

Venue: Conference room, GERC, GIFT ONE, GIFT City, Gandhinagar

Date : 18th September, 2019

Time : 11:30 AM

The meeting started with greetings to the members of all the Consumer Grievances Redressal Forums (CGRFs) and the Electricity Ombudsman by Hon'ble Chairman, GERC. It was observed that a few new members of CGRFs were attending the meeting for the first time and on the request of Hon'ble Chairman, GERC, meeting started with introduction of the members.

Thereafter discussion took place on agenda items.

Item No. 1: Approval of Minutes

Minutes of 23rd Meeting for review of performance of Consumer Grievances Redressal Forums and Ombudsman held on 7th June, 2018 circulated to the members of CGRFs and Ombudsman vide letter dated 19.07.2018 were confirmed as no comments were received from any of the members.

Item No. 2: Action Taken on Minutes of 23rd Meeting

In reference to above item Action Taken Report was noted.

Item No. 3: Attendance of Members of the Forum

It was observed by the Commission that, Technical Members have attended less number of meetings of the Forums, especially in case of CGRF Rajkot – PGVCL, CGRF Bhuj – PGVCL and CGRF Bhavnagar – PGVCL. Technical Member of CGRF Rajkot – PGVCL informed that Technical Members of CGRFs are also handling other work portfolios, hence could not attend some of the meetings. Chairperson of CGRF Rajkot - PGVCL suggested to provide prior intimation by the Technical Member about not attending the CGRF meeting. The Commission pointed out that the role of Technical Member is not just limited to attending the hearings but also to be a part of other proceedings of CGRFs and the participation of Technical Member is utmost necessary for representation of Distribution Licensee.

Discussions on different remuneration being provided to Chairperson and Independent Member of CGRFs in four State Owned Discoms and TPL were held. It was pointed out that there is no uniformity amongst Distribution Licensees in remuneration being paid to the Chairperson and Members. It was informed that it will be taken into consideration and suitably addressed in the GERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2019.

Chairperson of CGRF MGVCL informed that due to less number of complaints being received, less number of hearings were held. It was suggested that CGRF can visit different places to make consumers aware about functioning of CGRFs.

It was informed by the Chairperson of CGRF Rajkot – PGVCL and CGRF UGVCL that in districts and far off places, basic infrastructure is lacking. It was suggested to have meeting at Government Circuit House in such places in co-ordination with the Distribution Licensees, if possible.

It was also pointed that the Conveners of CGRFs are often not made available to CGRFs as they remain engaged with other works allotted to them over above the work of CGRFs. The Commission emphasized on the fact that a provision already exists in the GERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2011 mandating Distribution Licensees to provide full time Convener to the Forum. This issue will be taken up with Distribution Licensees.

The Commission informed that the Commission is in process of finalizing the GERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2019 and that these will be issued shortly.

Item No. 4: Delay in implementation of orders of CGRFs and the Ombudsman

With regard to complaints received by the Commission about delay in implementation of orders of CGRFs and the Ombudsman in some of the cases, it was informed that the Distribution Licensees will be directed to act as per Regulations.

Item No. 5: Non appointment of Members of CGRFs in timely manner and non-providing information about appointment of Members of CGRFs in timely manner to the Commission

It has come to the notice of the Commission that there have been delays in appointment of Chairperson of CGRFs by Distribution Licensees and also delays in informing the Commission about new appointments of Chairperson and Technical

Members of Forums. It is informed that communications have been made in this regard, whenever necessary, by the Commission with the concerned Forums/ Distribution Licensees and necessary directives have been provided to the concerned Forums/ Distribution Licensees to adhere to the provisions of the GERC (Consumer Grievances Redressal Forum and Ombudsman) Regulations, 2011.

Item No. 6: Information about placing the hearing dates and orders of CGRFs on websites of Distribution Licensees

The Members of the Forums were informed that there were complaints and suggestions by some consumers, and it was also observed by the Commission that CGRFs are not providing timely information about hearing dates and orders of CGRFs. It was taken up with CGRFs and Distribution Licensees during last year and now hearing dates and orders are being regularly placed on the respective Distribution Licensees' websites.

Item No. 7: Provision of full-time staff to CGRFs

This issue is discussed at Item No. 3

Item No. 8: Status of implementation of orders of the Ombudsman by Distribution Licensees

Observation was made by the Commission about not providing the status of implementation of orders of the Ombudsman by the Distribution Licensees in half-yearly and yearly reports being submitted by the Ombudsman. Necessary communication has been made with the Ombudsman in this regard.

Item No. 9: Review of performance

The Commission has noted the performance of CGRFs and Ombudsman during Q3 and Q4 of FY 2018-19 and for the FY 2018-19. The Commission specifically advised to have more number of meetings, specifically in PGVCL and TPL Ahmedabad. It was also advised that Technical Members and Conveners to remain present in the meetings or the meetings to be held in consultation with Chairperson of CGRFs when all Members can attend the meetings.

Item No. 10: Presentations on sample cases by CGRFs

It was decided during 23rd Meeting that CGRFs of PGVCL – Bhuj, PGVCL – Rajkot, UGVCL, TPL – Surat and Ombudsman will make a presentation on a typical case during this meeting and accordingly presentations were made by the respective CGRFs.

Continuing the practice, it was decided that DGVCL Forum, MGVCL Forum, PGVCL – Bhavnagar Forum, TPL-Ahmedabad Forum and the Electricity Ombudsman shall make presentation on a typical case during the next meeting.

Hon'ble Chairman thanked the members of the Forums for their participation in the meeting.

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

Sd/-
(Milind Torawane, IAS)
I/c Secretary
Gujarat Electricity Regulatory Commission
Gandhinagar

List of Participants

The Commission and the staff

1. Shri Anand Kumar, Chairman, GERC, Gandhinagar
2. Shri K. M. Shringarpure, Member, GERC, Gandhinagar.
3. Shri P. J. Thakkar, Member, GERC, Gandhinagar.
4. Shri D. R. Parmar, Director
5. Shri M. R. Jhala, Joint Director
6. Shri S. T. Anada, Joint Director
7. Shri P. J. Jani, Deputy Director
8. Shri K. J. Bhuva, Deputy Director
9. Shri Apurva Adhvaryu, Deputy Director
10. Shri Hemang Joshi, Accounts Officer
11. Shri Jignesh Makwana, IT Manager
12. Shri Santoshkumar Asipu, Assistant Director
13. Shri Ketan Thanki, Executive

Chairpersons / Members / Representatives of Consumer Forums and the Ombudsman :

