

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-II-57-2011.12
Complainant	The Sajwa Group Dudh Utpadak Sahakari Mandali Limited, At : Sajwa, Tal: Jetpurpavi, Dist : Vadodara
Respondent	Shri Kaushik DE& Shri P M Patel JE of MGVCL
Date of hearing	14.10.2011

QUORUM	NAME
Chairman	Shri Y B Sukhadia, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 27.7.2011 is for change of connection from commercial to industrial.

Today on 14.10.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Narpatbhai Rathwa, appeared on behalf of The Sajwa Group Dudh Utpadak Sahakari Mandali Limited, whereas Shri Kaushik DE and Shri P M Patel JE appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has consumer No.12019/10202/1
2. Complainant had applied for 3 phase electric supply for industrial use, however, MGVCL is serving bill on the basis of commercial use.
3. On demand, they had submitted documents showing agreement / contract for industrial connection and test report of system for industrial purpose.
4. The complainant has asked for refund of additional money paid by them since April 2010.

The representative of the complainant Shri Narpatbhai Rathwa contended that they had asked MGVCL to give 3 phase connection for industrial application. However, MGVCL is serving bills on the basis of commercial use. MGVCL has been paid charges for switching over from commercial tariff to industrial tariff. Hence, MGVCL should refund the additional amount of energy bill received from them since April 2010.

The Respondent Shri P M Patel, JE of MGVCL was not knowing about this complaint and the concerned DE was on leave.

The Forum Members present at the hearing considered contention of both the parties and perused the records. For implementation of CC No.684, there is clarification vide circular No.COM:D:PR 46:3232 of erstwhile GEB dated 5.7.2002 which is enclosed herewith and self explanatory. Hence, if load is less than 10 KW, it is on single meter with applicability of LFD-II tariff. If the load requirement of motive power exceeds 10 KW load then two separate meters are put for lighting load and motive power. They are billed under LFD-II and LTP respectively.

In view of the above discussion, the Forum is of the opinion that all agreement and payment insisted by MGVCL in order to switch over from commercial tariff to the industrial tariff is against the above referred rules as the complainant's load does not exceed 10 KW. However, it is noted here that both tariffs of commercial and industrial applications are merged in Non-RGP / LTMD Tariff since 1.9.2011.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to refund the full amount received from the complainant against switching over from LFD-II to LTP and inform the complainant about new policy of applicable tariff effective from 01.09.2011.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(Y B Sukhadia)
Chairman

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1st floor, Neptune Tower, OPP: Nehru Bridge, Ashram Road, Ahmedabad 380 009 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

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