG dealerships and Retail Outlets by Central PSU oil marketing companies:



1) Territory:
    a. Address consumer complaints within the assigned territorial jurisdiction and ensures timely response and resolution of consumer grievances related to LPG and RO services.
    b. Failure to resolve consumer complaints satisfactorily within the specified timeframe or resolution is not achieved then the complaint is transferred to the States Office / Field Officer
2) State Office:
    a. Supervise and oversee consumer complaint resolution activities at the state level and provide guidance / support to LPG dealers and RO manager for resolving escalated complaints.
    b. Escalation of unresolved complaints from LPG dealers and RO which require higher-level intervention.
3) Regional Office:
    a. Manage escalated complaints from state offices and territorial jurisdictions within the region.
    b. Conduct detailed investigations into complex or sensitive consumer grievances.
    c. Implement corrective actions and service improvements to address systemic issues.
4) Retail Outlets / LPG Headquarters (HQ):

a. Oversee consumer complaint resolution activities across a specified region.
b. Review escalated complaints and ensure appropriate measures are taken for resolution.
c. Monitor service quality and consumer satisfaction trends to identify systemic issues.

5) Nodal Officer:
   a. Serve as the highest authority for consumer complaint resolution within the organization and final decision maker on the grievance.
   b. Review and make final decisions on escalated complaints, ensuring compliance with regulatory requirements.

6.5 Escalation Matrix followed for complaints dealing in Retail Outlets by Private Oil Marketing Companies

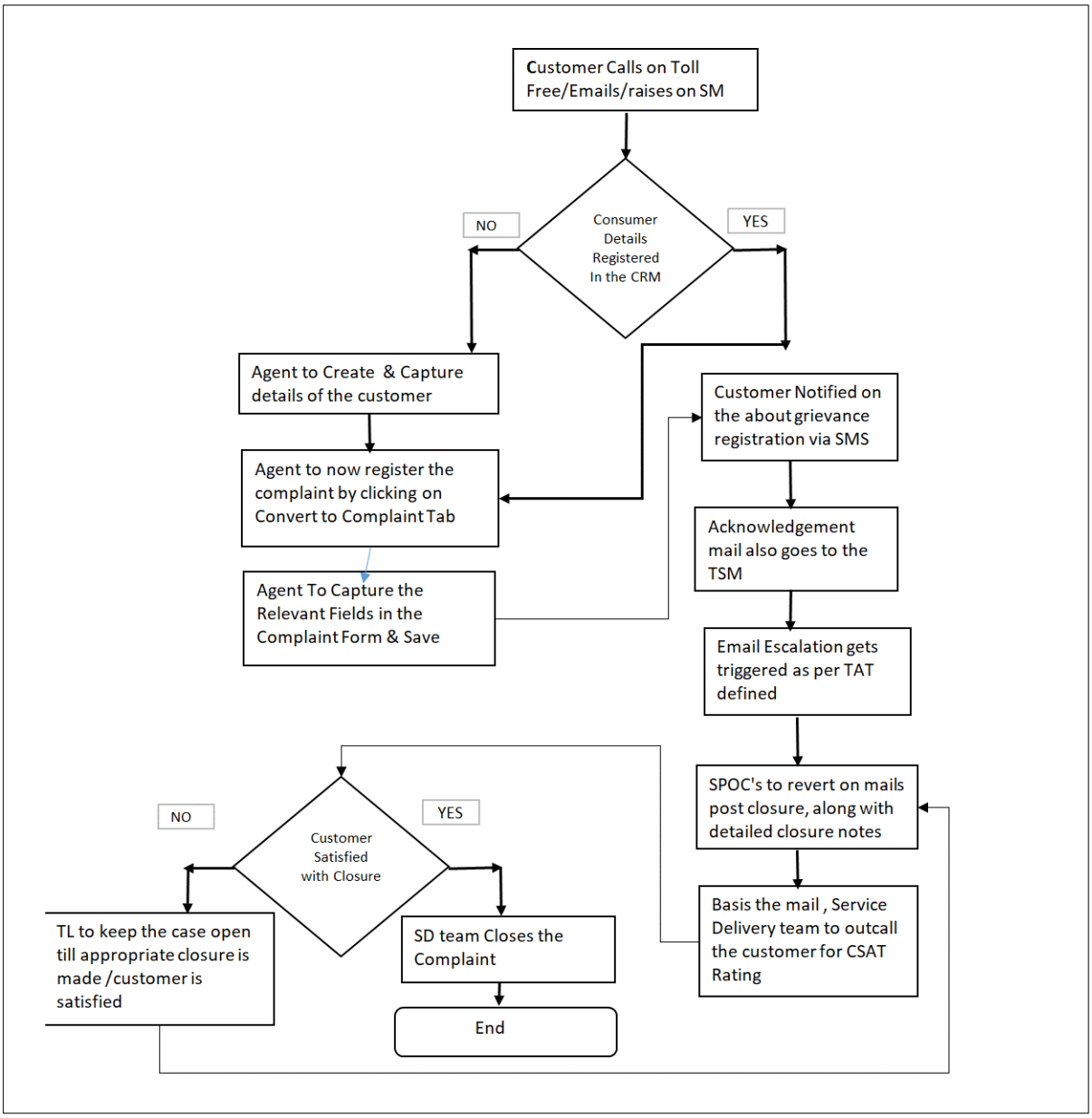
6.5.1 The escalation matrix for the complaint redressal followed by private OMC companies like Reliance Jio-bp, Shell India & Nayara energy is same as that of the Central PSU OMCs.

6.5.2 The process for consumer grievance is as follows:

1. Contact Customer Service:
   a. The consumer reaches out to the company's customer service department through various channels such as phone, email, or online chat to express their grievance.
   b. The complaint is first given to the sales manager.
2. Provide Details:
   a. The consumer provides details about the grievance, including the necessary details and information.

b. If the details of the consumer are not in system the same entered in the system.
c. The consumer is informed about the complaint details via SMS for any future followup.

3. Investigation:
    a. The company investigates the grievance to understand the issue at levels as per the nature of the complaint and determine the appropriate course of action on various levels involving the Territory sales managers and Team leaders.
4. Resolution:
    a. The company works to resolve the grievance, which may involve offering a refund or other form of compensation.
5. Escalation:
    a. If the consumer is not satisfied with the initial resolution, they may escalate the grievance to a higher level within the company.



6.6 Consumer awareness programs undertaken by Public Sector OMCs

6.6.1 Public Sector OMCs carries out consumer engagement programmes throughout the year in various markets for creating awareness about the rights and obligations towards the safe usage of the of petroleum products. Programs taken up by these OMCs are mentioned as below.

BPCL

- BPCL Retail outlets have QR code-based feedback mechanism, which is called DARPAN.
- The Darpan QR codes are displayed at the outlets and are accessible to the customers for sharing their feedback about the retail outlets.

HPCL

- Prashan Mantri LPG Panchyat, LPG Safety Clinics
- SAKSHAM creating awareness on Importance of Energy Conservation.
- विश्वास आपका, प्रतिबद्विता हमारी launched for ROs.
- This program was launched to ensure Quality, Quality and Quick service to customers.

IOCL

- The Digital India initiative to ensure safety and well-being of the customers.
- The '1906' is a telephone number that offers call centre-based services.
- The number is operational 24/7 to respond to emergency calls throughout pan-India.

CHAPTER 7

DATA EXAMINED BY THE COMMITTEE

7.1 As part of the stakeholder consultation process, the Committee sought relevant data from PNGRB and the oil and gas marketing companies. The details of the data provided by them and examined by the Committee are summarised in this chapter.

7.2 **Natural Gas Pipelines Network in India as on 31.12.2023**

The extensive network plays a vital role in the nation's energy infrastructure, facilitating the distribution of natural gas to various sectors including power generation, industrial, commercial, and residential. Managed by both public and private entities, the pipeline network continues to undergo expansion and modernization efforts to meet the growing demand for natural gas and to enhance energy security.

Details		**Length (Km)**	**Total (Km) December 2023**
Authorized Natural Gas Pipelines	Common Carrier	31,797	33,347
	Tie-in connectivity	770	
	Dedicated	780	
Operational Natural Gas Pipelines	Common Carrier	23,391	24,723
	Tie-in connectivity	178	
	Dedicated	658	
	STPL	496	
Under Construction Natural Gas	Common Carrier	9,647	10,494
	Tie-in connectivity	590	

Pipelines	Dedicated	122	
	STPL	135	

Details	Length (in km)
Authorized	13,596
Operational	9,223
Under Construction	4,284

7.3 **Last five years Complaint Data Analysis -** Understanding consumer complaints is crucial for businesses and regulatory bodies alike to enhance service quality and consumer satisfaction. In this analysis, we delve into five years' worth of complaint data to uncover trends and patterns that shed light on the evolving landscape of consumer grievances. In this regard, the issues/complaints have been categorised as under:

S.No.	Liquified Petroleum Gas (LPG)	Retail outlets (ROs)	City Gas Distribution (CGD)
1	Refill related	Service related	Activation/Refund delays
2	DBTL related / Subsidy	Facility related	Faults/Disruption/Delay in restoration
3	Services related	Quality and Quantity related	Pressure/Quality/other parameters of gas
4	Quality related	Digital Payments and IT related	Billing/ Payment
5	IT related issues/ Website related issues	-	-

Any other complaint received by the entities are categorized as "others".

7.3.1 Complaints involving LPG distributorships and Retail Outlets - Issues faced by the consumers at LPG dealerships & Retail Outlets encompass a range of challenges faced by individuals or entities involved in the distribution and sale of the petroleum products. These issues can affect both the dealerships themselves and the consumers they serve. Addressing these issues required an approach where the complaint had to be categorized as per the above for LPG and ROs as their categorization is not defined in MDG.

7.3.1.1 Below are the issues faced by the consumers when dealing with LPG distributorships: -

1) Refill Related Issues:
    a. These dominate across all OMCs, indicating challenges in ensuring seamless LPG cylinder deliveries. Streamlining refill processes, enhancing logistics, and optimizing supply chain management are imperative to address this common concern.
2) DBTL Related / Subsidy Concerns:
    a. Managing Direct Benefit Transfer for LPG (DBTL) schemes and subsidy-related issues present hurdles across OMCs. Improving subsidy disbursement mechanisms along with timely updating of bank details of the consumer can mitigate these challenges effectively.
3) Services Related Complaints:
    a. These encompass issues such as customer support, response times, and grievance redressal processes.
    b. Strengthening service infrastructure and fostering a consumer-centric approach by regular training of ground staff is pivotal for enhancing service quality.
4) Quality Related Concerns:
    a. Quality-related grievances pertain to concerns regarding LPG cylinder integrity and product purity.

b. Implementing stringent quality assurance measures and proactive monitoring are essential to address these concerns effectively.

5) IT Related Issues / Website Related Issues:

a. IT-related challenges, including website usability and digital payment issues, underscore the importance of robust digital infrastructure.

b. Continuous enhancements to digital platforms and user-friendly interfaces can enhance consumer convenience.

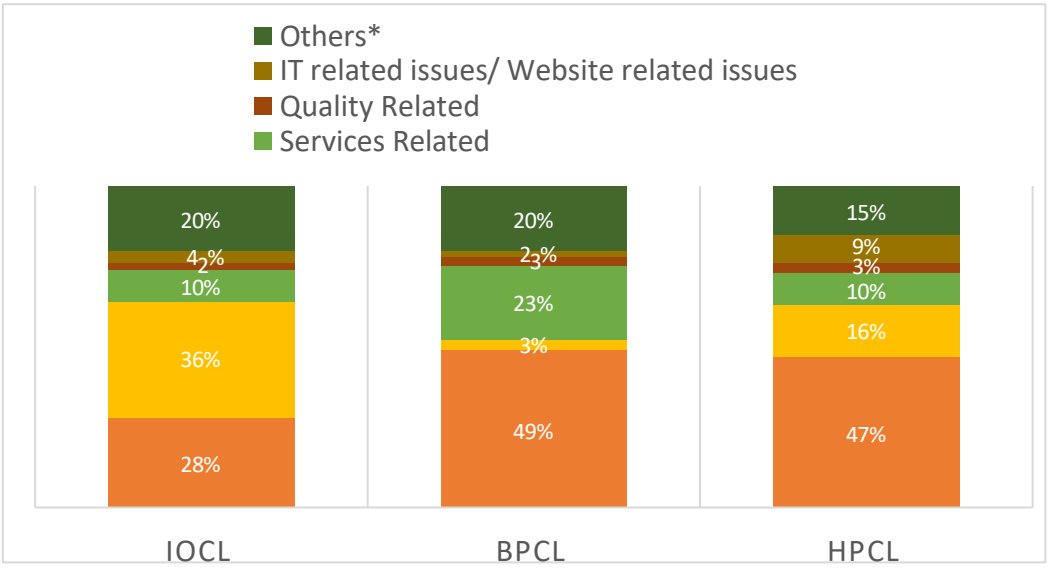
6) Others:

a. Miscellaneous complaints encompass Leakage, New Connection, Safety related issues, transfer of LPG cylinder, etc.

b. Addressing these miscellaneous concerns requires a holistic approach tailored to specific consumer grievances.

7.3.1.2 Overall, the complaints received by the LPG distributorships comprised of 50% related to the timeline for the refill of domestic cylinder and credit of subsidy on the cylinders as per the GOI. The data further highlights areas where each entity may need to focus on improving service quality, addressing specific types of complaints and enhancing customer satisfaction, particularly in refill-related issues, subsidy management, and service delivery.

Type of complaints raised by consumers involving LPG distributorships



Type of complaints raised by consumers involving LPG distributorships

Complaint Category's	**Total**		**Refill Related**	**DBTL Related / Subsidy**	**Services Related**	**Quality Related**	**IT related issues/ Website related issues**	**Others***
Name of Entity	Total Complaints received per year	Complaints solved within 15 days per Year	Complaints received	Complaints received	Complaints received	Complaints received	Complaints received	Complaints received
IOCL	995895	995895 (100%)	275094 (28%)	354790 (36%)	102172 (10%)	23804 (2%)	38491 (4%)	201544 (20%)
BPCL	507179	507179 (100%)	246401 (49%)	15364 (3%)	116447 (23%)	15941 (3%)	8507 (2%)	104519 (20%)
HPCL	206299	206299 (100%)	97317 (47%)	33886 (16%)	19429 (10%)	5717 (3%)	19473 (9%)	30477 (15%)

*Others category complaints cover the issues like Leakage, New Connection, Safety related issues, transfer of LPG cylinder, etc.

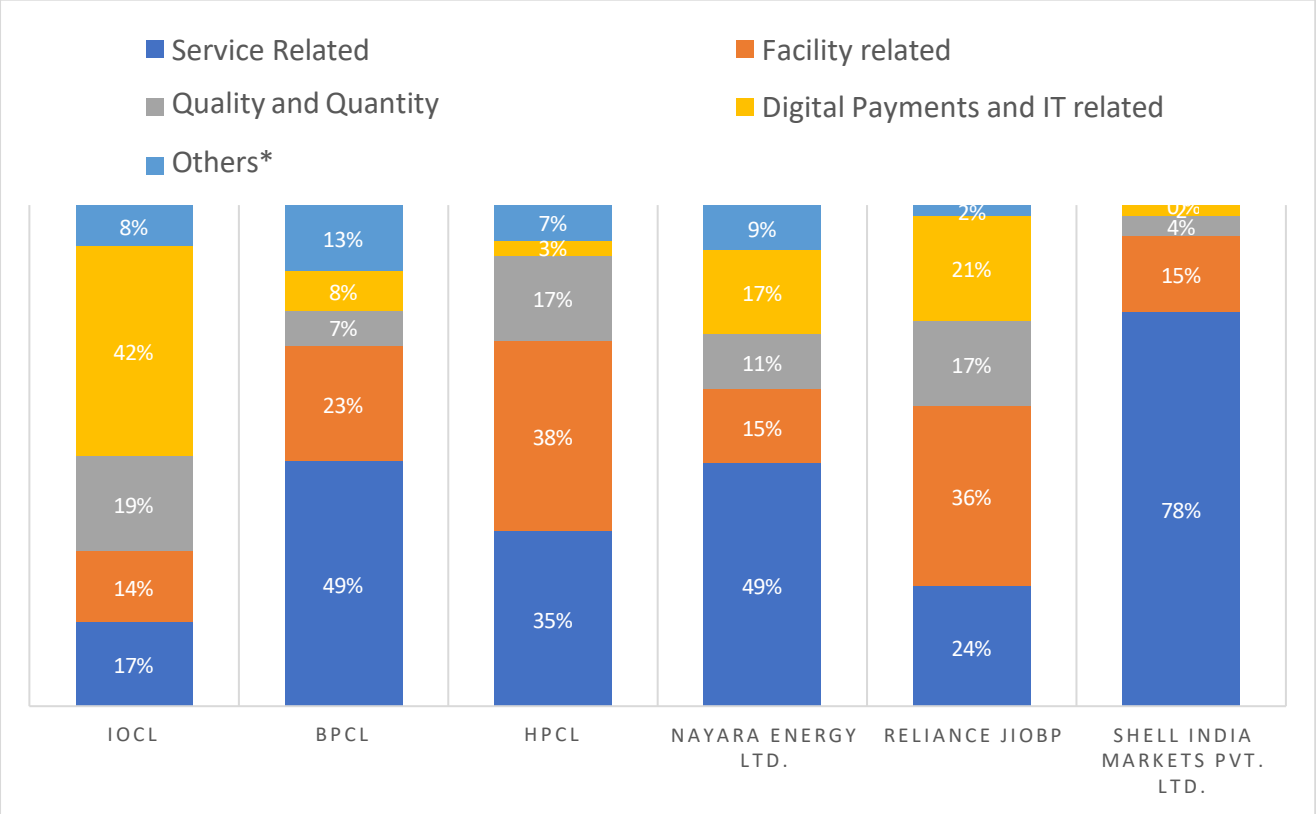
7.3.1.2 Complaints involving Retail Outlets (MS & HSD) - The data of complaints involving ROs suggests that almost 50% issues faced by consumers are focused on improvement in service quality and facility management. Addressing these types of complaints would enhance customer satisfaction. Further checks can be done to maintain the quality assurance and updating the modes of payment alongside the digital services for the ROs.

