

**GUJARAT ELECTRICITY REGULATORY COMMISSION**  
**6<sup>th</sup> Floor, GIFT One, GIFT CITY, Gandhinagar.**

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Minutes of the 18<sup>th</sup> Meeting of the Consumer Grievances Redressal Forums of different utilities held on 14<sup>th</sup> November, 2014 at 11:30 AM in Conference Room, GERC, Gandhinagar.

The following were present in the meeting.

**Commission and Secretary:**

1. Shri Pravinbhai Patel, Chairman, GERC
2. Dr.M. K. Iyer, Member (Finance), GERC
3. Shri Dilip Raval (IAS), Secretary, GERC

**Electricity Ombudsman:**

- Shri V.T. Rajpara, Electricity Ombudsman, Ahmedabad.

**Chairpersons / Members / Representatives of Consumer Forums:**

1. Shri P.J.Patel, Chairperson, MGVCL Forum.
2. Shri D.J.Parekh, Chairperson, PGVCL (Bhavnagar) Forum.
3. Shri A.M.Dhebar, Chairperson, PGVCL (Bhuj)
4. Shri R.N.Jadeja, Chairperson, PGVCL (Rajkot) Forum
5. Shri H.J.Patel, Chairperson, DGVCL Forum.
6. Mrs. M.Y. Shah, Chairperson, UGVCL Forum.
7. Shri V.R.Vyas, Chairperson, TPL (Surat) Forum.
8. Shri J.J.Patel, Independent Member, DGVCL Forum
9. Shri T.C. Chokshi, Convener, MGVCL Forum
10. Smt. Harsha S.Chauhan, Independent Member, MGVCL Forum.
11. Shri P.C.Adhia, Technical Member, PGVCL (Rajkot) Forum.
12. Shri N.V.Parekh, Technical Member, PGVCL (Bhavnagar) Forum.
13. Shri D.J.Dhandhukiya, Independent Member, PGVCL (Bhavnagar) Forum.
14. Shri B.R.Sorathia, Technical Member, PGVCL (Bhuj) Forum.
15. Shri B.J.Dave, Independent Member, PGVCL (Bhuj) Forum.
16. Shri P.B.Pandya, Technical Member, UGVCL Forum. .
17. Shri M.J.Barot, Independent Member, UGVCL Forum.
18. Shri Vipul R. Kakadia, Technical Member, TPL (Ahmedabad) Forum.
19. Mrs. Y.H.Upadhya, Independent Member, TPL (Ahmedabad) Forum.
20. Shri Bimal D. Mistry, Technical Member, TPL (Surat) Forum.
21. Shri. M.N.Chauhan, Independent Member, TPL (Surat) Forum
22. Shri. D.R.Panirwala, Convener, TPL (Surat) Forum.
23. Shri N.G.Shah, Convener, TPL (Ahmedabad) Forum
24. Shri J.N. Sahijwani, Convener, UGVCL Forum.
25. Shri B.R. Icecreamwala, Convener, DGVCL forum.
26. Shri B.K.Maheshwari, Convener, PGVCL (Bhuj) Forum.
27. Shri P.P.Pandya, Convener, PGVCL (Bhavnagar) Forum
28. Shri K.D. Viradia, Convener, PGVCL (Rajkot) Forum.

### **Officers of the Commission:**

1. Shri M.N. Khalyani, Dy. Director (A & A)
2. Shri S.T. Anada, I/c Joint Director (Technical)
3. Shri Gopal Dayalani, Dy. Director (Technical)
4. Shri Apurva Adhvaryu, Dy. Director (Tariff)

### **Officer of the Ombudsman:**

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

Shri M.N. Khalyani, Dy. Director (A & A) welcomed the Chairpersons and Members of all the Consumer Grievances Redressal Forums (CGRF). The meeting was presided over by Shri. Pravinbhai Patel, Chairman, GERC. Chairman welcomed all the members to the meeting and wished a Happy Diwali and prosperous new year. After introduction of new conveners, discussion took place on agenda items.

### **Item No.1: Confirmation of Minutes of the last Meeting:**

The Minutes of Seventeenth Meeting of Consumer Grievance Redressal Forums held on 15th May, 2014 were circulated to all the Forums vide the Commission's letter No. GERC/VHT/17th CGRF/Minutes/2014/1159 dated 28<sup>th</sup> May, 2014. Since, no comments were received by the Commission from any members, the Minutes of the meeting were confirmed.

