

**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-25-2011.12
Complainant	Shri Harikrishna N Soni, Pramukh Pujan Jewels, G 1, Rangoli Complex, OPP: Town Hall, Vidhyanagar Road, Anand
Respondent	Shri G M Patel, DE Anand (Sardar) of MGVCL.
Date of hearing	22.07.2011

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 23.6.2011, is for refund of transformer charges etc.,

Today on 22.07.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Harikrishna N Soni, appeared himself, whereas Shri G M Patel, DE Sardar s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. Shri Harikrishna Soni, has Jewelry shop at Vidhyanagar Road, Anand with vij connection No.102/30775/0
2. The complainant had purchased the shop during 2009 with 8.5 KW load.
3. Thereafter, he applied for additional load of 44 KW (9 KW + 44 KW = 53 KW) on 21.4.2009. Estimate given by MGVCL was Rs.2,43,590/. The complainant had paid up total amount.

The representative of the complainant contended that the line charges and transformer charges of Rs.1,97,260/ recovered by MGVCL is against the GERC rules and hence should be refunded immediately.

The Respondent Shri G M Patel, DE contended that the estimate for additional load were prepared as per the prevailing practice & clause 3(iii), 4.1, 4.2 & 8.2(F) of GERC Notification 9 of 2005 and recovery was made accordingly. The estimate are as per e-urja system and there is no chance of mistake in it.

The Forum Members present at the hearing considered contention of both the parties and perused the records.

In one of the such case of agriculture additional load of UGVCL, case No.103 of 2011 Ombudsman has upheld the decision passed by CGRF UGVCL Mehsana

(case No.UG-I-018-2010.11) and has ordered that the expenditure recovered for extension of load, is as per regulation clause No.3(ii), 4.1, 8.2 (F) Notification No.9 of 2005.

In view of the above discussion, the Forum is of the opinion that as per clause No.8.2(F) chapter 4 of Notification No.9 of GERC (2005) is not applicable to the case.

ORDER

On the basis of representation & documents submitted by the Appellant & Respondent, the Forum's findings are as under:

1. The exclusion (d) to clause No.4.2(ii) of GERC Notification No.9 of 2005 is not applicable in this case as this is the case for additional load.
2. The expenditure recovered for extension of load as per the representation of the respondent is as per regulation and hence it is recoverable.

The Forum orders accordingly.

(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>