

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-64-2011.12
Complainant	Shri Chhaganbhai M Patel – his son Harishbhai C Patel, at Village – Khanda, Tal: Waghodia, Dist: Vadodara
Respondent	Shri D S Shah EE of Vadodara & Shri J R Gajjar DE s/dn of Waghodia of MGVCCL.
Date of hearing	4.11.2011

QUORUM	NAME
Chairman	Shri Y B Sukhadia, MGVCCL
Member	Shri K R Shah, MGVCCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 27.9.11 is for maintaining ground clearance of 11 KV HT line passing through agricultural land.

Today on 4.11.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Harishbhai C Patel (son of complainant) appeared on behalf of Shri Chhaganbhai M Patel whereas Shri D S Shah EE of Vadodara & Shri J R Gajjar DE s/dn of Waghodia appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant having agricultural land survey No.82 paiki 1 and 235.
2. 11 KV line is passing through his above mentioned land.
3. The ground clearance of 11 KV line is less than specified in electricity code.
4. The complainant has referred Electricity Rule 1956 section 77 in which it is specified that ground clearance for high voltage line should be minimum 6.1 metres
5. MGVCCL has given estimate of Rs.21,000/ for line shifting.

The representative of the complainant Shri Harishbhai contended that the 111 KV line passing through his land is existing since many years. At present, ground clearance is not sufficient and hence they are afraid of unsafe conditions. The estimate of Rs.21,000/ given to the complainant by MGVCCL for line shifting is put of rules and legally incorrect and the complainant has requested for justice.

The Respondent Shri J R Gajjar, DE of MGVCL contended that the complainant has done earth filling under 11 KV line and hence ground clearance has decreased the complainant wants to build Taballo for buffalos. At the same time, the complainant is not prepared to pay as per estimate given for line shifting.

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

- As per the rules, ground clearance for all electrical lines is to be maintained as specified in the relevant cod. Any construction, modification, earth filling, structure or anything which reduces the ground clearance below the minimum as specified is not permissible.
- In this case, it seems that there is a big span between two poles. In between additional pole at suitable location may reduce the sag of the line and may not create hindrance to the complainant.

In view of the above discussion, the Forum is of the opinion that as land is of L shape, the additional pole at the middle corner of land serves the purpose with minimum expenditure. MGVCL Deputy Engineer and the complainant may jointly decide the new location of intermediate pole. revised estimate may be given to the complainant.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to discuss the location of intermediate pole with the complainant jointly and give revised estimate to the complainant which he has to agree for payment. After completing the formalities the work of 11 KV line can be undertaken, however, under no circumstances, the complainant shall do any type of change in the land which shall reduce the minimum ground clearance under 11 KV line.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(Y B Sukhadia)
Chairman

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>