1) Service-Related Complaints:
    a. Service-related complaints are prevalent across all entities, indicating potential issues with customer service, response times, or overall service quality.
    b. IOCL, BPCL, and Nayara Energy Ltd. have particularly high percentages of service-related complaints, suggesting a need for improvements in service delivery.
2) Facility Related Complaints:
    a. Facility-related complaints, which include infrastructure issues, cleanliness, or amenities, are also common across entities.

b. HPCL and BPCL receive a significant proportion of facility-related complaints, highlighting areas where infrastructure upgrades or maintenance may be required.

3) Quality and Quantity Complaints:
   a. Complaints related to the quality or quantity of products or services are present in varying degrees across entities.
   b. HPCL and IOCL receive a notable proportion of quality and quantity-related complaints, indicating potential concerns with the consistency or adequacy of their offerings.
4) Digital Payments and IT Related Complaints:
   a. Complaints related to digital payments and IT issues are prominent, particularly for IOCL and Nayara Energy Ltd.
   b. This suggests challenges in the implementation or functionality of digital payment systems or IT infrastructure, necessitating improvements in technology solutions and user experience.
5) Others:
   a. The "Others" category encompasses miscellaneous complaints that do not fall into the specified categories.
   b. Reliance Jio-Bp and Nayara Energy Ltd. have relatively higher percentages of complaints classified under "Others," indicating a diverse range of issues beyond the specified categories as these companies are in development stage.

Type of complaints raised by consumers involving Retail Outlets



Type of complaints raised by consumers involving Retail Outlets

Complaint Category's	**Total**		**Service Related**	**Facility related**	**Quality and Quantity**	**Digital Payments and IT related**	**Others***
Name of Entity	Total Complaints received per year	Complaints solved within 15 days per Year	Complaints received	Complaints received	Complaints received	Complaints received	Complaints received
IOCL	35357	35357 (100%)	5905 (17%)	5064 (14%)	6848 (19%)	14852 (42%)	2688 (8%)
BPCL	23765	23765 (100%)	11650 (49%)	5422 (23%)	1616 (7%)	1926 (8%)	3151 (13%)
HPCL	7417	7417 (100%)	2570 (35%)	2805 (38%)	1271 (17%)	237 (3%)	534 (7%)
Nayara Energy Ltd.	1206	1206 (100%)	587 (49%)	178 (15%)	130 (11%)	207 (17%)	104 (9%)

Reliance Jio-Bp	1135	1135 (100%)	276 (24%)	412 (36%)	188 (17%)	233 (21%)	26 (2%)
Shell India Markets Pvt. Ltd.	898	898 (100%)	701 (78%)	138 (15%)	37 (4%)	22 (2%)	0 (0%)

*Others category complaints cover the issues like Housekeeping, Swachh Bharat, Non availability of product, Safety related issues, etc.

7.3.2 CGD complaints - Categorization of complaints is pre-defined under the PNGRB Service Regulations for the CGD entities with a resolution period of 1 week.

i. Activation/Refund Delays:
    a. Consumers experience delays in the activation of new connections and delay in refunds for cancelled connections.
    b. These complaints account to a major chunk of the complaints as customers expect their connections to be installed in certain timelines (90 days as per regulations).

ii. Faults/Disruption/Delay in Restoration:
    a. Consumers may encounter faults, disruptions, or delays in gas supply, requiring prompt restoration to minimize inconvenience.
    b. Implementing robust monitoring systems, alongside deployment of emergency teams and proactive maintenance schedules can reduce faults and enhance service reliability.

iii. Pressure/Quality/Other Parameters of Gas:
    a. Consumers may raise concerns regarding the pressure, quality, or other parameters of the supplied gas, affecting appliance performance or safety.
    b. Conducting regular quality checks, maintaining compliance with standards, and promptly addressing consumer concerns can ensure gas quality and safety.

iv. Billing/Payment:

a. Consumers may dispute billing discrepancies, delay in billing, or face challenges in payment processing, leading to financial disputes.
b. Enhancing billing transparency, providing clear explanations of charges, and offering flexible payment options can alleviate billing and payment-related grievances.

v. Others:

a. Miscellaneous complaints encompass a wide range of issues not categorized under the above classifications, such as customer service grievances, administrative concerns, or regulatory compliance issues.

7.3.2.1 Eight CGD entities have been approached for sharing the complaint data for the CGD sector as per the Service Regulations.

Type of complaints raised by consumers involving CGD entities as per PNGRB Service Regulations

Entity	Total Connections	Total Complaints	Activation/ Refund Delays			Faults/Disruption/Delay in Restoration			Pressure/Quality/Other Parameters of Gas			Billing/Payment			Others*		
			Total	Pending for Over a month	Resolved within 1 week	Total	Pending for Over a month	Resolved within 1 week	Total	Pending for Over a month	Resolved within 1 week	Total	Pending for Over a month	Resolved within 1 week	Total	Pending for Over a month	Resolved within 1 week
GGL (27 GAs)	**19,23,139**	**162180**	**43543 (27%)**	3149 (7 %)	6582 (15%)	**33123 (20%)**	3 (1%)	32093 (99%)	**26317 (16%)**	0	25367 (96%)	**13670 (8%)**	10 (0.1%)	10576 (77%)	**45527 (28%)**	185 (0.40%)	34067 (75%)
IGL (10 GAs)	**14,75,655**	**130326**	**1972 (1%)**	287 (7%)	1972 (84%)	**4948 (4%)**	529 (2%)	4103 (85%)	**10642 (8%)**	26 (0.1%)	10548 (99%)	**5231 (4%)**	369 (9%)	4576 (88%)	**107532 (83%)**	1618 (2%)	90217 (83%)
MGL (3 GAs)	**15,10,040**	**355070**	**678 (0.2%)**	N/A	173 (26%)	**5 (0.01%)**	N/A	3 (60%)	**4348 (1%)**	N/A	357 (8%)	**335896 (96%)**	N/A	335896 (100 %)	**14143 (3%)**	N/A	339187 (97%)
TGPL (17 GAs)	**66,025**	**17536**	**5686 (32%)**	3675 (65%)	1328 (23%)	**1089 (6%)**	486 (45%)	424 (39%)	**5707 (33%)**	330 (6%)	4811 (84%)	**3575 (20%)**	1120 (31%)	1331 (37%)	**1478 (8%)**	617 (42%)	498 (34%)
GaGL (16 GAs)	**1,40,472**	**28183**	**175 (1%)**	44 (25%)	28 (16%)	**6141 (22%)**	1245 (20%)	5866 (96%)	**5197 (18%)**	0	5020 (97%)	**12101 (43%)**	412 (3%)	10603 (88%)	**4569 (16%)**	1449 (32%)	3974 (87%)

IOCL (26 GAs)	**50,915**	**1607**	**86 (5%)**	7 (8%)	59 (69%)	**14 (1%)**	3 (21%)	4 (29%)	**12 (1%)**	4 (33%)	6 (50%)	**71 (4%)**	3 (4%)	58 (82%)	**1425 (89%)**	29 (2%)	1107 (78%)
Think Gas (7 GAs)	**72,327**	**23474**	**4161 (18%)**	1237 (6%)	1746 (42%)	**6139 (26%)**	731 (12%)	4162 (68%)	**1852 (8%)**	4 (0.2%)	1784 (96%)	**6854 (29%)**	59 (1%)	6134 (89%)	**4468 (19%)**	770 (17%)	2794 (63%)
GAIL (6 GA's)	**3,18,349**	**10152**	**2016 (20%)**	2016 (100%)	0	**4320 (42%)**	0	4320 (100%)	**216 (2%)**	0	216 (100%)	**3600 (35%)**	0	3600 (100%)	N/A	N/A	N/A
Grand Total	**5556922**	**728528**	**58317 (8%)**	**10415 (15%)**	**11888 (21%)**	**55779 (7%)**	**2997 (6%)**	**50975 (91%)**	**54291 (8%)**	**364 (1%)**	**48109 (89%)**	**380998 (7%)**	**1973 (7%)**	**372774 (81%)**	**513,554 (70%)**	**4668 (1%)**	**471,844 (92%)**

*Others complaits include: correction of name, mobile no., alteration, name change, etc

7.3.2.2 Initially, the data implicated that most of the complaints were falling under *"Others"* category, as the complaints falling in others section were more than 80% of the complaints received by the entities like IGL, MGL. Upon clarification sought from the entities, it was noted that there is a lack of clarity on account of the entities on the 4 types of complaints segregated in the PNGRB Regulations. It was understood that the complaints are received in the below manner:

1) Activation / Refund delay category: 40% of the complaints received are under this category as many consumers apply for the PNG connection don't get the connection within the stipulated timeline of 90 days as defined under the service regulations.
2) Billing/payment category: 20% of the complaints received were related to wrong meter readings, wrong meter number and delay in billing complaints.
3) Faults/Disruption/Delay in Restoration category: 10% of the complaints were related to post installation of connection but the ground connection restoration pending alongside no gas complaints that the entities have received due to interruptions in gas supply.
4) Pressure/Quality/Other Parameters of Gas category: 10% of the complaints were related to the quality/ workmen ship of the work

executed at the premise and the conversion not done properly or fault in the regulators leading to pressure problems in gas supply.

5) Others category: Up to 20% of the complaints came under the others category as they were related to updating of the mobile nos., email id, change of ownership of premises, procedure related, etc.

7.3.2.3 CNG Stations - The data of complaints involving the CNG Stations set by the CGD entities reveals a robust and competitive landscape in the market. Leaders like IGL and Gujarat Gas Limited are operating extensive networks of over 800 CNG Stations each and there is a clear indication of significant demand for CNG as a fuel across regions like Delhi-NCR and Gujarat. The presence of major players such as Adani Total Gas, BPCL and GAIL in the market reveals a widespread adoption of CNG as a cleaner alternative vs. conventional fuels.

Entity-wise Number of CNG Stations established as on 29.02.2024

CGD Entity	Number of CNG Stations
IGL	820
Gujarat Gas	802
Adani Total Gas	512
BPCL	484
GAIL and GAIL Gas	447
Torrent Gas	435
MGL	338
AG&P	317
Indian Oil-Adani	296
HPCL	273
MNGL	229
IOCL	228
Sabarmati Gas	161
Megha	155
Bhagyanagar Gas	136
Think Gas	108
Aavantika Gas	106
Green Gas	85
CUGL	84

IRM Energy	79
UEPL	53
HPOIL	47
Haryana City Gas Dist. Ltd.	41
Godavari Gas	32
Haryana City Gas (KCE)	25
TNGCL	18
IMC Ltd	18
RSGL	13
Gasonet	10
Jay Madhok	6
Purba Bharati	3
Others	95
Total	6456

7.3.2.4 Following are the major issues faced by the consumers at CNG Stations:

1) Long Wait Times: Particularly during peak hours, consumers may experience long wait times at CNG stations due to high demand.
2) Dispenser Malfunctions: Malfunctions or out-of-service dispensers can lead to delays and inconvenience for consumers. Technical issues such as slow filling, leakage, or failure to dispense gas can disrupt the refuelling process.
3) Inadequate Infrastructure: In some areas, the availability of CNG stations may be limited, leading to inconvenience for consumers, especially those who rely on CNG as their primary fuel source. For Eg: Taxis and Auto Rickshas operational in areas like Delhi, Gurugram, Noida and other developing cities. This lack of infrastructure can restrict the accessibility and adoption of CNG vehicles.
4) Price Fluctuations: Consumers may face uncertainty due to fluctuating CNG prices, which can impact their budgeting and fuelling decisions. Sudden price hikes or increase in leads to dissatisfaction among consumers.

5) Safety Concerns: Safety is paramount at CNG stations, but consumers may encounter concerns related to the safety practices and equipment maintenance at some stations. Issues such as improper handling of CNG equipment, inadequate signage, or lack of safety protocols can pose risks to consumers and their vehicles.
6) Customer Service: Poor customer service, including unfriendly staff, lack of assistance, or ineffective complaint resolution processes, can contribute to a negative experience for consumers at CNG stations.

7.4 Comparison of PNGRB Regulations Vs Electricity Act, 2003 Vs MDG for LPG Distributorships and Retail Outlets

7.4.1 Extrapolating from historical trends and incorporating predictive modelling techniques, the Committee anticipates forthcoming challenges and opportunities by comparing the current Service Regulations notified by PNGRB vis-à-vis the Rights of Consumer notification dated 31.12.2020 covered under the Electricity Act, 2003 vis-a-vis the Marketing Disciplines Guidelines (MDG), which OMCs follow for the LPG distributorships and Retail Outlets. The comparison was done on the following points: -

1) Service Rights and Obligations
2) Service Norms
3) Metering
4) Billing and Payments
5) Consumer services and complaint handling

7.4.2 The Committee analysed with a comprehensive and nuanced understanding of the comparison, providing valuable insights with an aim to regulate aspects of the energy sector in India. The natural gas market in India is gradually evolving towards a more competitive structure, with multiple players involved in the transportation, distribution, and marketing of natural gas that need proper guidance for handling the developing consumer base in case of the Service Regulations notified under the PNGRB Act, 2006.

7.4.3 The rights of the consumer are widely covered by the Electricity Act, 2003 which are enforced on the electricity transmission entity to ensure reliable and quality electricity supply, transparent billing practices, and grievance redressal mechanisms using the digitization and adaptation of modern technology whereas the natural gas sector currently is in development stage and has more focus on ensuring the availability of natural gas to consumers at reasonable prices while maintaining a competitive market, quality and safety in comparison to the other petroleum products.

Summary of comparison

The Electricity Act 2003, Rights of Consumer Notification dated 31.12.2020	**PNGRB Service Regulations**	**Marketing Discipline Guidelines – LPG Distributorships**	**Marketing Discipline Guidelines – MS & HSD Dealerships**
Rights and Obligations 1) Duty to supply electricity on request of the owner. 2) Minimum standard of service	Rights and Obligations 1) All the Rights and Obligations of entity are covered under the Application section of the regulations.	Rights and Obligations 1) Selling of product of correct quantity and quality. 2) Excellent customer service.	Rights and Obligations 1) Selling of product of correct quantity and quality. 2) Excellent customer service.
Release of new connection and modification in existing connection 1) Information to display on website and office. 2) Web portal & mobile application. 3) Acceptance of application online & offline. 4) Web based tracking of application through E-mail, SMS. 5) Proof of ownership of documents for application. 6) Timeline provisions for providing connection with penalty for not providing the connection in the specified timeline.	Service norms for new PNG connections. 1) Local newspapers also a part of the regulations besides the website & local office. 2) Application for new connection and alterations are available and accepted both online / offline. 3) Updating the progress of the application for new connection and alteration via digital mode to be included in the regulations. 4) List of documents are covered under the regulations. 5) Three months timeline for providing connection with penalty clause covered.	Service 1) Domestic Gas Consumer Card (DGCC) to be updated upon refill. 2) Non defective cylinders to be given to consumers. 3) Installation of LPG connection at the consumer premises 4) Ensure prompt service for timely delivery of cylinders	Service 1) Ensure prompt services. 2) Availability of clean toilets at the RO.

Metering 1) Tested and sealed meters to be installed. 2) Regular meter reading cycles. 3) Provisional bill for customers. 4) Complaint handling for meter malfunction. 5) Custody of meter installed on premises. • If the meter is installed inside the premises – custody of the consumer • If the meter is installed inside the premises – custody of the entity	Metering 1) Meter installed as per the prescribed technical and accuracy standards. 2) Bi-monthly meter reading cycles for domestic and actual bills to be raised for other segments (Commercial/Industrial). 3) Periodic inspection of the metering equipment. 4) Complaint handling for meter malfunction. 5) Custody of the meter falls under the customer.	Quantity 1) Non defective cylinders to be given to consumers.	Metering 1) All equipment's for be maintained in good working conditions.
Billing and payment 1) Tariff display on website and periodic bills. 2) Complaint handling with time-based resolution. 3) Digital dispatch of electricity bills via SMS, Email, etc. 4) First bill to be issued within two billing cycles after the supply has been initiated. 5) Maximum of two provisional bills allowed per year. 6) Timely dispatch of bills. 7) No Dues certificate in case of vacating the premises. 8) Online and Offline mode of payments to be made available to the consumers.	Billing All the points under the electricity act are a part of the regulations.	Payment 1) Cash Memos should carry the message "get cylinders checked for weight and leakage at the time of delivery"	N/A
Call Centre for consumer services and grievance redressal mechanism. 1) 24 x 7 toll free number 2) Digital modes like email, SMS for communicating with the customers for addressing the complaints. 3) Establish a Consumer Grievance Redressal	Complaint Handling 1) 24 x 7 Consumer complaint cell. 2) Timely resolution of complaints 3) Complaint management system to be setup in order to monitor complaints for timely resolution.	Complaint Handling 1) A suggestion / complaint book must be maintained.	Complaint Handling 1) Dealers must display messages of the Customer service cell. 2) Display of names and number of the oil company person.

Forum (CGRF) for managing the complaints. 4) Monitoring of complaints for timely resolution. 5) Ombudsman to quarterly evaluate the time schedules for solving the complaints.	4) Ombudsman intervention in cases where the Nodal officer has not been able to resolve the complaint.		

