CGRF formed under the provision of IE Act 2003, Sub Clause 42(5) as well Notifications No.2/2019 and No. 03 of 2023 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-II-25-2025-26
Complainant	M/s Shri Mahalaxmi Quarry Works, Godhra Road, Village: Limdi, Tal: Zalod, Dist: Dahod
Respondent	Madhya Gujarat Vij Company Limited (MGVCL)
Date of hearing	30.09.2025 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri P C Patel, ACE (RA&C) MGVCL Vadodara
Finance Member	Shri Neeraj Jangid, I/c CFM, 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 25.09.2025 (CGRF Application No. MG189) regarding refund of HT security deposit from LTMD connection.

1.0 On 30.09.2025, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Shri Babubhai Mori & Nilesh Gehlot appeared on behalf of the Complainant whereas Shri C.P. Baria, Executive Engineer Dahod (O&M) Division and Shri J L Jagani, Deputy Engineer, Limdi Sub Division 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 M/s Shri Mahalaxmi Quarry Works is having a 100 KW LTMD connection bearing Consumer No. 50301044708 at Godhra Road, Village: Limdi, Tal: Zalod, Dist: Dahod, under MGVCL LIMDI Sub Division.

2.2 During the financial year 2022-23, on more than four (4) occasions, the Actual Demand in respect of M/s Shri Mahalaxmi Quarry Works, LTMD Consumer. No. 50301044708 exceeded the Contract Demand by more than five percentage (5%).

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

2.3 As per Clause No 4.95 of GERC Supply Code-2015, notice was issued on 15.05.2023 vide L No. LIMDI/Billing/2738 by MGVCL for load regularization.

2.4 However, since consumer did not come forward for load regularization, MGVCL initiated Suo Moto Procedure for LT to HT conversion for 139 KVA New HT Demand. An estimate of Rs 12,33,491.00 was issued to the consumer on 21.12.2023.

2.5 The estimate for LT to HT conversion for 139 KVA was paid by M/s Shri Mahalaxmi Quarry Works on 30.04.2024.

3.0 The representative of the complainant contended during the hearing that -

3.1 They have 100 KW LTMD connection bearing Consumer No. 50301044708 at Godhra Road, Village: Limdi, Tal: Zalod, Dist: Dahod, under MGVCL LIMDI Sub Division.

3.2 Since last few months we are drawing more load than our contact demand.

3.3 They had received a notice from MGVCL for regularization of their contact demand.

3.4 They had not processed application for regularization of contract load and hence MGVCL had issued suomotu estimate for 139 KVA HT load on 21.12.2023

3.5 They had paid Estimate for 139 KVA HT Rs. 12,33,491.00 on 30.04.2024.

3.6 Though Estimate for 139 KVA HT connection paid since long, MGVCL has not converted their existing connection to HT.

3.7 Recently, MGVCL has issued circular to allow LT connection up to 150 KW and as per provision of the circular they requested to continue their existing LT connection with enhanced load up to 140 KW.

3.8 They had requested to refund the differential amount of LT 140 KW and HT 139 KVA from the Estimate paid Rs. 12,33,491.00 on 30.04.2024.

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

3.9 During the hearing they had submitted a letter to CGRF stating that they are ready to pay the difference of Minimum charges for the period of two years for HT 139 KVA and LT 100 KW, which may be adjusted from their Estimate paid for HT connection and balance amount may be given credit to their Energy bill account.

4.0 The respondent contended that -

4.1 During the FY 2022-23, the Contract Demand LT Consumer No. 50301044708 exceeded more than five percentage (5%) on various occasions as under:

Sr No	Billing Period	Actual Demand Recorded (KW)	Contract Demand (KW)	% Excess Demand (KVA)
1	July'22	112.2	100	12.2
2	Jan'23	113	100	13.0
3	Feb'23	113	100	13.0
4	March'23	136.8	100	36.8
5	April'23	136.5	100	36.5
6	May'23	123.7	100	23.7
7	June'23	130.1	100	30.1
8	July'23	124.9	100	24.9
9	Aug'23	118.8	100	18.8
10	Sept'23	107.5	100	7.5
11	Feb'24	125	100	25.0
12	March'24	127	100	27.0
13	April'24	135.2	100	35.2
14	May'24	132	100	32.0
15	June'24	120.3	100	20.3
16	July'24	121.5	100	21.5
17	Aug'24	125.1	100	25.1
18	Sept'24	127.7	100	27.7
19	Oct'24	112.6	100	12.6
20	Jan'25	107.8	100	7.8
21	Feb'25	127.8	100	27.8
22	March'25	119.4	100	19.4
23	April'25	122.7	100	22.7
24	May'25	119.8	100	19.8
25	June'25	119.7	100	19.7
26	July'25	114.5	100	14.5
27	Aug'25	107	100	7.0

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

4.2 As per Clause 4.95 of GERC Supply Code-2015, 30 Days' Notice issued to the Consumer through letter No. LIMDI/Billing/2738 dated 15.05.2023 for load regularization.

4.3 Since consumer did not come forward for load regularization, MGVCL initiated Suo Moto Procedure for LT to HT conversion for 139 KVA New HT Demand and an estimate of Rs 12,33,491.00 was issued on 21.12.2023.