### **Item No.2: Review of Performance**

In the review of performance of forums for the first and second quarter reports of FY 2014-15, Chairman appreciated that sufficient number of meetings were arranged for redressal of consumer grievances by each forum. The Commission observed that pendency of cases for more than 45 days were more at PGVCL (Bhavnagar) and PGVCL (Rajkot) Forums. The Chairperson PGVCL (Bhavnagar) Forum stated that due to delayed submission of information by the licensees and frequent absence of the petitioner at the time of hearing leads to delay in passing the judgments in some cases beyond 45 days. The Commission emphasized that the convener of the CGRFs are responsible for collecting the requisite documents from licensee well within time. The Commission stated after stipulations in CGRF regulations, where a respondent or complainant fails to furnish such information, the document on record and/or the Forum is satisfied that the party in possession of the record is withholding it deliberately, it may draw an appropriate inference.

On a query by Chairman regarding numbers of complaints received by Forums, Forum Members stated that numbers of complaints are increasing but still there is a need for more publicity and awareness about the functioning of Forums amongst the consumers through distribution of pamphlets and advertisement in news paper over and above details of CGRF being printed on electricity bills. Based on Suggestions from Members and discussion, Chairman directed that pamphlets showing brief detail regarding working of Forum printed in every calendar year and circulated amongst the consumers alongwith electricity bill of January month.

The Commission expressed desire to have an archive comprising of all the orders/rulings of all the Forums so that the Forums have access to earlier decisions on similar matters. It was suggested to study the pattern followed by the Ombudsman office in this regard. Chairman directed that Convener of Forums shall compile all the orders starting from the commencement of the Forum and submit a soft copy of the compilation to the Commission before next meeting of the Forum. ( Action : Convener, Forums )

Chairman also directed that the implementation of Forum orders reviewed every month by the Chairperson of Forum and status of Licensee's compliance on each order submitted to the Commission. ( Action : All Forums)

In order to reconcile the figures of numbers of complaints redressed and numbers of complaints redressed in favour of consumer and that in favour of licensee, it is decided to show a separate figure of complaints withdrawn by applicants, complaints not falling within the jurisdiction of the forum etc.. in separate column titles 'others'. ( Action : Convener and GERC)

### **Item No.3: Presentation on cases by Forums :**

Presentations were made by the members of UGVCL, PGVCL (Rajkot), PGVCL (Bhuj) and TPL (Surat) Forums on the judgment issued by forum on typical cases.

Gist of the presentation is as under:

#### **UGVCL Forum :**

The applicant connection bearing Consumer No. 24501/26370/9 with 50 KW Contracted load was

released without sealing and without taking load test on 05.12.2012. Installation was checked on 24.09.2013 by Junior Engineer of Modasa Town by taking pulse test. The meter of L&T make having meter constant of 125 pulse/unit. Meter was declared 84.53% slow on pulse test and accordingly supplementary bill of 202692 units amounting Rs. 14,18,844/- was issued on 26.09.2013. According to the installation checking sheet, CT coil insulation was damaged, Meter data was collected through MRI and it was found that the "Y" phase CT reverse. On 30.09.13 the CT coils were inspected at Modasa meter testing laboratory and it was concluded slowness for stating that two CT coils were not working due to breakage of wire without considering MRI data. For L&T make meter, even if CT is reversed the consumption is being recorded correctly. The Forum ordered to cancel slowness bill on 17.12.2013. Sub-Division filed a Review Application stating that CT coils turns were stretched and insulation was damaged as stated in the report of meter testing laboratory. Respondent also carried out testing of the CT coils at High Tech meter testing laboratory. The continuity and polarity of all the CT coils found in order and in working condition with some deviation in accuracy of 5.13% checked in the presence of consumer. The consumer agreed with 5.13 % of error of CT Coil and paid revised bill of Rs.14042/- .