7.4.4 From the above comparison, it is observed that under the Electricity Act, distribution licensees and other entities involved in electricity supply are required to establish Consumer Grievance Redressal Forums (CGRFs) at the local, regional, and state levels. These forums serve as quasi-judicial bodies responsible for resolving consumer complaints. Consumers can submit complaints to the appropriate CGRF, which then conducts hearings, investigates the matter, and issues appropriate orders for resolution. Further, the Electricity Act mandates the establishment of Electricity Ombudsman offices at the state and central levels to provide further recourse for consumers dissatisfied with the decisions of CGRFs. The Ombudsman acts as an Appellate Authority, offering an independent and impartial review of consumer complaints that remain unresolved at the CGRF level.

7.4.5 On the other hand, PNGRB Act, 2006 primarily focuses on the regulation of the petroleum and natural gas sector, including the licensing of entities involved in transportation, distribution, and marketing. While PNGRB Act, 2006 includes provisions for complaint redressal but, they are not as comprehensive or specifically tailored to address consumer issues in the petroleum and natural gas sector to the same extent as those provided under the Electricity Act, 2003 for electricity supply.

7.4.6 While the Act does empower PNGRB to receive and address complaints regarding the transportation, distribution, or marketing of petroleum and natural gas, the mechanism for redressal is not as structured as those established under the Electricity Act, 2003. Moreover, PNGRB Act, 2006 do not explicitly

mandate the establishment of dedicated grievance redressal forums or ombudsman offices at various levels, as seen in the Electricity Act, 2003 for the electricity sector.

CHAPTER 8

STAKEHOLDER CONSULTATION OF THE COMMITTEE

8.1 The Committee undertook stakeholder consultation process by seeking written responses from major entities engaged in marketing of petroleum products and natural gas and some of the consumer fora and by interacting with them in stakeholder consultation meetings.

8.2 For the purpose of stakeholder consultation, the Committee developed two types of Questionnaires, one for major oil & gas companies and the other for major consumer fora, as under:

Questionnaire for stakeholder consultation - Major Oil & Gas Companies

1. What are the details of number of consumer complaints received during the last five years (2019-20, 2020-21, 2021-22, 2022-23 and 2023-24), year-wise and different types of consumers-wise like MS/HSD (Retail), LPG (Domestic), LPG (Industrial), CNG, PNG (Domestic), PNG (Industrial), PNG (Commercial), Direct Customers for other products, etc., as applicable to your organisation?
2. What are the details of number of complaints resolved within 24 hours, 48 hours and more than 48 hours, along with reasons for delay in resolution?
3. What is the present complaints redressal mechanism in your organisation?
4. What are the details of consumer awareness programmes, different types of consumers-wise as detailed in Question No. 1 above, undertaken by your organisation?

5. What are your views on the consumer service related provisions under various Regulations notified by the Petroleum and Natural Gas Regulatory Board (PNGRB)?
6. What are your suggestions for effective implementation of the provisions under Sections 11(f), (i) to (iv) of the PNGRB Act, 2006?
7. What are your suggestions for effective implementation of the provisions regarding complaints and resolution of disputes by PNGRB under Section 12 (1) of the PNGRB Act, 2006?
8. What are your views regarding mandating of appointment of Ombudsman with regard to protection of consumer interest in oil & gas sector?
9. Any other suggestions for measures to be taken by PNGRB for protection of consumer interest?

Questionnaire for stakeholder consultation - Major Consumer Fora

1. What are your views on the consumer service related provisions under various Regulations notified by the Petroleum and Natural Gas Regulatory Board (PNGRB)?
2. What are your suggestions for effective implementation of the provisions under Sections 11(f), (i) to (iv) of the PNGRB Act, 2006?
3. What are your suggestions for effective implementation of the provisions regarding complaints and resolution of disputes by PNGRB under Section 12 (1) of the PNGRB Act, 2006?
4. What are your views regarding mandating of appointment of Ombudsman with regard to protection of consumer interest in oil & gas sector?
5. Any other suggestions for measures to be taken by PNGRB for protection of consumer interest?

8.2 The written responses received from the major oil & natural gas marketing companies [IOCL, BPCL, HPCL, RJBP, NEPL, Shell India, IGL, MGL, MNGL, AGCL, GaGL, GGL, BGL, SGL, Green Gas Limited, IOAGPL, ATGL, TGPL and TGDPL] and the consumer fora [CSEP, PEG and Rama Shankar Awasthi] and the Presentations made by them to the Committee during the stakeholder consultation meetings have been kept in record with Shri S.C. Gupta and Lt Col. Kumar Abhishek of PNGRB, who have been associated with the Committee.

CHAPTER 9

RECOMMENDATIONS OF THE COMMITTEE

After extensive examination of the PNGRB Act, 2006, Regulations notified by PNGRB, various other related legislations such as Consumer Protection Act, 2019, data/material submitted by PNGRB as well as entities and the discussions held with the entities during the stakeholder consultation meetings, the High Level Expert Committee makes its recommendations as detailed in this chapter. It may be clarified that the Committee in its own wisdom has made suggestions for protecting the consumer interest at large. The Committee feels that the main objective of GoI, PNGRB and the entities in the petroleum and natural gas sector would be to take care of the public interest i.e. protecting the consumer interest. Each institution complements the work of the other when it comes to consumers' interest. Implementation of some of the recommendations of the Committee may come under the lense of legal scrutiny. This evolution will only help in the direction of protecting consumer interest.

9.1 Measures for effective implementation of section 11(f) (i) to (vi) of PNGRB Act, 2006

9.1.1 As per Section 11(f) of the PNGRB Act, 2006, PNGRB has been empowered to undertake the functions enumerated therein only in respect of the notified petroleum, petroleum products and natural gas. However, the Government of India has not yet notified any of the petroleum, petroleum products and natural gas. But the Preamble of the Act states that it is an Act for establishment of PNGRB to regulate refining, processing, storage, transportation, distribution, marketing, and sale of petroleum, petroleum products, and natural gas excluding the production of crude oil and natural gas so as to protect the interests of consumers and entities engaged in specified activities relating to petroleum, petroleum products and natural gas and to

ensure uninterrupted and adequate supply of petroleum, petroleum products and natural gas in all parts of the country and to promote competitive markets and for matters connected therewith or incidental thereto.

9.1.2 The Preamble clearly without any ambiguity states the objective for establishment of PNGRB is to *inter alia* protect consumers' interest and ensure uninterrupted and adequate supply. A Preamble is said to be the key of the statute, to open the minds of makers as to the mischief, which are to be remedied and the object that are to be accomplished by the provisions of the statute. The introductory part of a statute, ordinance or regulation that states the reasons and intent of law or regulation or is used for explanatory purposes is the Preamble. The proper function of the Preamble is to explain certain facts which are necessary to be explained before the framers of law to apprise them of the real intent and object of the legislation for consideration.

9.1.3 All the functions listed under Section 11(f) (i) to (vi) are for the protection of consumers' interest and implementation of these provisions do not harm the interest of the entities. Moreover, there is no agency working for consumer interest and safeguarding provisions listed under Section 11(f) (i) to (vi) of the PNGRB Act, 2006. Hence, without getting into the issue of the intention of GoI for not notifying any of the petroleum, petroleum products and natural gas as required under Section 11(f) of the Act even after more than one and a half decades of enacting the Act and establishing the Board, which is in the policy domain of the Government, the Committee is of the opinion that PNGRB can take measures to cover the functions listed under Sections 11(f) (i) to (vi) to the extent they fulfill the basic objective of the Act, till such time the Government notifies the petroleum, petroleum products and natural gas.

9.1.4 On examining the Regulations notified by the Board and listening to various entities through stakeholder consultation process, it has been observed

that the Board has covered the consumer interest related provisions for natural gas in various Regulations. The Committee is of the opinion that the PNGRB has power / authority to establish the processes and monitoring mechanism relating to the protection of consumer interest for the entire petroleum and natural sector. Hence, the Committee recommends that the Board could segregate all such consumer interest related provisions for not only the natural gas but also for the petroleum products and include them in separate Regulations under the provisions of Section 61(2)(za) read with the Preamble and other provisions of the Act, which could be called as "Regulations for protection of Consumer Interest in Petroleum, Petroleum Products and Natural Gas". While framing such Regulations, care should be taken that the genuine commercial interest of entities is not jeopardized.

9.1.5 Further, based on the data submitted by the entities and the interaction with them during the stakeholder consultation process, the Committee recommends considering the following while formulating the suggested Consumer Protection Regulations:

(1) Every entity has developed their own system / processes to address majority service aspects related to their consumers. Some of the entities had an escalation matrix and grouping / clubbing of complaints and / or requests under one category or subcategory. Few had developed their own "digital systems' for better data capturing and swiftly addressing the consumer complaints and/or requests. The suggested Regulations should specify uniform complaint redressal mechanism / monitoring system / process for all entities.

(2) Standardisation of the definition of complaints / requests is a felt need. Entities are classifying the complaints and / or requests as per their own definition and there is no standard classification. This results in distorted

data representation at “national level” and does not help in “apple to apple” comparison of entities (in similar business) performance. This would not help PNGRB in driving the cause of consumer protection in a better way or in the right direction. So, PNGRB could specify standardization of the classification of complaints / requests to be followed by all the entities in similar business.

(3) All consumers must be treated equally. Most of the entities had “unknowingly” discriminated the consumers when they contact entity verses the ones who lodge his complaints with central / state government or bodies like PMO / Ministry / PNGRB, etc. Treating of all consumers at par could be mandated by PNGRB.

(4) There is a need for common knowledge sharing platform. All entities are fragmented and clubbed in various segments such as CGDs, PSU-OMCs, Private OMCs and NGPLs, etc. and it appears they do not have a common platform to exchange / interact and learn from each other on the subject matter as there is no “single authority” monitoring all this in entirety. PNGRB could facilitate exchange of good practices and improve them to provide better consumer protection and service among all the entities in the petroleum and natural gas sector.

(5) There is also a need for common monitoring to inculcate efficiency. Every segment is monitored either individually or in some cases some bodies - e.g. CGDs by PNGRB, PSU OMCs by MoP&NG and private OMCs on their own. Hence, PNGRB could specify a common monitoring system to bring in efficiency in the field of consumer protection.

(6) Another need is formation of a Consumer Protection Committee as part of entities’ Board. The Indian Companies Act mandates various

committees of Board for all companies (Audit Committee, Risk Committee, ESG Committee, etc.). PNGRB could engage with the concerned ministry(ies) to mandate formation of "Consumer Protection Committee" in line with the other committees of the Board.

(7) Standard process for handling of complaints/requests with Service Level Agreement (SLA) is also required. All the entities, except a few, have their own processes for handling of complaints/requests without any SLA. PNGRB could mandate a standard process with SLA.

(8) Another important aspect in protecting the consumers' interest is organizing consumer rights awareness campaign. PNGRB must take active part at national level and mandate entities to participate in "consumers rights awareness campaign". Through these campaigns, consumers could be made aware of the "complaint / request redressal process" along with SLAs.

(9) A dedicated team at PNGRB is required to be created. PNGRB could set up its own "Consumer Protection Cell" for effective and efficient monitoring and bringing in focus on consumer's rights of the entire petroleum and natural gas sector. This cell will be also helpful to analyse the data and keep on taking the cause forward proactively.

(10) Creation of Ombudsman is necessary. In the current scenario, it may appear that Ombudsman is not needed. But, considering the tremendous growth in petroleum and natural gas sector resulting in increased consumer base in the entire sector, mandating an Ombudsman is to be seen as a step forward taken proactively. The Committee has given its specific recommendation in this regard subsequently in the chapter.

(11) Documentation of the "lessons learnt" could be explored, particularly concerning safety incidents and material failures. This initiative would serve as an educational resource for other entities helping to prevent recurrence of similar incidents in their operational areas. By sharing insights and best practices, stakeholders can foster a culture of safety and continuous improvement across the petroleum and natural gas sector, ultimately enhancing overall safety standards and operational effectiveness.

(12) There is a need for periodic interaction with Voluntary Consumer Organizations (VCOs) and Non-Government Organizations (NGOs). The Committee noted that PNGRB had taken an initiative during 2010 for registration of VCOs and NGOs in order to protect the consumer interest by spreading awareness. The Committee recommends reviving of that scheme for registration of VCOs and NGOs that are dedicated to serving the users of Petroleum Products and Natural Gas in the country. PNGRB should have periodic interactions with the registered VCOs and NGOs to make them aware of the consumer rights, complaint redressal mechanism, etc., obtain feedback from them and take appropriate actions to strengthen the systems and processes for protection of consumer interest. This initiative will foster gathering feedback and address grievances from consumers at the grassroots level. Additionally, these organizations can utilize their expertise from various fields, to contribute to the development of the market and build trust with consumers.

9.2 Scope of Powers of Board under Section 12(1) of the PNGRB Act, 2006

9.2.1 By virtue of Section 12 read with Chapter V of the PNGRB Act, 2006, it can be ascertained that the Government of India perceived PNGRB as an autonomous body that will be able to take felicitous adjudication of disputes incidental to refining, processing, storage, transportation, distribution, marketing and sale of petroleum, petroleum products and natural gas so as to protect the interests of consumers and entities.

9.2.2 Unlike Section 11(f), the phrase "notified" is omitted in Section 12 i.e., powers regarding complaints and resolution of disputes. Hence, it may be interpreted that the Board has been granted non-restrictive power to adjudicate and determine disputes. For the instant observation, a reference is drawn to a judicial precedent i.e., Indian Oil Corporation Ltd. and Ors. V. Reliance Industries Ltd. and Ors., Appeal No. 50 of 2009, wherein the Hon'ble Appellate Tribunal for Electricity held as under:

> *"28…The above Section 12 makes it clear that the jurisdiction of the Board is not restricted to the notified petroleum or petroleum products alone but the Board can look into various issues connected with and related to activities in this sector. Section 12(b) clearly provides that the complaint can be received by the Board to conduct enquiry and investigation connected with activities relating to the petroleum and petroleum products and on contravention of the Rules and Regulations. In other words, Section 12 does not put any bar on the Board from entertaining the complaint for ensuring consumer interest even in respect of the petroleum products which are not notified."*
>
> *"35… As stated earlier, the non-use of the words "notified Petroleum, Petroleum Products and Natural Gas" in both the Sections 12 and 25, in contra-distinction to the use of the phrase in Section 11(f) clearly demonstrates the intention of the Legislature in conferring a wide jurisdiction to the Board to receive, enquire and investigate complaints*

relating to the disputes between entities arising out of the other provisions of this Act."

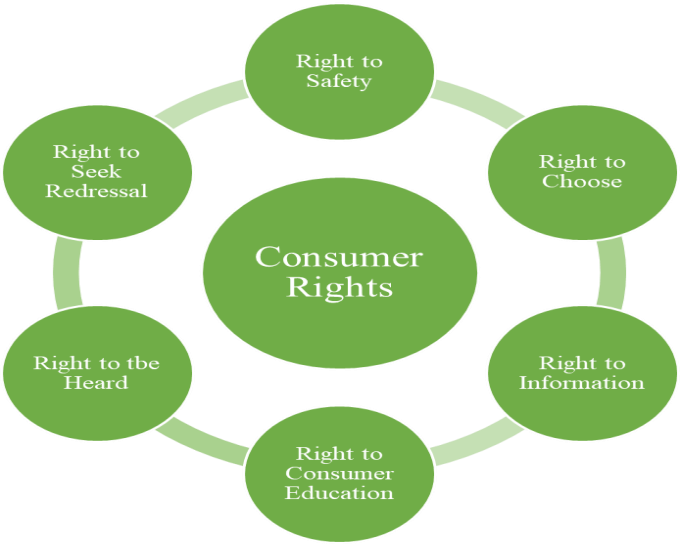
"37. The instant complaint admittedly is under Section 11(a) of the Act. Therefore, the absence of notification in respect of Section 11(f) is not relevant to the complaint to be considered under Section 11(a) of the Act. Hence, the Board is well within its jurisdiction to consider the complaint filed under Section 12 read with Section 11(a) of the Act…"

9.2.3 Moreover, it is important to note that the provisions of the Act and the intentions of the legislature can also be understood through Section 56 of the PNGRB Act, 2006. This section specifically prohibits civil courts from hearing any cases related to matters under the jurisdiction of the PNGRB Act, 2006. Hence, the Committee is of the opinion that PNGRB can hear and entertain the complaints filed before it under Section 25 of the PNGRB Act, 2006, subject to the rider as contained in proviso to section 25 (1), read with Sections 11(a) and 12 of the PNGRB Act, 2006 to ensure resolution of disputes and in consonance with the aforesaid judicial precedent and intent of the legislature.

9.3 Mechanism to ensure effective implementation of Section 11 (a) read with Preamble to the PNGRB Act, 2006

9.3.1 Section 11(a) of the Act provided for the Board to protect the interest of consumers by fostering fair trade and competition amongst the entities. Keeping in view of the main objective for constituting it, this Committee examined the ways to ensure effective implementation of Section 11(a) read with Preamble of the Act with reference to strengthening the consumer protection mechanism. The Committee feels that 6 parameters of consumer rights such as Right to Safety, Right to Information, Right to Choose, Right to be Heard, Right to seek

Redressal and Right to Education, are necessary for consumer protection having a wide array of inculcation in the Act.



9.3.2 To ensure effective implementation of Section 11(a) read with Preamble and other related provisions of the Act, the Committee recommends that PNGRB could ensure mandating and monitoring these six parameters by the entities in petroleum and natural gas sector by incorporating the relevant provisions in the suggested Consumer Protection Regulations.