4.4 Complainant had paid the estimate of Rs. 12,33,491.00 on 30.04.2024

4.5 The line work for conversion of LT to HT could not be completed on account of Way leave issue.

4.6 Complainant vide their letter dtd 31.07.2025 had represented not to proceed for LT to HT conversion. They further represented that as per notification No. 14 of 2024 upper limit for LT connection is up to 150 KW and they may be allowed as LT connection.

4.7 GETCO pro rata charges Rs. 2,93,596.00 transferred to GETCO on 16.10.2024 from Dahod Division office.

5.0 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:

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% of Contract Demand four times during financial year 2022-23 and hence the respondent MGVCL had issued 30 days' notice to the complainant for submitting an application form for enhancement of load.

5.2 Complainant has continuously over drawn the power against contact demand since FY 2022-23 and endanger the grid.

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

5.3 It was observed that complainant has not made application for load addition based on the notice for excess demand issued by Limdi Sub division office.

5.4 Clause no. 4.95 of Supply Code regarding review of Contract load 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 contact 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.

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

5.5 The action initiated by the Respondent to serve notices to the complainant to regularize the contract demand is also seen and by that way chance for the regularization of the contract demand was provided to the complainant. Excess demand records were intimated to the Complainant to control its contract demand or to avail the additional demand by the Respondent.

5.6 Respondent MGVCL has issued suomotu Estimate for enhancement of load from LT 100KW to HT 139 KVA on 21.12.2023 and complainant had made the payment of the Estimate on 30.04.2024.

5.7 The complainant prayed that he wanted to continue consumption of electricity as per the contracted demand under the LT connection and he doesn't require HT tariff connection as per the contract demand of 139 KVA as proposed by the Respondent.

5.8 In such type of cases, when the complainant has requested to continue with LT power supply, payment of two year minimum charges against the Differences of the contracted demand with the contract demand worked out under Suomotu proceeding by the Respondent needs to be recovered. This is in line with the orders passed by the ombudsman in similar type of cases. Previously, the ombudsman had observed the merits in -

(1) Case No. 46/2021 - Darshan A Shah, order dated. 13.12.2021
(2) Case No. 01/2022 - Dura Plast, order dated.16.06.2022
(3) Case No. 48/2022 - Arvindbhai B Patel, order dated 18.02.2023 and
(4) Case No. 20/2022 - Shri Gobind Nutritions Pvt Ltd, order dated 14.03.2023

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

and passed order in the respective cases. This case is having similar nature and the aforesaid direction is needed to apply here for the delivery of natural justice.

5.9 H'ble GERC vide Notification No. 14 of 2024 dtd 23.09.2024, issued Fourth Amendment in Supply Code Regulations and clause 3.2 of the principal regulations substituted as under, *"3.2 The rated voltage of the AC supply should be as follows*

CATEGORY	*System of Supply*
For all installations up to and inclusive of 6 kW of Connected Load, subject to motive power load other than irrigation pump not exceeding 2 HP in the aggregate.	*230 V- Single Phase*
For all installations exceeding 6 kW of Connected Load and up to 100 kVA/kW of Contracted Demand / up to 150 kVA/kW of Contracted Demand if opted by the applicant / consumer	*400 V - Three Phase*
For all installation with Contract Demand exceeding 100 / 150 kVA/kW and up to 4000 kVA/kW. However, for the existing 22 kV consumer, the Contact Demand limit shall be extended up to 8000 kVA/kW subject to undertaking from consumer for reverting back to 4000 kVA/kW limit in case of change of system to 11 kV under system conversion scheme.	*11 kV and 22 kV - Three Phase*
All installation with Contract Demand exceeding 4000 kVA/kW.	*At 33 kV and above- Three Phase*

Accordingly Consumer may opt LT load up to 150 KW.

ORDER

6.0The Forum has come to the conclusion that -

6.1The procedure for enhancing the contract demand from 100 KW LTMD to 139 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. Shri Mahalaxmi Quarry Works P Godhra Road, Village: Limdi, Tal: Zalod, Dist: Dahod.

6.2In view of the complainant's representation to be continued as LT consumer, the rrespondent shall collect the difference towards minimum charges of two years for the difference between the contracted load of 100 KW and the demand of 139 KVA and continue power supply under the 100 KW LT Connection of the complainant. If the complainant drawls demand exceed more than 5% of the contracted demand in the aforesaid LT connection, the contract demand shall be covered under clause no. 4.95 of the GERC's Electricity Supply code and related matters

CONSUMER GRIEVANCES REDRESSAL FORUM MGVCL

Regulation-2015 and regularize the contract demand of the complainant by taking the specific action immediately as per the aforesaid Provisions.

6.3 Suomotu Estimate paid by the complainant to be adjusted against the payment of difference towards minimum charges for the period of two years as stated above and balance amount if any, after adjusting the amount towards work carried out, if any, shall be given credit in energy bill. Suomotu estimate issued by respondent MGVCL for enhancement of contract demand from 100 KW to 139 KVA shall be considered as deemed cancelled.

6.4 Complainant shall apply for LT additional load from 100 KW to 140 KW to continue as LT connection as per provision of clause No. 3.2 of the GERC, supply Code, 2024 (Fourth Amendment).

6.5 With this order, consumer's representation/application stands disposed off.

(M M Piprotar)
Representative of Prosumer

(K B Dhebar)
Representative of Consumer

(Dr S A Padwal)
Independent Member

CONSUMER GRIEVANCES REDRESSAL FORUM
MGVCL

(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

CONSUMER GRIEVANCES REDRESSAL FORUM
MGVCL