

# Consumer's Grievances Redressal Forum – Rajkot

## PASCHIM GUJARAT VIJ COMPANY LIMITED

CORPORATE OFFICE LAXMINAGAR, NANA MAVVA ROAD – RAJKOT 360004

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**No.PGVCL/CGRF/5/Q-2/21-22/5900-2**

**Dt.07-10-2021**

As per the Provisions of Section No. 42(5) of Electricity Act – 2003, Gujarat Electricity Regulatory Commission has notified regulation No. 2 of 2011 then 02 of 2019 enacted for "Establishment of forum and ombudsman for redressal of grievances of consumers regulations". Accordingly, grievance registered by Consumer's Grievances Redressal Forum – Rajkot under Paschim Gujarat Vij Company Limited.

**Case No.PG-5/Q-2/21-22**

Appellant : M/s. Noken Vitrified Pvt. Ltd.  
Address : Village: Nichimandal, Morbi.  
Represented by : Shri Vikrambhai Shah

**:: V/S ::**

Respondent : Executive Engineer, PGVCL, Division Office, Morbi.  
Represented by : Shri. P.P.Bavarva, Executive Engineer, Division Office, Morbi.

**:: QUORUM ::**

Chairperson : Shri J.B.Parekh,  
Independent Member : Smt. Nitinaben H. Joshi

Date of Hearing : 24-09-2021 -Friday  
Place : Conference Hall, PGVCL, Rural Circle Office, Rajkot

**::Proceedings::**

- 1.0 The present petition is filed by the appellant in the forum as under:
- 1.1 The grievance of the Complainant was registered by CGRF – Rajkot vide Case No. 05-Q2-21-22 on dtd. 09.07.2021. The hearing of this case kept on dt. 27.07.2021 at Rajkot. In this hearing Sh.P.P.Bavarava, Exe. Engr. PGVCL, Division Office, Morbi and Sh.Vikram Shah, representative of the complainant both were present. During the said hearing Forum has observed that observation report of ABT meter manufacturer is required to decide the case.

The next hearing was kept on dt. 25.08.2021 at Morbi. In this hearing Sh. P. P. Bavarava, Exe. Engr. PGVCL, Division Office, Morbi was present but complainant has requested to adjourn the hearing and give new date after 03.09.2021 as their representative was out of state.

Then the next hearing of this case was kept on dt. 24.09.2021 at Rajkot. In this hearing Sh. P.P. Bavarava, Exe. Engr. PGVCL, Division Office, Morbi and Sh.Vikram Shah, representative of the complainant – both were present.

### **:: Representation of Applicant::**

- 2.0 The applicant's company registered under Company's act engaged in manufacturing of Ceramic tiles and other related products and his plant situated at Village: Nichimandal, Morbi. They are HT consumer with PGVCL Morbi (O&M) division bearing connection No. 33183 having contract demand of 3000 KVA under HTP-1 tariff.
- 2.1 Applicant has received monthly H.T.Bill for the month of August 2020 in which actual maximum demand mentioned is 6318 KVA. Billing demand is not crossed the contracted demand of 3000 KVA, since inception of their connection.
- 2.2 Applicant has requested to decide the grievance and to direct the respondent to revise the bill with real demand recorded
- 2.3 Applicant has submitted the following facts:
1. Applicant works unit M/s. Noken Vitrified is a ceramic Tiles manufacturing unit. The Contract demand and actual recorded maximum demand for last few months is tabulated as below.

Sr. No.	Month	Contract demand	Actual recorded demand
1	June 20	3000 KVA	480 KVA
2	JULY 20	3000 KVA	2748 KVA
3	AUG 20	3000 KVA	<b>6318 KVA</b>
4	SEP 20	3000 KVA	2752 KVA
5	OCT 20	3000 KVA	2690 KVA
6	NOV 20	3000 KVA	2899 KVA
7	DEC 20	3000 KVA	2849 KVA

In view of the above, it is clear that actual maximum demand is less than 3000 KVA except for the month of August 2020. The demand recorded for the month of August 2020 is 6318 KVA which is practically not possible considering the technical parameters.

