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-13-2025-26
Complainant	M/s Gujarat Agro, Plot / LS. No. 175/1/A, Village: Ukardi, Tal: Dahod, Dist: Dahod
Respondent	Executive Engineer, Madhya Gujarat Vij Company Limited (MGVCL), Dahod (O&M) Division
Date of hearing	26.08.2025 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 5.08.2025 regarding issues of Suo-Motu LT to HT estimate.

1.0 On 26.08.2025, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Kutub D Dhilwala appeared on behalf of the Complainant whereas Shri C.P. Baria, Executive Engineer Dahod (O&M) Division and Shri M.M. Chaudhary, Deputy Engineer, Dahod (Rural) 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 Gujarat Agro Protint is having a 100 KW LTMD connection bearing Consumer No. 09980/00072/4 at Plot / LS. No. 175/1/A, Village: Ukardi, Tal: Dahod, Dist: Dahod, under Dahod (Rural) Sub Division.

2.2 During the financial year 2023-24, on more than four (4) occasions, the Actual Demand in respect of M/s Gujarat Agro Protint, LTMD Consumer. No. 09980/00072/4 exceeded the Contract Demand by more than five percentage (5%).

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2.3 As per Clause No 4.95 of GERC Supply Code-2015, notice was issued on 26.04.2024 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 129 KVA New HT Demand. An estimate of Rs. 11,15,040.00 for 129 KVA Contract Demand was given to applicant vide Godhra (O&M) Circle Office Letter No. 4388 dated 16.08.2024.

2.5 In response to the estimate, M/s Gujarat Agro Protint through letter dated 20.08.2024 intimated that their requirement of power is 145 KW i.e. 180 KVA and requested MGVCL to issue estimate considering 180 KVA Contract Demand.

2.6 MGVCL Godhra (O&M) Circle Office vide Letter No. 4766 dated 5.09.2024 issued a revised estimate for an amount of Rs. 15,55,870/- towards LT to HT conversion with Contract Demand of 180 KVA.

2.7 Since the estimate for 180 KVA HT Contract Demand was not paid by M/s Gujarat Agro Protint, MGVCL Dahod (Rural) Sub Division has debited the amount of Rs. 15,55,870/- to the LT consumer No. 09980/00072/4.

2.8 The consumer vide letter dated 24.07.2025 to CGRF Godhra has referred to Hon'ble GERC Notification dated 23.09.2024 and stated that

(a) As per the said Notification, consumer can avail LT power supply for load upto 150 KW.

(b) Based on our earlier representation, MGVCL Dahod (Rural) Sub Division has issued an estimate dated 19.03.2025 for Rs. 2,68,087/- for enhancement of load from LTMD 100 KW to LTMD 149.95 KW.

(c) The estimate is paid on 25.03.2025 through RTGS. However, since MGVCL has adjusted the payment against the electricity bill, we have again paid the amount of Rs. 2,68,087/- at the Cash Counter in the office of MGVCL Dahod (Rural) Subdivision on 29.03.2025 and also submitted Test Report on 30.03.2025 for release of additional load.

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2.9 The grievance is forwarded by Deputy Engineer Dahod (Rural) Sub Division to Convener CGRF, MGVCL Corporate Office Vadodara through letter dated 2.08.2025. The grievance is received and registered on 5.08.2025 by CGRF MGVCL Corporate.

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

3.1 In accordance with the GERC Notification dated 23.09.2024, we want to avail LT power supply with load of 150 KW for which we have applied to Dahod (Rural) Sub Division, paid the estimate amount of Rs. 2,68,087/- twice on 25.03.2025 & 29.03.2025 and submitted the Test Report on 30.03.2025.

3.2 Accordingly, our LT connection may be released considering 150 KW, the outstanding amount of Rs. 15,55,870/- in energy bill may be immediately removed and the excess amount of Rs. 2,68,087/- may be refunded.

4.0 The respondent contended that -

4.1 During the FY 2023-24, the Contract Demand LT Consumer No. 09980/00072/4 exceeded more than five percentage (5%) on various occasions as under:

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Sr No	Billing Period	Actual Demand Recorded (KW)	Contract Demand (KW)	% Excess Demand (KVA)
1	July - 23	109.7	100	9.70
2	Dec - 23	110.7	100	10.70
3	Feb - 24	124.3	100	24.30
4	Mar - 24	117.9	100	17.90

4.2 As per Clause 4.95 of GERC Supply Code-2015, 30 Days' Notice issued to the Consumer through letter dated 26.04.2024 for load regularization.

