

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 of GERC (CGRF & Ombudsman)

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-I-01-2022-23
Complainant	Smt Shilpa Raghunandan Takle, 5, Ganpati Society, Sindhvai Mata Road, Vadodara (Complaint for 102, Shreeji Flats, 14-1, Lalbaug Society, Manjalpur, Vadodara).
Respondent	Shri B J Desai, Superintending Engineer (City) and Alpa Sheth Dy Engineer, Lalbaug s/dn both from MGVCL.
Date of hearing	28.06.2022 at Corporate Office, MGVCL, Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Independent Member	Dr M B Kaka, Vadodara

The complaint through email application dtd 14.06.2022 regarding illegal installation of Solar Rooftop plant in Apartment at Shreeji Flats, 14-1, Lalbaug Society, Manjalpur, Vadodara.

1.0 On 28.06.2022, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Raghunandan Takle husband of complainant authorized by the complainant Smt Shilpa Raghunandan Takle whereas Shri B J Desai, Superintending Engineer (BCC) and Smt Alpa Sheth Dy Engineer, Lalbaug s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 The complainant Shilpa Takle has registered complaint before CGRF Vadodara, alleging illegal installation of Solar Rooftop plant in Apartment at Shreeji Flats, 14-1, Lalbaug Society, Manjalpur, Vadodara, through email dated 14.06.2022.



2.2 There were 3 Nos of Solar Connection were given at Shreeji Flat, Manjalpur, 2 no Individual residential solar and 1 No common meter solar as under.

- 3.3 KW Solar connection was released to Shri Trushit K Patel bearing consumer No.14108/13321/8. As per sale deed, the premises ownership is in name of consumer, hence NOC not demanded from other co-owners of flat.

- 2.97 KW Solar connection was released to Dwijesh R Shah bearing consumer no 14108/13310/2. As per sale deed, the premises ownership is in name of consumer, hence NOC not demanded.

- 5.97 KW Solar connection was released in the name of Pramukh Shreeji Flat bearing consumer no 14108134591. This is common meter connection used for common utilities for flat owners. At the time of registration of application, Agreement (THARAV) dated 23.01.2020 was submitted by Shreeji flat owner association with sign of by all the flat owners. Accordingly, the solar connection was given by subdivision. As per list, the owner of Flat No.102 is Anjaliben Vijay Sadhe.

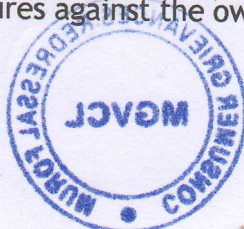
2.3 The complainant has raised objection against solar connections released in penthouse, ground floor and Common purpose at terrace. She represented her grievances at various levels like VMSS Vadodara, Hon GERC Gandhinagar and MGVCL.

3.0 The representative of the complainant contended that -

3.1 The complainant said that they own a flat 102, Shreeji Flats, 14-1, Lalbaug Society, Manjalpur, Vadodara 390011.

3.2 In their apartment, three Rooftop Solar plants are installed, one each by Ground floor and P2 residents and one for common meters.

3.3 In the documents submitted and permission obtained from MGVCL for the solar roof top installed for common meter "no objection" was not obtained by all the residents and has doubt that some people have done fake signatures against the owner of flat no 102.



3.4 Those rooftops are posing threat to the security and safety of their flat and spoil the elevation of the entire building which is not permitted as per the registration document signed by all members on stamp papers.

3.5 Concerned MGVL officials have not taken any action though they know that all permissions are illegal.

3.6 Mr Raghunandan Takle represented that steel structure installed for solar rooftop connection is touching their balcony area. Due to this, Security and Safety to their flat. He also represented that structure installed at penthouse also is very high causing safety issues.

3.7 Complainant has requested to provide copy of agreement (tharav) and to take corrective action as they have kept their flat vacant for the last 14 months due to safety and security issues.

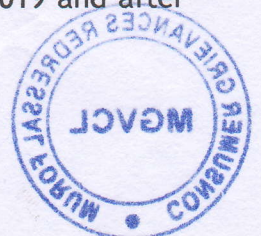
4.0 The respondent contended that :

4.1 3.3 KW Solar connection was released to Shri Trushit K Patel bearing consumer no 14108/13321/8. Since the premises ownership was in name of consumer as per sale deed, NOC was not demanded from other co-owners of flat.

4.2 2.97 KW Solar connection was released to Shri Dwijesh R Shah bearing consumer no 14108/13310/2. As per sale deed, the premises ownership was in name of consumer, hence NOC was not demanded.

4.3 5.97 KW Solar connection was released in the name of Pramukh Shreeji Flat bearing consumer no 14108134591. This Solar connection was released for common utilities for flat owners. At the time of registration of application, agreement (tharav) dated 23.01.2020 was submitted by Shreeji flat owner association with sign of all flat owners. Accordingly, the solar connection was allowed by the subdivision.

4.4 The respondents have confirmed that they have granted solar rooftop connection as per GUVNL / MGVL guidelines dated 09.09.2019 and after



receipt of all required documents. The matter was also clarified to the complainant.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 3.3 KW solar rooftop connections in the premises of Shri Trushit K Patel were released in P2 as individual consumer and as owner of the premises in line with GERC Regulations & GUVNL guidelines dated 09.09.2019.

5.2 2.97 KW Solar connection was released in the premises of Shri Dwijesh R Shah at ground floor GF-1, as individual consumer and as owner of the premises in line with GERC Regulations & GUVNL guidelines dated 09.09.2019.

5.3 5.97 KW Solar connection was released having common connection for utility purpose in the name of Pramukh Shreeji at Terrace in line with Hon GERC Regulations & GUVNL guidelines dated 09.09.2019.

5.4 S/dn officer, Lalbaug may provide copy of agreement (THARAV) dated 23.01.2020 submitted by Shreeji Flat Owners' Association, for getting 5.97 KW solar rooftop for common purpose.

5.5 S/dn officer, Lalbaug, to ask Solar Rooftop Agency alongwith prosumer and complainant to inspect two individual solar projects installed at Ground Floor and Penthouse in Shreeji flat within 15 days from the date of issue of this order and take further actions, if necessary.

ORDER

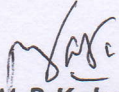
6.0 The Forum has come to the conclusion that -

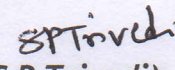
6.1 3.3 KW solar rooftop connections in the premises of Shri Trushit K Patel in P2 as individual consumer, 2.97 KW Solar connection in the premises of Shri Dwijesh R Shah at ground floor GF-1, as individual consumer and 5.97 KW Solar connection for common purpose at terrace in the name of Pramukh Shreeji were granted in line with GERC Regulations & GUVNL guidelines dated 09.09.2019 & are in order.



6.2 The request of the complainant is granted and Forum members direct respondent s/dn officer, Lalbaug MGVCCL to provide copy of agreement dated 23.01.2020 (THARAV) to the complainant.

6.3 In view of the complainants' request, the forum directs respondent s/dn officer, Lalbaug MGVCCL, to ask Solar Rooftop Agency alongwith prosumer and complainant to inspect two individual solar projects installed at Ground Floor and Penthouse in Shreeji flat within 15 days from the date of issue of this order and further actions, if necessary.


(Dr M B Kaka)
Independent Member


(S P Trivedi)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question. The Office address of the Ombudsman is : 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.3.19 (viii) of GERC Notification No.2 of 2019.

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

