

**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-119-2012.13
Complainant	M/s, Ravi Pharmaceuticals Pvt Ltd., at GIDC Plot No.69/1, Kansari, Tal: Khambhat, Dist: Anand.
Respondent	Shri B C Majmudar EE, Cambay Town MGVCL
Date of hearing	01.03.13 & 28.03.13 at Corporate Office, 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 11.02.13 regarding wrong issue of HTP-1 tariff bill for 200 KVA demand.

On 01.03.13 & 28.03.13, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant was absent on 1.3.13. On 28.3.13, Shri V R kapoor, appeared on behalf of M/s. Ravi Pharmaceuticals Pvt Limited, whereas Shri B C Majmudar EE, Cambay Town MGVCL appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The LTMD consumer no.00901/50625/7 for 100 KW and HTP-1 consumer No.15159 having load of 200 KVA in the name of M/s, Ravi Pharmaceuticals Pvt Ltd., at GIDC Plot No.69/1, Kansari, Tal: Khambhat, Dist: Anand..
2. Due to rise in maximum demand, notice was issued by MGVCL to switch over to HTP-1. Accordingly the consumer applied for extension of load from 100 KW to 200 KVA. Estimate of amount Rs. 961648/- was paid by the consumer on 29-8-12.
3. After completion of work TMN was issued by MGVCL for submission of test report.

4. The LTMD connection of 100 KW was switched over to HTP-1 by MGVCL without installing CTPT unit and the connection was released on LT metering system. Subsequently, CT coil was purchased by consumer and its testing charges were paid by consumer at MT lab.

The representative of the complainant contended that

1. Due to exceeding maximum demand in LT connection, MGVCL has issued notice to the consumer. MGVCL has charged maximum demand fixed charges more for LT connection compared to HTP-1 connection fixed charges.
2. As per supply code of GERC, para no.4.1.17, the DISCOM will not provide more than one connection / meter for one premise.
3. The registration charge for HT application was recovered Rs.2000/ vide MR No.029191 dated 20.7.12 instead of Rs. 660/- (200 KVA, 134 KVA = 66 KV x Rs.10/ = Rs.660). MGVCL has recovered more Rs.1340/ which may be refunded as their existing connection was LTP / LTMD. Connection switched over to HTP-1 by extending load from 134 KVA to 200 KVA.
4. As per The Electricity Act, 2003 and MGVCL Supply Code, company has to supply and install metering equipment at consumer premises. As per supply Code Section No.6.1.5 for HT or EHT consumer the Dist licensee shall provide suitable meter including CTs and PTs, circuit breaker etc.
5. 60 days' notice period should be issued to the consumer after completion of works on MGVCL end. If company is not in a position to install CTPT at consumer's premises, notice should be cancelled and LTMD tariff bill should continue till installation of CTPT units i.e. total completion of works and revised notice should be served. It is requested to refund transformer charge which was recovered from the

complainant when they have asked new LTP connection / extension of load connection as per GERC norms.

6. If company is not supplying and installing the metering equipment, the consumer should not be penalized for extra financial burden. Further, there is no section in GERC Supply Code or MGVLCL Supply Code to recover the 8.73%.
7. As the company has not installed CT/PT unit and forcibly asked consumer to purchase CT/PT unit. The consumer purchased the CT/PT, get it tested in ERDA thereby causing burden of Rs. 70000/- on consumer.
8. At the time of release of LTP/LTMD connection transformer cost was recovered for 100 KW on pro-rata basis, so the same should be refunded.
9. The consumption shown in G-7 card differs from that shown in the energy bill issued by Cambay City.
10. All the bills should be revised issued before installation of CT/PT unit and amount should be refunded with bank interest.
11. CT coil amount and testing charges should be refunded with bank interest.

The Respondent contended that:

1. The release order was issued on 09.10.2012 and billing was started for HT power supply w.e.f. 09.12.2012. As consumer had not submitted test report, HT connection treated as deemed released w.e.f. 09.12.2012. MGVLCL has revised bill applying HT tariff as he was already using load more than 100 KW, although he had not submitted the test report purposefully.