1. Shri Dilip Raval, Electricity Ombudsman, Ahmedabad
2. Shri J. B. Parekh, Chairperson, PGVCL (Rajkot) Forum and I/c Chairperson, PGVCL (Bhuj) Forum
3. Shri M. R. Vajaria, Chairperson, PGVCL (Bhavnagar) Forum
4. Ms. Mala Shah, Chairperson, MGVCL Forum
5. Shri J. A. Parekh, Chairperson, DGVCL Forum
6. Shri D. C. Parmar, Chairman, UGVCL Forum
7. Shri P. P. Shah, Chairman, TPL (Surat) Forum
8. Ms. Kokilaben J Motani, Independent Member, PGVCL (Rajkot) Forum.
9. Ms. Nitinaben H Joshi, Independent Member, PGVCL (Bhuj) Forum.
10. Shri B. J. Dave, Independent Member, PGVCL (Bhavnagar) Forum.
11. Shri A. G. Shaikh, Independent Member, MGVCL Forum.
12. Shri N. B. Mistri, Independent Member, DGVCL Forum.
13. Shri P. A. Dabhi, Independent Member, UGVCL Forum.
14. Shri D. D. Barad, Independent Member, TPL (Ahmedabad) Forum
15. Shri V. K. Saradava, Independent Member, TPL (Surat) Forum
16. Shri B. J. Shah, Staff Officer, Electricity Ombudsman
17. Shri N. D. Dhamelia, Technical Member, PGVCL (Rajkot) Forum

18. Shri A. S. Mandalia, Technical Member, PGVCL (Bhuj) Forum
19. Shri P. N. Ajakiya, Technical Member, PGVCL (Bhavnagar) Forum.
20. Shri M. T. Sangada, Technical Member, MGVCL Forum.
21. Shri H. R. Shah, Technical Member, DGVCL forum.
22. Shri L. F. Dabhi, Technical Member, UGVCL Forum.
23. Shri Zahir Wykes, Representative, TPL (Ahmedabad)
24. Shri Vipul Kadakia, Technical Member, TPL (Ahmedabad) Forum.
25. Shri D. R. Panirwala, Technical Member, TPL (Surat) Forum
26. Shri C. J. Gajera, Convener, PGVCL (Rajkot) Forum.
27. Smt. S. N. Vahonia, Convener, PGVCL (Bhuj) Forum
28. Shri U. M. Solanki, I/c Convener, PGVCL (Bhavnagar) Forum.
29. Shri S. N. Parikh, Convener, MGVCL Forum.
30. Shri P. M. Patel, Convener, DGVCL Forum.
31. Shri Jigar Shah, Convener, UGVCL Forum.
32. Shri Nikhil Shah, Convener, TPL (Ahmedabad) Forum.
33. Ms. Beena Tumdi, Convener, TPL (Surat) Forum.
34. Shri M. U. Dave, Junior Assistant, Electricity Ombudsman

C G R F - B H U J
P G V C L

GERC review 24th Meeting at Gandhinagar on Dtd.
18.09.2019

CGRF Bhuj Team

Chairperson	:-	Shri J.B.Parekh Since 01.01.2018
Independent Member	:-	Smt N.H.Joshi Since 01.04.2016
Member (Tech)	:-	Shri A S Mandalia Since 28.03.2018
Convener	:-	Smt S.N.Vahoniya Since 07.06.2018

CGRF-Bhuj

Jurisdiction/covered offices

- Previously up to 31.03.16 one circle was falling under CGRF Bhuj. Since Dt.01.04.16 two circles are functioning, One Bhuj Circle and other Newly created Anjar circle. The administrative jurisdiction is as under.
- (1) Bhuj Circle : 3 Divisions 18 Sub divisions
- (2) Anjar Circle : 3 Divisions and 10 Sub divisions

Name of Circle	Division Office	Total Subdivision Offices	Total No. of Villages	Total No. of Consumers	Total Avg. Monthly Revenue in Rs. Lacs
Anjar	Anjar Division	3	60	68855	4978.97
Anjar	Gandhidham Division	3	15	92874	4943.34
Anjar	Bhachau Division	4	164	90578	3130.22
Anjar Circle		10	239	252307	13052.53
Bhuj	Bhuj Division	7	153	136151	3909.23
Bhuj	Mandvi Division	6	178	126022	2537.13
Bhuj	Nakhtrana Division	5	326	83509	1436.21
Bhuj Circle		18	657	345682	7882.57

Complainer Detail

- Applicant Name: Reliance Communication Limited
- Nature of complaint:- Supplementary bill for pending units
- Village : Mathak Tal. Anjar
- Consumer Category : NRGP
- Division : Gandhidham
- Sub Division Office: Adipur
- Complain in CGRF Dt. : 16.10.2018
- CGRF Registration No. PG 03/04/2018-19
- CGRF Hearing : Dt. 02.11.2018
- CGRF Order Issued : Dt. 27.11.2018

- **Brief History of the case:**

- Reliance communication limited, village : Mathak having consumer no 38413/00417/9 under Adipur sub division. In aforesaid case, consumer bill for actual reading of consumption was given up to the month July 2016 but due to meter display “off” since month August 2016 to month December 2017, average bill of 1570 units per month was issued to above consumer and meter replaced on dtd 16.11.2017 & lab tested on dtd 31.01.2018. In lab testing final reading found 240869. Hence the supplementary bill of pending units (between ledger and lab report ie. $240869 - 32368 = 208501 - 22690$ (Average unit of faulty meter) $= 185811$ units supplementary bill Amount Rs.14,77,873.61 was issued on dtd 18.06.18

Consumer Representation

- We have received PGVCL Bill total payable amount 14,77,873.61 on dtd 22.06.2018
- As per equipment load installed at Tower premises, raised bill of Rs. 14,77,873.61 is purely unjustified.
- Also since date of connection from year 2010 to 2018 Rs. 4,32,877.00 all ready paid as per consumption which is already in PGVCL record.
- We wish further assurance from CGRF for not releasing any disconnection order to your PGVCL team to above mention consumer till sorted out the disputed matter.

REPRESENTATION OF PGVCL

- Aforesaid consumer was provided with regular energy bill up to June 2016 accordingly to their energy consumption. Due to invisible display ,considering faulty meter average bill of 570 units per month was issued for the period August 2016 to Nov 2016 & average 1570 unit was issued from December 2016 to December -2017.This faulty meter was replaced in the month of Nov 2017. During the lab inspection in laboratory , meter was showing reading 240869.
- Bill of December-2017 was issued up to reading 32368. While inspecting the meter in the laboratory, last reading of meter was found to be 240869. Accordingly bill prepared for difference unit ($240869 - 32368 = 208501$) out of 208501 pending units, total average units of the period August 2016 to December -2017 ie 22690 were deducted ie. And 185811 units supposed to be recovered.

