



MADHYA GUJARAT VIJ COMPANY LIMITED
Consumer Grievances Redressal Forum

Reg. Office: Sardar Patel Vidhyut Bhavan, Race Course, Vadodara-390 007.

CIN No. U40102GJ2003SGC042907

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Ref No. MGVCL/RA&C/Forum/Hearing/MSR/460

Date : 19/6/25

Complain No. MG-I-02-2025-26

To

M/s. Madhav Stone Crusher

Nr Nagariya Mahadev

LS No.318 Village : Godhra

Dist : Panchmahals

Sub: Your grievances regarding to cancel HT suomotu estimate.

Ref: Your application dated 02.04.2025 (received on 14.05.2025 thr' Godhra CO).

Dear Sir,

Enclosed herewith please find the order of the Consumer Grievances Redressal Forum.

Thanking You,

Yours Sincerely,
For & on behalf of CGRF


(S K Nair)
Convener

Encl : As Above

Cfwcs along with order to:

- ETA to MD MGVCL Corp Office, Vadodara
- CE (T&O MD MGVCL Corp Office, Vadodara

Copy to:

- SE (O&M) MGVCL - CO Godhra
- EE (O&M) MGVCL - DO Godhra
- DE MGVCL Kakanpur Sub Division

--He is requested to submit Action Taken Report within 7 days from the date of issue of this letter without fail.

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 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

Complaint No.	MG-I-02-2025-26
Complainant	M/s. Madhav Stone Crusher, Nr Nagariya Mahadev, LS No.318 Village : Gothada Tal: Godhara, Dist : Panchmahals
Respondent	Shri C V Bhatt, Executive Engineer and Smt K V Sing, DE (Tech) both from Godhra division office.
Date of hearing	20.05.2025 MGVCL Corporate Office, Vadodara

QUORUM	NAME
Chairperson	Shri P C Patel, ACE (RA&C) MGVCL Vadodara
Finance Member	Shri Neeraj Jangid, CoA MGVCL Vadodara
Independent Member	Shri Sajjansinh A Padwal
Representative of Consumer	Shri K B Dhebar
Representative of Prosumer	Shri M M Piprotar

The complaint dated 02.04.2025 (received on 14.05.2025 through Godhra CO) regarding to cancel HT suomotu estimate.

1.0 On 20.05.2025, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri. Dinesh Bariya, Partner appeared on behalf of complainant M/s. Madhav Stone Crusher, whereas Shri C V Bhatt, Executive Engineer and Smt K V Sing, DE (Tech) both from Godhra division office 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 was having LT industrial connection of 100 KW bearing consumer No.19949/01828/5 at village Gothada Tal : Godhra.

2.2 During FY 2022-23, the maximum demand of the consumer recorded more than 5% of the contract demand more than four times.

2.3 Kankanpur s/dn of MGVL has issued notice for over drawal more than 5% above Contract Demand in accordance with Clause 4.95 of GERC Supply Code - 2015 and informed the complainant to register for additional load.

2.4 Complainant has not registered application for additional load and continued to draw higher load.

2.5 Godhra circle office has issued estimate for LT to HT conversion for 138 KVA HT demand under suomotu process on 04.09.2023.

2.6 The complainant has made the payment of the estimate on 05.03.2024 and after work completion release order was issued on 21.01.2025.

2.7 HT connection for 138 KVA, consumer No.41773 released on 27.03.2025 using LT metering and the LT connection consumer No.19949/01828/5 was made PDC.

2.8 The complainant had applied to CGRF on 02.04.2025 requesting to keep them under LT category.

3.0 The representative of the complainant contended that -

3.1 They have connection in the name of M/s. Madhav Stone Crusher at village Gothada, Tal: Godhra, bearing consumer No.19949/01828/5, 99 KW.

3.2 At present, their load requirement is within 130 KW.

3.3 They have paid estimate for HT connection under suomotu procedure but the connection is not released yet and they are not in need of HT connection.

4.0 The respondent contended that -

4.1 The complainant is having Contract Demand of 100 KW for their unit located Nr Nagariya Mahadev, LS No.318 Village: Gothada, Dist : Panchmahals having LT Consumer no: 19949/01828/5- 100 KW.

4.2 The complainant had crossed Maximum Demand more than 5%, three times for financial year- 2022-23 and the same was intimated to complainant vide (1) letter No. KKR/ESTT/B-11/TECH/3165 dated 01.09.2022, (2) letter No. KKR/BILLING/TECH/2706 Dt: 21-07-2022, KKR /BILLIING/TECH/ 1019 dated 21-03-23 (3) letter No.KKR/ESTB1-11/TECH/1369 dated 24-04-23.

Even after notices, the complainant had not restricted their load and the MD was more than 5% above Contract Demand, so suomotu proceeding was initiated as per MGVL Circular 75. The Month wise details of over drawl than contract demand since FY 2022-23 is as under.