4.3 However, since consumer did not come forward for load regularization, MGVCL initiated Suo Moto Procedure for LT to HT conversion for 129 KVA New HT Demand and an estimate of Rs 11,15,040.00 for 129 KVA Contract Demand was issued on 16.08.2024.

4.4 M/s Gujarat Agro Protint through letter dated 20.08.2024 intimated that their requirement of power is 145 KW i.e. 180 KVA and requested MGVCL to issue estimate considering 180 KVA Contract Demand.

4.5 Accordingly, a revised estimate for an amount of Rs. 15,55,870/- was issued through letter dated 5.09.2024 towards LT to HT conversion with Contract Demand of 180 KVA as requested by the Consumer.

4.6 Since the estimate for LT to 180 KVA HT conversion was not paid by M/s Gujarat Agro Protint, MGVCL Dahod (Rural) Sub Division has debited the amount of Rs. 15,55,870/- on 16.10.2024 to the LT consumer No. 09980/00072/4.

4.7 Consumer has applied for LT additional load of 50 KW on 19.03.2025, estimate for LTMD 150 KW (100 KW + Addl 50 KW) issued on 24.03.2025 and same is paid by consumer on 29.03.2025

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 During the FY 2023-24, the Contract Demand of complainant bearing LT Consumer No. 09980/00072/4 has exceeded more than five percentage (5%) on various occasions.

5.2 Since the consumer did not come forward for load regularization, Respondent MGVCL Dahod (O&M) Division initiated Suo Moto Procedure for LT to HT conversion for 129 KVA New HT Demand and an estimate of Rs 11,15,040.00 was issued on 16.08.2024.

5.3 Subsequently, based on the consumer's representation dated 20.08.2024 for considering the Contract Demand as 180 KVA, the estimate was revised for an amount of Rs. 15,55,870- on 5.09.2024.

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5.4 Since the estimate for LT to 180 KVA HT conversion was not paid by the complainant, MGVCL Dahod (Rural) Sub Division has debited the amount of Rs. 15,55,870/- on 16.10.2024 to the LT consumer No. 09980/00072/4.

5.5 Consumer has applied for LT additional load of 50 KW on 19.03.2025. MGVCL Dahod (Rural) Subdivision has issued estimate for LTMD 150 KW (100 KW + Addl 50 KW) on 24.03.2025. The estimate is paid by consumer on 29.03.2025 and Test Report is submitted on 30.03.2025.

5.6 MGVCL Dahod (Rural) Subdivision has issued the estimate for LT additional load even when the payment of outstanding amount in energy bill was pending.

5.7 In cases, when the complainant has requested to continue with existing 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 of LT to HT conversion under Clause 4.95 of GERC Supply Code-2015. Previously, the ombudsman had observed the merits in the following cases

a) Case No. 46/2021 - Darshan A Shah, order dated. 13.12.2021
b) Case No. 01/2022 - Dura Plast, order dated.16.06.2022
c) Case No. 48/2022 - Arvindbhai B Patel, order dated 18.02.2023 and
d) Case No. 20/2022 - Shri Gobind Nutritions Pvt Ltd, order dated 14.03.2023

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

5.8 During the hearing, the representative of complainant was informed that for considering the request for allowing to continue as LTMD connection, minimum charges for the period of 2 years for the additional load i.e. difference of LTMD 100 KW and HT connection for 129 KVA under Suo-motu is payable

ORDER

6.0 The Forum has come to the conclusion that

6.1 The Suo-moto estimate issued by Respondent MGVCL is in accordance with the provisions of Clause 4.95 of GERC Supply Code-2015 and is in order.

6.2 In view of the complainant's representation for release of 150 KW LTMD connection, the Respondent shall recover the difference towards minimum charges of two years for the difference between the contracted load of 100 KW and the demand of 129 KVA and continue LT power supply to 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 Regulation-2015 and regularize the contract demand of the complainant by taking the specific action immediately as per the aforesaid Provisions.

6.3 On payment of difference towards minimum charges for the period of two years as stated above, Suomotu estimate issued by respondent MGVCL shall be considered as deemed cancelled.

6.4 With this Order, the 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*

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(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

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