2. Applicant has informed to respondent for abnormally high demand recorded in billing month of August 2020 and to revise the bill and replace the defective meter which recorded such unbelievable demand.
  3. The applicant has paid above disputed bill under protest to avoid disconnection of the supply.
  4. Respondent has replaced the said meter on Dtd: 11.9.2020 and the same was tested in the laboratory of respondent on Dtd: 22.10.2020. The replaced meter is handed over to applicant on the same date.
  5. Applicant has informed verbally to respondent that the abnormal Maximum demand is recorded in time slot of 17.45 hours on Dtd:04.08.2020.
  6. After lab testing of the said meter Copies of MRI and meter testing report is not handed over by respondent in spite of several verbal and written reminders. Respondent has given MRI and meter testing report through letter Dtd:25-06-2021 i.e. nearly after 08 months.
  7. Applicant has not submitted opinion of manufacturer of the said meter due to Covid-19 Pandemic.
- 2.4 Applicant has submitted the following ground:
1. The said meter is ABT meter with integration of data in time interval of 15 minutes. As per logic of all meters, the meter recorded only basic data like voltage, current and phase sequence while all other data are derived from these basic data. A microprocessor is provided inside the meter which converts basic data in to required display by applying related formulae.
  2. The Tri vector meter records only KWH and KVARH data while KVAH is derived from the basic data with standard Pythagoras formula  
$$\sqrt{(KWH)^2 + (KVARH)^2} = KVAH$$

As per MRI the incident of abnormal demand occurred at 17.45 hours on dtd: 4.8.2020. The data as per MRI is summarized below.

Date & Time	Import KWH	Import KVAH	Import KVARH
04.08.20 17.45	0.13059	0.395	0.01613

As per above formula, the derived KVAH should be equal to  
 $\sqrt{(.13059)^2 + (0.01613)^2} = 0.13156$

While the meter displayed the KVAH as 0.395 resulting in maximum demand during the period (1.58 with MF 4000) 6320 KVA while the actual should be (0.52624 with MF 4000) 2105 KVA.

Considering the fundamentals of the meter logarithm, if the KVA demand is considered to be correct than the KW and KVAR demand are wrong which is not possible as both are measured quantity and not derived quantity like KVA.

It can be scientifically concluded that KVA demand recorded during the time segment is wrongly derived. The argument is supported by the demand recorded during previous 2-time slot is 0.155 and 0.16 which is near to derived demand of 0.13156 as calculated above.

3. As per MRI data, the next 15 slots recorded zero in all parameters. This is clear indication that the feeder was in permanent fault after the occurrence of abnormal demand. All data lead to conclude that there was a fault in the feeder which generated a surge in power led to faulty process of data by microprocessor, resulting in to wrong recording of KVA demand in that particular slot.
4. A copy of MRI is sent to a representative of the meter manufacturer company. It may take some time to get the opinion as the company marketing has not resumed after Covid pandemic.

Applicant has requested to Hon'ble forum on the opinion of meter manufacturer mentioned in order of the Ombudsman in Case No. 80 /2018, where it is said in point No. 2.3 (2) *Even ABT Manufacture EDMI, in its letter dated 1.11.17 mentioned as under.*

*"In any TVM parameters measured are Active (KWH) and Reactive (KVARH) energies, apparent energy (KVA) is a derived value. Abnormal MD recording in both the cases is observed due to momentarily malfunctioning of microprocessor may be due to abnormal surges in the distribution system."*

5. It is confirmed from the GETCO S/s that the 11 KV Liva feeder catering power to said connection was in fault for that period on dtd: 04.08.2020. The respondent can get the energy data from the log book of GETCO S/s to confirm any abnormal data recorded during the time slot or nearby time slot.
6. The respondent had furnished detailed MRI data for the date 4.8.2020 only. If the full MRI data is furnished than the actual maximum demand can be derived.
7. It is observed that the maximum demand for August 2020 registered during time period T 2 is 0.72898. Accordingly, the maximum demand during the month can be considered as 2916 KVA. With this actual maximum demand, the refund should be

84 KVA X 475 = 39,900  
3318 KVA x 555 = 18, 41,490  
Total Rs. 18, 81,390.00

Applicant has requested to direct the respondent to refund the above amount in our account.

