

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-III-76-2011.12
Complainant	Shri G R Darji, The President, Yash Co.op Housing Service Society, Gotri Road, Vadodara.
Respondent	Shri H R Shah Dy Engineer of MGVCL
Date of hearing	18.11.2011

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 2.11.11 is for refund of development charges.

Today on 18.11.11, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri G R Darji, , appeared himself behalf of The President, Yash Co.op Housing Service Society, whereas Shri H R Shah Dy Engineer appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has consumer No.15431/01724/5/0 & 15431/01715/2
2. The complainant has asked for refund of development charges with the interest @ 14%.
3. Applicability of tariff may be correctly done with the refund of excess amount paid with the interest @ 14% for delayed payment.
4. The complainant has not produced any proof for payment of development charges.

The complainant contended that before 7 years when their society had been formed and electricity supply was made available they had paid development charges for the same but as on today the development charges have not been refunded by MGVCL.

The complainant has also complained about the applicable tariff for common use of lifts, water pump, fire water pump, passage lighting etc

The Respondent Shri H R Shah Dy Engineer contended that from the MGVCL records, it seems that the complainant or their society has not paid any development charges to MGVCL for getting connection. If they have done so, the complainant is informed to submit the receipts of such

development charges paid by them. We can give refund only after getting the proof of development charges payment.

About the applicability of tariff, the society / President has been informed about the installation of separate meter and connection for separate consideration under different tariffs.

The Forum Members present at the hearing considered contention of both the parties and perused the records. As no proof has been produced about the payment of development charges from either parties, MGVCL is unable to consider the case. Regarding the applicability of tariffs, the different tariffs shall require separate meter & connection for use of electricity as per applicability of tariff schedule. The society has no separate connection for lifts hence this also cannot be considered under separate tariff.

In view of the above discussion, the Forum is of the opinion that the complainant has to produce proof of having paid development charges to MGVCL. Regarding applicability of tariffs, it is to inform that since 1.9.2011 both tariffs have been merged.

ORDER

The Forum directs the President of Yash Co.op Housing Service Society, Gotri Road, Vadodara, to produce proof of their payment of development charges to MGVCL to get refund. The concerned deputy engineer of MGVCL is directed to give guidelines to the complainant about the new tariff policy effective from 1.9.2011.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1st floor, Neptune Tower, OPP: Nehru Bridge, Ashram Road, Ahmedabad 380 009 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

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>