**PGVCL(Rajkot) Forum :**

Shri Premjibhai Bhavanbhai Nakum applied for new agriculture connection of 7.5 HP at L.S. No. 200/Paiki of Dharampur Village under normal scheme on 06.05.2013. PGVCL had rejected the application due to non-availability of technical feasibility stating that the agriculture land of the applicant is surrounded by residential societies and there are number of LT line crossings required if new HT/LT line from agriculture dominant feeder is erected to entertain the applicant. As per prevailing rules of PGVCL, the power for agriculture usage is restricted from the Urban Feeder. Accordingly, PGVCL informed the applicant to change the demand at his other agriculture land. Applicant approached Forum on 18.04.2014 against the stand of licensee refusing agriculture connection with a prayer to provide agriculture connection at the place of his demand because of that land in use is only source of income. Forum heard parties on 23.05.2014 and ordered on 10.06.2014 directing PGVCL to provide new agriculture connection at the requested place by creating appropriate infrastructure from agriculture power line as it is the duty of the licensee to create appropriate infrastructure for providing electric connection. As per the Forum order, PGVCL resurveyed the request of the applicant and erected 0.417 KM of HT line and 10 KVA Transformer centre for releasing the agriculture connection.

### **PGVCL(Bhuj) Forum :**

The applicant Radhesham R. Timber Pvt. Ltd. had applied for load enhancement from 275 KVA to 475 KVA on 16.09.2010 and paid the estimate on 14.02.2011. PGVCL issued release order on 12.10.2011, i.e. after 240 days from date of agreement and the additional load as per the demand of the applicant was released on dated 10.11.2011 i.e. after 9 month from the payment of the estimate. The consumer approached to the Forum for penalty imposed by the licensee on maximum demand recorded beyond his contracted demand of 275 KVA for the period of April 2011 to October 2011. Complainant represented that, he had already completed all the formalities of load enhancement on 15.02.2014 but PGVCL delayed to release the additional load within the time limit specified in the SoP Regulations. Therefore, penalty imposed for excess demand is illegal and should be refunded. PGVCL informed to the Forum that due to shortage of DOG Conductor and other key materials, there was delay in release of additional load. The forum analysed the load history of the feeder and found that feeder was not overloaded at any period due to usage of additional load by the consumer. Therefore, Forum ordered PGVCL to refund penalty charges recovered against excess demand for the period of April 2011 to Oct. 2011. PGVCL, approached the forum to review the order on 12.02.2014 based on the provision of clause No. 2(a) of the agreement that date of commencement to take supply shall be the date of expiry of two months notice period on completion of work and as per clause No 2.30 (iii) of GERC( Consumer Grievance Redressal Forum and Ombudsman) Regulations 2011, grievance should be registered within two years for the cause of action. The Forum rejected the review application of PGVCL stating that complainant frequently represented the case before PGVCL so the cause of action continues and PGVCL has not completed work in 45 days time limit as per the SoP regulations. As per Forum order, PGVCL has credited Rs 73,588/- in consumer account. While there was an isolated incident and CGRF issued the order in consumer's favour, the commission felt that the unauthorized use of power by consumers should not be condoned by the CGRF.

### **TPL (Surat) Forum :**

The Complainant Shri Prafulchandra Shivshakar Pandya informed to respondent for shifting of meter installation with busbar chamber fixed on consumer premises by 5 meter at the cost of respondent's company. Respondent replied that applicant has to bear charges of shifting as per section 5.9.4 of Notification No. 11 of 2005, "Electricity Supply Code & Related Matters

Regulations” notified by Hon’ble Commission. Complainant did not follow the procedure and shifted the meters and BBC illegally without informing to the respondent. The respondent disconnected power supply of all the service connections fed from illegally shifted busbar chamber as safety precaution and filed a police complaint against complainant u/s 139 of Electricity Act 2003. The Complainant approached to the Forum for reconnection of power supply. Forum observed that the complainant does not want to make payment of shifting charges as per regulations and has violated the provision of the Electricity Act, 2003 and regulations. Therefore the Forum ordered that respondent’s action of disconnection of power supply is in line with the provision of section 5.9.4 of the Supply Code and rejected the request of the complainant. The complainant approached Ombudsman. The Ombudsman ordered that electric supply of consumer should be reconnected after verification of documents, confirmation of electrical safety, completion of procedure of shifting of BBC & payment of necessary charges.