8. As per GERC Supply Code 2015 Clause 6.58 stated that in case of Defective / Stuck / stopped / burnt meter, the consumer shall be billed on the basis of average consumption of last three billing cycles immediately preceding the date of meter being found / reported defective.

As per the lab report, the meter is ok but it is a fact that the meter has malfunctioned when surge occurs. The laboratory is not competent to check the effect of surge on the microprocessor of the meter. It checks only calibration of the meter and genuineness of the sealing.

The momentarily defect in to the energy meter should be considered as fault and GERC Supply code 2015 clause 6.58 squarely applied in this case though the testing laboratory as declared the meter as ok.

It is also noted in the testing report that the demand recorded is quite high than normal demand.As per the previous actual maximum demand during preceding 3 months are

Sr. No.	Month	Maximum demand	Billing Demand
1	July 2020	2748	2748
2	June 2020	485	2550
3	May 2020	102	2550
4	Average	1112	2616 KVA

The bill should be revised as per the average demand and refund should be granted.

2.5 Applicant has prayed as under:

- 1) To provide full data of MRI before hearing for inspecting technical parameters.
- 2) To provide energy sent to the 11 KV Liva Industrial Feeder on dtd: 04.8.2020 from log sheet of 66 KV GETCO S/s.
- 3) To provide copy of the correspondence between the respondent and higher authorities regarding the matter.
- 4) The Hon'ble Forum is requested to direct the respondent to revise the energy bill of August 2020 with actual maximum demand recorded during the month and eliminate false demand recorded due to meter fault or revise the bill as per clause 6.58 of GERC Supply Code 2015 and refund the difference with interest to us.
- 5) Any other relief, Hon'ble Forum deemed fit to be granted.

### :: Meter Manufacturer's Report ::

3.0 During the forum hearing on dtd. 27.07.2021 committee has directed to applicant to submit the opinion of the said meter from meter manufacturer's company. In response to that, applicant has forwarded clarification of said ABT meter of M/s. Noken Vitrified Pvt. Ltd. vide letter no. EDMI/MKTG/PGVCL/G-009/2021-22 dtd. 14.09.2021 from meter manufacturer's company- M/s. EDM India Pvt. Ltd. through e-mail on dtd. 22.09.2021. M/s. EDM India Pvt. Ltd. has submitted following observation as per downloaded data of ABT meter having serial no. GJ-3938-B of M/s. Noken Vitrified Pvt. Ltd., Morbi.

- Abnormal MD recording on dtd. 4.8.2020 @ 17.45 Hrs is observed. As per calculated import KVAH units in load survey using following formula.

$$\text{Import KVAH} = \sqrt{\{\text{Import(KWH)}^2 + \text{Import(KVARH)}^2\}}$$

- As per recorded KVAH in load survey compared with KVAH calculated with above formula & found that abnormal KVAH is found in load survey data in 15 minutes block only on dtd. 4.8.2020 @17.45 Hrs. & did not match with calculated KVAH with above formula. For particular 15 min block KVAH shall be 0.132 (instead of 0.395) & KVA demand shall be 0.526 (instead of 1.58)
- In any TVM parameters measured are active (KWH) and reactive (KVARH) energies. Apparent energy (KVAH) is a derived value. Abnormal MD recording in above case is observed, due to momentarily malfunctioning of microprocessor may be due to abnormal surges in the electrical distribution system.If we multiply KVAH calculated by 4 it will show actual MD in KVA for particular block of 15 minutes. Calculation sheet is attached for few blocks of the same day on which abnormal MD is recorded.
- It is requested to look in to the matter as actual maximum demand shall be considered highest from other blocks of the month & considering calculated KVAH\*4 for the 15 minutes' block where abnormal MD is recorded for the ABT meter.

- If ABT meter will be tested for MD or accuracy tests same will show normal results.
- If compare average data of 15 minutes' blocks includes 15 minutes' block where abnormal KVA MD is recorded with data of check meters (having 30 min integration/ block load survey data & 0.5s accuracy) installed in series with ABT meter average P.F. (KWH/KVAH) will be found same as per calculated KVAH.

