

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-II-35-2015.16
Complainant	Jamnaben Pachanbhai Prajapati, Near Bahecharpura Behind Amar Cold Storage, At : Bakrol, Dist : Anand
Respondent	Shri Amit Sharma, Junior Engineer VVnagar of MGVCL.
Date of hearing	09.10.2015 at Anand

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara

The complaint dated 19.09.2015 regarding excess recovery of estimate charges for availing residential vij connection at Bakrol R S No.1414/2/Paiki 1.

On 09.10.2015, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mukeshbhai Patel representative appeared on behalf of complainant Smt Jamnaben Pachanbhai Prajapati whereas Shri Amit Sharma, Junior Engineer VVnagar appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. The complainant had applied for 1.5 KW single phase residence vij connection on dated 02.09.2015 in survey No.1414/2/Paiki1. The survey number approved as non-agricultural land.
2. The complainant was issued an estimate amounting to Rs.16537/- on dated 14.09.2015.
3. The complainant has rejected over the estimate issued and insisted to issue it as per KW based charges i.e. fixed charges as directed by GERC.

The representative of the complainant contended that along with application of residence vij connection demand, they have submitted all relevant documents including NA permission of the land. As per GERC Notification No.9 of 2005 upto 100 KW load residential / commercial / industrial connection, no line charge and transformer charge is to be recovered. MGVCL can charge only fixed charge i.e. Rs.3500/KW. The representative of the complainant also demanded under which clause, charges included in the estimate and same should be removed from the estimate.

The respondent contended that the complainant has submitted NA permission of land on which his house is constructed and it is surrounded by agricultural land.

The location is outside the Gamtal area. The circular No.46 dated 01.07.2014 is issued by MGVCL which is self-explanatory. It is clearly stating that for outside Gamtal area, DISCOM is allowed to recover actual cost as per latest cost data subject to maximum amount of Rs.1 lac. The circular is framed on the basis of GERC letter No.GERC/Tech/2014/1378 dated 24.06.2014. On the basis of this circular, Corporate Office, MGVCL has further clarified vide letter No.2559 dated 01.10.015 that agricultural use or non-agricultural use is related to the utility of the land but when network is to be extended away from the gamtal area or city area where normally infrastructure of DISCOM is not ready to cater prospective load. In such connections are to be released by recovering actual cost of such infrastructure with a ceiling of Rs.1 lac or KW based fixed charges whichever is higher. Hence, estimate issued is in order.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that in the matter of charges to be recovered for new connection / additional load / shifting etc. The GERC has revised the service line charges payable by applicant / consumer. The latest revision issued vide GERC letter No.GERC/Tech/2014/1378 dated 24.06.2014 in which it is stated that DISCOMs are allowed to recover actual cost as per latest cost data subject to maximum amount of Rs.1 lac in cases of single phase lighting connection in agricultural land (including the cases where the agriculture connection does not exist in the same survey number) with load limit of not more than 3 KW.MGVCL has made it effective from 01.07.2014. The complainant's application registered for single phase lighting connection in agricultural land for 1.5 KW load. The estimate issued by MGVCL is as per above and it is in order.

ORDER

The Forum directs complainant Jamnaben Pachanbhai Prajapati, Near Bahecharpura, Behind Amar Cold Storage, At : Bakrol, Dist : Anand, that estimate issued for availing residence vij connection for single phase lighting connection of 1.5 KW load in agricultural land amounting to Rs.16537/- is in order.

(Harsha S Chauhan)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Clause No.2.63 Chapter-2 of GERC Notification No.2 of 2011.

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.

5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>