

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2011 of GERC (CGRF & Ombudsman)

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-II-09-2018-19
Complainant	M/s. Nagdev Plastic Industries, D/18, Road No.2, Sardar Estate, Vadodara 390019
Respondent	Shri D Kaushik, Deputy Engineer of Sardar Industrial Estate of MGVCL..
Date of hearing	17.07.2018 at Corporate Office Vadodara

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Mr A G Shaikh, Nadiad
Technical Member	Shri H R Shah, (RA&C) MGVCL Vadodara

The complaint dated 13.06.18 regarding suomotu notice given for LT to HT.

1.0 On 17.07.2018, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Omprakash Nagdev appeared on behalf of complainant M/s. Nagdev Plastic Industries whereas Shri D Kaushik, Deputy Engineer of Sardar Industrial Estate appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 The complainant M/s. Nagdev Plastic Industries, D/18, Road No.2, Sardar Estate, Vadodara 390019, bearing consumer No.16703 50021/5 LTMD consumer having Contract Demand of 100 KW.

2.2 Complainant was issued suo-moto notice on 03.04.2018 for excess drawal above 100 KW Contract Demand shown in below table:

Billing month	Contract Demand in KW	Actual Demand	%age drawal	Excess
July 17	100	106	6 %	
Dec 17	100	107	7 %	
Jan 18	100	106	6 %	
Feb 18	100	105	5 %	



3.0 The representative of the complainant contended that as per notice received from MGVCL for excess drawal and ask to avail HT power 120 KVA under the clause No.4.95 of Electricity Supply Code 2015. They argued that the actual demand shown in the table / notice for month of Feb 18 is 105 KW where they presented the energy bill received by for Feb 2018 shows billing demand to be 104.98 KW so they feel that after four violation where consumer draws excess power 5% or more then Contract Demand. In this case, the violation occurs and they are liable to receive the notice for HT connection:

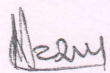
Further, it is submitted fact that after Feb 18, March-April 2018, they have restricted their Contract Demand from 94 KW to 95 KW so their request is not to go for HT.

4.0 The respondent contended that as per ledger sheet, recorded MD shown is 105 KW so considering four violation including 105 kW, suo-moto notice was processed which is as per Electricity Supply Code 2015.

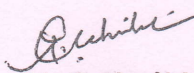
5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and observed the energy bill submitted by party for the month of Feb 2018 which shows billing demand to be for 104.98 KW. Further Forum members insisted for MRI record for Feb 2018, there also demand shows to be 104.98 KW so taking that stand of the record party may be given relief by considering the actual record and conclude that party has not crossed prescribed limit of 5% of Contract Demand.

ORDER

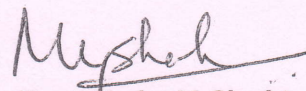
6.0 The Forum directs respondent Madhya Gujarat Vij Co Limited to withdraw suomotu notice issued to the party and also instruct party M/s. Nagdev Plastic Industries, D/18, Road No.2, Sardar Estate, Vadodara to restrict their Contract Demand to avoid future complication.



(H R Shah)
Technical Member



(A G Shaikh)
Independent Member



(Smt Mala Y Shah)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question. The Office address of the Ombudsman is : 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>

Sardar Estate
Vadodara 390019

Sub: Your grievances regarding
Ref: Your application dated 13



Dear Sir,

Enclosed herewith please find the copy of the Consumer Grievances Redressal Forum as mentioned above.

Thanking You,

Yours Sincerely,
For & on behalf of CORP

[Signature]
Majid Dar
Chairman

Enclosed are:

1. Copy of order of Forum

ETA to MGVCCL Corp Office, Vadodara

C.T. (Prof) MGVCCL Corp Office, Vadodara

COBIS ID

SE (City) MGVCCL - CO Vadodara

DE (OBM) MGVCCL, OD Mahwani (D) Vadodara

D.E. MGVCCL Sardar Estate s/o/s Vadodara

He is requested to submit Action Taken Report within 7 days from the date of issue of this letter.