- This way total Amount of Rs.14,77,873.61 for total 185811 units were debited in the month of July 2018 This supplementary bill was issued to above consumer dtd 18.06.2018
- According to laboratory report, consumer is supposed to pay invisible units which was not displayed at the time of meter reading As per PGVCL representation supplementary bill worth Rs. 14,77,873.61 is found in order.

OBSERVATION OF FORUM

- We have considered the contentions of the appellant & respondent, also facts, statistics & relevant papers which are on record and considering them in details, our findings are as under:
- There exists 15 KW-NRGP connection in the name of Reliance Telecom Inf. Limited. Near Airtel Tower at village, Mathak bearing Consumer No. 38413/00417/9 belonging to PGVCL Adipur Sub-division under Gandhidham Division Office-Anjar Circle Office.
- Originally, this connection was released in the year-2008. As per record date of connection found to be 14.04.2008.
- Initial reading was 000006 at the time of release of connection.
- From release of connection ie. 14.04.2008, having initial reading 000006, meter was showing accurate reading up to November-2009 ie Reading 26191 observed in the mnth November-2009 billed in December-2009.
- From available record, it seems that display became invisible from December-2009.
- Thereafter, majority all bills have been issued having same reading 26191 KWH ie zero units consumption from December-2009 to December-2015.

- Neither PGVCL nor Reliance Communications Limited have taken care to find out reasons for zero units consumption continuously for 06 (Six) years. Also PGVCL has not replaced the meter for years together.
- From January-2016: PGVCL have issued bills for abrupt reading showing abrupt consumption.
- When display was invisible from December-2009 Zero units consumption bills from December-2009 to December-2015 as well as abrupt units bills have been issued from January-2016 to December-2017 having abrupt consumption.
- Thereafter meter was replaced in the month November-2017 ie 16.11.2017 & meter change entry was taken in the energy bill of January-2018 billed in February-2018.
- This way old meter was invisible from December-2009 to November-2017 until replacement of meter on Dtd. 16.11.2017.

- It is quite evident from MRI record & record of meter reading taken by meter readers from November-2016 to November-2017. The chart submitted by PGVCL is narrated as under.

MRI		METER READER		
Date	Reading	Date	Reading	Actuals
10.11.2016	221512	17.10.2016	30168	F
26.12.2016	223667	22.11.2016	30168	F
12.01.2017	225635	13.12.2016	30168	F
20.02.2017	227044	15.01.2017	30357	F
04.03.2017	228646	16.02.2017	30357	F
22.04.2017	230231	21.03.2017	30357	F
30.05.2017	231885	16.04.2017	31174	F
09.06.2017	233471	23.05.2017	31633	F
15.07.2017	235112	18.06.2017	32368	F
26.08.2017	236735	21.07.2017	32368	F
18.09.2017	238357	24.08.2017	32368	F
16.10.2017	240008	20.09.2017	32368	F
07.11.2017	240869	23.10.2017	32368	F

- From above mentioned available data of MRI, it is very clear & evident that PGVCL meter readers have issued complete bills abruptly although display was not visible for so many years. It is also surprising that Reliance Telecom Inf Ltd is also failed to communicate with PGVCL for non-visible display & zero units consumption for years together. Also PGVCL has not replaced the meter for years together.
- Considering available MRI repots, facts, Statistic, correlated evidence, relevant papers which are on record & considering them in details, it seems that complete meter reading except smaller period from release of connection in the year 2008, entire meter reading is abrupt & bills have been issued without true meter reading. Majority bills have been issued showing quite incorrect meter reading.
- The competent authority of PGVCL is directed to investigate all these abnormalities from root level, also directed to initiate disciplinary actions against defaulter employees/officers.

Forum Order

- PGVCL is directed to prepare revised supplementary bill considering initial Reading as “000006” in the month April-2008 & final reading as 240869 in the month November-2017 for old meter ie up to date of replacement 16.11.2017. The entire consumption may be equally bifurcated between April-2008 to November-2017 at appropriate tariff & Complete amount paid by Reliance Telecom Inf Ltd may be credited for these particular Period.
- PGVCL is directed to permit appellant to make payment of supplementary bill in two equal monthly installments without interest (Delay Payment charge) from issue of revised supplementary bill.

Implementation of Forum order

- After bifurcation of supplementary bill worth Rs. 14,77,873.61/- for the period April-2008 to November-2017, revised bill was issued for total Rs. 14,13,873/-
- As per Forum order Bill was bifurcated for Rs. 14,13,873/- for period April 2008 to November 2017 and Consumer has paid Full Amount in Only One Installment i.e Rs.14,13,873/- Vide Receipt No. 165806 Dtd . 05.02.19

Paschim Gujarat Vij Company Limited- Rajkot

Consumer Grievances Redressal Forum- PGVCL-Rajkot

**Performance Review Meeting of
Consumer Grievances Redressal Forums and
Ombudsman, Gujarat State**

Arranged by

Hon'ble Gujarat Electricity Regulatory Commission

Date: 18.09.2019

Place: Gandhinagar

Paschim Gujarat Vij Company Limited- Rajkot

Consumer Grievances Redressal Forum- Rajkot

Welcomes

Dignitaries of
Hon'ble
Gujarat Electricity Regulatory
Commission,

Ombudsman, Chairperson and Members of
Forums of the state.

Consumer Grievances Redressal Forum-PGVCL, Rajkot

PASCHIM GUJARAT VIJ CO. LTD.

**Registered & Corporate Office,
“Paschim Gujarat Vij Seva Sadan”
Laxminagar – Off Nana Mava Road
Rajkot-360 004.**

Phone (0281) 2380425, 2380427

Fax (0281) 2380428

Email: forum.pgvcl@gebmail.com

Consumer Grievances Redressal Forum- PGVCL-Rajkot

Forum

Sr.	Name	Designation
1	Mr. J. B. Parekh	Chairperson (Rtd.C.E. PGVCL)
2	Mr. N.D. Dhameliya	Member (Technical), Addl C.E. (R&C) PGVCL- Rajkot
3	Mrs. Kokila J. Motani	Member Independent (Advocate)
4	Mr. C.J. Gajera	I/c- Convener & Dy. Engineer (Planning), PGVCL, Rajkot

Jurisdiction of CGRF, PGVCL- Rajkot

Total Circles :06

Total Districts :07,

Covered Consumers:**2668204** (As on Mar-19)

Name of Circle & District		
Sr No	Circle	District
1	Rajkot City	Rajkot
2	Rajkot Rural	Junagadh
3	Junagadh	Gir Somnath
4	Jamnagar	Jamnagar
5	Porbandar	Porbandar
6	Morbi	Devbhumi Dwarka
7		Morbi

Consumer Grievances Redressal Forum- PGVCL,Rajkot

- ❖ Display Board At Premises Of Corporate, Circle & Divisional Offices.
- ❖ Information Overleaf Of Energy Bills.
- ❖ Details On DISCOM's Website.