**Ombudsman:**

In reference to provision of clause no. 3.42, 3.43, 3.44 and 3.45 in the GERC (CGRF and Ombudsman Regulations ) 2011, the Ombudsman stated that 684 orders have been passed since January 2010 to September 2014. There were 350 cases adjudicated in favour of licensee and 237 in favour of applicants. Licensee approached before Hon’ble High court in 30 cases and decision of the Ombudsman in remaining 207 cases were to be implemented by licensees and report the Ombudsman about implementation within 30 days of issue of an order. But, so far, licensees have reported about 58 cases only within stipulated time limit. The Commission informed that this issue will be discussed with Managing Directors of licensee in next meeting of State Coordination Forum. (Action : GERC)

A copy of presentation is attached herewith.

Chairman appreciated the presentations made by representative of forums. Thereafter the meeting ended with a vote of thanks to the Chair. MGVCL, DGVCL, PGVCL (Bhavnagar) and TPL(Ahmedabad) Forum shall make presentation on a typical case during the next meeting.

  
Secretary

### **TYPICAL CASE**

**CASE NO:-** CGRF Case No-16/Q-01/14-15

**NATURE OF GRIEVANCE :-** New Ag. Connection

**REPRESENTATIVE :-** Shri Premjibhai Bhavanbhai Nakum

**Village:-** :- Resi : Harshadpur,  
Ag land : At Village Dharmpur  
Taluka : Jamkhambhaliya

V/S

**DISCOM :-** **PGVCL** : Town Sub Division'Khambhalia  
: JamKhambhalia Division  
: Jamnagar Circle

**CASE REGD. ON** : **18.04.2014**

### **Representative's Grievance:**

- ❖ The representative has registered his application on dtd.06.05.2013, for getting new Ag connection under normal scheme of 7.5HP at his own Ag land L.S. No.200/paiki-2 at Village-Dharampur, Taluka-Jamkhambhaliya.
- ❖ Because the Ag land in question was surrounded by various residential society as well as covering with Urban feeders. Also giving connection from nearby 11KV Dharampur Ag feeder many crossing may be arisen. Hence PGVCL has refused above his application due to non availability of technical physibility.

### **Representative's Grievance:**

- ❖ According to the representative, he is a very small farmer and possessed Ag land survey No.200/paiki-2 only. So the Ag connection at his owned land survey No.200/paiki-2 is utmost requires, as it is only source of income for survival of family of small categorized Ag farmer like his.
- ❖ Aggrieved with the PGVCL's action, the representative has approached before CGRF by registering his grievance on dtd.18.04.2014 with a request to consider his demand under justifying way.

### **PGVCL's Representation:**

- ❖ When the priority turns comes of new registered application for getting new Ag connection of representative, the PGVCL has visited the site of demand, and has observed that "the owned agriculture land of representative was found surrounded by vast residential area and only Urban feeders were nearby vicinity in all four directions." and 11KV Dharampur Ag feeder was far away from his demanded place.
- ❖ Moreover, there are numbers of LT power circuit of 11 KV Urban Feeder is found exist in this vast residential area. As per prevailing rules of PGVCL the power for new Ag connection is restricted from the Urban Feeder. And also, the nearest overhead line of exist 11 KV Dharampur Ag Dom Feeder, from this line the Ag connection is permissible, is found far away from the demanded place.

### **PGVCL's Representation:**

- ❖ Hence, to release the said new connection of representative, the PGVCL has to erect long distinctive new HT line from 11 KV Dharampur Ag Dom Feeder, which has to cross the numbers of exist LT circuits of exist 11 KV Urban Feeder, which is already scattered in this vast residential area.
- ❖ Causing the above reason and thus observing the non-availability of technical feasibility, the PGVCL has informed vide letter No.608 dtd.28.02.14 to representative to change the demand of the said new Ag connection at his owned other Ag land.

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### **FORUM's Conclusion**

- ❖ The case was heard on 23.05.2014 and all oral and written representation and reports from the bilateral part were taken into deep study by Forum Committee.
- ❖ Due to non-availability of appropriate infrastructure of 11 KV Ag Power line at the demanded place of representative, the PGVCL has not considered the demand of the representative.

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### **FORUM's Conclusion**

- ❖ The Forum Committee has concluded the case in the line of prevailing directives of Hon'ble GERC, i.e. the DISCOM has to release the connection which is asked under any category, by creating appropriate infrastructure at any proper demanded place / Land owned by consumer.
- ❖ Accordingly to this, it is right of representative to get the new Ag connection. So, in this case, PGVCL has to consider the representative's registered application and to release the Ag connection by creating appropriate infrastructure from 11 KV Ag. Power line.