Record No	Date Time	Import_kWh_Fund	Import_kVAh	Import_kVArh_Lag	Derived (Calculated) Import KVAH= $\sqrt{(\text{Import KWH})^2 + (\text{Import KVARHlag})^2}$	KVA Demand as per load survey KVAH x 4	KVA Demand as per calculated KVAH x 4
103492	04-08-20 13:00	0.15545	0.156	0.01587	0.156	0.624	0.625
103493	04-08-20 13:15	0.156	0.157	0.0145	0.157	0.628	0.627
103494	04-08-20 13:30	0.14558	0.146	0.01044	0.146	0.584	0.584
103495	04-08-20 13:45	0.11375	0.114	0.00996	0.114	0.456	0.457
103496	04-08-20 14:00	0.09986	0.1	0.00812	0.100	0.4	0.401
103497	04-08-20 14:15	0.09816	0.098	0.00674	0.098	0.392	0.394
103498	04-08-20 14:30	0.09949	0.1	0.0069	0.100	0.4	0.399
103499	04-08-20 14:45	0.10619	0.107	0.00972	0.107	0.428	0.427
103500	04-08-20 15:00	0.09803	0.098	0.00799	0.098	0.392	0.393
103501	04-08-20 15:15	0.09238	0.093	0.00816	0.093	0.372	0.371
103502	04-08-20 15:30	0.097	0.097	0.00609	0.097	0.388	0.389
103503	04-08-20 15:45	0.09719	0.097	0.00674	0.097	0.388	0.390
103504	04-08-20 16:00	0.10356	0.104	0.00798	0.104	0.416	0.415
103505	04-08-20 16:15	0.12244	0.123	0.00974	0.123	0.492	0.491
103506	04-08-20 16:30	0.06349	0.064	0.00728	0.064	0.256	0.256
103507	04-08-20 16:45	0.08075	0.081	0.00631	0.081	0.324	0.324
103508	04-08-20 17:00	0.11336	0.114	0.01257	0.114	0.456	0.456
103509	04-08-20 17:15	0.15856	0.16	0.02025	0.160	0.64	0.639
103510	04-08-20 17:30	0.15361	0.155	0.01942	0.155	0.62	0.619
103511	04-08-20 17:45	0.13059	0.395	0.01613	0.132	1.58	0.526
103512	04-08-20 18:00	0	0	0	0.000	0	0.000
103513	04-08-20 18:15	0	0	0	0.000	0	0.000
103514	04-08-20 18:30	0	0	0	0.000	0	0.000
103515	04-08-20 18:45	0	0	0	0.000	0	0.000
103516	04-08-20 19:00	0	0	0	0.000	0	0.000
103517	04-08-20 19:15	0	0	0	0.000	0	0.000

### :: Representation of Respondent ::

4.0 Appellant is having 3000 KVA HT Connection bearing Con. No. 33183 at Vil. Nichi Mandal, Dist: Morbi. It is an open access consumer having self ABT meter. MRI data of the said ABT meter was taken on dt.02.09.2020 through AMR for the billing month of August-2020. Accordingly, maximum demand was recorded 1.57939 KVA, so that billing demand calculated considering multiplication factor was 6317.56 KVA (1.57939 KVA x 4000 MF) which is more than the contract demand. Therefore, said connection was checked by team PGVCL in presence of consumer on dtd.11.09.2020 and accuracy was checked with HT accu. check meter at site and accuracy was found within permissible limit. After that said ABT meter was paper-packed on same day. Further, testing of the said meter was carried out at meter testing laboratory, Morbi in presence of representative of consumer. And no any abnormality was found. The said consumer hasnot purchased power from IEX for that billing period, but credited unit during billing month August-2020 as per their Ground Mounted Solar Third Party Wheeling Agreement as per the below table.