2. As per GERC Supply Code, para No.6.1.16, "In the case of high tension consumer taking supply, up to and including 33 kV" the Distribution Licensee shall normally provide the HT metering equipment for registering the demand as well as the energy consumed. For those Consumers taking supply at 66 kV and above the Distribution Licensee shall only provide at own cost Trivector meter and the consumer shall at his own cost provide a suitable Current Transformer and Potential Transformer.

Accordingly, MGVCL has to provide CTPT for HT metering. The delay is due to late supply by the supplier / manufacturers. Hence, there was shortage of CTPT in MGVCL during that period. To avoid delay in releasing the connection, MGVCL as a special case given option to consumer to purchase CTPT units as per MGVCL specifications subject to reimbursement of amount of CTPT cost. This information is given by MGVCL to the consumer well in advance so that when consumer agrees & intends to purchase CTPT according to his planning to increase load demand. So in such cases, cancellation of notice period or extension of notice period does not come into the picture.

3. The connection was released with LT metering as LT connection was already existing in the premises and the complainant was already using more than 100 KW load on LT side. In this case, CT coils were provided by the complainant which were tested in MGVCL lab. The testing charges and the cost of CTPT unit and its testing charges will be refunded, as per rules.
4. The line losses @ 8.73% are added to energy & demand in LT metering unit as per guidelines of GUVNL vide their letter No.GUVNL: Tech:1312 dated 09.05.2012.
5. There is uniform policy for all DISCOMs regarding energy bills for the HT / EHT consumers.
6. MGVCL had issued 60 days' notice as per the scope of the estimate.

7. Release of connection on LT metering was a stop gap arrangement to meet urgent requirement of consumer as per rules and there is no loss to either party.
8. As per norms of MGVCL, transformer proportionate charges to be recovered from LT industrial consumers prior to 11.5.11 and after that fixed charges are applicable to all LT industrial consumers. Recovering the transformer charges is as per rules.

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

1. Registration charges are taken for change of LT load to HT load in same premises @ Rs.10/ KVA where KVA is total demand for HT connection, hence, it is not only for extension of load but total demand in HT connection.
2. As per GERC Supply Code, para No.6.1.16, "In the case of high tension consumer taking supply, up to and including 33 KV the Distribution Licensee shall normally provide the HT metering equipment for registering the demand as well as the energy consumed. For those Consumers taking supply at 66 kV and above the Distribution Licensee shall only provide at own cost Trivector meter and the consumer shall at his own cost provide a suitable Current Transformer and Potential Transformer".

There was a shortage of CTPT for HT metering due to inadequate supply from the supplier / manufacturers. To avoid delay in releasing the HT connection, MGVCL as a special case gives option to consumer to purchase CTPT units as per MGVCL specification subject to reimbursement of amount of CTPT cost. This information was given by MGVCL to the consumer well in advance to procure CTPT according to his planning to increase load demand. So in such cases, cancellation of notice period or extension of notice period does not come into the picture.

3. Consumer using more than 100 KW load and even after issuance o TMN, the complainant had not submitted test report in time. Hence, MGVCL has considered it as deemed release and billing based on LT metering with addition of line loss factor is in order.
4. HT connection was physically released on 5.6.12 after the complainant had submitted test report on 14.5.12.
5. Regarding CT coils and CTPT, purchased by the complainant, the cost of the same including its testing charges to be reimbursed by MGVCL.
6. Recovery of line loss factor @ 8.73% is the difference between HT and LT line which is accordance of GUVNL letter dated 09.05.2012 is in order.
7. While preparing bill, MGVCL is recovering line losses @ 8.73% (difference of HT line losses and LT line losses) on energy as well as demand recorded in LT meter. This is as per GUVNL guidelines vide letter dated 9.5.12.
8. Recovery of proportionate charges for the transformer are as per rules and not refundable.

ORDER

The Forum directs M/s. Ravi Pharmaceuticals that the sequential actions taken by Madhya Gujarat Vij Company Limited are in order.

The Forum also directs the Madhya Gujarat Vij Company Limited to refund cost of CT coils and CTPT along with its testing charges to the consumer and should see that the required equipments to be provided by them are adequate in quantity in stock to avoid undue grievances.

(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>