

GUJARAT ELECTRICITY REGULATORY COMMISSION
Ahmedabad

**Minutes of the 13th Meeting of the Consumer Grievances Redressal Forums
of different utilities held on 28th December, 2012**

The 13th meeting of the Consumer Grievances Redressal Forums of different utilities was convened in the Conference room of State Guest House (Circuit House Annex), Ahmedabad at 3.00 p.m. on 28th December, 2012.

The following were present in the meeting.

Commission :

1. Dr. P.K. Mishra, Chairman, GERC
2. Shri Pravinbhai Patel, Member (Technical), GERC
3. Dr. M.K. Iyer, Member (Finance), GERC

Electricity Ombudsman:

Shri V.T. Rajpara, Electricity Ombudsman, Ahmedabad

Chairmen / Members / Representatives of Consumer Forums:

1. Shri P.J.Patel, Chairman, MGVCL Forum.
2. Shri R.N.Jadeja, Chairman, PGVCL (Rajkot) Forum.
3. Shri D.J.Parekh, Chairman, PGVCL (Bhavnagar) Forum.
4. Shri A.M.Dhebar, Chairman, PGVCL (Bhuj) Forum.
5. Shri A.C.Panwala, Chairman, DGVCL Forum.
6. Smt. M.Y. Shah, Chairman, UGVCL Forum.
7. Shri M.G.Patel, Chairman, TPL (Ahmedabad) Forum.
8. Shri V.R.Vyas, Chairman, TPL (Surat) Forum.
9. Shri Y.B.Sukhadia, Technical Member, MGVCL Forum.
10. Shri J.J.Gandhi, on behalf of Technical Member, PGVCL (Rajkot) Forum.
11. Shri J.V.Prajapati, Independent Member, PGVCL (Bhavnagar) Forum.
12. Shri M.G.Donga, Technical Member, PGVCL (Bhavnagar) Forum.
13. Shri H.A. Gadhvi, Independent Member, PGVCL (Bhuj) Forum.
14. Shri N.V.Parekh, Technical Member, PGVCL (Bhuj) Forum.
15. Shri J.J.Patel, Independent Member, DGVCL Forum
16. Shri S.R.Patel, Technical Member, UGVCL Forum.
17. Shri M.J.Barot, Independent Member, UGVCL Forum.
18. Ms.Y.H.Upadhyा, Independent Member, TPL (Ahmedabad) Forum.
19. Shri S.J.Oza, Technical Member, TPL (Ahmedabad) Forum.
20. Shri S.H. Pandya, Independent Member, TPL (Surat) Forum.
21. Shri B.D. Mistry, Technical Member, TPL (Surat) Forum.
22. Shri K.D. Viradia, Convener, PGVCL (Rajkot) Forum.
23. Shri S.R.Chaudhari, Convener, PGVCL (Bhavnagar) Forum.
24. Shri B.K.Maheshwari, Convener, PGVCL (Bhuj) Forum.
25. Shri B.C.Godhani, on behalf of Convener, DGVCL forum.
26. Shri P.D.Halani, Convener, UGVCL Forum.

27. Shri N.G.Shah, Convener, TPL (Ahmedabad) Forum
28. Smt. P.H. Desai, Convener, TPL (Surat) Forum

Officers of the Commission:

1. Shri D.R. Parmar, Joint Director
2. Shri M.N.Khalyani, Dy. Director (Admn.)
3. Kum. C.N. Bhatt, Chief Account Officer
4. Shri S.T. Anada, Dy. Director (Technical)
5. Shri Gopal Dayalani, Dy. Director (Technical)
6. Shri Kashyap Parikh, Under Secretary

Officer of the Ombudsman:

- Shri B.J. Shah, Staff Officer, Ombudsman.

Shri M.N.Khalyani, Dy. Director (Admn.) welcomed the Chairpersons and Members of all the Consumer Grievances Redressal Forums (CGRF) and Ombudsman.

While welcoming the participants, Dr. P.K.Mishra, Chairman, stated that though the meeting of Forum is held on a quarterly basis, this time it has been slightly delayed. It was contemplated to conduct this meeting at Bhuj, but it was not feasible due to logistics reasons and geographic location of some forums. He emphasized on the need for regular meetings and interactions among CGRF Forums. He extended a hearty welcome to the one new member Shri A.M. Dhebar, Chairman, PGVCL-Bhuj Forum who has recently joined the Forum.

Item No.1: Confirmation of Minutes of the Twelfth Meeting:

The Minutes of the Twelfth Meeting were circulated to the members on 17/08/2012 by letter No. GERC/ADMIN/2012/1746 and since no comments were received, the Minutes of the Meeting were confirmed.

Item No.2: Action Taken Report

The Compliance status as per Annexure – I of agenda on the decisions of the Twelfth Meeting of CGRF held on 04th August 2012 was discussed.

While perusing the Compliance Report, representatives of each Forum have explained the Action Taken as under:

DGVCL: Shri A.C.Panwala, Chairman briefed about publicity of CGRF to consumers through Gujarati and English News papers. ID card to the forum members will be issued in 5 days by the DGVCL.