SR	Name of Generator	Gen. Capacity MW	Agr. In MW	KWH Sch.	Kwh Credit
1	Yashraj Energy	0.421	0.421	37148.26	33433.43
2	VinodkumarKhimjiTilva	0.421	0.121	10633.54	9570.19
3	Devraj Energy	0.421	0.136	11953.07	10757.77
4	SST Energy	0.421	0.251	22396.33	20156.69
5	NIM Energy	0.421	0.421	37508.94	33758.05
	TOTAL			119640.14	107676.13

- 4.1 As per recorded maximum demand @ 17.45 Hrs. on dtd. 04.08.2020 in ABT meter (GJ3938B, MAKE: EDMI) with considering multiplying factor bill was served for 6318 KVA to the consumer for the month of August-2020.
- 4.2 Moreover, it was informed to consumer vide letter no. 3079 dtd. 08.04.2019 and letter no. 9316 dtd. 21.11.2019 to install the check meter in series of self ABT meter but consumer has not install the same. Due to that data was not compared and verified of the said ABT meter with other meter.
- 4.3 Power supply fed to this consumer from 11 KV Liva industrial Feeder. The interruption was recorded of this feeder as under.

SR	Feeder Name	Date	PF Time
1	11 KV Liva Industrial	04.08.2020	17:40 to 20 :00

- 4.4 The bill served to the consumer for the billing month of August-2020 is as per the parameter recorded in said ABT meter and also said ABT meter was not defective as per meter testing laboratory report. Hence, no need to revise the bill issued to the consumer for the month of August-2020.

**:: ORDER::**

- 5.0 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:
- 5.1 M/s. Noken Vitrified Pvt. Ltd. is a company registered under company act engaged in manufacturing of tiles and other related products having their plant situated at Village: Nichi Mandal, Dist. Morbi. The company is having 3000 KVA HT Connection bearing consumer No. 33183 under HTP-I tariff. This consumer is fed power supply through 11 KV Liva Industrial Feeder emanating from 66 KV Unchi Mandal S/s. This HT consumer falls under jurisdiction of PGVCL Morbi-Rural S/Dn, of Morbi Division under Morbi Circle. This consumer is provided with 11KV /110Votts, 200/5 Amp. CTPT unit for metering purpose. This HT connection was released by PGVCL on Dtd. 17.04.2017.
- 5.2 M/s. Noken Vitrified Pvt. Ltd., Consumer No. 33183, contract demand 3000 KVA is an open access consumer metered through self ABT meter. During monthly billing of this HT consumer for the month of Aug. 2020, remote metering on line MRI Data was collected by Morbi Division on dt. 02.09.2020. MRI data was showing maximum billing demand recorded to be 1.57939 KVA x 4000 MF = 6317.56 KVA, Say 6318 KVA for the month of August-2020.
- 5.3 As compared to contract demand of 3000 KVA, the maximum demand of 6318 KVA recorded for the month of August-2020 was found much excessive. Accordingly, aforesaid HT connection was thoroughly checked on dt. 11.09.2020 by team PGVCL in presence of consumer. During installation checking, accuracy check test results were found within permissible limit. This meter was paper-packed on the same day i.e. 11.09.2020 & this particular meter was jointly inspected on dt. 20.10.2020 at PGVCL laboratory by team PGVCL in presence of authorized signatory - M/s. Noken Vitrified Pvt. Ltd.
- 5.4 As stated by EE PGVCL, Morbi, M/s. Noken Vitrified Pvt. Ltd. has not purchased open power from IEX during billing period of August-2020, but consumer has been given credit of total 107676=13 KWH for power purchase from various generators as per Ground Mounted Solar Third Party Wheeling Agreement.