9.3.3 PNGRB could make significant efforts to enhance consumer awareness in the petroleum and natural gas sector. Specifically, PNGRB could design and implement a comprehensive consumer awareness campaign in collaboration with various consumer protection organisations/associations, concerned government agencies and the entities. In this regard, PNGRB could take measures including the following:

a) Creating a dedicated webpage on the PNGRB's official web site clearly outlining consumers' rights and available options for exercising those rights.

b) Establishing information boards in operational areas to inform consumers about their rights and choices.

c) Developing a dedicated information page or booklet/document that details consumers' rights and the options available to them, which should be provided whenever a consumer requests a connection. This booklet/document should clearly outline the rights and choices available to consumers, ensuring they are fully informed at the outset of their relationship with the service provider.

d) Including the above booklet/document is made as an integral part of the agreement signed between the entity and the consumer. By incorporating this information as part of the agreement, stakeholders can enhance transparency and empower consumers to exercise their rights effectively.

9.3.4 PNGRB can empower consumers and promote greater awareness of their rights, especially, in the natural gas sector by implementing the following:

(i) Ensuring access for the general public to the progress of Major Works Projects (MWP) is crucial for transparency and accountability. This access should be provided in real time or at predefined intervals, allowing the community to stay informed about developments. By making this information readily available, stakeholders can engage more effectively with the processes and outcomes of these projects, fostering a sense of involvement and trust in the regulatory framework.

(ii) It is essential to provide the general public with access to network development plans categorized by geographic area. PNGRB could mandate that entities publish these plans on their websites, ensuring that links to this information are also readily available on the PNGRB's official webpage. This initiative would promote transparency and empower consumers by keeping them informed

about the infrastructure developments in their regions, thereby enhancing public engagement and trust in the natural gas sector.

(iii) A comprehensive initiative focused on consumer education in the natural gas sector is essential. This program should cover crucial topics, including the physical and chemical properties of natural gas, safe handling practices, and emergency protocols. Additionally, it should provide guidance on how to conserve natural gas, outline safety requirements, and explain commercial terms and related matters. Consumers should also be informed about their rights and how to protect them, as well as the processes in place for addressing their concerns, complaints, and suggestions. By implementing this educational framework, stakeholders can empower consumers, enhance safety, and promote responsible usage of natural gas.

(iv) An ombudsman system may be developed and integrated into the consumer complaint resolution framework. This system should be designed to ensure fair and effective handling of consumer grievances, providing a dedicated mechanism for addressing complaints that may not be resolved at initial levels. By establishing a structured process for the satisfactory implementation of the ombudsman system, stakeholders can enhance consumer confidence, promote transparency, and ensure that consumers receive timely and equitable resolutions to their issues. The Committee has made its specific recommendations in this regard subsequently in this chapter.

(v) A thorough review of existing regulations and legal provisions be conducted to ensure that consumers have the right to choose their

natural gas supplier. This review should aim to identify and eliminate any barriers that currently restrict choice to the consumers, thereby promoting a more competitive and consumer-friendly market. Empowering consumers with the ability to select their suppliers will enhance their options, foster competition, and ultimately lead to better service and pricing within the industry.

9.3.5 There have been numerous policy changes by the GOI since deregulation of petroleum products and several companies have been granted licences to undertake retailing of petroleum products. Further ROs originally selling MS/HSD are now retailing multiple products and services such as CNG, alternate environment friendly fuels and EV charging not only by PSU OMCs, but also Pvt Oil Companies. Technological development has facilitated better comfort and trust to the consumers from Quality and Quantity point of view. At the same time, consumers/customers are continuously exposed to the challenges which come with these developments and not always providing them the best redressal of the complaints and satisfaction, etc. It is, therefore, necessary for bringing the provisions of the Control Orders (including the Marketing Discipline Guidelines) issued by the GOI through MoP&NG in respect of LPG and MS/HSD under the purview of PNGRB through an enactment of legislature or amendment of the PNGRB Act, 2006.

9.4 Avoidance of conflict with existing provisions relating to Consumer Protection in other statutes

9.4.1 There are various other statutes such as the Consumer Protection Act, 2019, Indian Contract Act, the Sale of Goods Act, the Dangerous Drugs Act, the Agricultural Produce (Grading and Marketing) Act, the Indian Standards Institution (Certification Marks) Act, the Prevention of Food Adulteration Act, the Standards of Weights and Measures Act, etc. which are to some extent

aimed at protecting the consumer interest. Among these statutes, the Consumer Protection Act, 2019 and the Indian Contract Act are worth examining to see whether there is any conflict of the existing provisions relating to consumer protection of the PNGRB Act, 2006 and the regulations notified by the Board.

9.4.2 To understand the genesis of assessing Consumer Protection Act, 2019 (Act No. 35 of 2019), relevant definitions are extracted hereunder:

"Section 2(7). 'consumer' means any person who-

(i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

(ii) hires or avails of any service for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such service other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person, but does not include a person who avails of such service for any commercial purpose.

Explanation. —For the purposes of this clause, —

(a) the expression "commercial purpose" does not include use by a person of goods bought and used by him exclusively for the purpose of earning his livelihood, by means of self-employment;

(b) the expressions "buys any goods" and "hires or avails any services" includes offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing;

Section 2(10). 'defect' means any fault, imperfection or shortcoming in the quality, quantity, potency, purity or standard which is required to be maintained by or under any law for the time being in force or under any contract, express or implied or as is claimed by the trader in any manner

whatsoever in relation to any goods or product and the expression "defective" shall be construed accordingly;

Section 2(11) 'deficiency' means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which is required to be maintained by or under any law for the time being in force or has been undertaken to be performed by a person in pursuance of a contract or otherwise in relation to any service and includes— (i) any act of negligence or omission or commission by such person which causes loss or injury to the consumer; and (ii) deliberate withholding of relevant information by such person to the consumer;

Section 2(21). 'goods' means every kind of movable property and includes "food" as defined in clause (j) of sub-section (1) of section 3 of the Food Safety and Standards Act, 2006 (34 of 2006)

Section 2(42). 'service' means service of any description which is made available to potential users and includes, but not limited to, the provision of facilities in connection with banking, financing, insurance, transport, processing, supply of electrical or other energy, telecom, boarding or lodging or both, housing construction, entertainment, amusement or the purveying of news or other information, but does not include the rendering of any service free of charge or under a contract of personal service;"

9.4.3 Thus, it can be inferred from the aforesaid definition that wherever an individual *buys any goods or avails any service,* is aggrieved by defective goods or deficiency in service, he/she would be governed under Consumer Protection Act, 2019, provided that it is for self-use and not for resale or commercial purpose. For lucidity, the aforesaid can be understood through the following illustrations:

(i) Defective goods: Defective meter, defective equipment, etc.

(ii) Defective services: Installation issues, breaking of premises while installation, etc.

On the other hand, wherever there is an infringement of consumer protection regulations, as and when notified by the Board, being the sectorial regulator,

such a complaint needs to be filed and adjudicated by the Board under the relevant provisions.

9.4.4 However, despite providing coherence in the Consumer Protection Act vis-à-vis the PNGRB Act, the legislature had already anticipated the malicious routes that an entity may adopt to evade dispute resolution mechanism under either of the Acts by engaging into forum shopping. Therefore, to avoid conflict or overriding jurisdiction, the legislature had already inserted a proviso to Section 25 of the PNGRB Act, 2006, which specifies that no complaints will be taken up by the Board, that are maintainable before the redressal forums established under the Consumer Protection Act, 1986. Likewise, an inference can also be drawn to Section 100 of the Consumer Protection Act, 2019, which provides that the Act *shall* be in addition to and not in derogation of the provisions of any other law for the time being in force.

9.4.5 The Indian Contract Act, 1872 is a comprehensive legislation that provides a framework to govern contracts and agreements in India. With the advancement of society and trade, numerous amendments have been brought in the Act, for specifying duties and protecting rights of the parties. To understand the genesis of assessing Indian Contract Act, 1872, relevant definitions are extracted hereunder:

> *"Section 2(a). When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence, he is said to make a proposal;*
>
> *Section 2(b). When the person to whom the proposal is made signifies his assent thereto, the proposal is said to be accepted. A proposal, when accepted, becomes a promise;*
>
> *Section 2(e). Every promise and every set of promises, forming the consideration for each other, is an agreement;*

Section 2(h). An agreement enforceable by law is a contract;"

9.4.6 Before commencing supply of gas, a consumer and entity enters into an agreement that governs the terms and conditions. A reference has been made to an appeal filed before Hon'ble Appellate Tribunal for Electricity (APTEL), titled as *Gujarat Gas Limited V. PNGRB and Anr.*, bearing Appeal no. 115 of 2023, wherein the appellant was directed to disclose the breakup of gas price, and other charges such as transmission charges etc., as demanded in the fortnightly bills raised on the M/s Haldyn Heinz Fine Glass Pvt. Ltd.

9.4.7 The aforesaid appeal was disposed vide judgment dated 19.04.2023, wherein while setting aside the impugned order of the Board, APTEL observed that the Board has erred in entertaining the subject complaint, and in calling upon the appellant to provide information which it was not obligated to do in terms of the GSA, as the Board even lacked jurisdiction to adjudicate upon and decide the dispute.

9.4.8 Hence, whenever there is a breach of conditions as stipulated under the contract, as entered between the parties, they can opt for arbitration and/or approach the concerned civil court having territorial and pecuniary jurisdiction, for seeking compensation in accordance with Section 73 of the Indian Contract Act, 1872. However, if the breach pertains to violation of regulation framed by the Board, then they must approach the Board by filing a complaint under relevant provisions of the PNGRB Act, 2006 and extant regulations.

9.4.9 The Hon'ble Supreme Court of India in ***IFB Agro Industries Ltd. V. SICGIL India Ltd., (2023) 4 SCC 209,*** held that:

"30. Public administration is dynamic and ever evolving. It is now established that governance of certain sectors through independent regulatory bodies will be far more effective than being under the direct

control and supervision of Ministries or Departments of the Government. Regulatory control by an independent body composed of domain experts enables a consistent, transparent, independent, proportionate, and accountable administration and development of the sector. All this is achieved by way of legislative enactments which establish independent regulatory bodies with specified powers and functions. They exercise powers and functions, which have a combination of legislative, executive, and judicial features.

31. Another feature of these regulators is that they are impressed with a statutory duty to safeguard the interest of the consumers and the real stakeholders of the sector."

9.4.10 From the aforesaid provisions and analysis, it may be interpreted that although there is no collision of powers with authorities empowered/ established under any other Act, however, even if a collision is anticipated to occur in future, an inference is drawn to latin maxim, i.e., Generalia specialibus non derogant, which means that general laws do not prevail over special laws or, the general law does not detract from specifics. Justice Griffith said in R V. Greenwood, [1992] 7 O.R. (3d) 1, "The maxim generalia specialibus non derogant means that, for the purposes of interpretation of two statutes in apparent conflict, the provisions of a general statute must yield to those of a special one."

9.4.11 Hence, PNGRB Act, 2006, enacted by legislature, is a special law to govern matters related and incidental to petroleum, petroleum products and natural gas, which may supersede other Acts established for governing other spheres. Further, in absence of overriding provision under the PNGRB Act, 2006, an action taken by the Board in beneficial interest of consumers, either

while exercising regulatory or judicial functions, will be in addition to and not in derogation of a provision in any other law for the time being in force.

9.5 Existing provisions for appointment of Ombudsman with regard to protection of consumer interest and suggestion for institution of a suitable mechanism in oil and gas sector

9.5.1 The Committee observed that while there is no provision in the Act for appointment of an Ombudsman in the petroleum and natural gas sector, there is a provision in the Code of Practice for Quality of Service for CGD networks notified by the Board specifies that the entity shall nominate an Ombudsman, who is not an employee of the entity, with the prior approval of the Board.

9.5.2 During the stake holder consultations, the Committee observed that the entities, in both petroleum products and natural gas, have got robust complaint redressal mechanism and there are negligible numbers of complaints that have not been resolved within the entity and required legal resource for resolution. However, keeping in view that the consumer base, especially in natural gas, is growing throughout the country, the Committee is of the view that it is better to establish the mechanism of Ombudsman in petroleum and natural gas sector so that the consumers of both petroleum products and natural gas could approach the Ombudsman if their complaints do not get resolved at the highest level of complaint redressal matrix of the entities concerned. Hence, the Committee recommends the following:

(i) To begin with, Board could nominate Region level Ombudsmen for dealing with the complaints that could not be resolved at entity level of both petroleum products and natural gas consumers in the respective regions.

(ii) The Board could bear the expenses towards compensation, etc of the Ombudsmen.

(iii) The Board has to undertake periodic review of the functioning of the each of the Regional level Ombudsman. Depending upon the number of complaints received by them and the resultant work load, the Board could consider increasing the number of Ombudsman in the region duly earmarking their jurisdiction covering the cluster of states within that region.

(iv) As and when warranted, the Board could expand the mechanism and appoint Ombudsman for each state or cluster of states.

(v) The Board could follow the mechanism such as criteria for nomination/appointment of Ombudsmen and their role and responsibilities, etc. as stipulated by RBI and IRDA by making suitable changes applicable for the petroleum and natural gas sector.

(vi) The Board and the entities could give wide publicity advising the consumers whose complaints do not get resolved at entity level can approach the Ombudsman for resolution.

(vii) The Board could include appropriate provisions related to the Ombudsman mechanism in the suggested Consumer Protection Regulations.

*****

ANNEXES

पेट्रोलियम एवं प्राकृतिक गैस विनियामक बोर्ड
Petroleum and Natural Gas Regulatory Board
प्रथम तल, वर्ल्ड ट्रेड सेंटर, बाबर रोड, नई दिल्ली – 110001
1st Floor, World Trade Centre, Babar Road, New Delhi – 110001

PNGRB/Monitoring/7/Misc-ConsProt/(4)/2024 1st February, 2024

ORDER

Subject: Constitution of a high-level Expert Committee to review the extant consumer protection provisions in the PNGRB Act, 2006 and recommend a way forward to ensure comprehensive consumer protection framework

PNGRB has been constituted under the PNGRB Act, 2006 with an aim to regulate the downstream sector so as to protect the interests of consumers and entities engaged in specified activities relating to petroleum, petroleum products and natural gas and to ensure uninterrupted and adequate supply of petroleum, petroleum products and natural gas in all parts of the country. As per section 11(a) of the PNGRB Act, 2006 the functions of the Board include "protect the interest of consumers by fostering fair trade and competition amongst the entities". PNGRB desires to effectively implement the above mandate and put in place appropriate practices and regulations for protection of consumers in Oil and Gas Sector in the country.

2. With a view to obtain guidance from industry and experts, it has been decided to constitute a committee consisting of following members to recommend the way ahead: -

Sr. No	Name	Designation and Organisation	Position
1	Shri Ratan P Watal	Chairman, CVOC (Former Finance Secretary), GoI	Chairman
2	Shri K K Gupta	Former Director (Marketing), BPCL	Member
3	Shri S C Batra	Former Member (Legal) - PNGRB	Member
4	Shri K Rajeshwar Rao	Principal Adviser, CVOC, GoI	Member
5	Shri Nitin Patil	Former CEO, Gujarat Gas	Member
6	Shri Ashok Pendse	Consumer Activist	Member
7.	Shri S C Gupta	Joint Adviser I/C (Monitoring), PNGRB	Member Secretary

3. The following Terms of Reference is provided for Committee's work: -

(i) To examine & suggest measures for effective implementation of Section 11(f) (i) to (vi) of PNGRB Act, 2006.

(ii) To examine scope of powers of Board under section 12 (1) of PNGRB Act, 2006.

(iii) To examine existing Regulations of PNGRB and suggest mechanism to ensure effective implementation of Section 11(a) r/w Preamble to PNGRB Act, 2006.

(iv) To clarify avoidance of conflict with existing provisions relating to consumer protection in other statutes.

(v) To examine existing provisions for appointment of Ombudsman with regard to protection of consumer interest in other regulatory bodies and suggest institution of a suitable mechanism in oil & gas sector.

4. The Committee may seek views of the Oil and Gas sectoral experts, consumer fora etc. on the above areas and submit its final Report in three months from date of this Order.

5. Honorarium of Rs 35,000/- for the Chairman, Rs 25,000/- for each member and Rs 20,000/- for each eminent expert will be admissible for attending any meeting. In addition, for outstation members, travel, boarding and lodging arrangements would be made by PNGRB.

6. This has been issued with the approval of the competent authority.

Vandana Sharma

(Vandana Sharma)
Secretary

Copy to:

1. **Committee Members**
2. **Secretary, MoPNG – for information please.**

Record Note of discussions held during 1st meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 16th February 2024

1st meeting of the High-Level Expert Committee (HLEC) constituted by PNGRB under the chairmanship of Shri Ratan P. Watal, Chairman, Central Vista Oversight Committee (CVOC), Government of India to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of PNGRB Act, 2006 was held on 16th February 2024 at Delhi. The list of participants is enclosed.

2. Welcoming the Chairman and Members of HLEC, Shri Anil Kumar Jain, Chairperson, PNGRB apprised the objective for constituting the Committee. He conveyed thanks to the Chairman and Members of the Committee for accepting PNGRB's request to be part of this important exercise of strengthening consumer protection in the downstream petroleum and natural gas sector in line with the mandate provided under the provisions of the PNGRB Act, 2006. He stated that natural gas is the only sector wherein there is no price oversight. Hence, once the HLEC report is finalised, MoP&NG may be communicated that the report for protection of consumer rights is restricted due to non- notification of certain provisions of the Act. Chairperson, PNGRB added that the HLEC, having vast experience and diverse expertise, may also suggest any other relevant ideas beyond its Terms of Reference.

3. Shri S.C. Gupta, JA I/c (Monitoring), PNGRB & Member Secretary, HLEC made a Presentation to the Committee regarding the Preamble and the relevant provisions under Sections 11(a), 11(f)(i) to (vi), 12(1) of the PNGRB Act, 2006, existing regulatory framework under these provisions and the provisions of Ombudsman in other Regulatory Bodies.

