

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2011 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-II-07-2020-21
Complainant	Dr Sanjeev Omprakash Purohit, B-11 Nidhi Duplex, Near Pramukh Vandna, Manjalpur, Vadodara
Respondent	Shri B S Prajapati, Deputy Engineer, Manjalpur s/dn of MGVCL.
Date of hearing	29.09.2020 at Corporate Office, Vadodara

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Mr A G Shaikh, Nadiad
Technical Member	Shri M T Sangada, (RA&C) MGVCL Vadodara

The complaint dated 31.07.2020 & received from S E (DSM) Cell of MGVCL dated 16.09.2020 regarding to reopen rooftop solar connection at residence.

1.0 On 29.09.2020, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Dr Sanjeev Omprakash Purohit,, appeared himself as complainant whereas Shri B S Prajapati, Deputy Engineer, Manjalpur 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 On dated 25.11.2019, Complainant Shri Dr. Sanjeev Omprakash Purohit, had registered application vide GUJ/P2/19-20/RT/RES/10077045 for 3.2 KW solar rooftop connection at his residence at B-11 Nidhi Duplex, Near Pramukh Vandna, Manjalpur, Vadodara.

2.2 He is having 3 phase RGPR connection of 10 KW bearing consumer No.50503/05171/3.

2.3 After verification of documents, payment of Rs.2950/- was made on dated 31.12.19.

2.4 During site survey, it is noticed that the above consumer caters power from 100 KVA Sanidhya duplex T/C & cumulative Solar load on that TC before the registration was 57.465 KW and on adding the proposed solar load of 3.2 KW, Transformer exceeds 65% load(58.5 KW) of its total capacity i.e 60.665 kw.(Total Capacity is 90 KW).



- 2.5 As per GERC Notification no.5/2016 (Regulations for net metering roof top solar PV grid interactive systems) dated 21.06.2016 and accordingly on line estimate of Rs.2,27,825/- was sent to empanel agency M/s. Roshni Solar considering system strengthening charge (Transformer Augmentation charges from 100 to 200 KVA) on dated 21.01.20. The last date of payment of estimate was 22.02.2020.
- 2.6 Consumer has not paid the estimated amount in time and hence his application was cancelled vide s/dn letter No.MNJ/Tech/4815 dated 06.02.2020.
- 2.7 Consumer has represented to Dy Engineer, Manjalpur s/dn to reopen his application for rooftop connection as per GERC Notification No.2 / 2020 (Regulations for Net metering roof top solar PV grid interactive systems).
- 2.8 As per GERC Notification no.2 of 2020 (Net metering roof top solar PV grid interactive systems) total capacity of the existing transformer can be used but it should be implemented from dated 23.01.20. So this application which was registered before 23.01.20 and also estimated amount was not deposited in time by consumer, it could not be reopened as per guidelines given from corporate office dated 17.03.2020.

3.0 The representative of the complainant contended that -

- 3.1 Complainant has registered for 3.2 KW solar rooftop system on 25.11.2019 and necessary registration charge has also paid on 31.12.2019.
- 3.2 He has also contended that payment has been given of Rs.30,000/- on 20.12.2019 and Rs.62674/- on 31.12.2019 to M/s. Roshni Solar.
- 3.3 Installation of rooftop is also carried out by empanel agency M/s. Roshni Solar.
- 3.4 He did not get copy of estimate till letter of cancellation received from MGVC.
- 3.5 He should get revised estimate as per GERC Notification no.2 of 2020 (Net metering roof top solar PV grid interactive systems), considering 100% capacity of existing transformer.
- 3.6 Complainant requested Forum to give natural justice as estimate was issued just one day before implementation of GERC Notification No.2/2020.



4.0 The respondent contended that

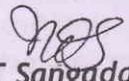
- 4.1 Application registered for 3.2 KW residential solar rooftop connection under Surya Gujarat Scheme vide registration letter No:MG/P2/19-20/RES/ 10077045, Dated:- 31.12.2020
 - 4.2 Baroda city circle has issued estimate of Rs 2 27 825/- on dated 22.1.2020 With system strengthening Charges (Transformer Augmentation) as per the Provision Of GERC Notification No 5 of 2016 "the cumulative capacity to be allowed at a Particular distribution transformer shall not exceed 65% of the peak capacity of the Distribution transformer
 - 4.3 The consumer has not paid the estimate, hence the application has canceled by the Manjalpur sub division vide letter No.MNJ/Tech/4815 Dated:-6.6.2020
 - 4.4 The consumer has requested vide letter dated 11.6.2020 to revise the Estimate as per GERC Notification no.2 of 2020 and register complaint at consumer Grievances forum vide letter dated 31.7.2020.
 - 4.5 As per GERC Notification 2 of 2020 dated 23.1.2020, it is mention that the Regulation shall come into force with effect from the date of their publication in the Official Gazette. So, the provision in this notification that the cumulative capacity to be allowed at a particular distribution transformer shall not exceed capacity of the distribution transformer is applicable to those application for which estimate issued on or after 23.1.2020. Accordingly DSM Cell has conveyed the same through mail to field offices on dated 17.3.2020.
- 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 Estimate issued on 22.01.2020 considering system strengthening Charges (Transformer Augmentation) as per the Provision Of GERC Notification No 5 of 2016 "the cumulative capacity to be allowed at a Particular distribution transformer shall not exceed 65% of the peak capacity of the Distribution transformer is in order.
 - 5.2 As per GERC Notification 2 of 2020 dated 23.1.2020, it is mentioned that the Regulation shall come into force with effect from the date of their publication in the Official Gazette.

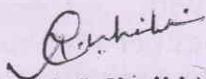
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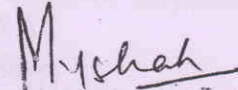
- 6.0 The Forum has come to the conclusion that complainant's request to reopen his application for rooftop solar connection cannot be entertained. Also, complainant is advised to register fresh application after declaration of notification for acceptance of new application for rooftop solar connection. Also, previously paid deposit as registration charge is forfeited and will have to pay



fresh registration charges. Also complainant Dr Sanjeev Omprakash Purohit, B-11 Nidhi Duplex, Near Pramukh Vandna, Manjalpur, Vadodara has to cancel his previous application from portal.


(M T Sangada)
Technical Member


(A G Shaikh)
Independent Member


(Smt Mala Y Shah)
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

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