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### **FORUM's Decision:**

- ❖ The Forum has considered the representative's / small farmer's reasonable demand positively, and passed the order on dtd.10.06.2014 to the PGVCL, to process the case for releasing the Ag connection as per the demand of representative, i.e. by creating new appropriate infrastructure following all prescribed procedure of DISCOM.

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**Consumer's Grievance Redressal  
Forum – Rajkot**

- The case was registered on dtd.18.04.14.
- Heard by Forum Committee on dtd.23.05.14.
- Decision issued on dtd.10.06.2014.
- The Forum order is not challenged before OMBUDSMAN.
- But the PGVCL has implemented the FORUM order by adopting all relevant formalities of releasing new Ag connection of the applicant.

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**Consumer's Grievance Redressal  
Forum – Rajkot**

**DISCOM's Action Taken Report**

- The PGVCL has resurveyed the demanded site and granted technical sanction under D/1 category. The FQ of Rs.6353/- was issued and it is paid by representative on 22.09.14. The representative has executed the agreement, but the test report is yet not submitted in the PGVCL's office.
- The sanctioned work of 11 KV line erection of 0.417 Km and erection of 10 KVA T/c is already carried out. Now the connection will be released after receipt of test report from the representative.

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**CGRF Bhuj Team**

Chairman :- Shri A.M.Dhebar  
Since 26.12.2012  
Independent :- Shri B.J.Dave  
Member Since 01.04.2013  
Member (Tech):- Shri B.R.Sorthiya  
Since 09.10.2013  
Convener :- Shri B.K. Maheshwari  
Since 21.12.2013

**Complainer Detail**

- Applicant Name: Radhesham R.Timber Pvt.Ltd
- Nature of complain:- Penalty on excess demand after payment of estimate for load Extension
- Village : Chudva, Taluka- Gandhidham
- Consumer Category : HT Demand 475 KVA (275KVA+200KVA L.E)
- Division : Gandhidham
- Sub Division Office: Adipur
- Complain in CGRF Dt. : 23.09.13
- CGRF Registration No. PG 02-059-2013-14
- CGRF Hearing : Dt. 12.11.13 & 07.12.13
- CGRF Order Issued : Dt. 21.12.13

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● **Brief History of the case:**

- *Shri Radhesham Raviprakash Timbers Pvt. Ltd., Gandhidham Registered application for load extention from 275 KVA to 475 KVA on dtd 16.09.2010.*
- *Estimate issue by PGVCL on dtd 28.01.2011*
- *Estimated paid on 14.02.2011*
- *Agreement Executed by consumer on dtd 15.02.2011*
- *Released order issue by PGVCL On dtd 12.10.2011 after 240 Days from date of Agreement*
- *Physically load released on dtd 10.11.2011 after 9 month from the payment of Estimate*

Statement showing the recovery of Penalty on Excess Demand Charge from April 11 To Oct 11

Month	Actual MD Registered in KVA	85 % of 475 KVA	Billing with penalty charged (KVA)	Demand charges 475 KVA Billing 85 404 (KVA)	Amt. of Penalty on Excess Demand Charges	Refund amount of Penalty
Apr-11	365	404	90	40400/-	60800/-	20400/-
May-11	290	404	15	40400/-	33050/-	-7350
June -11	340	404	65	40400/-	51550/-	11150/-
July -11	361	404	86	40400/-	59320/-	18920/-
Aug-11	326	404	51	40400/-	46370/-	5970/-
Sept-11	323	404	48	40400/-	45260/-	4860/-
Oct-11	337	404	62	40400/-	50440/-	10040/-
						63990
				ED	15%	9598
						73588/-

- *Consumer made representation in CGRF Bhuj in above case with following fact. On dtd 07.12.13*
- *Penalty rate applied on excess maximum demand even though all the formalities was completed. After estimate payment, the addition demand regularize after 8 months. So as per below statement wrong penalty on demand charge by PGVCL*
- *As per SOP load should be regularized within 45 Days after payment of estimate in HT category. Hence demand charge require to recover as per New demand 475 KVA load (85 %) from April 2011 to Oct-11 as normal tariff rate instead of penalty rate already recovered for above period. Difference amount of penalty rate and normal rate require to be refunded. The detail statement of eligible refund amount as under.*

