

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

|                 |                                                                                         |
|-----------------|-----------------------------------------------------------------------------------------|
| Subject         | Consumer Grievances Complaint<br>No.MG-II-14-2010-11                                    |
| Complainant     | M/s. Kailash Conductor & Cable P Ltd., at & Post :<br>Dabhan, Tal: Nadiad, Dist : Kheda |
| Respondent      | Shri G N Shah, DE Nadiad (R) of MGVCL                                                   |
| Date of hearing | 14.10.2010                                                                              |

| QUORUM             | NAME                      |
|--------------------|---------------------------|
| Chairman           | Shri K M Dave, MGVCL      |
| Member             | Shri K R Shah, MGVCL      |
| Independent Member | Shri M J Vaidya, Vadodara |

The complaint dated 19.07.2010 is for the payment of the exemption of Electricity Duty.

Today on 14.10.2010, the case of the Complainant's Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Hiralal Patel Director, appeared on behalf of M/s. Kailash Conductor & Cable P Ltd., at & Post : Dabhan, Tal: Nadiad, Dist : Kheda, whereas Shri G N Shah, DE Nadiad Rural appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The back ground details of the case are as follows:

Collector of Electricity Duty, (CED Gandhinagar) has given the exemption for the Electricity Duty (ED) for the new connections 01405/02144/6 and 01405/02145/5 of M/s. Kailash Conductor & Cable P Ltd., at & Post : Dabhan, Tal: Nadiad, Dist : Kheda. MGVCL has given exemption for connection No. 01405/02144/6 but so far no exemption is given to No. 01405/02145/5, as mentioned in CED's letter which was received during January 2010 As per MGVCL Nadiad, there is no provision to give exemption in the ED in the computerized billing system and hence they are unable to pass on the benefit to the complainant.

The representative of the complainant contended that they have produced exemption certificate of CED Gandhinagar to extend the benefit of exemption in ED (1) for motive power to connection No.01405/02144/6 from 01.06.2008 to 15.09.2008 (2) for motive power and industrial lighting for 01405/02145/6 and 01405/02144/5 only from 16.09.2008 to 31.05.2013 so far no exemption is given for connection No.01405/02145/5 for industrial lighting.

The Respondent Shri G N Shah, DE of Nadiad Rural MGVCL contended that there is no provision in computer system / format to exempt ED in industrial lighting. They had taken up the matter at circle level but could not resolve the matter.

The Forum Members present at the hearing considered contention of both the parties and perused the records. It is fact that the complainant has received ED exemption for their motive power meter from time to time (connection No.01405/02144/6 but no exemption is being considered for their industrial lighting (connection No.01405/02145/5). The concerned department had taken upto circle level but failed to get guide lines.

In view of the above discussion, the Forum is of the opinion that the MGVCL shall arrange to pass exemption of ED to the complainant within seven days and in case of any difficulty in computerized system being faced, the same shall be resolved to improvise payment / refund in the billing system.

### **ORDER**

The Forum directs the Madhya Gujarat Vij Co Limited to arrange the payment of exemption of ED against the industrial lighting (connection No.01405/02145/5) also as per order of CED Gandhinagar. The payment should be done after thorough check on the eligibility of exemption of ED of the complainant.

**(K R Shah)**  
**Member**

**(M J Vaidya)**  
**Independent Member**

**(K M Dave)**  
**Chairman**

**PS :**

*If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1<sup>st</sup> 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

There are two LT connections separately. If Nadiad s/dn can feed duty code \_\_\_\_\_ in con No.02144/4 w.e.f. Feb-10 why they cannot feed in con No.0243/5 of industrial lighting in the same way? There is no e-urja billing in operation in Nadiad s/dn & GEB legacy system is in operation, where there is a provisions of credit adjustment. Hence, this may be got clarified from EE Nadiad / DE s/dn and then conclusion or order can be finalized.

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