

**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-I-2-2017-18
Complainant	Tahirabibi Abdulrazaq Hasan, Salamat Society, Lileshra Road, Godhra
Respondent	Shri T C Vyas, Deputy Engineer, Godhra Rural of MGVC.
Date of hearing	21.04.2017 at Vadodara

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri B J Upadhyay ACE (RA&C) MGVC Vadodara

The complaint dated 20.03.2017 regarding refund of excess amount of estimate for industrial purpose connection at Survey No.81/1 at village Lileshra, Dist: Godhra

1.0 On 21.04.2017, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Son Zuber A Hasan appeared on behalf of complainant Tahirabibi Abdulrazaq Hasan whereas Shri T C Vyas, Deputy Engineer, Godhra Rural appeared as respondent on behalf of MGVC before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 The complainant had applied for industrial flour mill purpose having connection of 20 HP on 07.06.2016 which was cancelled on 04.07.2016 and reapplied on 04.08.2016.

2.2 Approval from Circle office, Godhra, No.GDC/T.2/industrial/8100 dated 16.09.2016.

2.3 FQ was issued on 19.09.2016 of Rs.3,07,182/- (Line charge Rs.2,64,860/- + Security Deposit Rs.21222/-, + Fixed Cost of Rs.21000/- + Agreement fee Rs.100/-) & paid UNDER PROTEST.

2.4 Additional estimate of Rs.17033/- issued on 13.10.2016 & paid on same date.

2.5 Test report submitted by party on 13.10.2016.

2.6 Connection was released on 14.10.2016.

3.0 Party was heard in Complaint Redressal Committee (CRC) on 10.03.2017 at Godhra and ordered that as per prevailing rules of the company i.e. MGVC estimate issued of Rs.3,24,215/- is in order.



- 4.0 The representative of the complainant contended that as per the GERC Notification company cannot recover the estimate amount more than Rs.1 lac and estimate issued to him is not as per GERC Notification, so his appeal may be viewed accordingly and excess amount of estimate recovered from him may be refunded.
- 5.0 The respondent contended that as per the prevailing directives of the GERC, the load upto 3 KW for residential purpose from agricultural feeder is allowed to release by recovering the estimate amount upto maximum Rs.1 lac. Here, the load demand is 20 HP & of industrial category so as per the prevailing directives of company, connection has been proposed from 11 KV Vadelav JGY feeder which is 400 metres from premises & as per the cost data the actual cost has been recovered. The approval given involves erection of 400 metres HT line + 25 KVA transformer. As the respondent informed that the estimate with a ceiling of Rs.1 lac is for residential category of load limit of 3 KW and to be proposed from agricultural feeder. But in this case, this is an industrial connection approved from continuous power supply, actual cost incurred is recovered from the complainant.
- 6.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and as per the letter of GERC dated 24.06.2014 "has allowed DISCOM to recover the actual cost with maximum amount of Rs.1 lac from prospective lighting connection in agricultural land from Ag DOM feeder with load limit of 3 KW". In view of this, any connection outside gamtal above 3 KW cannot be catered from Ag DOM feeder due to technical constraint of SDT and if consumer wants to have facility for continuous power supply, it can be considered from other category (i.e. urban / JGY) feeder for which he has to pay full estimate charges. In instant case, party is in need of more than 3 KW load hence he has to pay full line cost. This issue has also been reviewed in detail and THARAV of GoG EPD Gandhinagar No.GUV-2016-3885-K1 dated 24.01.2017 is reproduced below where matter has been addressed & clarified.

ગામતળ બહાર વિવિધ હેતુ માટે વીજ જોડાણો આપવાની સર્વગ્રાહી નીતિ અમલમાં મુકવા બાબત.

ગુજરાત સરકાર

ઉર્જા અને પેટ્રોકેમિકલ્સ વિભાગ

ઠરાવ ક્રમાંક - ૨૦૧૬-૩૮૮૫-ક૧

સચિવાલય, ગાંધીનગર

તારીખ - ૨૪.૦૧.૨૦૧૭

(૪) ખેતી વિષયક અથવા અન્ય હેતુ માટેની જમીનમાં ઔદ્યોગિક, વાણિજ્ય, એગ્રો ઇન્ડસ્ટ્રીઝના વીજ કનેક્શનો માટેની ૨૪ કલાકના ફીડર પરથી વીજ કનેક્શન આપવાની સર્વગ્રાહીનીતિ



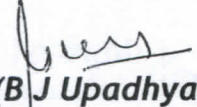
(1) આવા કનેક્શનો માટે નીચે પ્રમાણેના ધારાધોરણો છે.

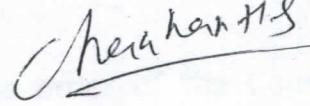
૩) ૬ કિ.મી. કરતાં વધુ વીજમાંગ હોય અને અરજદાર સતત વીજ પુરવઠો મેળવવા ઇચ્છતો હોય તો થ્રી ફેઝ વીજ જોડાણો નજીકના જેજીવાય / અર્બન ફીડર પરથી વાસ્તવિક ખર્ચ વસુલીને લાગુ પડતા ટેરીફ આધારે રહેશે.

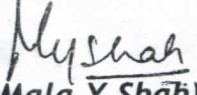
7.0 In view of the above discussion & provisions, norms of GERC, the Forum is of the opinion that the recovery of full cost is in order.

ORDER

The Forum thus directs the complainant Tahirabibi Abdulrazaq Hasan, Salamat Society, Lileshra Road, Godhra that estimate issued for availing industrial connection at Survey No.81/1 at village Lileshra, Dist: Godhra from JGY feeder to have facility for continuous power supply amounting to Rs.3,07,182/- is in order.


(B. J. Upadhyay)
Technical Member


(Harsha S Chauhan)
Independent Member


(Smt Mala Y Shah)
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/Consumer%20Grievances/Procedure/Procedure.pdf>