- 5.5 After careful study of MRI data of consumer, self ABT meter (GJ 3938 B – Make EDMI); consumer maximum demand found to be 1.57939 KVA recorded on dtd. 04.08.2020 @ 17.45 Hrs. Considering MF – total demand found recorded to be 1.57939 KVA x 4000 MF = 6317.56 KVA = 6318 KVA. Accordingly, this HT consumer was billed for maximum demand 6318 KVA for the month of August-2020.
- 5.6 Aggrieved with the billing of the month of August-2020, consumer registered his grievance before CGRF Rajkot to decide correct billing demand & revise energy bill for the month August-2020.
- 5.7 As per PGVCL written submission, consumer was informed on 08.04.2019 and 21.11.2019 to provide check meter in series of present self ABT meter. As consumer did not turn up to provide check meter. Now PGVCL is not a position to compare data of ABT meter with other check meter.
- 5.8 As per record, it is observed that 11 KV Liva Industrial Feeder emanating from 66 KV Unchi Mandal S/s was under sustained fault on 04.08.2020 for the period 17.40 Hrs. to 20.00 Hrs.
- 5.9 PGVCL insisted that energy bill is given on the basis of maximum demand actually recorded in self ABT meter for the month of August-2020. PGVCL opined not to revise the bill for the month of August-2020.
- 5.10 The Forum has gone through written submission of PGVCL as well as HT consumer M/s. Noken Vitrified Pvt. Ltd. The Forum has also studied clarification of meter manufacturer – EDMI vide his letter No. EDMI/MKTG/PGVCL/G-009/2021-22 dtd. 14.09.2021.
- 5.11 The following are observations of forum after hearing both parties i.e. PGVCL as well as HT consumer.

- The applicant's HT connection having contract demand 3000 KVA bearing Consumer No. 33183 was released on dt.17.04.2017. Since released of connection in the month of April-2017, consumer has never crossed contract demand of 3000 KVA until August-2020 & thereafter till to date.
- The consumer is fed power supply through 11 KV/110 Volts – 200/5 Amp CTPT unit. It would have saturated if physical demand was registered to be 6318 KVA.
- As per consumer's written submission, connected switchgear like transformers and switches are not of the ratings which can sustain 6318 KVA. As per oral submission, consumer is having distribution transformer of capacity of 3200 KVA cannot sustain simultaneous load of 6318 KVA. This much demand is practically not possible considering technical specifications & limitations of consumer installation.
- Also, there is no visible purpose or any kind of requirement at consumer end to utilize demand more than double of contract demand only in particular slot of 15 minutes.
- It is a matter of fact that trivector meter records only KWH (active energy) and KVARH (Reactive energy) where as KVAH (apparent energy) is calculated from the basic data as per standard formula:

$$\text{Import KVAH} = \sqrt{\{(\text{Import}(KWH))^2 + (\text{Import}(KVARH))^2\}}$$

As per MRI analysis, the incident of abnormal demand occurred at 17.45Hrs. on dt.04.08.2020. The data as per MRI is summarized below.

Date & Time	Import KWH	Import KVAH	Import KVARH
04.08.2020, 17.45 Hrs (15 minutes slot)	0.13059	0.395	0.01613

As per formula the calculated KVAH must be equal to

$$\begin{aligned}
 \text{Import KVAH} &= \sqrt{\{(\text{Import}(KWH))^2 + (\text{Import}(KVARH))^2\}} \\
 &= \sqrt{(0.13059)^2 + (0.1613)^2} \\
 &= \sqrt{(0.01705) + (0.00026)} \\
 &= \sqrt{0.01731} \\
 &= 0.13156 \text{ KVAH}
 \end{aligned}$$

