

**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-IV-120-2012.13
Complainant	Shree Gurukrupa Quarry Works, At & Post: Varasda, Tal: Savli, Dist : Vadodara.
Respondent	Smt R P Jhaveri, Deputy Engineer, Corporate Office Vadodara of MGVCL
Date of hearing	22.02.2013 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 09.02.2013 regarding issue of HTP-1 tariff for the premises having LTMD connection and refund of transformer cost.

On 22.02.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Shantibhai Bhikhabhai Desai, appeared on behalf of Shree Gurukrupa Quarry Works, whereas Smt R P Jhaveri, Deputy Engineer, Corporate Office Vadodara appeared as respondent on behalf of MGVCL before the Forum.

The brief details of the case are :

1. The complainant was having LTMD connection No.09102 / 00023 / 7 of 93 KW.
2. Due to increase in maximum demand crossing the limit of LTMD connection, MGVCL authority had issued notice to switch over to HTP 1 connection.

3. The complainant had applied to switchover existing 93 KW LTMD connection to 225 KVA, HTP-1 tariff. The HTP-1, 225 KVA connection was approved by MGVCL authority and the estimate charges were paid by the complainant.
4. Accordingly, LTMD connection of 93 KW has been switched over to HTP-1 of 225 KVA by MGVCL authority due to increase in maximum demand.
5. The MGVCL has recovered maximum demand, fixed charge as per LTMD connection.
6. If MGVCL is recovering penalty charges in case consumer uses maximum demand beyond Contract Demand they cannot add energy units in HT bill.
7. As per Supply Code of GERC, para No.4.1.17, MGVCL cannot provide more than one connection in one premises.
8. MGVCL has recovered fixed charge for two connections in one premises.
9. It was requested to Executive Engineer (O&M) Baroda in writing to cancel HTP-1 minimum fixed charge bill on 18.03.2012 but no action has been taken.
10. The complainant also received disconnection notice if complainant fails to pay HTP 1 minimum fixed charge i.e. Rs.95500/
11. MGVCL has not installed CTPT unit till the complaint date.
12. In HTP-1 connection, transformer coil was purchased by the complainant. Lab charges have been recovered from the complainant. Hence, CT coil testing charges of Rs.1050/ + Rs.1500/ (CT coil cost) = Rs.2550/ should be refunded to the complainant.

13. There is a discrepancy in the bill of July 2012 as the consumption is not matching with G7 cards.
14. MGVCL is not showing meter reading (past & present) in the HT integrated energy bill.
15. As per Supply Code of GERC, 60 days notice period to be issued to the consumer after 100% completion of work. As the work was not completed by MGVCL, the notice can be ignored and HTP tariff bill should be prepared after installation of CTPT unit i.e. 100% completion of works.

On 22.02.2013, the complainant Shri Shantibhai Bhikhabhai Desai, appeared on behalf of Shree Gurukrupa Quarry Works, At & Post : Varasda, Tal: Savli, Dist : Vadodara, along with Shri V R Kapoor as representative.

As per norms, "if complainant wants to nominate the representative to appear and submit on his behalf before the Forum he should be allowed". But in this case, Shri Shantibhai Bhikhabhai Desai himself had already appeared before the Forum, the question of appointing nominee does not arise. The Forum had explained to representative of Shree Gurukrupa Quarry Works, At & Post : Varasda, Tal: Savli, Dist : Vadodara, that this Forum takes care of protection of consumer even if he cannot represent his case to the Forum. The consumer was asked to represent or to submit additional documents, if any in support of his case. The consumer replied that the written complaint is sufficient. However, Mr V R Kapoor insisted to appear before the Forum and to represent the case which was not allowed. This is in line with GERC letter No.GERC:Tech:2013:00616 dated 14.03.2013 to the complainant with a copy to CGRF MGVCL.

As per written complaint dated 09.02.2013 given by the complainant -

- As per Supply Code, clause No.4.1.17, any DISCOM cannot provide more than one connection / meter in one premises unless and until there is more than one legal entity.
- As per Supply Code, clause no.6.1.16, the CTPT should be purchased and installed by MGVCL in case of non-availability due to delay of supply by their vendor and rejection of same lot of supplied CTPT of MGVCL vendor, to avoid delay, in releasing connections, MGVCL as a special case, gives option to consumers to purchase CTPT units. This information is given from MGVCL to consumer well in advance so that if consumer intends to purchase CTPT according to his planning for increase in load demand he may purchase in time. So in such cases, cancellation of notice period for extension of notice period does not come in picture
- When CTPT unit is to be purchased by MGVCL, the cost is included for 3rd party / MGVCL lab inspection. MGVCL has to refund the cost of CT coils and lab testing charges also become refundable to the consumer who has purchased CT coils & get tested by third party / MGVCL lab as it is pre-requisite condition for CTPT units purchased by MGVCL / consumer.
- For HT consumer G7 card is showing actual consumption reading (previous and present). These readings do not appear in the energy bill issued to the HT consumer. As a matter of fact, consumer has to compare with G7 card and calculate the amount. If possible, MGVCL should include the readings of G7 card in energy bill for HT consumers.
- The consumption details shown on HT bill and consumption readings taken in G7 card are the same and there is no discrepancy in consumption units. The bill is prepared by multiplying 8,73% factor to cover the line losses in case of LT metering as per circular of GUVNL.

- The recovery of charges for line losses is within the scope of DISCOM. It does not require approval of GERC. Supply Code or The Electricity Act, 2003 will not go to this micro level.
- As per Supply Code, clause no.6.1.16, the CTPT should be purchased and installed by MGVCL in case of non-availability due to delay of supply by their vendor and rejection of same lot of supplied CTPT of MGVCL vendor, to avoid delay, in releasing connections, MGVCL as a special case, gives option to consumers to purchase CTPT units. This information is given from MGVCL to consumer well in advance so that if consumer intends to purchase CTPT according to his planning for increase in load demand he may purchase in time. So in such cases, cancellation of notice period for extension of notice period does not come in picture
- The registration charges become payable by the consumer for change of load or shifting in the same premises with Rs.10/KVA as per GERC Regulations.

In view of the above discussion, the Forum is of the opinion that

1. As per Supply Code, clause No.4.1.17, any DISCOM cannot provide more than one connection / meter in one premises unless and until there is more than one legal entity.
2. In case of non-availability of CTPT units, MGVCL, as a special case, give option to purchase CTPT by the consumer in order to avoid delay in releasing the connection
3. When CTPT unit is purchased by MGVCL, the cost is included for 3rd party / MGVCL lab inspection. MGVCL has to refund the cost of CT coils and lab testing charges to the consumer who has purchased CT coils & get tested by third party / MGVCL lab as it is pre-requisite condition for CTPT units purchased by MGVCL / consumer.

4. The consumption details shown on HT bill and consumption readings taken in G7 card are the same and there is no discrepancy in consumption units. The bill is prepared by multiplying 8.73% factor to cover the line losses as per circular of GUVNL..
5. The recovery of charges for line losses is within the scope of DISCOM. It does not require approval of GERC. Supply Code or The Electricity Act, 2003 will not go to this micro level.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to :

1. To refund the cost of CT coils and lab testing charges if CT coil purchased and get tested by the consumer.
2. There is no discrepancy in the bill of July 2012.
3. The billing done by MGVCL as per HT tariff is in order as the complainant is already using the load above 100 KW.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 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>