

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2011 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-22-2017-18
Complainant	Shree Shivshakti Quarry Works, Village : Jambugoral, Tal: Desar, Dist: Vadodara
Respondent	Shri R D Amin, Deputy Engineer of Desar s/dn of MGVCL.
Date of hearing	24.11.2017 Corporate office, Vadodara & 22.12.2017 at Baroda O&M Gotri, Vadodara

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Harsha S Chauhan, Vadodara

The complain dated 10.09.2017 regarding issue of estimate under HTP-1 tariff to LTMD consumer (complain received from GERC vide their letter No. GERC: Tech:5017: 4921:1889 dated 30.11.2017).

On 24.11.2017 (did not appear) & 22.12.2017, the Complainant was heard before Consumer Grievance Redressal Forum wherein Shri Mukeshbhai appeared on behalf of complainant Shree Shivshakti Quarry Works, Village : Jambugoral, Tal: Desar, Dist: Vadodara whereas Shri R D Amin, Deputy Engineer of Desar s/dn of MGVCL appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief history of the case is as under:

1. The complainant having of load of 96 KW (under LTMD) for their unit located at Village Jambugoral, Tal: Desar, Dist: Vadodara, having con No.09103/00005/2.



2. Since party has crossed his contract demand for four times in the FY 2016-17 hence, as per clause No.4.95 of Supply Code 2015, notice and estimate under HTP-1 was issued to party.

The representative of the complainant contended that, he agreed that he has violated four times the actual Contract Demand of 96 KW in the FY 2016-17 due to the technical problem on their side the demand has crossed but there was no intention to utilize or withdraws more power than contract demand so the estimate under HTP-1 issued to him may be withdrawn & requested that under which clause of Supply Code the excess bill was prepared. He had raised two issues i.e. (1) for billing under HTP tariff for crossing the contract demand and (2) issuance of HT estimate. His prayer to GERC, was to clarify the clause and explain the formula under which the excess bill was issued to him.

The respondent contended that in line with the directive clause No.3.2 & clause No.4.95 of GERC's Electricity Supply Code Regulations, 2015 and based on this mechanism for issuance of bill was issued by MGVCCL circular No.75. Under clause No.4.95 since the party has crossed the contract demand more than 5% or more for atleast four times during the FY i.e. 2016-17, the appropriate notices was served by the field to the consumer and finally on non-compliance MGVCCL had issued an estimate amounting to Rs.4,85,183.00 for 11 KVA demand under HTP-1 tariff which was debited to his account.

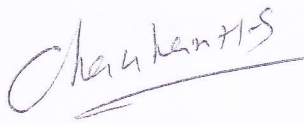
The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that (1) for billing under HTP tariff for crossing the contract demand and (2) issuance of HT estimate issued by MGVCCL to consumer is in line with the directive of MGVCCL circulars and clause No.3.2 & clause No.4.95 of GERC's Electricity Supply Code Regulations, 2015, is in order.

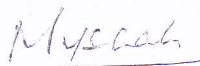
ORDER

The Forum has come to the conclusion that the estimate issued by respondent in line with the directive of MGVCCL circulars and clause No.3.2 & clause No.4.95 of



GERC's Electricity Supply Code Regulations, 2015 to complainant Shree Shivshakti Quarry Works, Village : Jambugoral, Tal: Desar, Dist: Vadodara, is in order.


(Harsha S Chauhan)
Independent Member


(Smt Mala Y Shah)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman under clause No.3.17 of CGRF & Ombudsman Regulations, 2011 that 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.2.63 Chapter-2 of GERC Notification No.2 of 2011.

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

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>

