

**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-IV-57-2009.10
Complainant	M/s. Ambica Polymer Pvt Ltd., at Hariyala, (Mehmadabad dn) HT con No.15340.
Respondent	Shri A G Shah, EE Mehmadaabad Division, MGVCL
Date of hearing	31.03.2010

QUORUM	NAME
Chairman	Shri K M Dave, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Dr R C Desai, Vadodara

This complaint dated 15.03.2010 is directed against the delay in finalization of estimate towards additional demand of 200 KVA and refund of excess amount from deposit amount paid towards estimate charges.

Today on 31.03.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein nobody appeared on behalf of M/s. Ambica Polymer Pvt Ltd., whereas Shri A G Shah, EE Mehmadaabad Division, appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows. The complainant is an HT consumer of MGVCL bearing consumer No.HT 15340. They had sought additional load of 200 KVA in addition to existing Contract Demand of 600 KVA in 2008. The complainant had deposited Rs.15,73,040/- vide MR No.7043 dated 29.08.08 as per estimate bill No.MD:AB:Exp:1479 dated 4.3.2009 against the expenses for additional Contract Demand vide ref No.TSNO:MGVCL:HT:ADD:491 dated 2.08.08 and the power supply was released on 12.12.2008.

A representative of the complainant was called to MGVCL division office at Mehmadaabad on 2.06.2009 to explain the circumstances and benefits under which the 200 KVA additional load was released from 11 KV Gurukul feeder instead of 11 KV BPCL feeder. The MGVCL incurred expenditure of Rs.26,26,085/- for the 11 KV Gurukul feeder on which there are seven HT consumers having a total load of 3951 KVA, including 200 KVA of M/s. Ambica Polymer. The proportionate share of Ambica Polymer for the Gurukul feeder comes to $(2626085 / 3951) \times 200 = \text{Rs.}1,33,000/-$. The party gave consent to bear this share of total expenditure i.e. Rs.1,33,000/- amount against their deposit of Rs.1573040/- and sought refund of Rs.14,40,040/- (s.1573040/- - Rs.133000/-). Both the MGVCL and the complainant agreed to this refund and a proposal to that effect was submitted by the MGVCL Division office vide letter No.3782 dated 28.7.09 and circle office letter No.7595 dated 28.7.2009. The complainant has approached this Forum due

to delay in payment of refund finalized at a meeting held on 2.6.09 in his office at Mehmabad.

The representative of the complainant did not find it necessary to appear personally before this Forum as the case was settled in a meeting held on 02.06.2009. He had first complained to GERC Ahmedabad and was directed to approach this Forum. Their main contention is to avail the refund amount of Rs.14,40,040/- as agreed upon by both the parties mutually at a meeting held on 2.6.2009.

The Forum Members present at the hearing considered contentions of both the parties and perused the records. The Forum members appreciate that the complainant was given additional 200 KVA load from Gurukul feeder instead of BPCL feeder to derive advantage in terms of reduction in the TT and voltage fluctuations and power availability for all seven days without staggering. It is also just that of the total expenditure of Rs.26,26,085/- for Gurukul feeder, only the proportionate amount of Rs.1,33,000/- is charged to the complainant and the excess amount of Rs.14,40,040/- is proposed to be refunded out of the deposit amount of Rs.15,73,040/- as agreed upon by both the parties.

In view of the above discussion, the Forum is of the opinion that the complainant deserves the refund of Rs.14,40,040/-.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to refund the excess amount of Rs.14,40,040/- from the estimate amount deposited by the complainant for availing 200 KVA additional load.

(K R Shah)
Member

(Dr R C Desai)
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, 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

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