MGVCL: Shri P.J.Patel, Chairman briefed the Commission about the publicity of CGRF to consumers by a Small booklet “Grahak Margdarshika” distributed to consumer along with bills. The chairman also informed about review of the implementation of CGRF orders regularly and all the orders have been implemented except one. ID Cards have already issued to the CGRF members in Jan 2012.

UGVCL: Shri S.R. Patel, Member - Technical intimated that the preparation of CD by Shri M.J.Barot, Independent Member is under process.

Regarding regular review of Implementation of CGRF Orders, the Ombudsman had queried on the non implementation of the three orders (two CGRF orders and one Ombudsman Order) to UGVCL.

Member (F),GERC queried as to why the implementation of orders are delayed. Convener of the Forum should submit details regularly to members of CGRF for review of order and its implementation. Member(T),GERC suggested that there should be time frame for implementation of orders and also sought the reasons for delay non-implementation of orders. Further, Chairman GERC sought the status report of these cases in the next meeting. (**Action: UGVCL**)

PGVCL (Bhavnagar, Bhuj and Rajkot):

Publicity of CGRF by printing details on electricity bills, news paper and display board at Offices is being implemented in all the above three areas of Bhavnagar, Bhuj and Rajkot.

Regarding regular review of implementation of CGRF Orders, Ombudsman queried on one of the Forum order of July 2012. The representative from Bhavnagar clarified that the order has been already implemented, but status report could not be submitted to Ombudsman.

Chairman directed Members of PGVCL Forums to brief the directives of GERC to MD, PGVCL and issue identity cards to all the forum members at the earliest. (**Action: PGVCL**)

TPL (Ahmedabad and Surat) :

Publicity of CGRF is done by providing information on company's website and display board at zonal offices.

Regarding regular review of Implementation of CGRF Orders, the Chairperson of respective Forums has stated that orders are reviewed regularly and there are no any pending orders for implementation.

Chairman of TPL Forum – Ahmedabad has informed that they have already received visiting card of members from TPL and therefore, there is no need for separate ID Cards. TPL – Surat will also issue Visiting Card/ID Cards to members of Forums.

Ombudsman : Shri V.T. Rajpara, Electricity Ombudsman has replied that implementations of orders are regularly reviewed.

Chairman GERC suggested for the issuance of small pamphlets along with the electricity bills so that the consumers have more awareness about the CGRFs in addition to printing of CGRF details on Electricity Bills and publishing in news papers. (**Action: DGVCL, UGVCL, PGVCL and TPL**)

Item No.3: Review of Performance

While going through the performance of each CGRF, it was noticed that there are discrepancies in the quarterly submission of MGVCL and PGVCL (Bhavnagar). Member (T) suggested that this has to be reconciled and resubmitted. Chairman GERC opined that one of the representatives should voluntarily explain each and every column of the performance report received from CGRFs. It was proposed in the meeting that an item called non-implementation of CGRF orders be added to the consolidated report of review of performance for CGRFs. Chairman appreciated that almost all the Forums have arranged more than 12 meetings in the quarter except Bhuj. The representative of Bhuj informed that the Chairperson has been recently appointed and hence there is less meetings.

Member (F), GERC queried to PGVCL Rajkot for pending of 45 cases in this quarter under discussion. The representative from this Forum stated that PGVCL Rajkot has received maximum number of grievances i.e. 121 cases. He further clarified that there is only one case which is pending for more than 45 days.

Item No.5: Case Studies:

Presentations were made by the Ombudsman and representatives of DGVCL, MGVCL, TPL Ahmedabad and PGVCL-Bhavnagar Forums and discussed during the meeting.

Gist of the cases presented by Forums and Ombudsman are as under:

DGVCL Forum :

CGRF had received a complain from a consumer having LTP-1 connection of 15.0 HP with LFD-II connection of 0.5 KW at Vapi, who had applied for permanent disconnection of both

connections on 16.08.2011. Respondent DGVCL had rejected the application of the complainant and accordingly informed complainant that due to Civil Suit pending in court, the connection cannot be disconnected. Further, he stated that as per consumer grievances regulation clause no 2.30, a Complainant is not entitled to approach the CGRF, DGVCL in this case due to civil suit. Forum Ordered that, since DGVCL is not a party in SCA civil suit No. 82/2009, the regulation clause no 2.30[i] is not applicable in present case, DGVCL, the respondent can disconnect the power supply permanently by taking an undertaking from complainant on stamp paper to overcome any legal consequence in future .

MGVCL Forum :

Complainant had approached CGRF for extra charges payable by him due to erroneous reactive energy being recorded in the energy meter. Forum instructed the respondent (MGVCL) to visit the site and collect the data about the meter condition, to install a meter at the transformer centre and to reconcile the energy meter readings at consumer end and at Transformer Centre with the help of Officer of the DISCOM's Meter Testing Lab. The lab reported that in the meter connection, CT direction was in reversed condition. Due to reversed CT Coils direction, flow of reactive energy recorded as drawl, instead of actual injection of reactive energy in the system. The meter manufacturer had confirmed the variation was due to erroneous meter connections. Erroneous connections caused reactive recording from Lag to Lead i.e. lag component recorded in Lead component. This inference was also corroborated for the reading of the meter installed at transformer centre. The Forum directed Respondent to refund to the complainant the charges for reactive energy recovered due to erroneous connections of the energy meter for the months starting from the date of meter installation i.e. 4.3.2011 till the rectification is made.