2022-23		2023-24		2024-25	
Month	Actual MD	Month	Actual MD	Month	Actual MD
May-22	128.9	Apr-23	129.9	Apr-24	125.1
Jun-22	118.5	May-23	138.8	May-24	129.0
Jul-22	118.8	Jun-23	151.9	Jun-24	118.8
Aug-22	145.9	Jul-23	126.4	Jul-24	134.5
Sep-22	143.6	Aug-23	121.5	Aug-24	114.8
Mar-23	132.9	Sep-23	136.6	Sep-24	136.1
		Nov-23	128.1	Dec-24	134.2
		Dec-23	139.0	Jan-25	125.0
		Jan-24	136.9	Feb-25	122.2
		Feb-24	126.6	Mar-25	132.3
		Mar-24	127.8		

4.3 The proposal for LT to HT suomotu was sent to Godhra circle office vide letter No.GDR/T1/LT to HT CONV/848 17-02-23..

4.4 The estimate amounting to Rs.13,65,120/- under sumotu procedure for 138 KVA HT demand was issued to complainant vide letter No.MGCOG/0028/09/2023 04-09-23. The breakup of the estimate is under:

Sr. No.	Particulars	(Amount Rs.) To be borne by Consumer
01	Reg. charge with 18% GST	1628
02	Proportionate Charges @ 1018.14 per KVA	140503
03	Fixed charge @ Rs. 1500 per KVA up to 500 KVA and @ Rs. 1800 per KVA above 500 KVA	207000

04	GETCO's PRO-RATA charges @ Rs. 1790/- per KVA with 18% GST	291484
05	Security Deposit under tariff HTP-I non cont at FPPPA rate of Rs. 3.35 per unit	724505
	TOTAL	1365120

4.5 As the complainant didn't pay the estimate within the one month time limit so the amount of the estimate was debited to LT consumer No.19949/01828/5, M/s Madhav Stone Crusher, in Dec-2023.

4.6 The payment of the suomotu estimate was done by complainant on 05.03.2024.

4.7 After payment the work was taken on hand as per scope of the Estimate and the work was completed on 19.12.2024.

4.8 Godhra circle office has issued release order on 21.01.2025.

4.9 The complainant has not carried out the required work at their end and has not submitted the Electrical Inspector's site inspection report for transformer and VCB.

4.10 The complainant has made representation to continue as LT consumer on 18.02.2025 and through a subsequent letter dated 23.05.2025.

4.11 As the complainant has not submitted test report and Electrical Inspector's NOC within 60 days from the date of release order, the HT connection of 138 KVA was deemed release from 27.03.2025 and HT billing with consumer No.41773 started with existing LT metering. The LT connection with consumer No.19949/01828/5 was made PDC.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 As per available record and submission by respondent & complainant, it was confirmed that the maximum demand was recorded in excess of contract demand by more than 5% for four times during financial year

2022-23 and hence the respondent MGVCL had issued 30 days' notice to the complainant for submitting an application for enhancement of load.

5.2 It was observed that due to non-response of the consumer by the end of notice period, the procedure for enhancing the contract demand from 100 KW LT to 138 KVA HT was initiated and estimate issued in accordance with clause No.4.95 of GERC Supply Code 2015 which is as under.

Clause No. 4.95 of supply code, 2015 - Review of Contracted Load/ Sanctioned Load Contracted Demand

In case of HT, EHT and Demand Based LT connections, if the maximum demand was recorded to be in excess of contract demand by 5% or more for at least four times during last financial year, the licensee shall issue a 30-day notice to the consumer for submitting an application form for enhancement of load. If there is no response from the consumer by the end of the notice period, the licensee shall start the procedure for enhancing the consumer's contract demand to the average of four recordings of maximum demand shown by the consumer's MDI meter in the last financial year. In such case, the consumer shall be liable to pay all applicable charges as per provisions of this Code for regularization of the enhanced demand. The enhanced demand will be considered as revised contract demand on receipt of such charges and all provisions of agreement shall be applicable to such consumers for revised contract demand.

In case of non-Demand Based LT connections, review of Contracted Load/ Sanctioned Load shall be carried out once in a financial year and if it is found that connected load on such type of connection is 25% or more than the Contracted Load/ Sanctioned Load in case of Residential Consumers and 10% or more than the Contracted Load/ Sanctioned Load in case of other categories of consumers, the licensee shall issue a 60-day notice to the consumer for submitting an application form for enhancement of load. If there is no response from the consumer by the end of the notice period, the licensee shall start the procedure for enhancing the consumer's Contracted Load/ Sanctioned Load to the load found at the time of inspection. In such case, the consumer shall be liable to pay all applicable charges as per provisions of this Code for regularization of the enhanced load. The enhanced load will be considered as revised Contracted Load/ Sanctioned Load on receipt of such charges and all provisions

of agreement shall be applicable to such consumers for revised Contracted Load/ Sanctioned Load.

