

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-I-06-2016-17
Complainant	M/s. Ambica Ginning Industries P Ltd., Post ; Golagamdi, Bodeli Road, Tal: Sankheda, Dist : Chhotaudepur
Respondent	Shri C D Valvai, Executive Engineer of Dabhoi of MGVCL
Date of hearing	10.06.2016 at Vadodara & 30.06.16 at Halol

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Ms Harsha S Chauhan, Vadodara
Technical Member	Shri B J Upadhyay ACE (RA&C) MGVCL Vadodara

The complaint dated 24.05.2016 regarding objection against the vij bill for the month of Feb 2015 of Rs.5,70,344.37, consumer No.13334

On 10.06.2016 at Vadodara & 30.06.16 at Halol, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Sanjaybhai M. Agraval, Director appeared on 30/06/2016 behalf of M/s. Ambica Ginning Industries whereas Shri C D Valvai, Executive Engineer of Dabhoi appeared as respondent on behalf of MGVCL before the Forum on 10.06.2016. Both the parties were heard.

The brief details of the case are as under:

1. M/s. Ambica Ginning Industries P Ltd., having consumer No.13334, HT connection of 200 KVA Contract Demand at Post ; Golagamdi, Bodeli Road, Tal: Sankheda, Dist : Chhotaudepur.
2. The applicable tariff is HT seasonal tariff.
3. As per complainant, the cotton production is less, MGVCL has considered February 2015 MD to 260 KVA and accordingly issued supplementary bill for Rs.5,70,344.37
4. The Forum is requested to look into for justice.

The complainant contended that their contract demand is 200 KVA. They have stopped ginning work and only oil mill is being operated. They are not using more load hence the bill issued for the year 2015 AMC is wrong and need to modify. He requested the Forum to give justice.

The respondent contended that :

1. The complainant had applied seasonal tariff being ginning industry for CD of 200 KVA.
2. The maximum MD recorded in the meter in the month of January 2015 is 260 KVA and in February 2016 is 223 KVA.
3. As per GERC tariff schedule 13.11, the seasonal consumer has to pay “Annual Minimum Charge” (AMC)” as per maximum demand recorded (Refer clause No.13.11.3 to 13.11.6).
4. Accordingly, as per meter data & G7 card signed by the representative of the complainant, the maximum demand recorded in Jan 2015 for 260 KVA. Again in Feb 2015, it has crossed Contract Demand but less than 260 KVA. In subsequent month, it is less than Contract Demand. Therefore, for calculation, MD considered as 260 KVA.
5. The meter is AMR enabled i.e. on line data logging facility. As per data record, the maximum demand crossed on dated 30.01.2015 at 5 O’clock having 86.72 KVA (MF=3 hence $86.72 \times 3 = 260.1$ KVA) and PF=0.45.
6. As per GERC tariff schedule of 2014-15, rate applicable for seasonal HT consumer is Rs.4350/Annum/KVA of Maximum Demand. Accordingly, $260 \times 4350 = \text{Rs.}11,31,000/-$ is the Yearly Minimum Charge applicable.
7. The consumer has paid Rs.6,05,689.05 during the calendar year 2015 which is adjusted against Annual Minimum Charges calculated after completion of calendar year 2015 i.e. $\text{Rs.}11,31,000 - \text{Rs.}6,05,689.05 = \text{Rs.}5,25,310.95$ is payable by the consumer.
8. The date of bill issued for January 2016 is as under:

a)	Current bill i.e. Jan 16	1,59,545.72
b)	YMC difference	5,25,310.95
c)	Delayed Payment Charges	1,517.08
d)	Advance/Adjustment	(-) 1,16,029.38
e)	Total Payable Amount	5,70,344.37

9. The bill issued for the month of Jan 2016 is as per rules.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the consumer has opted for seasonal tariff hence to fulfill all conditions of the tariff are applicable. Accordingly, as per tariff schedule 2014-15, clause No.13.11, sub-clause no.13.11.3, 13.11.4 & 13.11.5, the “Annual Minimum Charges” and the adjustment calculated by the respondent is in order.

ORDER

The Forum directs the complainant M/s. Ambica Ginning Industries P Ltd., Post; Golagamdi, Bodeli Road, Tal: Sankheda, Dist : Chhotaudepur that the bill issued in the month of February 2016 against “Annual Minimum Charges” is in order.

(B J Upadhyay)
Technical Member

(Harsha S Chauhan)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Clause No.2.63 Chapter-2 of GERC Notification No.2 of 2011.

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>