**REPRESENTATION OF PGVCL**

- *To released Addl. Load of 200 KVA network require to be strengthen by dog conductor.*
- *Due to shortage material like dog conductor delay occurred for released load extension of said consumer*
- *As per receipt of material, said consumer work executed & completed. On basis completion report released order issue on Dtd. 12.10.2011*
- *On receipt of test report from consumer, load extension was physically released on Dtd. 10.11.2011. Therefore Penalty of excess demand charge recovered from the consumer was charges for actual using addl. Load by consumer prior to release addl. Load on 10.11.2011. So the excess demand charges recovered for above said period were in order and as per company rule.*

### OBSERVATION OF FORUM

- By hearing the representation made from both parties, CGRF Bhuj issued judgment by considering following facts
- PGVCL has physically released the additional Load on Dtd. 10.11.2011, after passage of 9 months period from the payment of Estimate Dtd. 14.02.2011 and execution of Agreement on 15.02.2011. But as per GERC Notification No 10/2005 column No 9.3, Sr. No 2 and as per provision of Nagrik Adhikar Patrak the add. load should be released on or before dtd. 31.03.2011. i.e. within 45 Days from the payment of Estimate & execution of Agreement in HT category. But company fail to physical released add. Load within said period, due to shortage of Dog conductor & other key material. Over and above penalty charge imposed by PGVCL to consumer on excess demand registered during the period of April 11 to Oct-11 which are illegal one.

### Forum Order

PGVCL revised the HT bill of each month w.e.f. from April 2011 to Oct-2011 as per new contract demand 475 KVA w.e.f. April 2011 instead of considering contract demand 275 KVA. Accordingly penalty charges recovered on excess demand should be refunded to consumer for above said period.

### After order of Forum

Due to financial implementation in said case PGVCL prefer review application as per guidelines of corporate office Rajkot. Accordingly review application file by PGVCL before CGRF on dt. 12/02/2014 on following ground.

(1) As per provision of clause No. 2(a) of the agreement executed by consumer on dt. 15.02.2011 date of commencement to take supply shall be the date of expiry of two months notice period. Also TR submitted on 28.10.2011 release order issued on 12.10.2011 which mean PGVCL is in a position to supply electricity on completion of work.

(2) As per clause No 2.30 (iii) grievance shall be registered within two years for the cause of action. However in this case bills are from the period April 11 onwards and grievance is registered on 24.09.13 after lapse of two years, Hence bills of April 2011 to Sept 2011 are more than two years period.

### REPRESENTATION OF PGVCL

- PGVCL represented that as test report accepted after issue of release order and release order issue only after work completed and due to material shortage said work completed after 8 months from payment of Estimate.
- As per clause No 2.30 (iii) grievance shall be registered within two years for the cause of action. However in this case bills are from the period April 11 onwards and grievance is registered on 24.09.13 after lapse of two years,

#### REPRESENTATION OF CONSUMER

- Consumer again made representation that he commence the utilization of additional load of 200 KVA as per demand of Load extension application with effect from April -2011 on completion of 45 days period from the date of payment of estimate of load extension on dtd. 14.02.2011 and execution of agreement on dtd. 15.02.2011. Till PGVCL physical release load extension 200 KVA on dtd. 10.11.2011 . Over and above he made representation for above said matter of penalty imposed by PGVCL in his regular HT Bill for the period April-2011 to Oct-2011 are illegal.

- Further he made representation regarding to limitation that there side work in respect of load extension was completed within 45 days from the date of payment of estimate and execution of agreement . The test report of load extension was also not accepted by local office as release order not issued. Moreover regarding above grievance representation made before various higher authorities including local authorities of PGVCL on dtd 17.05.2011, 07.09.2011, 26.02.2011, 23.07.12, 12.10.2012 , 12.03.2013 , 01.04.2013, 04.06.2013 & last 7.06.13 . But no any action taken by PGVCL authorities regarding my grievance of illegal penalty imposed in HT Bill, therefore he had to registered his complain before CGRF Bhuj. Hence cause of action for his representation to be treated as continues one.