CGRF, PGVCL- Rajkot

PERFORMANCE OF CGRF RAJKOT (Jul-2005 To Jun-2019)

YEAR	TOTAL REDRE SSAL	(IN FAVOUR OF)			TOTAL CGRF'S MEETINGS	APPEALED / OMBUDSMANS ORDERS			
		CONSUM ER	COMPAN Y	OTHERS		AGAINST CGRF	FAVOUR OF CGRF	OTHERS	TOTAL
2005-06	76	33	6	37	4	0	1	0	1
2006-07	198	109	26	63	4	0	2	0	2
2007-08	258	153	38	67	6	2	4	0	6
2008-09	236	145	20	71	7	0	6	0	6
2009-10	315	190	62	63	8	1	2	0	3
2010-11	308	172	74	62	16	1	6	1	8
2011-12	460	274	96	90	37	6	18	1	25
2012-13	375	267	69	39	48	6	22	0	28
2013-14	546	301	140	105	50	11	20	0	31
2014-15	448	231	107	110	59	10	10	3	23
2015-16	474	309	89	76	51	5	12	5	22
2016-17	348	217	54	77	45	2	18	1	21
2017-18	331	164	95	72	44	5	11	1	17
2018-19	291	134	117	40	43	15	12	3	30
2019-20 (up to Q1)	95	50	28	17	11	7	2	0	9
TOTAL	4759	2749	1021	989	433	71	146	15	232

CGRF, PGVCL- Rajkot

Attendance Of Committee Member

F.Y.	QTR	Total No's of Meeting	Chairperson	Member(T)	Member(Ind)
2018-19	Q1	11	11	4	11
2018-19	Q2	13	12	3	13
2018-19	Q3	12	12	2	12
2018-19	Q4	7	7	4	7
18-19	Total	43	42	13	43
2019-20 Up to Q-1	Q1	11	11	4	11

CGRF, PGVCL- Rajkot

Meeting Conducted at District Level- During FY-2018-19

Sr. No.	District Level Meeting	2018-19	2019-20 (up to Q1)
1	Devbhumi Dwarka	2	0
2	Gir Somnath	1	0
3	Jamnagar	8	3
4	Junagadh	9	2
5	Morbi	6	1
6	Porbandar	2	0
7	Rajkot	16	5
	Grand Total	44	11

Consumer Grievances Redressal Forum-PGVCL, Rajkot

Case Study

CGRF Complaint no. :- 53/Q-01/19-20

Nature of Grievance :- Supplementary bill for Difference of Fixed Charge & Elec. Duty

Applicant :- M/s. Vake-son Industries, Punitnagar Road, Kotharia, Rajkot.

Respondent : The EE, PGVCL, Division, Rajkot city-3.

Case Registered : On Dated : 18-06-2019

Case Heard : On Dated : 16-07-19

Forum Order : Date: 31-07-2019

In Favor of : Consumer

CGRF, PGVCL- Rajkot

Applicant's Representation (1/2)

- ❖ Originally, M/s. Vake-son industries conn. No.34513/01407/2 released on 26.06.2002 for 20HP contract demand. Thereafter 20+20+40HP (20HP Additional load) was released on 18.11.2002.
- ❖ The Applicant has applied for load extension i.e. $40+27=67$ HP (50KW) on 10.05.2004 and work completed on 20.09.2004 but respondent has not updated effect of load enhancement in electricity bill up to billing month May-2019.
- ❖ Respondent suddenly debited diff. of fixed charge for the period Sept 2004 to April-2019 i.e. diff. of fixed charges of 14-years of Rs.2,85,264.47 in bill of June-2019.

CGRF, PGVCL- Rajkot

Applicant's Representation (2/2)

Applicant has aggrieved for issuing the above supplementary bill with following arguments:

- Applicant has represented that said unit was sold on dtd.06.02.2019 with electric connection having No. 34513/01407/2 and Contract demand showing in bill is 29KW.
- New party has applied for name transfer of said electric connection having load of 29 KW. Respondent has checked old relevant documents and found that contract demand is 50KW. Accordingly respondent has debited differential fixed charge from Sept-2004 to May-2019 in billing month of Jun-2019.
- Applicant has represent to quash the bill.

CGRF, PGVCL- Rajkot

Respondent 's Reply (1/2)

- Applicant's connection having name M/s. Vake-Son Industries, conn. No. 34513/04107/2, contract load was 20HP was released on 26.06.2002.
- Thereafter on 18.11.2002 additional load of 20+20=40HP was released.
- Further, applicant applied for load extension for 40+27=67HP (50KW), under LTP-3 tariff on 10.05.2004.
- Estimate was issued on 08.06.2004 for augmentation of 63KVA to 100KVA T/C.
- Estimate was paid on 11.06.2004.
- Agreement was executed on 14.06.2004.
- Augmentation work except Service & Meter replacement completed on 03.08.2004.
- TMN issued on 03.08.2004
- Test Report submitted on 20.09.2004.

CGRF, PGVCL- Rajkot

Respondent 's Reply (2/2)

- As per new tariff published by GERC, in case No. 1102/2011 dated 06.09.2011, Respondent has issued circular No. PGVCL/Reg.Cell/ T-6666 dated 16.09.2011 under subject "revision of retail tariff effective from 01.09.2011". Accordingly, in the present case, Appellant's revised tariff falls under LTMD tariff category. For implementation of this tariff respondent has removed 1-Ph connection (1KW) and merged load in 3-Ph meter (28KW) due to that new contract demand is 29KW (28+1) during the Nov-2013.
- In the said connection billing was carried out with contract demand of 29KW till May-2019.
- As per applicant's request letter dtd.06.05.19, SD amount shown in bill is Rs.37525.00 instead of that Rs.50920.00. So applicant has requested respondent to update the paid security deposit amount. Respondent has verified said consumer documents and found that contract demand is 51KW instead of 29KW. 51KW contract demand is not updated due to system error, therefore supplementary bill has been issued for fixed charge of Rs.179005.30 as per the records from the period Jan-10 to Apr-19. Thereafter respondent has revised supplementary bill was issued of Rs.285264.47 from Sept-2004 to May-19.

CGRF, PGVCL- Rajkot

Decision of Forum (1/2)

➤ M/s.Vake-Son Industries, Rajkot LT Ind. Connection was released on 26.06.2002 for C.D.20HP. Thereafter 20+20=40HP was released on 18.11.2002.

➤ Applicant M/s.Vake-Son Industries, conn. No. 34513/04107/2, have applied for load extension 40HP+27HP =67HP(50KW) on 10.05.2004 under LTP-3 category.,

- Estimate paid on 11.06.2004,
- Agreement executed on 14.06.2004
- TMN issued on 03.08.2004.
- Test report submitted on 20.09.2004,

➤ New tariff with revised nomenclature become effective from 01.09.2011. Accordingly, Appellant's revised tariff falls under LTMD tariff category. Respondent has merged lightning connection in industrial connection during the Nov-2013 accordingly new demand is 29KW{28kw Ind.+1kw-Ltg).