4. Thereafter, Chairperson, Members and Secretary of PNGRB left the meeting and HLEC continued with its deliberations.

5. Shri Ratan P. Watal, Chairman, CVOC & Chairman, HLEC sought suggestions from the Members of the Committee regarding the way forward to prepare the report. Shri S.C. Batra; Shri K.K. Gupta; Shri Ashok Pendse; Shri Nitin Patil; and Shri K. Rajeswara Rao, Members and Shri Watal, Chairman of HLEC have shared their thoughts in this regard.

6. The following emerged during the detailed deliberations:

i) The recommendations of the Committee should be in consonance with the provisions of the PNGRB Act, 2006.

ii) The Committee may recommend including a provision in the PNGRB Act, 2006 that in case of any major amendment, the opinion of a Constitutional Expert should be sought.

iii) The existing mechanism for supply of petrol, diesel and natural gas to consumers and the customer redressal mechanism need to be examined.

iv) Existing consumer awareness programme of the entities could be reviewed and improvements may be recommended to make consumers aware of their rights.

v) Provisions under the Consumer Protection Act, 2019 and any other statute relating to consumer protection should be studied.

vi) Wide stakeholder consultations should be held with entities, consumer organisations/forums, State Governments, concerned Central Government ministries, etc. to elicit their perspective and views in improving the regulatory framework for effective consumer protection.

vii) Data relating to the following should also be studied:

(a) Details of Natural Gas Pipelines and Petroleum Products Pipelines;

(b) State-wise/Entity-wise number of Retail Outlets and CNG Stations;

(c) Details of Category-wise (Petroleum Products / PNG-Domestic / PNG-Commercial / PNG-Industrial / CNG) and Entity-wise number of major and minor complaints received during the last 5 years;

(d) Details of Category-wise (Petroleum Products / PNG-Domestic / PNG-Commercial / PNG-Industrial / CNG) and Entity-wise number of unresolved complaints together with the reasons;

(e) Details of Complaints Redressal Database submitted by the entities to PNGRB through Annual Reports; and

(f) Details of "Annual Consumer Satisfaction Surveys" conducted by entities and their outcome.

viii) Shri S.C. Gupta, JA I/c (Monitoring), PNGRB & Member Secretary, HLEC will get the above data and circulate to the Members of the Committee.

ix) Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC will develop Questionnaire for stakeholder consultations.

x) Shri Rajeswara Rao will also prepare draft structure of the Committee's report.

xi) Definition of the "Consumer" should be included in the Committee's report.

xii) The Committee may have its meetings and stakeholder consultations at different locations as per convenience and to facilitate effective participation.

7. Concluding the meeting Shri Watal, Chairman, HLEC conveyed thanks to all the Members of the Committee for their sharing their thoughts and suggestions for the way forward of the Committee's proceedings. He informed that after the data listed at VII(e) above is circulated, the next meeting will be scheduled in due course as per the convenience of the Members of the Committee.

8. The meeting concluded with a 'Vote of Thanks' to the Chair.

****

Record Note of discussions held during 1st meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 16th February 2024

List of Participants

1. Shri Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC
2. Shri K.K. Gupta, Former Director (M), BPCL & Member, HLEC
3. Shri S.C. Batra, Former Member (Legal), PNGRB & Member, HLEC
4. Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC
5. Shri Nitin Patil, Former CEO, Gujarat Gas & Member, HLEC
6. Shri Ashok Pendse, Consumer Activist & Member, HLEC
7. Shri S.C. Gupta, JA I/c (Monitoring), PNGRB & Member Secretary, HLEC

PNGRB

1. Dr. Anil Kumar Jain, Chairperson
2. Shri Gajendra Singh, Member I
3. Shri Anjani Kumar Tiwari, Member II
4. Smt. Vandana Sharma, Secretary
5. Lt Col Kumar Abhishek, Joint Advisor (Monitoring)
6. Shri Nishant Parashar, Deputy Advisor (Legal)
7. Shri Abhishek Raj, Deputy Director (Monitoring)
8. Shri Shivam Yadav, Deputy Consultant (Monitoring)
9. Shri Suyash Gaur, Assistant Consultant

Record Note of discussions held during 2nd meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 30th April 2024

2nd meeting of the High-Level Expert Committee (HLEC) constituted by PNGRB under the chairmanship of Shri Ratan P. Watal, Chairman, Central Vista Oversight Committee (CVOC), Government of India to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 was held on 30th April 2024 at CVOC office, New Delhii. The list of participants is enclosed (**Annexure - 1**).

2. Shri Ratan P. Watal, Chairman, HLEC welcomed the participants and enquired about the points emerged during the last meeting of the Committee. Shri. K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC briefed about the points emerged during the discussions held in the 1st meeting of the Committee on 16th February 2024.

3. Shri S.C. Gupta, JA I/c (Monitoring), PNGRB & Member Secretary, HLEC made a Presentation on the following based on the data obtained from PNGRB and OMCs:

i) Natural Gas and Petroleum & Petroleum Product Pipelines Network in India
ii) Entity wise CNG and RO stations in India
iii) Existing complaint mechanism for handling consumer grievances
iv) Types of complaints received by entities for PNG, LPG, MS & HSD
v) Comparison between the Electricity Act, 2003 / PNGRB Service Regulations / MDG for LPG distributorships / MDG for MS and HSD dealerships
vi) Customer awareness initiatives undertaken by OMCs

4. Shri Ratan P. Watal, Chairman appreciated the data collected and requested the views of Members on the structure / List of Contents of the Committee's Report (**Annexure - 2**), which has been prepared by Shri K. Rajeswara Rao, Member. All the Members expressed that the structure / List of Contents of the Committee's Report has been prepared well and they have no other views/suggestions.

5. After detailed deliberations, the following emerged:

(i) Similar data obtained from Public Sector OMCs will be collected from major private entities such as Shell India, Reliance Jio-BP & Nayara Energy by Shri S.C. Gupta, Member Secretary and circulate the collated

data to the Members of the Committee.

(ii) Draft material for Chapter 9 (Recommendations of the Committee) as per the structure / List of Contents will be prepared as under:

ToR 1 - To examine & suggest measures for effective implementation of Section 11(f) (i) to (vi) of PNGRB Act, 2006	**Shri S.C. Batra, Member**
ToR 2 - To examine scope of powers of Board under section 12(1) of PNGRB Act, 2006	**Shri S.C. Batra, Member**
ToR 3 - To examine existing Regulations of PNGRB and suggest mechanism to ensure effective implementation of Section 11 (a) r/w Preamble to PNGRB Act, 2006	**Shri Nitin Patil, Member & Shri S.C. Gupta, Member Secretary**
ToR 4 - To clarify avoidance of conflict with existing provisions relating to Consumer Protection Act and other statutes governing consumer protection in other Regulatory bodies.	**Shri Ashok Pendse, Member & Shri K.K. Gupta, Member**
ToR 5 - To examine existing provisions for appointment of Ombudsman with regard to protection of consumer interest and suggest institution of a suitable mechanism in oil & gas sector.	**Shri Ashok Pendse, Member & Shri K.K. Gupta, Member**

(iii) Shri S.C. Gupta, Member Secretary will provide the requisite support and inputs to the Members for drafting the material.

(iv) Members will send the draft material to Shri S.C. Gupta, Member Secretary by 20th May 2024 and he will compile all the chapters of the draft Report and circulate to all the Members.

(v) The next meeting of the Committee will be held on 21st May 2024 at CVOC office to discuss the draft Report. Subsequently, stakeholder consultation meetings will be held at Delhi and Mumbai and both public sector and private sector entities will be invited to present their views.

(vi) Shri K. Rajeswara Rao, Member will develop Points/Questionnaire for stakeholder consultations.

(vii) Shri K. Rajeswara Rao, Member will undertake finalisation of the Report.

(viii) Owing to paucity of time, stakeholder consultations will be held only with the major oil and gas entities. However, the Points/Questionnaire will be sent to major customer protection groups seeking their response. Shri Ashok Pendse will provide the list of such major consumer protection groups and coordinate to obtain response from them.

7. While concluding the meeting, Shri Watal, Chairman, HLEC conveyed thanks to all the Members of the Committee for their active participation in the deliberations.

8. The meeting concluded with a 'Vote of Thanks' to the Chair.

Record Note of discussions held during 2nd meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 30th April 2024

List of Participants

1. Shri Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC
2. Shri K.K. Gupta, Former Director (M), BPCL & Member, HLEC
3. Shri S.C. Batra, Former Member (Legal), PNGRB & Member, HLEC
4. Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC
5. Shri Nitin Patil, Former CEO, Gujarat Gas & Member, HLEC
6. Shri Ashok Pendse, Consumer Activist & Member, HLEC
7. Shri S.C. Gupta, JD I/c (Monitoring), PNGRB & Member Secretary, HLEC

PNGRB

1. Lt Col Kumar Abhishek, Joint Advisor (Monitoring)
2. Shri Nishant Parashar, Deputy Advisor (Legal)
3. Shri Madhoop Sah, Deputy Advisor (Monitoring)
4. Shri Ajitesh Singh, Assistant Advisor (Consumer Protection)
5. Shri Suyash Gaur, Assistant Consultant (Legal)
6. Shri Robin Raj, Assistant Consultant (Monitoring)

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Record Note of discussions held during 3rd meeting of the High-Level ExpertCommittee to recommend a way forward to ensure comprehensive consumerprotection framework as per the provisions of the PNGRB Act, 2006 on 5th June 2024

3rd meeting of the High-Level Expert Committee (HLEC) constituted by PNGRB under the chairmanship of Shri Ratan P. Watal, Chairman, Central Vista Oversight Committee (CVOC), Government of India to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 was held on 5th June 2024 at CVOC office, New Delhi. The list of participants is enclosed (**Annexure - 1**). Shri Ashok Pendse, Member, HLEC could not attend the meeting either physically or on-line since hewas travelling and due to network connectivity issue.

2. Shri S.C. Gupta, Member Secretary, HLEC & Joint Adviser I/c (Monitoring), PNGRB made a Presentation on the status of various action points emerged during the last meeting held on 30th April 2024. He explained about the Consumer Redressal Mechanism in the major private oil marketing entities such as Shell India, Reliance Jio-BP & Nayara Energy based on the data obtained from them. Shri Gupta informed that the Questionnaire developed by Shri. K Rajeswara Rao, Member, HLEC & Principal Adviser, CVOC has been circulated to the entities seeking their response by 11th June 2024.

3. Shri S.C. Batra, Shri Nitin Patil and Shri K.K. Gupta, Members, HLEC explained about the status of the draft report material for their respective ToRs under Chapter 9. In response to a query from Shri S.C. Batra, it was decided to recommend both the options explained by him in the report of the Committee. Shri
S.C. Gupta was advised to compile all the chapters of the draft report based on the material received from the Members and in the light of the discussions held today.

4. Shri S.C. Gupta informed that Shri Ashok Pendse conveyed that he will add some more questions in the Questionnaire developed by Shri Rajeswara Rao for seeking response from consumer forums / protection groups. Shri Gupta was advised to coordinate with Shri Ashok Pendse and get urgently the substantive additional questions/points and also the list of consumer forums / protection groups as agreed by him in the last meeting and obtain response from such

forums as partof the stakeholder consultation process.

5. Shri Ratan P. Watal, Chairman, HLEC & Chairman, CVOC appreciated the progress being made by the HLEC and stated that after getting the responses to the Questionnaire from the entities and consumer forums, the stakeholder consultation meetings will be scheduled towards end June or July 2024. Keeping in view the process involved and the time required, all the Members agreed that the Committee will require at least another couple of months to complete the stakeholder consultation process and finalise its report. Shri S.C. Gupta being Member Secretary, HLEC and JA I/c (Monitoring), PNGRB was advised to keep PNGRB informed accordingly.

6. The meeting ended with a ‘Vote of Thanks’ to the Chair.

Record Note of discussions held during 3rd meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumerprotection framework as per the provisions of the PNGRB Act, 2006 on 5th June 2024

List of Participants

1. Shri Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC
2. Shri K.K. Gupta, Former Director (M), BPCL & Member, HLEC
3. Shri S.C. Batra, Former Member (Legal), PNGRB & Member, HLEC
4. Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC
5. Shri Nitin Patil, Former CEO, Gujarat Gas & Member, HLEC
6. Shri S.C. Gupta, JA I/c (Monitoring), PNGRB & Member Secretary, HLEC

PNGRB

1. Lt Col Kumar Abhishek, Joint Advisor (Monitoring)
2. Shri Nishant Parashar, Deputy Advisor (Legal)
3. Shri Madhoop Sah, Deputy Advisor (Monitoring)
4. Shri. Manish Kumar, Assistant Director (Monitoring)
5. Shri Ajitesh Singh, Assistant Advisor (Consumer Protection)
6. Shri Suyash Gaur, Assistant Consultant (Legal)
7. Shri Robin Raj, Assistant Consultant (Monitoring)

Record Note of discussions held during 4th meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 4th September 2024

4th meeting of the High-Level Expert Committee (HLEC) constituted by PNGRB under the chairmanship of Shri Ratan P. Watal, Chairman, Central Vista Oversight Committee (CVOC), Government of India to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 was held on 4th September 2024 at CVOC office, New Delhi. The list of participants is enclosed (**Annexure - 1**).

2. As desired by the Shri Ratan P. Watal, Chairman, HLEC & CVOC, Shri S.C. Gupta, Member Secretary, HLEC & Director (Monitoring), PNGRB made a Presentation covering the action taken report on deliberations of the last meeting and the summary of the responses received from Oil & Gas companies (OMCs), City Gas Distribution (CGD) entities and consumer forums on the questionnaire developed by Shri K. Rajeswara Rao, Member, HLEC & Principal Adviser, CVOC. He apprised that PNGRB approved extension of the last date for submission of the Committee's report up to 15th October 2024.

3. Shri Watal emphasised the need of developing a robust mechanism for effective redressal of consumer grievances by creating consumer awareness on their rights and responsibilities as well as comprehensive service obligations of entities with provisions for third-party interventions.

4. Thereafter, committee interacted with following stakeholders who also made a brief presentation covering the various initiatives taken towards consumer awareness, mechanism to address consumer grievances, further plans to enhance the consumer service levels etc. as below:

i. Indraprastha Gas Ltd (IGL) - The large number of PNG and CNG consumers are serviced on a daily basis and a large no. of complaints/ requests received primarily relate to billing. Consumers prefer to interact using technology like chatbot, application, website for any services required. The customer complaints are handled at various escalation levels within the company and seldom, consumer approach consumer forum / Courts. On CNG queuing, IGL informed that AI technology is also used for managing the traffic on CNG stations.

ii. GAIL Gas Ltd. - The major number of consumer grievances received pertain to delay in connection and billing. To improve customer interaction / for

effective communication, technology is used. The customer complaints are handled at various escalation levels within the company

iii. Bhagyanagar Gas Ltd. (BGL) - The grievance redressal from receipt (via WhatsApp, email, website, etc. to internal allocation for faster resolution are automatic using technology as the timelines are predefined for every complaint raised in the system. Auto acknowledgment text with a unique reference number is generated for any future follow-up. The customer complaints are handled at various escalation levels within the company

iv. Assam Gas Company Ltd. - The entity informed about the growing DPNG consumer base and the success of their EMI scheme for registering consumers for the PNG. Further to attend to the complaints the entity has hired an Ombudsman having a legal background on retainer basis, but no case has been escalated till date to that level.

v. Green Gas Ltd (GGL) - The major complaints resolved after 48 hours pertain to bill correction and installation of connection in the PNG segment and complaints in the CNG segment were briefed. The entity also highlighted the outstanding unpaid bills by consumers. The customer complaints are handled at various escalation levels within the company

vi. Indian Oil Adani Gas Private Limited (IOAGPL) - The entity presented the major complaints and discussed the various aspects of the consumer interaction process, recovery of outstanding gas bills, digital monitoring etc. Entity proposed that the Ombudsman may be appointed on a Central level / State level in consultation with PNGRB.

vii. Think Gas Distribution Pvt. Ltd. - The entity shared its consumer care software *NUERON* to *inter alia* handle customer complaints and informed that only prepaid meters are provided in all its authorized GAs. The entity requested for a unified metering protocol like electricity meters and requested PNGRB to introduce policy led mandate for standardising the meters.

5. During their respective Presentations, the entities were specifically asked to give their suggestions/views in respect of the following:

i. Effective implementation of the provisions under Sections 11(f) (i) to (iv) of the PNGRB Act, 2006;
ii. Effective implementation of the provisions regarding complaints and resolution of disputes under Section 12 (1) of the PNGRB Act, 2006; and
iii. Mandating appointment of Ombudsman with regard to protection of consumer interest in oil and gas sector.

All entities agreed for strengthening the consumer protection framework through development of Regulations under Sections 11 (f) (i) to (iv) and 12 (1) of the PNGRB Act, 2006 and their effective implementation through PNGRB as well as appointment of Ombudsman on a State / Central level to address the consumer grievances. Some of the entities agreed for appointment of Ombudsman subject to no conflict of interest and devising some threshold limits.

6. While concluding the deliberations, Shri Ratan P. Watal, Chairman, HLEC advised the following:

i. Second set of stakeholder consultations may be scheduled at Mumbai during the second fortnight of October, 2024.

ii. Chapter 9 (Recommendations of the Committee) may be drafted duly incorporating the inputs provided orally by the Members to the Member Secretary on the respective ToR as decided in the second meeting of the Committee held on 30th April 2024 and the entire draft report to be circulated to those Members seeking their inputs/views preferably by 30th September 2024.

iii. Shri S.C. Gupta, Member Secretary, HLEC would incorporate the inputs/views received from the Members in the draft report and share the same with Shri K. Rajeswara Rao, Member, HLEC, who would further update and finalise as decided in the meeting held on 30th April 2024. The report may be finalized after the second set of consultations to be held in Mumbai during October 2024 and discussed in the Committee meeting thereafter.

iv. While efforts will be made to finalise and submit the report by 15th November 2024, Shri S.C. Gupta, Member Secretary, HLEC will seek PNGRB approval for further extension of time up to 30th November 2024.

