

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-IV-13-2021-22
Complainant	Shri Ashok Thatte, Raghukul, 6, Madhuvan Society, R V Desai Road, Navapura, Vadodara
Respondent	Shri Nilesh Parmar, Dy Engineer Baranpura s/dn of MGVCL
Date of hearing	28.03.2022 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Independent Member	Dr M B Kaka, Vadodara
Technical Member	Shri K B Dhebar, Additional Chief Engineer (RA&C) MGVCL Vadodara

The email complaint dated 04.03.2022 regarding merger of two connections in the same premises and refund of Security Deposit thereof.

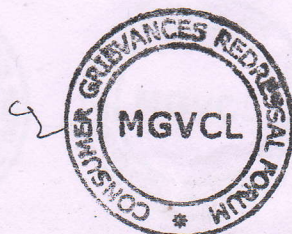
1.0 On 28.03.2022, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Ashok Thatte, appeared himself as a complainant whereas Shri Nilesh Parmar, Dy Engineer Baranpura s/dn appeared as a respondent on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 Shri Ashok Thatte, applied for 2 KW solar additional capacity in the existing solar rooftop of 2 KW in his residential premises located at Raghukul, 6, Madhuvan Society, R V Desai Road, Navapura, Vadodara.

2.2 On site verification, it was observed by SDO that there were 2 single phase connections and one 3 phase connection of same name i.e. Shri Ashok Thatte, existing in the same premises. A query was raised with reference to the commercial circular erstwhile GEB and GUVNL guidelines & GERC Supply Code, Clause No.4.28, for merger of 2 connections in the same name and same premises.

2.3 As per Supply Code 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 public road or by private premises.



2.4 The details for the said 3 connections are as under:

- i. Con No. 14512/00336/3 in the name of Shri Ashok Sridhar Thatte, Raghukul, 6, Madhuvan Society,
- ii. Con No. 14512/13574/0 in the name of Shri Ashok Sridhar Thatte, Raghukul, 6, Madhuvan Society (with Solar Roof Top Connection),
- iii. Con No. 14512/00335/5 in the name of Shri Ashok Sridhar Thatte, Raghukul, 6, Madhuvan Society

2.5 The consumer then referred the matter on 07.05.2021 to MGVCCL Corporate office, Vadodara, regarding not to insist for merger of 2 single phase connection in the same premises.

2.6 The SDO Baranpura has visited the site on 12.05.2021 and it was discussed with the complainant to merge of existing connection in the same name OR apply for change of name. After due deliberation, the complainant has applied for disconnection of one single phase connection from existing two connections in the same premises.

2.7 Solar application for additional 2 KW was processed after submission of agreement and necessary self certification by concerned solar agency on 25.06.2021, the additional load application was completed on 26.06.2021.

2.8 Aggrieved by the procedure of merger of 2 connections and refund of Security Deposit thereof, the complainant has referred the matter to CGRF MGVCCL vide email dated 04.03.2022.

3.0 The complainant contended that -

3.1 Complainant Shri Ashok Thatte has represented his case as under:

- a. In his residential premises at Navapura, Vadodara, 2 single phase connection were existing in the two separate portions of the premises wherein at present his two different relatives are staying. In the 1st floor of the building, a 3 phase connection is existing.
- b. In the year 2017, he has installed solar rooftop of 2 KW for residential consumption of 1st floor where he has taken a 3 phase connection.
- c. In the year 2019, he has applied for additional 2 KW solar capacity in the existing solar rooftop. While processing this application, SDO MGVCCL Baranpura office has asked to merger existing 2 single phase connections as per Supply Code Clause No.4.28.



- d. He has submitted that since Supply Code Clause No.4.28 is not applicable as he has not applied for new connection but only demanded additional solar capacity.
- e. He strongly raised grievance against disconnection of one single phase connection and requested to revive disconnected single phase connection.

4.0 The respondent contended that -

- 4.1 Shri Nilesh Parmar, Dy Engineer, Baranpura s/dn, MGVCL, has submitted that as per GERC Supply Code, 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 public road or by private premises.
- 4.2 During site verification, 2 buildings are existing in the plot No.6 of Madhuvan Society, Navapura, Vadodara. In the 1st building, one lighting connection in the name of Smt Jayshree A Thatte and 2nd connection in the name of Shailesja V Thatte. In the second building, one 3 phase connection at first floor in the name of Shri Ashok Thatte and in the ground floor, 2 connections in the same name of Shri Ashok S Thatte.
- 4.3 He has submitted that the complainant was already informed to apply for change of name for existing connection OR merge two connections in the same name.
- 4.4 He also submitted that 27 consumers having more than one connection in the same name in the adjoining/contiguous premises were already merged into one connection during this period as per Supply Code Clause No.4.28.

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 The procedure adopted for merging of 2 connections in the same name in the same premises in this case is in accordance with Supply Code Clause No.4.28, which is read as under,

“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 / Sales Tax No, rationcard and rent or lease agreement.”

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5.2 The Security Deposit available in the account of PDC connection may be appropriated in the remaining connection in the same name without demanding original Money Receipt / Indemnity Bond.

5.3 The complainant may apply for separate connection in the separate premises in the name of separate legal entity.

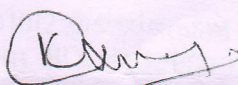
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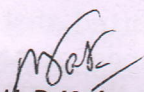
6.0 The Forum has come to the conclusion that -

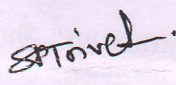
6.1 The procedure adopted for merging of 2 connections in the same name in the same premises/adjointing / contiguous in this case is in accordance with Supply Code Clause No.4.28 in the name of complainant Shri Ashok Thatte, Raghukul, 6, Madhuvan Society, R V Desai Road, Navapura, Vadodara was in order.

6.2 The Security Deposit available in the account of complainant Shri Ashok Thatte, for PDC connection may be appropriated in the connection of Shri Ashok Thatte Con No. 14512/13574/0 without demanding original Money Receipt / Indemnity Bond.

6.3 The complainant may apply for separate connection in the separate premises in the name of separate legal entity. The respondent SDO Baranpura, MGVCL may cooperate for further course of action.


(K B Dhebar)
Technical Member


(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