#### Forum Order

- By hearing the representation made from both parties, CGRF Bhuj issued judgment by considering following facts in review application
- As the consumer made representation frequently at Local & higher authority of PGVCL. So cause of action continues and complain registered on 24.09.13 are in time and in order Which are prove from record further PGVCL not completed work within 45 days specified time limit and not any Technical or reasonable reason submitted and proved by PGVCL for said delay Hence forum rejected said review application of PGVCL and order issue by forum accordingly on dtd 21.03.14

#### Order of forum

- PGVCL again prefer further guideline from legal cell PGVCL corporate office on dtd 16.04.14
- Legal cell corporate office Rajkot directed that there is no merit for filing an appeal against the order passed in review application by forum.
- Finally Necessary credit given to above consumer account Amount Rs. 73588/- hence CGRF final order are implemented & consumer grievance is resolved .

**CASE STUDY**  
**Complaint No. 28 of 2013**

Complainant: Prafulchandra Shivshakar Pandya

V/S

Opponent: Torrent Power Limited, Surat

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**Gist of the Complaint**

The Complainant filed complaint before the Redressal Forum on 28.12.2013.

**GRIEVANCES :**

- The Opponent Company disconnected power supply of Service No. 500633673 without any information or issuing any notice.
- Complainant has to live without power supply and disturb his business due to disconnection of supply by company.
- Complainant prayed to Hon'ble Forum to reconnect the power supply of complainant and other shop holders.

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**Gist of the Complaint**

- Complainant is registered consumer of the Co.
- Complainant informed the opponent Company to shift 5 meters installed on the wall of his premises and also to shift the BBC from his premises at company's cost as the same has been installed without his permission
- Prayer  
Hon'ble forum to order the company to restore the power supply immediately

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**Stand of the Company**

- Opponent company informed by letter to the complainant to follow the procedure of shifting as per section 5.9.5 of Notification No. 11 of 2005, "Electricity Supply Code & Related Matters Regulations" notified by Hon'ble Commission.
- Complainant did not follow the procedure and shifted the meters and BBC illegally without informing the company
- Complainant had encroached upon the public land by illegal construction. The BBC of the company was installed along the side of the public road
- Meters were installed on the common wall of the apartment
- For safety precaution company disconnected power supply of complainant & other shop holders as the network was disturbed by the complainant illegally.

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### **Stand of the Company**

- Company filed police complaint against complainant u/s 139 of EA - 2003.
- Company reconnected the power supply of other shop holders on making payment of shifting charges.
- Complainant has not turned up for reconnection of supply. Complainant does not want to make payment of shifting charges as per regulations.
- Complainant has interfered with the works of the licensee jeopardizing the safety of public at large and therefore his electric supply was disconnected. Company has not violated provisions of rules and regulations.

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### **Findings of Forum**

- Complainant has not followed the procedure of shifting as informed by company & illegally shifted the meters and BBC.
- Police complaint filed by Company against complainant u/s. 139 of Electricity Act, 2003.
- Company informed the Complainant by writing letters to follow the procedure of shifting and pay charges of shifting.
- Complainant neither apply for shifting of BBC nor had made the payment.
- Complainant has violated the rules and regulations.

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### **Conclusion of Forum**

- Complainant failed to prove his case. Complainant violated the law and provisions of regulations.
- The Complainant argument for non restoration of power supply is not valid as the complainant has not complied the requirements informed by the company.
- Complainant has interfered with the works of the licensee jeopardizing the safety of public at large

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### **Final Order of Forum on 17.1.2014**

Having studied the entire case and heard the argument of complainant and the company, Forum observed that complainant violated the provision of the Electricity Act, 2003 and regulations. Therefore Forum rejected the complaint of complainant.

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**Ombudsman** - ( Complaint No. 23 of 2014 Order on 24.3.2014 )

**Findings :**

- Company has informed complainant not to interfere with licensee's works.
- Complainant admitted that he has shifted the meters and BBC.
- Company has filed criminal complaint against the complainant for interference with the works of Licensee.
- Company's action of disconnection of power supply is in line with the provision of Section 5.9.4 of Supply Code.

**Order :**

- Applicant electric supply should be reconnected after verification of documents, confirmation of electrical safety, completion of procedure of shifting of BBC & payment of necessary charges by the applicant in the company.
- Complaint has been disposed off accordingly.