7. The meeting ended with a 'Vote of Thanks' to the Chair.

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Record Note of discussions held during 4th meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 4th September' 2024

List of Participants

1. Shri Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC
2. Shri K.K. Gupta, Former Director (M), BPCL & Member, HLEC
3. Shri S.C. Batra, Former Member (Legal), PNGRB & Member, HLEC
4. Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC
5. Shri Nitin Patil, Former CEO, Gujarat Gas & Member, HLEC
6. Shri Ashok Pendse, Consumer Activist & Member, HLEC
7. Shri S.C. Gupta, Director I/C (Monitoring), PNGRB & Member Secretary, HLEC

PNGRB

1. Lt Col Kumar Abhishek, Director (Consumer Protection)
2. Shri Nishant Parashar, Deputy Director (Legal)
3. Shri Madhoop Sah, Deputy Director (Monitoring)
4. Shri Ajitesh Singh, Assistant Director (Consumer Protection)
5. Shri Suyash Gaur, Assistant Consultant (Legal)
6. Shri Kamal Nayan Bhatt, Deputy Consultant (Consumer Protection)

City Gas Distribution (CGD)

1. Shri. Mohit Bhatia, Director Commercial, IGL
2. Shri. Rajeev Kumar, Executive Director, IGL
3. Shri. Bhudev Singh, Executive Director, IGL
4. Shri. Raman Shrivastava, Sr. Vice President, IGL
5. Shri. Amandeep Singh, Sr. Vice President, IGL
6. Shri. Rakesh Aggarwal, Vice President, IGL
7. Shri. Mayank Wahiye, Chief General Manager, IGL
8. Shri. Goutom Chakraborty, CEO, GAIL Gas
9. Shri. Ajay Sinha, GM (Marketing), GAIL Gas
10. Shri. Sunil Kumar Jha, GM (Marketing), GAIL Gas
11. Shri. Parth Bhatt, CM (Marketing), GAIL Gas
12. Shri. Ram Mohan Rao Karnati, Managing Director, Bhagyanagar Gas Ltd.
13. Shri. Rohit Garg, General Manager, Marketing & Commercial, Bhagyanagar Gas Ltd.
14. Shri. Gokul Chandra Swargiyari, Managing Director, Assam Gas Company Ltd.

15. Shri. Ripunjay Phukan, CM & Head-City Gas Distribution Department, Assam Gas Company Ltd.
16. Shri. Utpol Doimari, SM (Projects & Planning) & Nodal Officer -SC, Assam Gas Company Ltd.
17. Shri. Rupamesh Saikia, SM (Projects & Operation-CGD) & Nodal Officer-CRM, Assam Gas Company Ltd.
18. Shri. Bhashit Dholakia, In Charge CEO & COO, IOAGPL
19. Shri. Siddharth Garg , Associate Manager - Business Development, IOAGPL
20. Shri. Rajkishor Behera, Director Commercial, Green Gas Ltd.
21. Shri Surya Prakash Gupta, AGM (PNG Marketing), Green Gas Ltd.
22. Shri. Rajeev Guglani, Chief Manager (Marketing), Green Gas Ltd
23. Shri. Amol Kulkarni, Vice President (C&P, CRM, Billing & Recovery), Think Gas Distribution Pvt. Ltd.
24. Shri. Satbir Kumar, Senior Manager (CRM & Billing), Think Gas Distribution Pvt. Ltd.

Record Note of discussions held during 5th meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 7th & 8th November 2024

5th meeting of the High-Level Expert Committee (HLEC) constituted by PNGRB under the chairmanship of Shri Ratan P. Watal, Chairman, Central Vista Oversight Committee (CVOC), Government of India to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 was held on 7th & 8th November 2024 in the Conference Room of Mahanagar Gas Limited, Bandra Kurla Complex, Bandra East, Mumbai - 400 051. The list of participants who attended the meeting including in virtual mode is enclosed (**Annexure - 1**).

2. As desired by Shri Ratan P. Watal, Chairman, HLEC & CVOC, Shri S.C. Gupta, Member Secretary apprised the Committee on the action taken report since last meeting. He further apprised that the draft recommendations received from Members of the Committee on the TORs have been collated and detailed in Chapter 9 of the draft report which has been shared with the Members on 1st November 2024 for further review.

3. Thereafter, the Committee held stakeholder consultation with the following 12 entities, who made a brief presentation covering the various initiatives taken by them towards consumer awareness, mechanism to address consumer grievances, complaint management (escalation matrix), resolution timelines, etc.:

S. No.	Entity
1	Maharashtra Natural Gas Ltd. (MNGL)
2	Adani Total Gas Ltd. (ATGL)
3	Gujarat Gas Ltd. (GGL)
4	Torrent Gas Ltd. (TGL)
5	Sabarmati Gas Ltd. (SGL)
6	Shell India
7	Indian Oil Corporation Ltd. (IOCL)
8	Hindustan Petroleum Corporation Ltd. (HPCL)
9	Bharat Petroleum Corporation Ltd. (BPCL)
10	Reliance Jio-BP
11	Nayara Energy Pvt. Ltd (NEPL)
12	Mahanagar Gas Ltd. (MGL)

i. Maharashtra Natural Gas Ltd. (MNGL)

a. The entity has implemented the use of digital screens integrated with SCADA software, enabling efficient monitoring and providing back-end support for a centralized call center. This system facilitates communication with consumers across multiple languages (i.e Hindi, English and Marathi). While, the majority of complaints are resolved within 24 to 48 hours, there has been a significant increase in issues taking longer to resolve, particularly those related to operations and maintenance (O&M), installation delays, and pending permissions, leading to some complaints being unresolved beyond 48 hours.

b. To streamline complaint management, clear Turn Around Time (TAT) benchmarks have been established for all types of complaints. An effective escalation matrix is in place to manage complaints based on their source, whether internal or external (CPGRAM, PNGRB & MoPNG.

ii. Adani Total Gas Ltd. (ATGL)

a. The entity shares its digitalization and innovation-driven consumer interface, called SOUL, a SCADA-based system designed for efficient monitoring and control. This system also integrates asset and vendors, ensuring the timely resolution of consumer complaints. While catering to a diverse customer base, this interface has multilingual, application-based interaction platform supporting Hindi, English, Tamil, and Telugu.

b. The entity employs a hybrid approach to consumer support, utilizing both AI-powered chatbots and human-based contact centers to handle complaints.

c. A "Customer Coach" program has been launched to train employees, with a unique incentive for consumers who bring forth complaints and contribute to service improvements.

d. Call drops in the IVRS system remain low, ranging from 1% to 5%, issues such as WMR (wrong meter reading) and non- functioning meters are typically resolved after 48 hours.

iii. Gujarat Gas Ltd. (GGL)

a. The entity, serving a large consumer base primarily in Gujarat, receives a significant number of complaints annually. These complaints typically include issues related to meter leakage and high billing, which have also been escalated to consumer courts. The entity has defined clear Service Level Agreements (SLAs) to ensure timely and effective resolution of complaints.

b. To enhance consumer engagement and awareness, the entity conducts regular "Consumer Awareness Night Meetings" and provides easy access to consumer care and emergency contact numbers. Additionally, a multilingual welcome kit is made available for better consumer interaction.

c. Arbitration provisions within the Gas Sales Agreement are included to provide a structured mechanism for resolving disputes.

d. Ombudsman as an additional option has been positively received by consumers as a means of addressing unresolved complaints.

iv. Torrent Gas Ltd. (TGL)

a. The entity adopts a consumer-centric approach, prioritizing the overall experience of consumers with the company. Over time, there has been a significant increase in both the consumer base and the number of complaints, with approximately 98% of these complaints coming from the domestic segment. While complaints related to CNG have declined significantly due to the expansion of CGS stations, ensuring better gas availability.

b. Substantial portion (40%) of complaints remain unresolved beyond 48 hours pertains to delays in providing PNG domestic connections, restoring digging work, and issues related to meter functioning and calibration.

c. Communication is maintained through multiple channels, including SMS, WhatsApp, awareness camps, mobile applications, and cash collection centers like India Post, Airtel Payment Bank, and Fino Payment Bank. Digital mechanisms are in place for handling both CNG and PNG complaints, enabling more streamlined resolutions.

d. Timely communication with consumers is a priority, with SMS alerts sent during outages and emergencies. The entity also ensures the quality of resolutions by documenting remarks and closing complaints within set timelines, facilitating audit processes. For CNG-related issues, such as hydrotesting, consumers are informed when they visit the CNG stations.

e. Commercial and industrial complaints are directly handled by representatives.

v. Sabarmati Gas Ltd. (SGL)

a. The entity, which serves a consumer base of 75% in rural areas, has made significant efforts to cover all major touchpoints in its service delivery. It has established a robust complaint resolution process where all complaints are resolved within a Service Level Agreement (SLA) of 0–7 days, with a clear

escalation matrix that ensures issues are addressed at the appropriate levels— from site officers to the Managing Director (MD), depending on the severity.

b. The majority of complaints are efficiently resolved at the site officer level within a 24-hour timeline. For segments like CNG, industrial, and commercial customers, dedicated officers— equivalent to relationship managers in major service industries— are assigned to provide personalized attention and ensure seamless service.

c. Most complaints tend to fall under the "fault and disruption" category, highlighting operational challenges that require quick intervention. Complaints are only accepted after the consumer has paid the registration security deposit, ensuring compliance with standard procedures before formal resolutions begin. This structured approach helps maintain both service quality and regulatory adherence while enhancing customer satisfaction.

vi. Shell India

a. The entity, with its global presence, is committed to consumer excellence by implementing service minimums and active listening to ensure fast and effective responses to consumer requirements and complaints. Beyond just refueling vehicles, the entity aims to provide a comprehensive, high-quality experience for customers visiting its outlets. To gather valuable feedback, the entity conducts a brief survey called the "Voice of the Customer," which is made available through both offline and online channels.

b. Flowchart to manage complaints received via email and phone calls, ensuring each concern is handled with precision and care. SLAs are clearly defined for all types of complaints, ensuring transparency and setting clear expectations for resolution timelines. Well-defined escalation matrix that categorizes complaints based on their nature, ensuring issues are addressed at the appropriate level. Every complaint undergoes a thorough investigation and review, followed by a detailed response to the consumer, reinforcing the entity’s commitment to resolving issues effectively.

c. The entity’s service excellence framework is based on a triangle comprising Technology, Process, and People, ensuring that both staff and consumers at the outlets are well-informed and supported throughout the service experience.

d. The entity has Regular checks and audits are conducted at retail outlets to maintain high service standards, while a structured process for resolving consumer grievances ensures that the root cause of complaints is addressed, minimizing the likelihood of reoccurrence.

vii. Indian Oil Corporation Ltd. (IOCL)

a. It has implemented an e-PIC grievance mechanism designed to efficiently receive, classify, and allocate complaints from both internal and external sources. This system ensures that complaints are properly categorized and directed to the appropriate channels for resolution. An escalation matrix is in place, which involves distributors and dealers. Escalates to the business head when necessary, ensuring that issues are addressed.

b. A significant portion of the complaints received are related to government schemes like PMUY announced by the Government of India (GOI), reflecting the broad impact of such initiatives on consumers. The grievance redressal system ensures that the majority of complaints are resolved within 24 hours, in alignment with the established Turn Around Times (TAT), which shows timely resolution.

c. The company adheres to the Marketing Discipline Guidelines (MDGs) for consumer service-related grievances, where vendors are penalized for non-compliance. However, it is important to note that no direct compensation is provided to consumers for issues related to these grievances.

d. Awareness and educate consumers, the IOC regularly conducts various safety clinics, LPG Panchayats, and other awareness camps, while also ensuring the display of the Citizen Charter to keep consumers informed about their rights and available services.

e. With a large consumer base, the IOC maintains a robust consumer complaint management system, to provide high-quality service and effective problem resolution. The grievance redressal mechanism is closely monitored by the ministry, ensuring that it meets regulatory standards and provides an efficient process for addressing consumer concerns. Hence, there is no need for an Ombudsman.

viii. Hindustan Petroleum Corporation Ltd. (HPCL)

a. HPC places a strong emphasis on upholding the rights of consumers, ensuring these rights are at the core of its service delivery. This consumer-centric approach is reflected in the company's low complaint rate—less than 0.5% of its consumer base in the LPG and retail outlet segments has filed complaints over the past five years, highlighting the effectiveness of its robust consumer redressal mechanism.

b. HPC leverages technology-based grievance mechanisms to resolve complaints

efficiently, whether they arise from internal sources, third-party applications, or government channels to ensure quick and accurate responses to consumer concerns, enhancing overall service delivery.

c. Awareness and consumer engagement, HPC runs several awareness programs, including DARPAN, safety clinics, LPG Panchayats, and initiatives like the 19,000 HP Sakhis (women entrepreneurs) who help make LPG cylinders available in rural areas through the Pradhan Mantri Ujjwala Yojana (PMUY). These efforts are to ensure that consumers are well-informed about safety, proper usage, and the availability of LPG services in remote locations.

d. With a robust complaint management system in place, which is actively monitored by MoP&NG, there is no immediate need for an Ombudsman as the current grievance redressal mechanism is sufficient and well-regulated to ensure that consumer concerns are addressed promptly and effectively.

ix. Bharat Petroleum Corporation Ltd. (BPCL)

a. BPC outlined its comprehensive complaint mechanism, stating that the majority of consumer complaints are received through the call center, alongside other accessible channels for complaint submission. The company has established a clear escalation matrix, which ensures that unresolved issues can be elevated all the way up to the business head and even the chairperson.

b. Identification of consumers is efficiently handled using their unique consumer number and registered mobile number to ensure that issues are resolved promptly and accurately.

c. Several safety awareness initiatives across the country, such as LPG Panchayats and safety clinics, to educate consumers about the safe use of LPG. These programs aim to improve safety standards and empower consumers with the knowledge to handle their products safely.

d. As part of its commitment to high service standards, BPC adheres to the MDGs during the delivery of consumer services, ensuring consistency and quality across its operations.

e. Leveraging technology to enable self-service options and provide access to a range of services at retail outlets, enhancing consumer convenience and satisfaction.

f. BPC submitted that it complies with the Control Orders issued by the Gazette of India and making an Ombudsman unnecessary as the current grievance

redressal mechanism is robust and sufficiently regulated.

x. Reliance Jio-BP

a. The company highlighted that the consumer is at the core of its operations, with all activities designed to prioritize and enhance the consumer experience. Consumer feedback plays a critical role in this approach, driving continuous improvements across all levels.

b. There are five key pillars that form the foundation of its consumer service strategy: automation, data analytics, training, manpower, and process inputs to ensure that the company can effectively meet the needs of its consumers and adapt to evolving expectations.

c. Improvements to services are continually driven by the feedback received from consumers, allowing the company to make data- backed decisions for service enhancement. A technology-based complaint logging and tracking system is used to monitor and analyze issues, providing valuable insights that help improve consumer services, particularly in retail outlets. An internal portal *Disha* has been developed to facilitate both consumer feedback and internal training to improve overall service quality.

d. A well-defined escalation matrix is in place, ensuring that complaints are allocated to the right teams based on the nature of the issue. This ensures that complaints are handled by the appropriate level of expertise, with clear guidelines for resolution. To maintain accountability and transparency, complaints are reviewed in monthly CEO meetings, where the Head of Departments (HOD) discuss ongoing issues and formulate strategies for improvement.

e. The company also runs initiatives like the "Voice of the Consumer" campaign and uses creative methods such as placing QR codes on neckties for easy access to feedback, further encouraging consumer engagement and awareness.

f. Despite these efforts, the company acknowledges that there have been limited initiatives to raise consumer awareness about their rights when visiting retail outlets, an area that could benefit from further attention. The company's grievance resolution process adheres to a Turnaround Time (TAT) of 0-4 working days, though

54% of complaints are still resolved after 48 hours, indicating room for improvement in response times.

g. Ombudsman in the oil and gas sector would be considered a positive as this will strengthen consumer protection and grievance resolution processes.

xi. Nayara Energy Pvt. Ltd. (NEPL)

a. The company is focused on building a distinct brand that caters to the diverse needs of the oil industry. A comprehensive grievance mechanism is in place to address all types of consumer complaints, ensuring that issues are resolved efficiently and effectively. Every complaint registered, a unique profile is created for the new consumer, and the complaint details are communicated to the consumer via SMS and email.

b. The majority of complaints received are related to facility issues, which the company continues to focus on improving as part of its ongoing commitment to consumer satisfaction. These complaints are forwarded to the concerned Territory Sales Manager (TSM), who is responsible for addressing the complaint within a defined Turn Around Time (TAT) of 72 hours, ensuring that timely solutions are provided. To ensure ongoing customer satisfaction, CSAT (Customer Satisfaction) calls are made after the closure of each complaint, allowing consumers to rate their experience on a scale of 1 to 5. This feedback loop helps the company assess the quality of its responses and identify areas for improvement.

c. Technology based automation plays a key role in streamlining operations, with the entire system automated to ensure that high-quality products and services are delivered to consumers visiting the retail outlets. This is supported by a robust support center that tracks all tickets raised, providing real-time updates and ensuring swift resolution of issues.

d. Safety awareness campaigns, including hoardings and informational programs at retail outlets, to educate consumers about safety standards and product use.

xii. Mahanagar Gas Ltd. (MGL)

a. The entity has implemented several effective measures to manage consumer complaints and enhance service quality. Technology is leveraged through platforms like WhatsApp and SMS to ensure seamless communication with consumers, providing timely updates and resolutions.

b. Complaints are systematically categorized into different "buckets" based on their nature, allowing for targeted resolution processes. The management closely monitors the Turn Around Time (TAT) for resolving complaints, conducting monthly reviews to ensure that service timelines are consistently met. Outbound calls are made before closing complaints to verify resolution and ensure consumer satisfaction, demonstrating a commitment to thorough follow-up

c. External factors have contributed to over 40% of complaints being resolved beyond the 48-hour window, indicating challenges outside the entity's immediate control.

d. To maintain high service standards, internal audits and training exercises are regularly conducted, helping to reinforce best practices and ensure that all employees are well-equipped to handle consumer concerns effectively. Despite these challenges, the entity recognizes the need for recovery-based regulations to further strengthen the grievance redressal process.

e. While the concept of an Ombudsman is acknowledged, the entity believes that its existing, robust consumer redressal mechanism is sufficient to address issues effectively, making an Ombudsman unnecessary at this stage. The comprehensive complaint management system ensures that consumer concerns are resolved efficiently, contributing to overall satisfaction and service excellence.