5.3 The Forum considered the contentions of the complainant and the contentions of Respondent and the facts, statistics, and relevant papers, which are on records, and considering them in detail, the findings are as under.

- a. The procedure for enhancing the contract demand from 100 KW LT to 138 KVA HT and estimate issued by respondent MGVCL in accordance with clause No.4.95 of GERC Supply Code 2015 is in order in respect of complainant M/s. Madhav Stone Crusher, Nr\ Nagariya Mahadev, LS No.318 Village : Gothada Tal: Godhara, Dist : Panchmahals.
- b. The complainant prayed that they want to continue consumption of electricity under LT category load equivalent to 138 KVA.
- c. Hon'ble GERC, Gandhinagar in its order No.08 / 2024 dtd 25.09.2024 in Petition Nos.2318/2024, 2319/2024, 2320/2024, 2321/2024, 2323/2024, 2324/2024, 2325/2024, 2326/2024, 2327/2024, 2328/2024, in the matter of filing Petition for Truing up for 2022-23 and approval of ARR for FY 2024-25 and determination of tariff for FY 2024-25 for DGVCL, MGVCL, UGVCL, PGVCL, TPL-(D)(A), TPL-(D)(S), TPL-D(Dahej), MLL, GIFT PCL, and AIVPL had revised the tariff order and revised Tariff Schedule of is as under:

LT Tariff Category :

For all installations upto 100 KVA/ KW of contracted demand/ KW of Contract Demand / upto 150 KVA / KW of Contract Demand, if opted by the applicant / consumer .

This alteration / addendum shall come into effect from the date of Notification of GERC (Electricity Supply Code and Related Matters)

(Fourth Amendment) Regulations 2024, Notification No.14 / 2024 dated 23.09.2024.

1.1 As per para 5.1 above, applicant / consumer shall have option to continue as LT connection upto 150 KW.

d. Respondent MGVCL has not followed the time line for processing suomotu application for LT to HT conversion as per GERC (Standard of performance of Distribution Licensee) Regulations, 2023, which is noted seriously. The date wise events for processing the application for LT to HT conversion are as under,

Sr. No.	Particulars	Date
1	LT to HT suomotu proposal to Circle Office	17.02.2023
2	Estimate issued by Circle Office	04.09.2023
3	Estimate Paid	05.03.2024
4	Work Completion	19.12.2024
5	Release order Issued	21.01.2025
5	HT Billing started	27.03.2025

e. In-ordinate delay is observed in Issue of Estimate after submission of proposal to Division office, delay of more than 9 months in work completion from the date of payment of the Estimate and a month in issue of release order from the date of work completion. On account of non-observing SOP time lines, Consumer has continuously over drawn the power and endangered the Grid security.

f. Estimate was paid in March'2024 and work was completed in Dec'2024. In-between GERC has revised the tariff order No. 2319 of 2024 and issued order No. 08 of 2024 on 23.09.2024 wherein applicant/consumer has an option to avail up to 150 KW LT load from the date of issue of the order.

ORDER

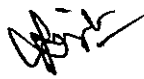
6.0 The Forum Members present during the hearing considered contentions of both the parties and has come to the conclusion that -

6.1 The procedure for enhancing the Contract Demand from 100 KW LT to 138 KVA HT and estimate issued by respondent MGVL in accordance with clause No.4.95 of GERC Supply Code 2015 is in order in respect of complainant M/s. Madhav Stone Crusher, Nr Nagariya Mahadev, LS No.318 Village : Gothada Tal: Godhara, Dist : Panchmahals.

6.2 Contract demand of Complainant is already enhanced under suomotu procedure and is billed for 138 KVA HT load, Consumer No. 41773 from 27.03.2025.

6.3 Complainant shall be allowed to exercise option of availing LT Power supply equivalent to HT demand i.e. $138 \text{ KVA} \times 0.9 = 124 \text{ KW LT}$ in line with the Hon'ble GERC amendment in Tariff through Order No.08 / 2024 dtd 25.09.2024.

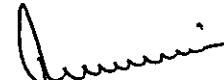
6.4 With this Order, the consumer's application/representation stands disposed off.


M M Piprotar
Representative of
Prosumer


(K B Dhebar)
Representative of
Consumer


(Dr S A Padwal)
Independent
Member


(N R Jangid)
Finance Member


(P C Patel)
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, Ground Floor & First Floor, CMIS Building Telephone Exchange, Bimanagar, Jeevandham Road, Ahmedabad 380015, in accordance with Clause No.3.19 (viii) of GERC Notification No.2 of 2019.

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