**UGVCL CASE STUDY**

Case No.:- UG-03-006-2013-14

- **Applicant** : LOTUS NICU & PICU  
Village- Modasa,  
Dist. Sabarkantha
- **Respondent** : Deputy Engineer  
UGVCL, Modasa Town Sub-Dn
- **Date of Application** : 17/10/2013
- **Date of Hearing** : 30/10/2013 & 15/11/2013
- **Place of hearing** : Circle Office, Sabarmati
- **Date of order** : 17/12/2013



**Briefs of the case**

- Applicant's connection bearing Consumer No. 24501/26370/9 with 50 KW Contracted load was released without sealing and without taking load test on 05.12.2012
- Installation was checked on 24.09.2013 by Jr.Engr. Of Modasa Town by taking pulse test. The meter is of L&T make having meter constant as 125 pulse/unit.
- Meter declared 84.53% slow on pulse test, so Supplementary bill for 202692 units, amounting to Rs. 14,18,844/- has been issued on 26.09.2013.



- According to installation checking sheet, CT coil insulation was damaged, so CT coils replaced keeping same meter
- Meter data collected through MRI and found "Y" phase CT reverse.
- But Instantaneous value shows continuity of all CT's with meter
- On 30.09.13 CT coils were inspected at Modasa Lab. and concluded slowness stating two coils were not working due to breakage of wire without consideration of MRI data
- For L&T make meter, even if CT reverses the consumption is being recorded correctly.



- Dial test instead of pulse test if taken then issue of slowness does not arise
- As per DTC meter's energy accounting during the period from 01.12.12 to 01.10.13 the loss is of 82020 units(33.22%). The Suppl. bill of 202692 Units if considered than loss may be -120672 units (-48.88%)
- The FORUM has ordered to cancel slowness bill on 17.12.2013
- Sub-Division has filed Review Application as CT coils turns get stretched and insulation damaged as stated in Lab. report



- As turns ratio test, continuity test was not taken at the time of Lab. inspection, review application rejected
- Respondent has approached Corporate Office for acquiesce the judgement. Corporate office has directed to check CT coils at High Tech Lab. Sabarmati. The continuity and polarity of all CT coil found in order and in working condition with some deviation in accuracy say 5.13%, in the presence of consumer
- As consumer agreed with 5.13 % of error, revised bill of Rs.14042/- served and same was paid on 31.05.2013

**GERC (GRRF and Ombudsman) Regulations, 2011.  
Notification No. 02 of 2011.**

- 3.42. The Licensee shall duly comply with and implement the decision of the Ombudsman within 30 days of issue of order.
- 3.43. Non-compliance of Ombudsman orders shall be in violation of these regulations and shall be liable for appropriate action by the Commission under Section 142 and 146 read with Section 149 of the Act.
- 3.44. The order of Ombudsman shall be final and binding on parties.
- 3.45. The Ombudsman may review its order either on its motion, at any time or on the application of any of PARTIES to the original proceedings within 30 days of the order on following grounds:
  - (1) Discovery of new and important matters or evidence. OR
  - (2) Mistake or error apparent on the face of record. OR
  - (3) Any other sufficient reason.

**OFFICE OF THE ELECTRICITY OMBUDSMAN  
Block No.3, Polytechnic Compound, Ambawadi, Ahmedabad**

Sr. No.	Name of Forum	No. of representations			Representations disposed of				Representations pending as on 30.09.14	Orders challenged by Licensee before Hon'ble High Court	Status of order implementation	
		Pending as on 01.10.10	Received during Jan. 2010 to Sept. 2014	Total	In favour of Appellant	In favour of Licensee	Others	Total			To be reported for	Reported within stipulated time.
1.	PGVCL, Bhavnagar	12	172	184	66	99	16	181	3	9	57	12
2.	PGVCL, Rajkot	02	112	114	32	42	37	111	3	5	27	10
3.	PGVCL, Bhuj	01	025	026	14	07	05	026	0	1	13	04
4.	MGVCL	06	053	059	19	38	02	059	0	0	19	10
5.	DGVCL	04	106	110	50	54	06	110	0	6	44	08
6.	UGVCL	01	126	127	44	68	15	127	0	8	36	10
7.	TPL A'bad	01	050	051	06	29	13	048	3	1	05	02
8.	TPL, Surat	02	021	023	06	13	03	022	1	0	06	02
<b>TOTAL</b>		<b>29</b>	<b>665</b>	<b>694</b>	<b>237</b>	<b>350</b>	<b>97</b>	<b>684</b>	<b>10</b>	<b>30</b>	<b>207</b>	<b>58</b>

Electricity Ombudsman