TPL Forum – Ahmedabad

Respondent TPL, Ahmedabad had provided 71 connections to a chawl situated at Behrampura-Ahmedabad. In the year 2012, the old chawl got demolished and 72 nos. of new shops and flats were constructed by the developer. Out of 72 connections, 30 services were removed on customer's request in 2008 and 23 services were removed due to non-payment of bill and safety considerations. The developer had applied for 1 new connection, requested for reconnection of 53 services and requested for shifting of existing 18 services. Reconnection and shifting was denied by respondent considering 1) Original premises was no more in existence 2) More than a year had passed after disconnection of services (as per Regulation

no. 8.7.4 of GERC noti. No. 11 of 2005 contract agreement gets terminated). TPL had informed developer to apply for new connections. The Forum observed that the old chawl has been demolished and it is no longer in existence and newly developed premises have no relevance with old chawl premises. Hence, old connections cannot be shifted to non-existence of premises. Also, old connections which were surrendered in the year 2008 and terminated as per Regulation no. 8.7.4 of GERC noti. No. 11 of 2005 cannot be reconnected. Forum dismissed the complaint and accordingly passed an order.

PGVCL Forum – Bhavnagar

An applicant has applied for new AG connection in his land survey no. 16p, at-Motishri, Ta-Palitana. Applicant had erroneously shown Survey No. 16 instead of 99/p in his application. As the applicant is illiterate, this mistake may have happened. But, actually Applicant had submitted the documents for Survey No. 99/p at the time of registration. Now Applicant has made new Bore in Survey No. 99/3, so, he wants his AG Connection on the same survey and approached CGRF. Respondent informed that, GEB issued FQ of Rs 1700/-, which was paid by consumer. Respondent had asked applicant to submit required documents i.e. 7/12, 8-A, detail of the Well/Bore. But applicant did not submit the same. After three reminders by respondent, applicant had not submitted the documents and not made any agreement with GEB, and hence the connection was not released. Respondent had issued 3 months notice, but the applicant did not turn up. On complain by applicant at Forum, respondent had made Rojkam at site which mentioned that there was a 25 KVA T.C. & LT Line erected on the survey number of applicant. But the connection not released. There were lines & T.C. erected under D-2 group and the connection was released to the other consumer of the group. Forum's observation is that erection of line was done by respondent in the Survey No. 99/p. So the question does not arise for the survey No. 16, as the Survey No. 16 was not in the name of Applicant. Hence Forum ordered that applicant has to pay minimum charges at Rs 35/- per H.P. per year after completion of 3 months notice period and also ordered PGVCL to release the connection on survey No. 99/3, subject to the applicant submit the required documents and also pay the shifting charges and fresh agreement should be executed before release of the connection. The connection should be released under meter tariff.

Ombudsman:

Ombudsman presented a case on “issue of duplication of recovery which is contrary to Regulation / Charges approved by the Commission”. Hon’ble Commission vide letter no.

GERC/2066 dated 30.12.2010 directed that KW base recovery towards service line, transformer centre and service connection charges for new connection for all categories except Ag-Tatkal & connections released under Government scheme. Accordingly GUVNL has issued a letter on 30.12.2010 incorporating rates and stipulated that all Circulars/guidelines issued earlier for recovery of charges stands cancelled w.e.f. 01-01-2011. It was also mentioned in GUVNL letter dated 11.5.2011 that if DISCOM observes any short fall in recovery expenses then they may file petition for review of charges and methods. In case of infrastructure development if developer has asked only for electrification & not for new connection then full cost of electrification shall be recovered from developer. As per CE, UGVCL letter No. 27 dated 03.02.2011; DISCOM cannot deny connection to individual applicant in such area on pretext of non existence of lines. Fixed costs are to be recovered from all individual applicants in areas like Complexes, Societies and Colonies. The issue here is “When all individual applications are registered on Single name, DISCOM is recovering Full cost of infrastructure including laying of LT cable between deliveries point to point of supply to installation of applicant though applicant has not applied for infrastructure. DISCOM is also recovering fixed cost towards Service line, transformer centre & service connection charges”. It is duplication of recovery and excess recovery which is contrary to approval of Hon’ble Commission. The DISCOM is not following the directive of the Commission & the CGRF is upholding decision of DISCOM on basis of GUVNL guideline.

Chairman directed CGRF and Ombudsman to follow the regulations and adjudicate the cases instead of as per the guidelines issued by DISCOMs, which are acting at variance with regulations.

Chairman appreciated the presentations made by Forums. It was decided that Forum of UGVCL, PGVCL Rajkot, PGVCL Bhuj and TPL-Surat will make presentation on typical cases during the next meeting.

Thereafter the meeting ended with a vote of thanks to the Chair.

(**Dr. Ketan Shukla**)
Secretary
Gujarat Electricity Regulatory Commission.