- The ABT meter displayed 0.395KVAH instead of calculated 0.13156KVAH. This resulted into maximum demand for August-2020 to become
  - = 0.395 KVAH x 04 x 4000 MF
  - = 1.58 KVA x 4000 MF = 6320 KVA (6318 KVA)
- Considering fundamentals of meter logarithm; if recorded demand considered to be correct, then KW and KVAR demand are wrong, which is not possible as both are measured quantities and not calculated quantity like KVA.
- From above formula, the correct
  - Maximum demand = Calculated KVAH x 04 x MF
  - Maximum demand = 0.13156 KVAH x 04 x 4000
  - Maximum demand = 0.52624 KVA x 4000
  - Maximum demand = 2104.96 KVA = 2105 KVA
 Hence calculated maximum demand for 15 minutes' slot @ 17.45 Hrs. on 04.08.2020 will become 2105 KVA as correct demand instead of recorded demand 6320 KVA (6318 KVA).
- As per MRI analysis, the next 15slots after 17.45 Hrs. on 04.08.2020 – shows zero in all parameters. It is very clear from record that there was heavy surge in 11 KV Liva Industrial Feeder on 04.08.2020 @ 17.40 Hrs. & feeder remained under sustained fault for time period: 17.40 Hrs. to 20.00 Hrs. Abnormal MD recording in above case is observed due to momentarily malfunctioning of microprocessor of ABT meter due to heavy surge in 11 KV distribution system resulting into wrong recording of KVA demand in particular slot.
- As per MRI, import KWH shows 0.13059 and import KVAH shows 0.395 for the particular slot.
  - On the basis of recorded power factor
  - = KWH/KVAH = 0.13059/0.395 = 0.33
  - Whereas on the basis of calculated KVAH power factor
  - $\frac{\text{KWH}}{\text{KVAH}} = \frac{0.13059}{0.13156} = 0.99$
- As per MRI analysis, all other slots except the slot of 15 minutes @ 17.45 Hrs. on 04.08.2020; power factor value is more than 0.92. Hence, sudden fall in power factor only for 15 minutes and sudden rise in power factor after 15 minutes is practically not possible. Hence recorded import power factor showing 0.33 value @ 17.45 Hrs. on



04.08.2020 cannot be considered as true power factor value. It must be considered "0.99" for that particular slot.

- From available MRI data, it is observed that highest maximum demand for August-2020 recorded during time zone TOD 2 is 0.72898. Accordingly, maximum demand would become  $0.72898 \times 4000$  (MF) = 2915.72 say 2916 KVA.
- As per laboratory report dtd. 20.10.2020 the meter is okay but it is a matter of fact that the microprocessor has momentarily malfunctioned during surge. The laboratory cannot measure the effect of momentarily surge in microprocessor of the meter. In fact, the laboratory can measure accuracy of the meter, authenticity of seals, tempering done etc.
- It is also reported by meter manufacturer M/s. EDMI in their letter No. EDMI/MKTG/PGVCL/G-009/2021-22, dt.14.09.2021 "If ABT meter will be tested for MD or accuracy tests will show normal results. Hence, this is not a case of defective meter but momentarily malfunctioning of ABT meter which cannot be measured".
- It is hereby calculated that maximum demand for the slot of 17.45 Hrs. on 04.08.2020 to be considered as 2105 KVA instead of 6320 (6318) KVA which was recorded due to heavy surge of 11 KV Liva Industrial Feeder emanating from 66 KV Unchi Mandal S/s. Under these circumstances, actual maximum demand must be considered highest of other blocks excluding slot of 17.45 Hrs. on 04.08.2020 which was showing abnormal demand.
- The maximum demand recorded during time zone TOD2 which shows import KVA 0.72898. The final value considering 4000 MF; maximum demand of  $0.72898 \times 4000$  MF = 2915.52 say 2916 KVA to be considered highest MD for billing purpose for the month of August-2020.

5.12 PGVCL is hereby directed to revise energy bill of M/s. Noken Vitrified Pvt. Ltd., Nichi Mandal Morbi for the month of August-2020 considering maximum demand as 2916 KVA instead of 6318 KVA.

5.13 The bill may be revised & refund may be adjusted in account of consumer within 30 (Thirty) days from issue of this order.

5.14 The consumer grievance is hereby resolved in favor of consumer.

**(N. H. Joshi)**  
**Independent Member**

**(J. B. Parekh)**  
**Chairperson**

**Note:**

1. If aggrieved by the order, the applicant may make a representation to the Ombudsman within a period of 30 days from the date of this order.
2. As per Gujarat Electricity Regulatory Commission, (Consumer Grievances Redressal Forum & Ombudsman) Regulations, Notification No: 2 of 2019 A representation may be entertained by the Ombudsman only if the following Condition is satisfied Clause No 3.19(viii): The complainant has deposited one third amount in terms of Forum's order, if required, with Licensee & submit proof of payment made.
3. Address of Ombudsman: Office of the Electricity Ombudsman  
Barrack No.3, Polytechnic compound, Ambawadi, Ahmadabad – 380015.  
Phone No: (079) 26302689