➤ On verification of record, actual maximum demand has never crossed 20KW demand since September-2004 to May-2019.

CGRF, PGVCL- Rajkot

Decision of Forum (2/2)

- Since 2004 to 2011, when legacy system was in force, audit has never raised any objection for 07-years.
- Legacy system was stopped in the year 2011 & E-urja LT billing system started in 2011. Nobody updated contract demand up to 2011.
- In the year 2012; LTP-3 connection ws converted to LTMD category for 50KW demand. Nobody has verified or corrected this record which remained 28KW. Along with merger of C/L connection C.D> updated as 29KW in the year 2013.
- Approximately for 14 years; since 2004 to 2019-PGVCL has carried out billing of this consumer for 29KW instead of 50KW.
- When consumer has never crossed actual demand above 20KW; if bill was served for 50KW in time instead of 29KW; consumer might have got an opportunity to reduce contract demand after 02-years i.e. completion of agreement period.
- PGVCL has issued supplementary bill which was suddenly raised in June-2019 for September-2004 to May-2019 for total amount of Rs.2,85,264.47 which included difference of fix charges and 10% electricity duty for approximate 14 years.

CGRF, PGVCL- Rajkot

Final Order (1/2)

- In view of the above forum has decided the case as following:
- Decision of Chairperson and Member(Ind.):-
- The supplementary bill with delay payment charges debited by Respondent in consumer's bill account should be treated as cancelled.(Rs.2,85,264.47 + D.P.C.). When test report is submitted by applicant, respondent is directed to recover the differential fixed charges for 02-years from the date of test report submitted on.20.09.2004.
 - Applicant's actual demand is not recorded more than 20KW so billing should be done considering contract demand of 29KW instead of 50KW. If any charges recovered considering 50KW contract demand then respondent is directed to refund it in consumer's billing account.
 - Applicant is not entitled to get refund of the paid infrastructure cost in said L.E. Estimate. Respondent is directed to take disciplinary action against the defaulter officer/employee.

CGRF, PGVCL- Rajkot

Final Order (2/2)

Decision of Member(Tech.):-

- Member (Tech) is not agreed with above committee members decision.
- It is decided that load extension must be effective in billing system by respondent at that time.
- When consumer has executed agreement with PGVCL; on the basis of defect/mistake made by PGVCL, supplementary bill cannot be waived. Hence fixed charge difference bill of Rs.2,85,264.47 for the period September 2004 to April 2019 found in order.
- **Note:** As per GERC (CGRF & Ombudsman Regulation 2011) Notification No.02 of 2011 clause No.2.24 "All decisions of the Forum shall, as far as possible, be unanimous or be on the basis of decision by majority of the members present. If a member hearing the matter does not agree with the decision taken by other members, he may record his note of dissent with reasons but the decision taken by majority of members hearing the case will prevail".

CGRF, PGVCL- Rajkot

Implementation

CGRF Order Implementation Status:

As per letter received from Executive Engineer, PGVCL,RCD-3, directed to SDO to implement the CGRF order and implementation of order is under process at S/dn level.

CGRF, PGVCL- Rajkot

THANK YOU

Consumer Grievance Redressal Forum



CASE STUDY-CGRF UG-02-012-2018-19

A I ISPAT PVT.LTD.

18.9.2019

Forum Members -



Name	CGRF Position	Designation
Shri D C Parmar	Chairperson	(Former Chief Engineer-UGVCL)
Shri L F Dabhi	Technical Member	Superintending Engineer (RE),UGVCL
Shri P A Dabhi	Independent Member	Advocate
Shri J G Shah	Convener	Deputy Engineer, UGVCL

Case study- (UG-02-012-2018-19)



Complainant-

M/S A.I.Ispat Pvt. Limited
Survey No 1076/1,Plot No.2,
Visnagar-Vadnagar Road
Visnagar-384315, Dist-Mehsana

Respondent-

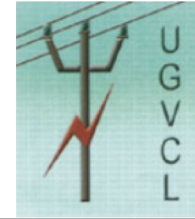
Executive Engineer,
UGVCL,
Division Office
Visnagar-384315 , Dist-Mehsana

In Matter of Billing to HT Consumer---20038,(HTP-IV, 4000 KVA) Billed as per HTP-I

During period DEC.17, JAN.18, MAY.18, JUN.18 . So Refund Demanded.



HTP-IV Tariff Order says-



☐ Beyond Night Hours

- ✓ *15% of the contracted demand can be availed*
- ✓ *10% of total units consumed during the billing period can be availed.*

Look at Grievance Billing Period-



Bill prepared as HTP-I instead of HTP-IV

Bill of Month	Contract Demand in KVA	MD (KVA) as per MRI data		Allowable limit of day time demand (KVA) i.e. 15% of Cont.load
		GETCO Meter (MF-60)	Consumer Meter (MF-50)	
Dec-17	3900	708	N.A.	585
Jan-18	3900	726	713	585
May-18	3900	648	593	585
June-18	4000	1092	658	600

Cause of Complaint-



- ✓ *UGVCL has revised bill from Rs.42,14,411.74 to Rs.54,10,280.93 for the month of MAY-18 on 19.5.18 by applying HTP-I tariff in place of HTP-IV tariff. As the day time demand recorded 593 KVA (i.e more than 15% of 3900 KVA (585 KVA)).*
- ✓ *Applicant asked to change meter as day time MD not displayed on meter. The said meter was replaced on 18.6.18.*
- ✓ *Again as per MRI data of 19.5.18 ,complainant received revised bills on 19.6.18 for excess demand (>15 %) recorded in month of DEC.17,JAN.18 and JUN.18.*

Cause of Complaint-



- ✓ *UGVCL issued bill of Excess day time MD for DEC-17 by taking MRI of GETCO meter installed at SS End. As No MRI data beyond 6 months available at consumer meter.*
- ✓ *Monthly reading were taken manually due to issue of AMR since 15.10.2015*
- ✓ *For JAN.18 , MAY.18 and JUN.18 bill issued for excess day time MD from MRI Data of consumer meter.*
- ✓ *Complainant paid arrears with strong protest.*
- ✓ *SE Mehsana ,CE (OP) agreed the calculation done by Division office Visnagar.*

Appellant says- (With Supply Code Clause No.)



