

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-10 -2019-20
Complainant	M/s. Pravin Pottery Works, OPP: Railway Station, PO: Derol, Dist: Godhra 389320
Respondent	Shri Devang Parmar, Deputy Engineer of Kalol s/dn of MGVCL.
Date of hearing	23.09.2019 at Corporate Office, Vadodara

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Mr A G Shaikh, Nadiad
Technical Member	Shri M T Sangada, (RA&C) MGVCL Vadodara

The complaint dated 08.08.19 (recd on 14.08.19) regarding effect of reduction of load from 59 KW to 15 KW in respect of his LTMD connection, bearing consumer No.07514/00401/7 situated at OPP: Railway Station, PO: Derol, Dist: Godhra 389320.

1.0 On 23.09.2019, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Saurin Shah appeared on behalf of complainant M/s. Pravin Pottery Works, whereas Shri Devang Parmar, Deputy Engineer of Kalol s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 The complainant M/s. Pravin Pottery Works, is having LTMD connection of 59 KW on dated 24.10.2018 bearing consumer No.07514/00401/7 situated at OPP: Railway Station, PO: Derol, Dist: Godhra 389320.

2.2 The complainant had registered an application for reduction of load from 59 KW to 15 KW paying registration charges of Rs.400/- on dated 24.10.2018.

2.3 Accordingly site survey was carried out by Deputy Engineer of Kalol s/dn on dated 30.10.2018 and ampere loading found 11.21 at consumer's installation.

2.4 From available record, contract demand was found about 3.5 KW (appx) during Sept 18 to Jan 19.

2.5 Proposal was sent to division office for approval on 15.11.2018 by s/dn and accordingly TS was issued by Halol division office vide letter No.HLD/O&M/Rev/load R / A / 275 dated 18.01.19.



2.6 Complainant has submitted test report on 23.01.19.

2.7 Effect of reduction of load was given from 23.01.19.

3.0 The representative of the complainant contended that -

3.1 Application for reduction of load was registered on 24.10.18 and at that time test report was not being taken by s/dn and inform that on receipt of approval from competent authority test report will be accepted.

3.2 It was also promised by Dy SA (Billing) that effect of reduction will be given from date of registration only i.e. 24.10.18.

3.3 Test report was submitted on 23.01.19 with required fee of Rs.20/- vide MR No.NK/7861/126

3.4 After vigorous follow at s/dn office, effect of reduction of load was given w.e.f. 23.01.19 instead of 24.10.18.

3.5 Due to non-cooperation from s/dn I had applied to CGRF Vadodara vide application dated 11.02.19 which was diverted to CRC Godhra MGVCL.

3.6 Circle office, Godhra has arranged hearing on 20.05.19, 20.06.19 & 20.07.19 but he has never received letters dated 17.5.19, 14.6.19 & 03.07.19 respectively.

3.7 I have only received letter from CRC Godhra circle dated 24.7.19. Intimating that "as you were not remain present during hearing on date shown at above point 3.6 your application is treated as cancelled".

3.8 Aggrieved by order of CRC, I was compelled to appeal to CGRF Vadodara for getting justice.

4.0 The respondent contended that -

4.1 As test report and required fee was not collected at the time of registration for reduction of load, effect is given from date of payment of test report fees i.e. from 23.01.19.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that -

5.1 The complainant has stated in his submission that he has registered an application for reduction of load from 59 KW to 15 KW at Kalol s/dn by paying Rs.400/- as registration charges without submitting test report as per guidance given by Billing section of MGVCL and it was also conveyed to complainant that on receipt of approval from competent authority regarding reduction of load, test report and fees for the same will be accepted and effect will also be given from date of registration itself.

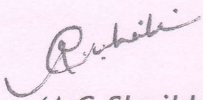


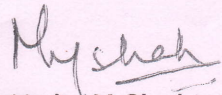
- 5.2 The installation was physically verified by Deputy Engineer of Kalol s/dn MGVL on dated 30.10.18 and in his report it is mentioned that ampere loading is found about 11 ampere.
- 5.3 From record, it seems that since Sept 2018 contract demand of complainant is never crossed 4 KW
- 5.4 Approval from division office was given on 18.01.19
- 5.5 As per clause No.4.92 of Supply Code 2015, if the application is not decided by licensee, within the period of 7 working days from inspection by a reasoned speaking order (clause No.4.90) and also if no decision is communicated to the consumer within a further period of 15 days, permission for reduction of contract demand shall be deemed to have been granted.
- 5.6 In this case, site verification was carried out within 7 days but then after no Regulations were observed.
- 5.7 As per clause No.4.93, if the licensee has sanctioned the load reduction through a speaking order, the same shall be effective from the date of inspection and are return acknowledgement shall be sent to the consumer.
- 5.8 In this specific case, consumer was not informed regarding approval of reduction in load demand in writing.

ORDER

6.0 The Forum has come to the conclusion that the as the test report and fees for the same was not paid by complainant M/s. Pravin Pottery Works, OPP: Railway Station, PO: Derol, Dist: Godhra 389320 as per guidelines given by s/dn Billing Section of Kalol s/dn and as per content of Point No.5.7 & 5.8 as above effect of load reduction may be given to the complainant from the date of inspection i.e. from 30.10.2018 & bill issued may be revised accordingly.


(M T Sangada)
Technical Member


(A G Shaikh)
Independent Member


(Smt Mala Y Shah)
Chairperson

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***

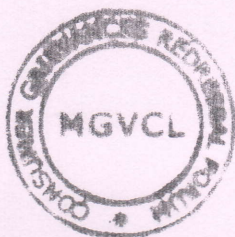


- *** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>



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

15.2.2016
Comptroller

Encl: As above

Copy of order with order to:

1. To MGVCCL, 1st Floor, Vaidhara

2. To MGVCCL, 1st Floor, Vaidhara

3. To MGVCCL

4. To MGVCCL, 1st Floor, Vaidhara

5. To MGVCCL, 1st Floor, Vaidhara

6. To MGVCCL, 1st Floor, Vaidhara

- To be submitted to submit Action Taken Report within 7 days from the date of issue of this order.

CC: CGRF (P&A)

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