

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**

Subject	Consumer Grievances Complaint No. MG-II-15-2023-24
Complainant	Shri Rakekshbhai Prabhudas Patel, C-5, Shreejinagar Society, 80 Ft Road, Anand (connection at village Sarsa, Dist: Anand)
Respondent	Shri R S Tiwari, Dy Engineer, Anand (S) s/dn of MGVCL
Date of hearing	26.09.2023 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Technical Member	Shri K B Dhebar, Chief Engineer (Proj) MGVCL Vadodara

The complaint dated 28.08.2023 regarding additional bill given by MGVCL on the basis of Audit report.

1.0 On 26.09.2023, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rakekshbhai Prabhudas Patel appeared himself whereas Shri R S Tiwari, Dy Engineer, Anand (S) s/dn 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 is having 20 KW LTMD (seasonal consumer) for Cold Storage purpose located at Sarsa, having consumer No.04317/02022/0 from 11 KV Satkeval feeder.

2.2 The complainant had applied for load extension from 6.5 KW to 24.5 KW (NRGP) and released on 29.04.2014.

2.3 The complainant had applied for another load extension from 24.5 KW to 95 KW on 01.07.2020 and paid estimate on 07.07.2020, TMN date 01.10.2020, TR date 06.10.2020 and connection released on 09.10.2020.

2.4 The complainant had applied for reduction of load from 95 KW to 20 KW on 09.12.2022, approval letter dated 20.12.2022 & TR dated 26.12.2022, paid agreement fees of Rs.300/ dated 03.01.2023.

2.5 The complainant had given application for seasonal tariff, vide Inward No.86 dated 01.02.2021 of Anand (S) s/dn.



2.6 Internal audit of MGVCCL / Govt during 07.05.2023 to 23.05.2023 for the period from October 2022 to March 2023 & gave audit report on 01.06.2023.

2.7 As per GERC Tariff order, para No.5.6.3, the total minimum amount under the head "Demand & Energy Charges" payable by a seasonal consumer satisfying the eligibility criteria under sub-clause 5.6.1 and complying with provisions stipulated under sub-clause 5.6.2 above shall be Rs.2970/annum/KW of the billing demand".

2.8 As per audit letter dated 01.06.2023, an amount of Rs.2,52,502.60 debit to consumer ledger but recovery not done yet.

3.0 The representative of the complainant contended that

3.1 The complainant is having seasonal commercial connection located at village Sarsa, Dist : Anand, for cold store.

3.2 The MGVCCL has issued additional bill of Rs.2,52,502.60 as per audit report dated 01.06.2023.

3.3 In response to his application dated 28.01.2020 for the month of Feb, March, April 2021 to opt seasonal tariff, MGVCCL did not inform them regarding yearly minimum bill. If MGVCCL had informed me regarding levy of yearly minimum bill, they would have taken decision accordingly.

3.4 Thereafter, they had applied for seasonal tariff on 21.12.2021, at that time MGVCCL did not inform them regarding levy of minimum bill.

3.5 They had increased contract demand for installation of solar rooftop.

3.6 In view of above, additional bill amounting to Rs.2,52,502.60 may please be cancelled.

4.0 The respondent contended that -

4.1 The complainant had applied for seasonal tariff for the year 2021 vide his application dated 28.01.2020 which inward No.86 dated 01.02.2021. As such, the complainant had submitted application dated 28.01.2020 on 01.02.2021.

4.2 The complainant had again applied for seasonal tariff vide application dated 21.12.2021 for the month of Jan, Feb and March 2022.

4.3 As per audit report for the period of Oct 2022 to March 2023, irregularities found in connection No.04317/02022/0 with fulfilling the condition of seasonal tariff leading to under billing / short recovery of AMG bill.

4.4 In view of audit report, supplementary bill amounting to Rs.2,52,502.60 was issued vide letter dated 06.06.2023.



4.5 The complainant did not paid the supplementary bill so far and file grievance before C G R F.

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 GERC approved tariff applicable to seasonal consumer, the complainant is required to fulfill yearly minimum charge.

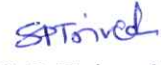
5.2 The supplementary bill amounting to Rs.2,52,502.60 as per audit report dated 01.06.2023 issued by s/dn vide letter dated 06.06.2023 is in order.

ORDER

6.0 The Forum has come to the conclusion that the supplementary bill amounting to Rs.2,52,502.60 as per audit report dated 01.06.2023 issued by the respondent Deputy Engineer of Anand (South) s/dn of Madhya Gujarat Vij Co Limited, to the complainant Shri Rakekshbhai Prabhudas Patel, C-5, Shreejinagar Society, 80 Ft Road, Anand is in order.

7.0 The respondent is directed to submit the Action Taken Report within 15 days from the date of issue of this order.


(K B Dhebar)
Technical Member


(S P Trivedi)
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.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