- ✓ *Consumer Meter not displaying TOD Demands, So no controlling and Monitoring Option available to him (6.15)*
- ✓ *GETCO side meter reading is not permissible for billing calculation ("Connection Point"-2.3 (17))*
- ✓ *DISCOM is responsible to maintain the meter and keep it in working Order (6.15) and its accuracy/Inspection (6.26)*
- ✓ *Meter reading/Billing was done manually, and not through AMR as is done for other HT consumers*
- ✓ *No day time MD mentioned in Bill Served.*
- ✓ *Reference of previous year Billing MD in case of Faulty Meter (6.59)*

Appellant Objects-



- ✓ *As consumer Meter not displays Day time demand , and it is a “metering problem” of licensee. So No right to Licensee to recover amount. and ask licensee to refund excess amount (Paid under protest).*
- ✓ *DISCOM can not take base of GETCO Meter MRI to issue bill to consumer as it is not the connection point.*
- ✓ *Asked to revise all bills on base of HTP-IV instead of HTP-I and refund excess amount.*

Respondent says- (With Supply Code Clause No.)



- ✓ *As there is no available MRI data for DEC.17 , GETCO meter is taken as Reference.*
- ✓ *Meter installed does not display time zone MD, But records the same in memory, as meter is found OK.*
- ✓ *Consumer shall notify about any fault, accident or problem noticed with meter under his custody (6.14)*
- ✓ *Consumer is expected to intimate the licensee as he notices that meter has stopped or is not recording.(6.39)*

Respondent says- (With Supply Code Clause No.)



- ✓ *Consumer Meter can be read/Billed using HHE,AMR and on MRI Data.(6.19)*
- ✓ *Periodic MRI data were collected in past on dt.25.04.16, dt.19.10.16, dt.24.01.17, dt.16.11.17, dt.19.05.18. So it is very clear that meter was recording day time MD correctly & based on those data UGVCL was well aware that meter was working satisfactorily.*

Respondent says- (With Supply Code Clause No.)



- ✓ *The consumer has confessed vide his letter dt.08.06.18 that his furnace unit is shutting down at 5.55 A.M. every day but liquid material is still held in bucket which is transferred on Continuous Casting Machine (CCM) for further process. This machine required 40-45 minutes time to complete the process.*
- ✓ *Day time MD over shoot four times at 6.30 A.M.in month DEC.17,JAN.18,MAY.18 and JUN.18. He is billed in HTP-I tariff i.e.the applicant failed to observe/restrict/control day time MD up to allowable limit.*

Financial Summary-

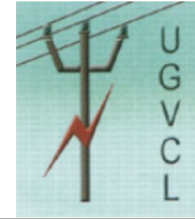
Bill of Month	Contract Demand in KVA	Allowable day time MD	Actual day MD recorded as per		Bill amount as per			
			GETCO Meter	Consumer Meter	HTP-IV	HTP-I	Difference	Remark
DEC.17.	3900	585	708	Not Available	49,06,689.74	62,63,798.54	13,57,108.8	Refunded in APR.19
JAN.18.	3900	585	-	713	46,76,638.88	58,71,111.86	11,94,472.98	Recovered
MAY.18	3900	585	-	593	42,15,411.74	54,10,280.53	11,94,868.79	Recovered
JUN.18.	4000	600	-	658	47,96,863.57	60,42,031.76	12,45,168.19	Recovered

CGRF Orders-



- ✓ *Consumer meter display has not shown any time zone MD. But it got recorded in meter-Memory.*
- ✓ *The Same meter checked on date 18.6.18 and found OK in presence of Consumer.*
- ✓ *UGVCL can not take base of GETCO meter at SS end once Consumer meter is OK. and excess day time MD can not be retrieved from consumer meter for DEC.17, So Bill must be prepared as per HTP-IV and excess amount shall be refunded.*
- ✓ *For excess day time demand in JAN.18, MAY.18 and JUN.18, MRI data in consumer meter is available. Accordingly complainant has to pay excess amount as per HTP-I.*

What followed next...



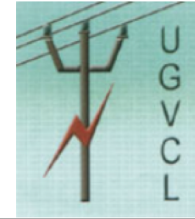
- ✓ *Consumer has approached Ombudsman (106/2018). Ombudsman has found CGRF judgement in order. accordingly confirmed CGRF judgement.*
- ✓ *UGVCL decided to appeal to high court, but dropped the proposal once Ombudsman has reiterated judgement of CGRF.*
- ✓ *UGVCL refunded excess amount of Rs.13,57,108.80 of DEC.17.*



THANK YOU

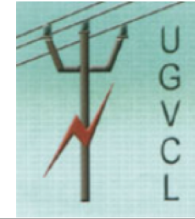


Referred supply code---6.7



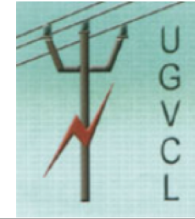
6.7 If supply to an HT/EHT consumer is given on an independent feeder for his exclusive use the metering arrangement shall be installed at the consumer's premises or, if mutually agreed, the metering arrangement at the sub-station of the licensee may be used for billing and no meter need be installed at the premises of the consumer.

Referred supply code---6.14



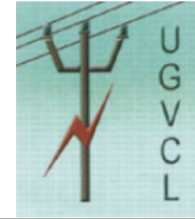
6.14 The consumer shall be responsible for safe custody of meter(s), MCB/CB etc. if the same are installed at the consumer's premises. The consumer shall promptly notify the licensee about any fault, accident or problem noticed with the meter.

Referred supply code---6.15



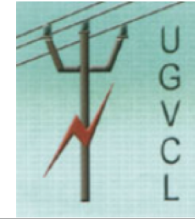
6.15 It shall be the responsibility of the licensee to maintain the meter and keep it in working order at all times. The licensee may also have a provision for such metering system where the display unit is at the consumer premises and the metering unit is outside the premises such as on a pole etc. In such cases, the responsibility of safe custody of the metering unit shall lie with the licensee.

Referred supply code---6.16



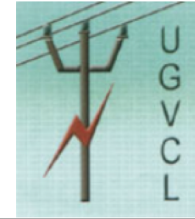
6.16 A consumer may install a check meter of appropriate make and conforming to the technical specifications as laid down in Central Electricity Authority (Installation and Operation of meters) Regulations 2006 and all subsequent amendments. These check meters may be calibrated by the licensee upon payment of prescribed fee as per GERC (Licensee's Power to recover Expenditure in providing Electric Supply and other Miscellaneous Charges) Regulations, 2005, as amended from time to time. However, check meter readings shall not be used for billing purpose by the licensee except in case of failure of main meter

Referred supply code---6.19



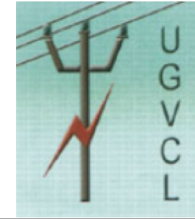
6.19 The licensee may use hand held instruments, meter reading instrument (MRI) or wireless equipment for recording meter readings and for generation of bills on the spot. If bills are prepared on the basis of MRI downloads or if meter reading is taken on the basis of remote meter-reading and the consumer wishes to have a record of the reading taken, he shall be allowed so by the licensee.