4. During their respective presentations, HLEC sought suggestions/views from the entities on the following:

i. Effective implementation of the provisions under Sections 11(f) (i) to (iv) of the PNGRB Act, 2006;

ii. Effective implementation of the provisions regarding complaints and resolution of disputes under Section 12 (1) of the

PNGRB Act, 2006;

iii. Awareness on Right of consumers (right to connection, Quality of product, Quality of service, Clean Toilet, etc.)

iv. Mandating appointment of Ombudsman with regard to protection of consumer interest in oil and gas sector alongside the number of complaints that have been filed in the judicial system.

All the entities featured a robust consumer redressal mechanism and awareness programs which are being run in the nation. Digital / technological led services may be incorporated for the effective implementation of the provisions under Sections 11(f) (i) to (vi) & 12(1) of the PNGRB Act, 2006.

The awareness of consumer on safety, information about the products / services along with billing and payment option are well catered by the companies, but the rights of the consumer are not being made aware.

Companies resolve all consumer complaints to the best standards, but an unsatisfied consumer have the option to reach out to the judicial system, of these only a few consumers reach out with cases less than 5 per year per company.

Some entities agreed to induction of an Ombudsman as having an external redressal mechanism which will lead to faster and fair redressal of consumer complaints. However, such entities requested for clear guidelines on Ombudsman.

5. HLEC advised GGL, Shell India, IOCL, HPCL, BPCL, Nayara Energy Pvt. Ltd., MGL to update/resubmit their response to the questionnaire as their submissions before the Committee differed from that of the response submitted earlier.

6. While concluding the deliberations, Shri Ratan P. Watal, Chairman, HLEC advised the following:

a. Consultations will be undertaken with MoP&NG and consumer fora in the meeting to be scheduled at CVOC office, New Delhi.

b. All Presentations made by the entities have to be shared with the Members.

c. Shri S.C. Gupta, Member Secretary, HLEC will seek PNGRB approval for further extension of time up to 15th December 2024.

7. Meeting ended with a ‘Vote of Thanks’ to the Chair.

Record Note of discussions held during 5th meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 7th & 8th November 2024

List of Participants

1. Shri. Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC
2. Shri. K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC
3. Shri. K.K. Gupta, Former Director (M), BPCL & Member, HLEC - virtual
4. Shri. S.C. Batra, Former Member (Legal), PNGRB & Member, HLEC- virtual
5. Shri. Nitin Patil, Former CEO, Gujarat Gas & Member, HLEC
6. Shri. Ashok Pendse, Consumer Activist & Member, HLEC
7. Shri. S.C. Gupta, Director I/C (Monitoring), PNGRB & Member Secretary, HLEC

PNGRB

1. Shri. Nishant Parashar, Deputy Director (Legal)
2. Shri. Madhoop Sah, Deputy Director (Monitoring) - virtual
3. Shri. Ajitesh Singh, Assistant Director (Consumer Protection)
4. Shri. Kamal Nayan Bhatt, Deputy Consultant (Consumer Protection) - virtual

City Gas Distribution (CGD) Entities and Oil Marketing Companies (OMCs)

1. Shri. Amol Hatti, General Manager (BD), MNGL
2. Maj. Shankar Karajagi, Director (Commercial), MNGL
3. Shri. Kartik Tikoo, DGM (CRM), MNGL
4. Shri. Kuntesh Rawal, Senior Vice President, ATGL
5. Shri. Arpan Khandwala, Sr. Manager, ATGL
6. Shri. Neville Desai, Vice President (C&M), GGL
7. Shri. Rakesh Tyagi, Manager (C&M), GGL
8. Shri. Ketan Pradhan, Vice President (Marketing), TGL
9. Shri. Sanjay Sharma, Managing Director, SGL
10. Shri. Jaideep Mukherjee, Dy. General Manager, SGL
11. Shri. Tilak Yagnik, Manager, SGL
12. Shri. Tanmoy Ghosh, Head of Mobility Sales India, Shell India
13. Shri. Rajesh Jayapaul, Head of Mobility Operations India, Shell India

14. Shri. Niranjan Agarwal, Head of Customer Operations India, Shell India
15. Shri. N.D. Mathur, Executive Director - Retail Outlets, IOCL
16. Shri. Abhijit Gupta, GM - Retail Transformation, IOCL
17. Shri. Vishal Gupta, DGM - Retail Transformation, IOCL
18. Shri. K. Sailendra, Executive Director - LPG, IOCL
19. Shri. K.K. Mishra, CGM - LPG, IOCL
20. Shri. Manish Kumar, GM - LPG, IOCL
21. Shri. Ashish Kumar, Sr. Manager - LPG, IOCL
22. Shri. K S Rao, Executive Director - Natural Gas, HPCL
23. Shri. Anuj K Jain, Executive Director - LPG, HPCL
24. Shri. R Maheshwari, Executive Director - Retail, HPCL
25. Shri. K V S Raju, Executive Director - CGD, HPCL
26. Shri. T.V.Pandiyan, Executive Director - LPG, BPCL
27. Shri. Krishna Prasad, CGM - Retail, BPCL
28. Shri. Parate, DGM - Retail, BPCL
29. Shri. Vijay Sehgal, DGM - LPG, BPCL
30. Shri. Dipankar Saha, DGM - Gas, BPCL
31. Shri. Krishna Pendyala, Head E-commerce, Reliance Jio-BP
32. Shri. Rajeev Sood, Assistant Vice President, Reliance Jio-BP
33. Shri. Praveen Verma, Head of Retail Operations, Nayara Energy Pvt. Ltd.
34. Shri. Mahesh Iyer, DGM - Marketing Transformation, Nayara Energy Pvt. Ltd.
35. Shri. Ashu Shinghal, Managing Director, MGL
36. Shri. Sanjay Shende, Deputy Managing Director, MGL
37. Shri. Paresh Chanpur, Chief Manager, MGL
38. Shri. Santosh Devde, Chief Manager, MGL
39. Shri. Stanley D'souza, Senior Manager, MGL
40. Shri. Rajesh Wagle, SVP Marketing, MGL
41. Shri. Manas Das, VP Commercial, MGL
42. Smt. Neera Phate, GM CC & CRM, MGL
43. Shri. K. Venugopal, GM Commercial, MGL

Record Note of discussions held during 6th meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 29th November 2024

6th meeting of the High-Level Expert Committee (HLEC) constituted by PNGRB under the chairmanship of Shri Ratan P. Watal, Chairman, Central Vista Oversight Committee (CVOC), Government of India to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 was held on 29th November 2024 at CVOC office, New Delhi. The list of participants who attended the meeting including in virtual mode is enclosed (**Annexure - 1**).

2. As desired by Shri Ratan P Watal, Chairman, HLEC & CVOC, Shri S.C. Gupta, Member Secretary apprised that 4 out of total 7 entities resubmitted their response to questionnaire subsequent to the last meeting and response from the remaining 3 entities is also expected by this weekend. Further, approval has been obtained until 15th December 2024.

3. During their respective interaction sessions, Shri Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC alongside the committee members sought out suggestions / views with respect of the following:

I. Effective implementation of the provisions under Sections 11(f) (i) to (iv) of the PNGRB Act, 2006;

II. Effective implementation of the provisions regarding complaints and resolution of disputes under Section 12 (1) of the PNGRB Act, 2006;

III. Involvement of Consumer forums for carrying out studies and inputs in the oil and gas sector as seen in the case of electricity sector.

IV. Mandating appointment of Ombudsman with regard to protection of consumer interest in oil and gas sector alongside the number of complaints that have been filed in the judicial system.

4. Thereafter, HLEC interacted with the representatives of Prayas (Energy Group) and Shri Rama Shanker Awasthi (independent activist) that had submitted the responses to the questionnaire. Apart from the above-mentioned points, the interaction was focused on the existing practices in the electricity / oil and gas sectors which can pave the way forward for the initiatives taken towards consumer awareness, mechanism to address consumer grievances, complaint management, resolution timelines, etc.

I. Prayas (Energy Group) –

a. It highlighted that learnings and best practices from the electricity sector could be adapted to improve consumer governance in the oil and gas sector as it had done limited work in the oil and gas sector,
b. The governance structure of the electricity sector was apprised , focusing on the three major interface points of consumer with service providers:

(i) Obtaining connections.
(ii) Ensuring the quality with sufficiency of power supply.
(iii) Affordability.

These interfaces are critical for retail and small consumers, including MSMEs, agriculture, rural, and commercial consumers, who are often not adequately represented.

c. Service delivery for domestic, commercial, and industrial consumers was emphasized at the state level and the national level as a key area requiring thoughtful planning and execution.

(i) At the state level, the governance framework involves the Ministry of Power, central regulatory authorities, and appellate tribunals.
(ii) At the national level, safety standards and consumer rights are governed by specific legislative provisions.

The Electricity Act 2003 brought out the "Right of Consumers" in 2020 which have been amended up till 2024 with set of performance benchmarks, automatic compensation mechanisms, and penalties that are more detailed compared to those in the oil and gas sector.

d. The Central Electricity Authority focuses on safety, construction, and metering, areas indirectly related to service delivery. In 2021, the Ministry of Power introduced a performance rating system for service providers.

   (i) Financial ratings are conducted by the Power Finance Corporation.
   (ii) Consumer service ratings are handled by the Rural Electrification Corporation using CSRDL reports.

   These reports evaluate service parameters such as promptness, faster connection delivery, and management of power failures across states and union territories, creating pressure points for service providers to achieve service excellence.

e. There is also a Forum of Indian Regulators (FOIR) that develops model regulations addressing consumer complaints and awareness. These regulations are adopted by state commissions to enhance consumer grievance redressal mechanisms. Appellate tribunals at the state level are tasked with addressing consumer grievances, but challenges remain in ensuring their effectiveness States are required to file periodic reports with appellate tribunals, which are published online to promote transparency and accountability.

f. Consumers can initially approach service providers through multiple communication channels. If unsatisfied, they can escalate their concerns to grievance forums, which consist of 3-4 members, including one representative from the regulatory commission. Specific timelines are mandated for grievance resolution, failing which consumers can approach the Ombudsman. Each state appoints an Ombudsman through the regulatory commission, who submits annual reports detailing consumer data.

g. Systemic support for grievance redressal and complaint handling is required for the retail consumer in the oil and gas sector for which establishing regional and state offices to improve consumer access and awareness. Regular and detailed reporting of complaints to regulators was suggested.

h. Emphasis on increased consumer complaints initially to identify and address systemic issues, which would lead to a reduction in complaints over time. The importance of complaints in improving the system was emphasized, as they play a vital role in initiating

productive changes. Competition alone cannot resolve governance issues in the oil and gas sector. Structured interventions, by regulators as in the electricity sector, are essential to improve consumer satisfaction and service delivery.

i. It was highlighted that while the Oil and Gas sector has both the Act and regulations in place, the key challenge lies in the effective implementation of these regulations, which depends on available resources. Quality of implementation, especially in the oil and gas sector, was identified as a crucial aspect that directly impacts service standards.

j. The rural engagement of LPG under the PYMU initiative in 2020-21 were discussed where in were societies and distributors are to ensure efficient handling of LPG distribution, which led to a significant improvement in rural outreach post-PUMY.

II. Shri. Rama Shanker Awasthi, Independent Activist –

a. An independent activist primarily working in the Lucknow, Kapur and other areas in the state of Uttar Pradesh (UP) handling consumer grievances in power sector at multiple levels from Commission, Appellate and up to the supreme courts.

b. Shri Awasthi stated that in oil and gas sector, only one office in New Delhi is available and the regulation state that establishment of regional offices which will enhance the consumer accessibility to the board as in the case of the electricity sector, multiple regulatory commissions have been set up at the state level to enhance consumer engagement.

c. A key concern raised was the lack of a clear mechanism for consumers to approach the regulatory body and to report service level deficits. This gap in consumer access and accountability was deemed crucial for improving service quality.

d. In the current framework, the Ombudsman may represent the entity rather than the consumer, was criticized as a major drawback. It was suggested that the ombudsman should be an independent individual appointed by the board, with a clear mandate to represent consumer interests.

e. The drafting of tariffs and regulations related to petroleum products and its impact on consumers, was another point of concern. It was suggested that PNGRB should improve on public

awareness and involve more widespread publicity and public participation by providing relevant information about how tariffs are calculated, ensuring transparency in the process. A more open public approach would enhance the overall functioning of the regulatory board, leading to better consumer friendly outcomes.

f. Further, it was pointed out that all companies are working for the betterment of services that are being rendered to the public. This can be further enhanced in the oil and gas sector with the same model as in the electricity sector by more involvement of regulators for approaching the rural / out-fetched areas.

5. It was noted that vide D.O. communication from Chairman, CVOC & HLEC to Secretary, MoP&NG, the ministry was also requested to attend this stakeholder consultation meeting and present their views *inter alia* on the following:

i) Suggestions for effective implementation of the provisions under Sections 11(f)(i) to (vi) of the PNGRB Act, 2006 by PNGRB, pending notification of petroleum, petroleum products and natural gas by the Government of India.

ii) Suggestions for effective implementation of the provisions regarding complaints and resolution of disputes by PNGRB under Section 12(1) of the PNGRB Act, 2006.

iii) Views regarding mandating of appointment of Ombudsman with regard to protection of consumer interest in petroleum and natural gas sector.

iv) Any other views/suggestions relating to the ToR of the HLEC.

However, MoP&NG neither responded to the communication nor attend the meeting. Further, out of the three consumer forums, the Centre for Social and Economic Progress (CSEP) representative Ms. Ashwini Chitnis informed that she was unable to attend the meeting due to personal reasons.

6. While concluding the deliberations, Shri Ratan P. Watal, Chairman, HLEC advised the following:

I. Prayas (Energy Group) consumer forum has been asked to share

their report on LPG study for domestic consumers conducted in 2020.

II. Shri S.C. Gupta, Director I/C (Monitoring), PNGRB & Member Secretary, HLEC to update the draft report with the inputs sought from the 7 entities during the meeting held on 7th & 8th November 2024 in Mumbai and send it to Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC.

III. Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC and/or Shri. S.C. Gupta, Director I/C (Monitoring), PNGRB & Member Secretary, HLEC to speak with CSEP representative Ms. Ashwini Chitnis for any further insights from them.

IV. Members to share any further comments post the stakeholder consultations on the draft report (already circulated to them) with Shri K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC.

V. HLEC will have discussions with PNGRB before submission of the final report.

7. Meeting ended with a 'Vote of Thanks' to the Chair.

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Record Note of discussions held during 6th meeting of the High-Level Expert Committee to recommend a way forward to ensure comprehensive consumer protection framework as per the provisions of the PNGRB Act, 2006 on 29th November 2024

List of Participants

1. Shri. Ratan P. Watal, Chairman, CVOC, GoI & Chairman, HLEC
2. Shri. K. Rajeswara Rao, Principal Adviser, CVOC, GoI & Member, HLEC
3. Shri. K.K. Gupta, Former Director (M), BPCL & Member, HLEC - virtual
4. Shri. S.C. Batra, Former Member (Legal), PNGRB & Member, HLEC
5. Shri. Ashok Pendse, Consumer Activist & Member, HLEC
6. Shri. S.C. Gupta, Director I/C (Monitoring), PNGRB & Member Secretary, HLEC

PNGRB

1. Lt. Col. Kumar Abhishek, Director (Consumer Protection & CGD)
2. Shri. Nishant Parashar, Deputy Director (Legal)
3. Shri. Madhoop Sah, Deputy Director (Monitoring)
4. Shri. Ajitesh Singh, Assistant Director (Consumer Protection)
5. Shri Suyash Gaur, Assistant Consultant (Legal)

Consumer Forum Members

1. Shri. Sreekumar Nhalur, Prayas (Energy Group) - virtual
2. Shri. Narendra Pai, Prayas (Energy Group) - virtual
3. Shri. Rama Shanker Awasthi, Independent Activist - virtual

ANNEX - 3

Relevant provisions of the PNGRB Regulations notified under Section 11(a) and 12(1) of the PNGRB Act, 2006

I. PNGRB CGD Authorisation Regulations, 2008

a) Service obligations of authorized entity (post commissioning)

Regulation 14 provides as under:

(1) The entity may take an interest-free refundable security deposit from domestic PNG Customer towards security of the equipments and facilities mentioned below, including the labour cost of installation towards last mile connectivity, that is, between the riser isolation valve before the metering unit and the suraksha hose pipe connecting the burner in the customer's premises for an amount not exceeding "rupees six thousand" for a single connection, namely:-

(a) riser isolation valve before the metering unit;

(b) ten meters of pipe up to the metering unit;

(c) metering unit;

(d) five meters of pipe or tube from the metering unit up to the excess flow check valve-cum-isolation valve;

(e) excess flow check valve-cum-isolation valve; and

(f) suraksha hose pipe of standard size connecting the domestic PNG burner

Provided that the network tariff bid by the entity shall include the charges towards the last mile connectivity: Provided further that the amount of "rupees six thousand" referred to in this sub-regulation shall be deemed to have been substituted by the amount of "rupees nine thousand" in case the entity installs a smart meter at the premises of the domestic PNG Customer:

Provided also that it shall be the option of the domestic PNG customer to choose either the smart meter or the normal meter and the entity shall not force him to opt for the smart meter or to withhold providing the domestic PNG connection for the reason that the customer has not opted for the smart meter:

Provided also that an existing domestic PNG customer shall have the option to seek replacement of existing normal meter by a smart meter on payment of rupees three thousand to the entity.

