

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-III-08-2021-22
Complainant	M/s. Dura Plast, 1108, GIDC Estate, 4 th Phase, VV nagar Dist : Anand
Respondent	Shri Mukesh Dalwadi, Executive Engineer, Anand (City) dn of MGVCCL.
Date of hearing	17.12.2021at Corporate Office, MGVCCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Independent Member	Dr M B Kaka, Vadodara
Technical Member	Shri K B Dhebar, (RA&C) MGVCCL Vadodara

The complaint dated 15.11.2021 regarding estimate of increased Contract Demand.

1.0 On 17.12.2021, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Mukeshbhai Patel and Shri P P Patel, appeared on behalf of complainant M/s. Dura Plast whereas Shri Mukesh Dalwadi, Executive Engineer, Anand (City) dn of MGVCCL appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 M/s. Dura Plast is having LTMD connection bearing No.01201/50618/2 with a load of 100 KW at 1108, GIDC Estate, 4th Phase, VV nagar, Dist : Anand.

2.2 The maximum demand recording during FY 2020-21 is as under:

Month	Contract demand in KW	Actual demand in KW	%age excess
Apr May 20	100	99	0
June 20	100	109	9
July 20	100	118	18
Aug 20	100	117	17
Sept 20	100	125.6	25.6
Oct 20	100	108.4	8.4
Nov 20	100	77.7	0
Dec 20	100	68.3	0
Jan 21	100	81	0
Feb 21	100	90.2	0
Mar 21	100	71	0



- 2.3 As shown in the above table, maximum contract demand was increased by more than 5% during the month from June 20 to Oct 20. Therefore, concerned s/dn had issued 30 days' notice to regularize the additional load vide letter dated 29.10.2020. The subsequent notice was also issued vide letter dated 23.11.2020.
- 2.4 Since consumer has failed to give reply notice to regularize the load, Anand city division office has informed consumer that suomotu procedure has been initiated to regularize the load as per norms.
- 2.5 Then after, consumer vide letter dated 17.02.2021 and 19.02.2021 had informed that they had carried out production of packing material of medicines as per government order during Covid 19 pandemic.
- 2.6 The concerned MGVL office has not considered the request of consumer and replied vide letter dated 15.03.2021.
- 2.7 The Anand circle office has issued estimate on 09.07.2021 for increasing contract demand from 100 KW LTMD to 130 KVA HT amounting to Rs.9,28,097/-. Against this, consumer has requesting to grant time limit extension of 2 months which was granted corporate office vide letter dated 18.08.2021.
- 2.8 Consumer has approached Complaint Redressal Committee (CRC) at S E (O&M), MGVL Anand Circle office, vide application dated 29.10.2021.
- 2.9 Against this CRC Anand had called the consumer to resolve their grievance on 20.10.2021 and issued ordered that "MGVL division office, Anand has started suomotu process for increased in contract demand is in order".
- 2.10 Aggrieved by the order of CRC, the consumer has approached CGRF, MGVL Corporate office, Vadodara, vide their application dated 15.11.2021.
- 3.0 The representative of the complainant contended that -
- 3.1 We are having LTMD connection with 100 KW contract demand bearing con No.01201/50618/2 located at 1108, GIDC Estate, 4th Phase, VV nagar, Dist-Anand..
- 3.2 Due to production of packing material of medicines as per government order during Covid 19 pandemic, the actual load demand was exceeded during June 20 to Oct 20. Then after, consumption had not crossed the contract demand and production is carried out within our contract load.
- 3.3 Further, the complainant had requested to CGRF vide application dated 17.12.2021 to reconsider suomotu process of increasing in contract demand and proposing that they agreed to pay minimum charge of 2 years for 30 KVA (27 KW) and continue 100 KW LTMD connection.



4.0 The respondent contended that -

4.1 M/s. Dura Plast is having LTMD connection bearing No.01201/50618/2 with a load of 100 KW at 1108, GIDC Estate, 4th Phase, VV nagar, Dist : Anand.

4.2 Due to increase in contract demand more than 5% and 4 times in FY 2020-21 as shown hereunder, estimate to regularize contract demand to 130 KVA was issued by Anand Circle office vide letter dated 09.07.2021 as per clause No.4.95 of Supply Code 2015 of GERC.

Month	Contract demand in KW	Actual demand in KW	%age excess
June 20	100	109	9
July 20	100	118	18
Aug 20	100	117	17
Sept 20	100	125.6	25.6
Oct 20	100	108.4	8.4

Clause No.4.95 of Supply Code of GERC is reproduced hereunder :

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.

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 is confirmed that the maximum demand was recorded in excess of contract demand by 5% or more for five four times during financial year 2020-21, the respondent MGVCL had issued 30 days' notice to the consumer for submitting an application form for enhancement of load.

5.2 It is observed that due to non-response of the consumer by the end of notice period, the procedure for enhancing the contract demand from 100

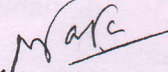


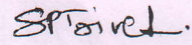
KW LTMD to 130 KVA HT and estimate issued in accordance with clause No.4.95 of GERC Supply Code 2015 is in order.

ORDER

6.0 The Forum Members present during the hearing considered contentions of both the parties and has come to the conclusion that the procedure for enhancing the contract demand from 100 KW LTMD to 130 KVA HT and estimate issued by respondent MGVCCL in accordance with clause No.4.95 of GERC Supply Code 2015 is in order in respect of complainant M/s. Dura Plast, 1108, GIDC Estate, 4th Phase, VV nagar, Dist : Anand.


(K B Dhebar)
Technical Member


(Dr M B Kaka)
Independent 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

