

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-II-13-2017-18
Complainant	Shree Trumbakeshwar Quarry Works P Limited, OPP: Rajpura Fatak, State Highway, Sevalia - 388245, Tal: Thasra, Dist: Kheda
Respondent	Shri S K Desai, Executive Engineer of Nadiad and Shri A S Chaudhary Deputy Engineer of Thasra s/dn of MGVCL.
Date of hearing	14.07.2017 at Vadodara, 18.08.2017 at Anand & 22.09.2017 at Vadodara

QUORUM	NAME
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri B J Upadhyay ACE (CC & SDP) MGVCL Vadodara

The complaint dated 27.06.2017 regarding wrong bill prepared with HTP tariff.

On 14.07.2017 at Vadodara, 18.08.2017 at Anand & 22.09.2017 at Vadodara, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant did not remain present during on these dates whereas Shri S K Desai, Executive Engineer of Nadiad and Shri A S Chaudhary Deputy Engineer of Thasra s/dn appeared as respondent on behalf of MGVCL before the Forum.

The brief history of the case is as under:

1. The complainant Shree Trumbakeshwar Quarry Works P Limited having consumer No.05051/02003/8 at OPP: Rajpura Fatak, State Highway, Sevalia - 388245, Tal: Thasra, Dist: Kheda, having load of 66 kW.
2. Grievances raised by the complainant who did not remain present on 14.07.2017 at Vadodara, 18.08.2017 at Anand & 22.09.2017 at Vadodara so under the clause No.2.41 "Where the Complainant or the Licensee or their representative fails to appear before the Forum on the date fixed for hearing on more than two occasions, the Forum may decide the Grievance ex-parte.

Under this clause, hearing was processed under his absence.

The respondent contended that since the party was over drawing from his demand of 66 KW for which they have been issued the notices from time to time.

On 29.07.2016, 11.09.2016, 20.10.2016 & 05.01.2017, the notices were given due to excess demand drawn by consumer and in response to this, On repeated issuance of notices party had applied for additional load of 33 KW to raise his total demand upto 99 KW but initially due to non-payment of estimate the application was cancelled so



party again registered the addl load demand on 26.12.16 and the estimate of the same was paid on 21.01.17.

Meanwhile, in the month of Dec 16, party had exceeded his demand more than 100 KW (104.80 KW) so he was served the bill under HTP-1 tariff on 05.01.17n for Rs.191726.00 which was paid by him. Further, in Jan 2017 also party had crossed 100 KW demand for which he was served the bill of Rs.222433/- which is not paid by him so, though the release order issued by division office for addl load, connection was not released physically due to outstanding dues of Rs.222433/-

Respondent further submitted that on party's objection letter dated 3.3.17 CRC was also arranged on 24.3.17 at Nadiad. There also complainant did not remain present so on 28.3.17 during CRC rearranged at Nadiad where representative of the company Shri V R Kapoor remained present and CRC passed and ordered that " bill issued by DE Thasra s/dn on the basis of HTP I tariff is in order which was in line with clause No.3.2 & 4.95 of Supply Code 2015. Order was conveyed on 13.4.17.

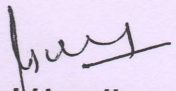
Now, complainant has approached to GERC on 27.04.2017. In turn from corporate office party was replied vide letter No.167 dated 7.6.17 that bill of LTMD consumer prepared under HTP- I tariff due to demand exceeded above 100 KW in the month of Dec 16 & Jan 17 so as per the clause No. 3.2 & 4.95 of Supply Code 2015. Consumer is liable to be billed under appropriate tariff category which is HTP-I. Reply given to party is self-explanatory.

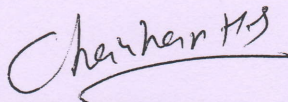
Party has represented on 18.9.17 to CGRF that, consumer is liable for billing in appropriate tariff category which is HTP-1, letter written to the complainant which is self-explanatory. Party has represented on 18.09.2017 to CGRF that since he has made representation before GERC that formula for preparing bill is not as per the rules of GERC. But on oral directives from GERC, party was called in CGRF to hear his submission but he did not remain present in CGRF.

The Forum Members present at the hearing considered contention of respondent the parties and perused the records and observed that HTP- I bill issued by Thasra s/dn is in order.

ORDER

The Forum directs the complainant Shree Trumbakeshwar Quarry Works P Limited, OPP: Rajpura Fatak, State Highway, Sevalia - 388245, Tal: Thasra, Dist: Kheda, that bill issued by Deputy Engineer Thasra s/dn is in order.


(B J Upadhyay)
Technical Member


(Harsha S Chauhan)
Independent Member

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.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>



Yours Sincerely,
For & on behalf of CGRF

(S. C. Majumdar)
Convener

Encl: as above

DISSEMINATED BY: 01/01/2012

1. Mr. S. C. Majumdar, Conv. Office, Vadodara

2. Mr. S. C. Majumdar, Conv. Office, Vadodara

3. Mr. S. C. Majumdar

4. Mr. S. C. Majumdar, DO, Nadiad

5. Mr. S. C. Majumdar, DO, Nadiad Rural

DE Thasra, S/dn

He is requested to submit a Fair Taken Report within 7 days from the date of issue of this letter.