(2) The entity may take an interest-free refundable security deposit from non-domestic PNG customers for an amount not exceeding the actual cost of the metering unit and other related equipment and labour charges towards installation:

Provided that these are installed by the entity in the customer's premises.

(3) The entity shall not exert any undue influence on any domestic PNG customer to purchase natural gas burner stove or avail of any other service not connected with the supply of natural gas.

(4) The entity shall convert the existing LPG burner stove of a prospective domestic PNG customer into natural gas burner stove free of charge.

(5) The authorized entity shall maintain separate books of accounts including detailed activity-based costing records to segregate direct, indirect and common costs alongwith the basis of allocation and the revenues earned in respect of the activities of-

(a) purchase of natural gas including its odourization;

(b) transportation of natural gas in the CGD network;

(c) online compression of natural gas into CNG;

(d) transportation of CNG in a cascade mounted system, if any;

(e) marketing or distribution including commission allowed to any agency for marketing or distribution of natural gas and CNG in the CGD network; and

(f) dispensing of CNG including booster compression, if any.

(6) The costs and revenues associated with activities other than those stated in clauses (a) to (f) of sub-regulation (5) should be reflected separately in the books of accounts of the entity.

(7) The authorized entity shall ensure that –

(a) the confidentiality of customer information collected in the course of providing regulated service is maintained; and

(b) there is no preferential access allowed to itself or to any other entity for the activity of transportation of natural gas in the CGD network.

(8) The authorized entity shall be responsible for getting the technical and safety audits carried out by independent technical experts or accredited agencies out of the panel approved at regular intervals during the commissioning phase as well as on an on-GoIng basis thereafter to ensure compliance with the relevant regulations for technical standards and specifications, including safety standards and the audit report along with the findings shall be submitted to the Board and the Board may review the same and advise remedial action, if any, to the entity.

(9) The entity will have to meet the service obligations as stated under the Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008.

(10) "An authorized entity shall continue to submit post commissioning information in the formats given at Schedule E for such purpose.

(11) In the event of authorised entity being rendered unable to perform any obligation required to be performed by it as per the work program, due to force majeure, the relative obligation of the entity affected by such force majeure shall be suspended for the period during which such force majeure lasts and the decision of the Board in this regard shall be final and binding on the entity.

(12) Upon the occurrence of such force majeure and upon its termination, the entity alleging that it has been rendered unable as specified in sub-regulation (11), the entity must inform the Board giving full particulars of the force majeure and duly certified by statutory authorities, the beginning and end of the delay due to such force majeure immediately but not later than 15 days from the end of such force majeure.

(13) Time for performance of the relative obligation suspended by such force majeure shall stand extended by the period during which such force majeure lasts.

b) **Schedule D of CGD Authorization Regulations, 2008**

(i) Clause 6 of Schedule D provides as under:

"The entity shall maintain an uninterrupted supply of natural gas to all categories of customers in the CGD network. In the event of any disruption in the supply of natural gas in the CGD Network, first priority shall be accorded

to restoration of supplies to domestic PNG customers. In case of disruption of supply to domestic PNG customers for more than twelve hours, the entity shall compensate the domestic customer on the following manner, namely…"

(a) the normative volume of natural gas consumption for the first domestic PNG connection for cooking requirements based on last three months weighted average consumption per day to be applied for each day's disruption and multiplied by ten;

(b) normative value of natural gas consumption shall be based on last three months' weighted average billing price of natural gas for supplies to the first domestic PNG connection for cooking requirements; and

(c) the value of compensation shall be equal to normative volume of natural gas consumption as per clause (a) above multiplied by normative value as per clause (b) and shall be adjusted by allowing a credit to the domestic PNG Customer in the next billing cycle or in the next pre-paid smart card in case of smart card metering.

In case the disruption of supplies is attributed to any fault of the domestic PNG customer, no compensation shall be payable by the entity.

(ii) Clause 11 & 12 of Schedule D provides as under:

11. "The entity shall publish the applicable retail selling price of PNG for all categories of customers and for the purpose of invoicing in Rs. / MMBTU."

12. The entity shall publish and display the retail selling price of natural gas for the purpose of invoicing to CNG customers in Rs. / Kg at all natural gas dispensing stations."

II. <u>CGD Exclusivity Regulations, 2008 notified under Sections 11(a) of the PNGRB Act 2006</u>

1) **Service obligations.**

Regulation 8, sub-regulation (a) and (b), provides as under:

"in respect of an entity laying ***or*** *propose to lay, build, operate or expand a CGD network after the appointed day and which has been authorized by the Board under the PNGRB (Authorizing Entities to Lay, Build, Operate or*

Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, the entity shall –

(iii) reach all charge areas or wards in the authorized area through pipelines of adequate size to meet the demand of the consumers in these charge areas or wards; and

(iv) provide PNG connection on demand to a domestic consumer for cooking purposes within a distance of twenty-five meters of the metering unit at the consumer's end till the tap-off in the pipeline"

III. CGD Access Code Regulations, 2020

1) Obligations of shippers and authorized entity

Regulation 7 provides as under:

"…(4) Authorized entity shall act as supplier of the last resort for the domestic customers in case of any default by the shipper…

…(9) Shipper shall be responsible for billing and collection of dues from its customers. Meter reading shall be the responsibility of the authorised entity, except for PNG domestic consumers which shall be the responsibility of the shipper. Shipper shall also be responsible for any complaints from its customers in relation to billing and collection…"

It is observed that by designating an authorized entity to fulfill these role, the regulation aims to mitigate the impact of any disruptions in service that may occur due to shipper defaults, safeguarding the interests of domestic customers in accessing essential energy resources.

2) Gas accounting and reconciliation

Regulation 11 provides as under:

"…(b) for industrial and commercial customers, the daily off take at the relevant exist points shall be measured through system as agreed between the authorized entity and the shippers.

(c) for PNG domestic customers, the daily off-take for gas accounting shall be assumed based on the average consumption of gas by the relevant PNG domestic customers and reconciliation shall be done within seven days of the end of every billing cycle as per the methodology agreed in access arrangement;"

3) Planned maintenance.

Regulation 19 provides as under:

"…(2) The planned maintenance shut down period for any customer, in all the segments, except domestic PNG, shall not exceed the cumulative period of ten days in any calendar year…"

4) Operating procedures and emergencies

Regulation 21, provides as under:

"…(3) The authorised entity shall take steps to restore normal operations of the network as soon as reasonably possible after an emergency. Restoration of services to the various customer segments in case of emergencies or disruptions or interruptions in the CGD network shall be carried out in the following order of priority, namely: — (a) domestic PNG customers; (b) essential services, like hospitals, clinics, milk supplies; (c) CNG customers; (d) Others."

IV. CGD Service Regulations, 2010

1) Service norms for new PNG Connections

Regulation 4(1), provides as under:

"Every entity shall comply with the following service standards for new PNG domestic connection applications, namely :-

…(b) shall also provide consumers the facility to download application from its websites along with necessary instructions thereof;…

...(f) the entity, on receipt of an application, shall-

…(iv) provide connection within three months from the receipt of completed application form provided the consumer is located within the charge area indicated in the approved network plan of the entity and required permission are obtained…"

2) Service norms for new PNG Connections

Regulation 4(2), provides as under:

"The entity shall comply with the following service standards for existing domestic consumers applying for modifications or alteration in existing connection, namely:-

…(a) in case of request for alteration in the existing domestic connection in the premises, the entity shall-

…(ii) seek the approval of the consumer by providing an estimate of the charges to be borne by the consumer which shall not exceed the actual cost of such alteration…

…(iv) in case the entity rejects the request of the domestic consumer for such alteration on technical or safety considerations, it shall inform in writing, such reasons for rejection within fifteen days…

…(c) in case of death of an existing domestic consumer, the connection may be transferred to his legal successor subject to such requirements as the entity may specify.

…(e) in case of complete demolition of a premises with an existing domestic connection, the entity, on receipt of a request for disconnection from the consumer, shall remove the meter and other equipment within a period of 30 days from the premises of the consumer and in case the consumer so desires, reconnect the same in the reconstructed premises at the cost of consumer."

3) Obligations of Consumers

Regulation 5 provides as under:

(1) Consumer shall make use of the PNG supply for the registered premises only and shall not re-supply to any other person under any circumstances.
(2) Consumer shall inform the entity before any change of ownership of premises and clear all pending arrears and apply for "No dues Certificate" and obtain refundable of security deposit from the entity.
(3) The new owner of the premises may apply to the entity along with necessary documentation and security deposit.
(4) The consumer shall not alter the PNG connection that has been provided within the premises without the consent of the entity.
(5) The consumer shall follow the safety guidelines notified by the entity or any other statutory authority regarding supply of gas.
(6) The consumer shall promptly report about any damage to or leakage from any of the equipment.
(7) The CNG consumer shall ensure installations of approved kit and comply with safety guidelines issued by the concerned authority.

These obligations are designed to promote safe, responsible, and lawful use of PNG and CNG supplies, protecting both consumers and the integrity of the gas

distribution system which can be further strengthen through training to employees that are dealing with the consumer and may include:

I) Demonstration of PNG connection and its safety usage upon conversion.
II) Emergency drills in case any leakage.
III) Informing consumers at CNG stations for retesting of cylinder

4) Metering

Regulation 6(1) provides as under:

"(1) Every entity shall comply with the following code of practice with reference to metering of domestic, commercial and industrial consumer, namely:-

...(f) in case the meter of a domestic consumer is not read during any billing cycle due to reasons attributable to the entity, the entity may seek information on current reading of the meter from the consumer and base its billing on the feedback received from the consumer...

(g) in case the meter is not read during any billing cycle due to reasons attributable to domestic consumer, the entity shall send a provisional bill based on average consumption of the last six billing cycles;

(h) the amount paid by consumers against provisional bills or bills based on consumer feedback on meter readings shall be adjusted against actual meter readings, as and when such readings are taken;

(i) only actual bills shall be raised for the commercial and industrial consumers.

(j) the entity shall indicate in the monthly invoice the schedule window for reading of meter area wise so that consumers would be prepared and-

(i) *if meter is rendered inaccessible on three consecutive billing cycles by a domestic consumer, the entity shall serve a seven days' notice to consumer under proper receipt to keep open the premises for taking meter reading on dates and time indicated in the notice;*

(ii) *if the consumer fails to comply with such notice, the entity may disconnect the gas supply;*

(iii) *in case of request for a special reading of meters beyond working hours or on a holiday due to non-availability of consumer during the normal working hours, the entity may do so at reasonable cost to consumer;*

Regulation 6(2) provides as under:

(2) consumer shall comply with the following obligations with respect to metering of PNG, namely:-

(a) consumer shall provide suitable and adequate space for installation of meter and its safe custody;

(b) consumer shall provide right of access to the authorized agent for the purpose of reading, repairing, replacing or testing of the equipment and the authorized agent shall carry proper identification and authorization documents failing which the consumer shall be at liberty to deny access;

(c) in case a consumer disputes the meter accuracy-

(i) *he may, after paying prescribed testing fees, get the meter tested by the entity;*

(ii) *the entity shall test the meter within fifteen days of receiving such request by giving at least seven days advance notice to the consumer;*

(iii) *the entity shall provide the duly authenticated test results to the consumer within ten days;*

(iv) *in case the meter is found to be defective, the testing fee paid by the consumer shall be refunded and dues, if any, based on the correction is also to be refunded to the consumer by the entity;*

(v) *if upon inspection by the entity either suo motu or on consumer's complaint, the meter is found to be defective or damaged, it shall be replaced within ten days and if the meter is removed for repair or replacement, consumer shall continue to get gas supply and the billing for the period shall be based on average of last six billing cycles;*

(vi) *if it is established that the meter got burnt or damaged or tampered with due to reasons attributable to the consumer, he shall bear the consequent liabilities."*

These requirements aim to ensure fair and accurate metering of PNG and provide mechanisms for dispute resolution between consumers and entities responsible for metering.

5) Billing

Regulation 7(1) provides as under:

"(1)Every entity shall comply with the following code of practice with reference to billing of domestic, commercial and industrial connections, namely :-

(a) raise bills for domestic consumers with a billing cycle not longer than bimonthly;

…(c) upgrade billing procedures from time to time to accommodate advance lumpsum payments, online payments, smart cards or any other such schemes which would facilitate consumers' payments and also provide details of such procedure on its website;

(d) raise the bill at least fifteen days before the due date of the payment for domestic consumer and seven days before due date for commercial and industrial consumers;

…(f) issue a duplicate bill free of cost, if requested by the consumer;

…(h) reflect adjustment of any excess payment made by the consumer in the subsequent bill failing which interest on the excess payment shall be payable by the entity at the prevailing Prime Lending Rate (PLR) notified by the State Bank of India.

(k) the entity shall acknowledge immediately any complaints filed by the consumer on billing;

(l) there shall be a provision for the consumer to lodge the complaint through email also;

(m) the complaint shall be addressed within ten days and if additional time is required, then, it has to be conveyed to the consumer along with reasons thereof;

(n) in case of consumer's request for final bill settlement, the entity shall arrange a special meter reading for final bill within seven days

6) Disconnection of PNG Connection

Regulation 8(1) provides as under:

"(1) Disconnection by the entity

(a) *In case of a domestic consumer defaulting on payments, the entity may issue a notice for a period of not less than fifteen days and disconnect if the payment is not received within the notice period.*

The entity shall give written notice of not less than seven days before service is disconnected…

…(2) In case of permanent disconnection, the consumer shall apply for refund of security deposit in the prescribed pro-forma and

(i) *the final bill for such consumers shall be raised by the entity as per procedure indicated in regulations above;*

(ii) *the disconnection shall take place within fifteen days from the date of receipt of consumer request."*

7) Quality of service pertaining to CNG Station

Regulation 9 provides as under:

"(1) Filling time

…(b) in case any consumer is turned away either for want of gas or inadequate pressure or failure of equipment, such details shall be recorded and submitted along with Annual Returns in Schedule I to be filed by the entity with the Board.

(2) The following basic amenities shall be provided at CNG Stations:

(a) safe and potable drinking water;

(b) free air;

(c) clean and functional toilets;

(d) consumer complaint box;

(e) safety kits, fire extinguishers and other safety related equipment;

(f) shelter for passengers off loaded before refilling of vehicles on a best endeavour basis.

(3) The entity shall also prominently display names and contact numbers of persons responsible in case of emergency.

These provisions aim to ensure transparency and accountability in the operation of CNG stations.

8) Network interruptions

Regulation 10 provides as under:

"(1) The entity shall comply with the following code of practice with reference to planned network interruptions, namely:

…(b) the entity shall serve at least two days' notice to consumers before any planned interruptions in gas supply;"

The entity shall comply with the following code of practice with reference to planned network interruptions, namely:-

(c) the entity shall ensure minimum guaranteed service reliability level as below:

Consumer Category	*Maximum number of interruptions in a year*
Domestic	*6*
Commercial and industrial	*10*
CNG Station	*12*

(d) these interruptions indicated above are excluding any interruptions due to force majeure or contractual interruptions.

(e) every entity shall comply with the following code of practice with reference to unplanned network interruptions which include non- contractual interruptions resulting from inadequate network capacity, leakages, mechanical pipe or plant failure, third party actions or any other such cause;, namely:-

(i) set up an emergency response team for handling any unplanned interruptions and specify responsibility chart for its officials in times of emergency:

(ii) set an emergency response time to address an emergency situation as a first response to make the system safe;

(iii)provide real time information to affected parties about nature of interruptions and expected duration of interruption.

9) Complaint Handling

Regulation 11 provides as under:

" (1) The entity shall ensure that all complaints are resolved in a reasonable manner and time frame.

(2) the entity shall provide a consumer complaints cell with the following arrangements, namely:

(a) *a twenty four hour Consumer Complaint Cell where the complainants can register their complaints either personally or through telephone or through email;*

(b) *the entity shall ensure that Consumer Complaint Cell:-*

(i) register each complaint by allotting a unique identification number to be called the docket number and communicate docket number to the consumer.

(ii) intimate the action taken on the complaint to the consumer through telephone or other electronic means or any other means.

(iii) intimate contact details of the Nodal Officer (including his name, telephone number and address) to the consumer to whom the consumers may approach directly in case the complaint is not resolved to the satisfaction of the consumer;

(c) the entity shall also nominate an Ombudsman, who is not an employee of the entity, with the prior approval of the Board;

(d) the Ombudsman so appointed shall have appropriate jurisdiction to address consumer complaints not resolved at the Nodal Officer's level;

(e) while the Ombudsman's decision shall be binding on the entity, it shall not detract from the consumer's right to approach an appropriate forum for pursuing his complaint if he is not satisfied with the Ombudsman's decision.

(4) The entity shall appoint an independent third party with the prior approval of the Board to carry out annual consumer satisfaction surveys on a scientific sample of consumers;

(a) *the survey questionnaire shall be formulated by the entity in association with the third-party consultant;*

(b) *the findings of the same shall have to be aggregated, analyzed and submitted to the Board."*


CONSUMER PROTECTION