Referred supply code---6.26



6.26 It shall be the licensee's responsibility to satisfy itself regarding the accuracy of the meter before it is installed and the licensee may test them for this purpose. The licensee shall conduct periodical inspection/testing and calibration of the meters as specified by the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 and all subsequent amendments. The licensee shall give the accuracy report of the meter by the laboratory to the consumer and also give periodical inspection and testing and calibration report of the meter to the consumer.

Referred supply code---6.59



6.59 In case, the Maximum Demand Indicator (MDI) of the meter at the consumer's installation is found to be faulty or not recording at all (unless tampered), the demand charges shall be calculated based on maximum demand during corresponding months'/billing cycle of previous year, when the meter was functional and recording correctly. In case, the recorded MDI of corresponding month/billing cycle of past year is also not available, the average maximum demand as available for lesser period shall be considered.



Consumer Grievance Redressal Forum Torrent Power Ltd. - Surat



Constitution Established on 01.01.2005

Quorum

Shri P. P. Shah – Retired 2nd Additional District & Sessions Judge

Shri V. K. Saradava - Independent Member

Shri D. R. Panirwala - Member Technical

Smt. B. P. Tumdi - Convener



CASE STUDY

Complaint No. 19 of 2018-19

Complainant: Sarojben Shashikant Valwala

V/s

Opponent: Torrent Power Limited, Surat



Gist of the Complaint

- The Complainant filed complaint before CGRF on 28.12.2018
- Complainant is owner of properties Viz. House No. 1/4047 & House No. 1/4054B
- Complainant requested Company under RTI to furnish documents submitted while seeking service by respective applicants
- Later Complainant requested disconnection of service, since she is not in need
- Company did not act upon the request of Complainant
- Complainant furnished registered sale deed, latest city survey property card and later decrees of Civil Court pertaining to possession of respective properties.

PRAYER

- Disconnection of Services provided to the properties
- Furnishing documents submitted while seeking electricity connection



Stand of the Company

- Complainant is not a registered consumer of the Company
- Complainant and her complaint does not fall within the definitions envisaged in Clause 1.5 (C) and (D) of Forum & Ombudsman Regulations, Notification 2 of 2011
- Company is bound to supply electricity under Section 43 of Electricity Act, 2003
- Decrees obtained by the Complainant from Court are not being executed
- Information cannot be supplied to Complainant by virtue of Regulation 1.13 of “Supply Code”, Notification 4 of 2015
- Grievance is of civil nature, only Civil Court have jurisdiction to entertain such plea



Findings and Final Order of Forum

- Complainant is not a registered consumer of the Company
- Complainant should approach Civil Court to take physical possession of properties
- Dispute between owner and tenant, electricity being consumed by tenant.
- Information and documents of consumers cannot be furnished to third party by virtue of Regulation 1.13 (Confidentiality clause), "Supply Code", Notification 4 of 2015
- Complainant and her complainant does not fall within the definition envisaged in Regulation 1.5 (C) and (D) of Forum & Ombudsman Regulations Notification 2 of 2011

Final order of Forum on 25.01.2019

- Forum dismissed the complaint of complainant.



Ombudsman Case No. 22 of 2019

Order on 27.05.2019

Findings and conclusion :

- Complainant does not fall within the definition of “Complainant” envisaged in Regulation 1.5 (C) of Forum & Ombudsman Regulations, Notification 2 of 2011.
- Appeal filed beyond the period of limitation and appellant has not justified the delay caused
- Plea for disconnection of service cannot be entertained, since the tenant is in occupation of premises and as such is consuming electricity.



Final Order of Ombudsman on 27.05.2019

- Hon'ble Ombudsman dismissed appeal and confirmed the order of CGRF



Thank you.



OMB/13/2019

**Smt. Sundarben Lakhamanbhai
Kuchhadiya**

V/s.

**Executive Engineer, Paschim Gujarat Vij
Company Limited, Division Office (Rural),
Porbandar-360575.**

**Sub:- Voltage imbalance and
Compensation**

- On 07.05.2018, Applicant had filed complaint regarding voltage fluctuation in his residential connection & had suffered damages of electrical equipment i.e. TV & cost thereof. He also made doubt/suspect for power theft in the electric circuit providing power supply to him by unknown.
- On 14.11.2018, again complaint was filed by Appellant mentioning complaint letter dt.07.05.2018 regarding Voltage Disturbance and losses incurred to him and made suspect in regards of Power theft/unauthorized use of electricity by M/s. Himalaya Drinking Water.
- On 26.11.2018, Respondent had made site visit & prepared Rojkam mentioning details of meter & loading condition of Appellant. Service line of Appellant was changed with change of point of supply from existing LT Network pole to Nearby another LT pole.
- In original complaint letter of Appellant, he had mentioned consumer no.35401/05550/1 of M/s. Himalaya Drinking Water carrying out commercial activity. The said connection was checked by Respondent on 19.11.2018 & it was found that electric supply has been utilized for commercial activities in Residential connection with unauthorized load of 3.46KW, Supplementary Bill for tariff change was issued to said consumer which was paid by him. Appellant had raised questions regarding above electric connection & stated that in Residential area, why commercial connection

- had been approved. Appellant had also filed complaint before chief officer, Nagar Palika, kutiyana as well as Collector, Porbander, in regard with giving commercial connection in residential area & to stop commercial activities in residential area.
- Appellant had raised the issue against rojkam made by Respondent on 26.11.2018. He has stated that Respondent has not submitted name of officer who had checked the installation of Appellant. It is stated that out of 12 Nos. of service connection tapped from existing LT network pole including service line of Appellant, Respondent has taken statement of 2 consumer in related with low voltage complains of appellant, but no technical Parameters has been recorded in this regards. In whole process of site inspection, Respondent had not produced reply along with documents before ombudsman.
- Respondent had not measures level of voltages at place of Appellant or at nearby any other place to ascertain the low voltage in the LT distribution network.

SOP regulations, 2005, Chapter-VI: Quality of power supply: “Clause No.6.1: The licensee shall attend to consumer complaints in respect of the following conditions within the time specified here below.

(a) Neutral voltage exceeding 2% of the supply voltage. **(b)** Voltage variation **(c)** Harmonics

As most of the consumers may not be able to precisely measure and lodge complaint about above matters, it shall be the prime responsibility of the licensee to comply with the Regulations and provide sample compliance tests to the Commission in a format and manner to be specified by the Commission.

In case rectification is not feasible within the time specified, consumer shall be informed, within three days in case of urban areas and within seven days in case of rural area, of likely time by which it will be accomplished. In case, installation of the consumer/ any other consumer or a group of consumers is causing these conditions and if any installation is unsafe to life or equipment, licensee shall advise consumer / other consumer / group of consumers to effect rectification or isolate the faulty installation immediately. The Licensee may disconnect supply till faulty installation is rectified or isolated as the case may be. In case an installation of licensee becomes unsafe, the same shall be guarded, isolated or disconnected, as may be necessary.”

Respondent had not carried out any activities in view of above provisions in this case.

- SOP regulations, 2005, Chapter-XIV: Compensation in case of under performance, Clause No.: 14.1 needs to be observed. “14.1 If a Licensee fails to meet the standards specified, the affected domestic consumer is entitled to compensation from the Licensee as provided below: ”

Sr. No.	Events	Compensation Payable
6	Responding to consumer’s complaints	Rs.25 for each day of delay subject to a maximum of Rs.500

In present case, complaint of Appellant is for fluctuation in voltage at his premises & damages to equipment's & loss incurred to him & asked amount of losses but not produced any documents for losses incurred to him..

- Original complaint of Appellant is of 07.05.2018 which was attended by Respondent on 26.11.2018. as per reminder application 14.11.2018 of Appellant which proves that Respondent remain silent for period up to 26.11.2018 i.e. around 200 days, which shows carelessness of Respondent in such type of complaints.
- It is viewed that Respondent had not produced documents showing details of technical parameters like voltage, current, load etc. measured at location of Appellant or any other place near by Appellant. Even after receipt of reminder letter of Appellant, complaint of Appellant was addressed.
- Looking to the above provision, complaint of Appellant has not been redressed by Respondent at relevant point of time when 1st complaint was received. Later on it was redressed with rectification in service line works. The original of complaint i.e. Voltage imbalance has not been ascertain at relevant point of time as well as while carrying out rectification work, proves negligence of respondent.
- As per the above provision Appellant is eligible to get compensation in case of under performance in addressing service related complaint of Rs.500/- Respondent is directed to pay Rs.500/- as a compensation to Appellant vide order dt.20.03.2019.
- On 16.05.2019, Respondent had submitted the compliance report and submitted that cheque of Rs.500/- has been issued on 13.05.2019 and show cause notice has been issued to concerned defaulter.

OMB/33/2018

**M/s. Jupiter Electro Engineers
V/s.**

**Deputy Engineer, Dakshin Gujarat Vij
Company Limited Sub-Division Office,
Palej-392220. Dist. Bharuch.**

Sub:- New Connection

- On 03.08.2017, Appellant, M/s. Jupiter Electro Engineers had applied for New Industrial Connection at Shed No. C1B-102/26, where One Industrial Connection is exist in the name of M/s. Harsh Electricals.
- Respondent had denied for new connection and stated that one industrial connection is existing in the name of M/s. Harsh Electricals at said plot w.e.f. 15.12.2015 bearing Consumer No.02523/06149/0.
- Appellant had made tenant deed with owner of plot at GIDC, Palej.
- Initially GIDC had allotted plot having area of 799 sq.mtr. to M/s. Palej Conductors Pvt. Ltd. & thereafter it was transferred in the name of M/s. Harsh Electricals vide GIDC letter dt.30.04.2015
- GIDC vide letter No.2555 dt.28.07.2017 has granted permission for sublet of said plot of GIDC to Appellant. i.e. M/s. Jupiter Electro Engineer. After sublet of plot, Appellant is having area admeasuring 89 sq.mtr. of that plot for utilization of their use.
- In said plot, in whole building, Appellant had submitted consent for making partition & made wooden partition at bottom & iron grill partition on top up to ceiling for making separation in one constructed premises.

- Appellant had registered complaint regarding non granting of new industrial connection in their premises at plot no. C1B-102/26, GIDC, Palej.
- Respondent has submitted commercial circular no. 769 dt.28.01.2005 & relied on Clause No.: 1.2.
Clause No.: 1.2: “A constructed building or factory shed must have been separated by wall of permanent nature from ground to ceiling. A partial or common wall in the premises would not be enough to treat the same premises as two separate premises.”
At time of Site survey criteria of separate premises as mentioned above was not fulfilled partition is made with wooden plywood sheet at bottom & iron grill on top side to make separation of constructed premises in above shed. Hence new industrial connection application was rejected said by Respondent.
- Before CGRF, after observing documents of photographs of premises. CGRF had pointed out that permanent wall has not been constructed for separate out the building situated at plot no. C1B-102/26, GIDC, Palej.
- Appellant is tenant of plot owner & GIDC had approved subletting of plot with mentioning of area of both plot. Appellant had constructed wooden partition at initial stage & during course of hearing shown readiness for permanent construction of wall in the building at Plot No. C1B-102/26, GIDC.

- Appellant has applied for new Industrial Connection at plot no. C1B-102/26, GIDC, & Submitted following documents:
 - (1) Copy of letter of allotment of GIDC for subletting of Shed No.C1B-102/26.
 - (2) Copy of rent agreement along with plan.
 - (3) Undertaking and No Objection Certificate of owner of plot.
 - (4) Copy of PAN Card.
 - (5) Copy of Udyog Adhar Memorandum.
 - (6) Sales Tax-VAT & CST Reg. certificate.
 - (7) Energy bill of M/s. Harsh Electricals.
- As per Supply Code 2015, Clause No. 4.15 to 4.20, Submission of documents by Appellant is as per requisite norms for getting new connection.

The issue of new connection in same premises attract clause 4.28 of supply code 2015.

Clause No. 4.28: “The Distribution Licensee will not provide more than one connection for one premise or in adjoining/contiguous premises belonging to same owner if these are not separated by a public road or by private premise. The consumers opting for second connection will have to produce separate legal entity documents such as separate Income Tax No/ Sales Tax No., ration card and rent or lease agreement.”

- During course of hearing, Appellant has shown readiness for construction of concrete wall for making permanent demarcation of units of plot no. C1B-102/26, GIDC.

- This is the case in which issue pertaining to premises involved in, in reference to definition of premises & as per Clause No. 4.28 of Supply Code, New Connection in respect of Appellant/Tenant is directed to release.
- On observation of documents as well as Provisions of supply code 2015 as well as guidelines of erstwhile GEB dt.28.01.2005 Which follows as “1.2- A constructed building or factory shed must have been separated by wall of permanent nature from ground to ceiling. A partial or common wall in the premises would not be enough to treat the same premises as two separate premises.” It is concluded that if Appellant make constructed wall for permanent nature with demarcation of two separate units of plot as per relevant by laws of GIDC, then in that case Respondent is directed to provide new electric connection as demanded by Appellant vide order dt.29.09.2018.
- After fulfilling the requisite requirements by Appellant, DGVCL had released the new connection & reported compliance on dt.14.12.2018.