

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-05-2019-20
Complainant	Farjanaben Abdulsafar Vohra, At : Baharpura, Post: Kheda, Tal & Dist : Kheda
Respondent	Shri U A Solanki, Deputy Engineer, Kheda s/dn of MGVCL.
Date of hearing	30.05.2019 at Corporate Office Vadodara & 19.06.19 at Nadiad Circle office

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Mr A G Shaikh, Nadiad
Technical Member	Smt S H Parekh, (RA&C) MGVCL Vadodara

The complaint dated 12.05.19 received on 16.05.19 regarding estimate in which infrastructure cost was added for single phase residential lighting connections.

1.0 Hearing was scheduled on 30.05.2019 at Corporate Office Vadodara but the complainant was not present, hence again hearing was scheduled on 19.06.19, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Naumanbhai Ayubhbhai Vohra appeared on behalf of complainant Farjanaben Abdulsafar Vohra, At : Baharpura, Post: Kheda, Tal & Dist : Kheda whereas Shri U A Solanki, Deputy Engineer, Kheda s/dn of MGVCL. appeared as 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 The complainant had registered application on 27.02.19 for single phase residential connections of 3 KW each (total 51 KW) for group of 17 nos of applicants with individual Aakarni issued by Nagarpalika, Kheda, in NA land bearing RS No.20/1/2 of village Kheda. Also, lay out plan is approved by competent revenue authority. Accordingly, survey was carried out by Kheda s/dn under D category having proposed work (i) 11 KV HT line (open conductor) 0.490 Km (ii) LT line (2 wire ABC) 0.160 km and (iii) 63 KVA transformer at an estimated cost of Rs.4,45,806/-. The TS was accorded



by Division office, Mehmadaabad, vide letter No.3018 dated 08.03.19 on the basis of corporate office circular letter No. MGVCL/Tech/ DoP/670 dated 19.02.19.

2.2 Individual estimates to all 17 applicants were issued as shown below:

Adjustment of fixed charge	Rs.19,724/-
Fixed charge	Rs.6,500/-
Security Deposit	Rs.1952/-
Total	Rs.28,176/-

2.3 Estimates were not paid by group as mentioned above.

2.4 Once again at same location group of 18 nos of applicant had registered their application for getting single phase lighting connection of 1 KW each (18 KW). Accordingly, after necessary survey proposal was sent to division office with proposed work as shown in Point No.2.1 above but considering HT AB cable instead of Bare conductor for 11 KV HT line and 25 KVA transformer instead of 63 KVA transformer with estimate of Rs.6,44,196/-.

2.5 TS was issued vide Mehmadaabad division office letter No.4282 dated 24.4.19 and accordingly individual estimate were issued as shown below:

Adjustment of fixed charge	Rs.32,289/-
Fixed charge	Rs.3,500/-
Security Deposit	Rs.565/-
Total	Rs.36,354/-

2.6 Aggrieved with estimate issued as shown in 2.2 and 2.5 complainant represented to SE (O&M) MGVCL CO Nadiad vide letter dated 26.4.19 regarding discrepancies in estimate issued and also raised grievance regarding recovery of infrastructure cost as "adjustment of fixed charges" & also submitted in writing that in other circle like Anand circle they are not charging infrastructure cost in NA land outside gamtal area. In turn, letter was issued vide No.NC/Tech/2667 dated 10.5.19 S E (O&M) Nadiad stating that previously cost of bare conductor was considered for HT line but as per letter No. MGVCL/Tech/ DoP/670 dated 19.02.19, it should be HT AB cable hence estimate is increased and estimates issued as shown in Table 2.5 above is in order.



2.7 Complainant not satisfied by letter of SE (O&M) Nadiad as shown in 2.6 above & approached CGRF for revision of estimates and to give natural justice.

3.0 The representative of the complainant contended that -

3.1 The complainant had registered application on 27.02.19 for single phase residential connections of 3 KW each (total 51 KW) for group of 17 nos of applicants with individual Aakarni issued by Nagarpalika, Kheda, in NA land bearing RS No.20/1/2 of village Kheda.

3.2 They have received individual estimates as shown above in 2.2 but they did not paid.

3.3 Once again they have registered 18 nos of applications for residential connection of 1 KW each at same location.

3.4 They have received individual estimates as shown above in 2.5 which was more higher than previously issued estimates even though work involved was almost same.

3.5 Complainant has raised his grievances to S/dn office, Division office and Circle office but he could not get justice and hence they approached CGRF.

3.6 As the land where Sukan Park constructed in NA land bearing in NA land bearing RS No.20/1/2 of village Kheda. Hence, circular of GoG regarding electrification outside Gamtal area cannot be implemented in this case as more than 15 applications were registered in group and only fixed charges as per load may be recovered.

4.0 The respondent contended that -

4.1 Individual estimates were issued as per TS accorded by Mehmabad Division office, as shown above in Point No.2.1 & 2.4 and as per GUVNL



(ર) ગામતલ બહાર ખેતી વિષયક હેતુ માટે ઉપયોગમાં ન લેવાતી હોય તેવી જમીનમાં આવતા મકાનોને (દ્રાયબલ વિસ્તાર માટે ૧૦ અને નોન-દ્રાયબલ વિસ્તાર માટે ૧૫ કે તેથી વધુ મકાનોના જુથને) જેજવાય ફીડર પરથી પાવર આપવાની નીતિ.

1. દ્રાયબલ વિસ્તાર માટે ઓછામાં ઓછા ૧૦ અને નોન દ્રાયબલ વિસ્તાર માટે ઓછામાં ઓછા ૧૫ વીજ જોડાણોની માંગણી હોવી જોઈએ. સદર જુથ સદરજુ જમીનનો ઉપયોગ રહેણાક હેતુ માટે કરે છે તે અંગેનો સ્થાનિક તલાટી ખંતીનો દાખલો રજૂ કરવાનો રહેશે.
2. સદર જુથ સંબંધિત તાલુકા વિકાસ અધિકારી દ્વારા પ્રમાણિત હોય તો તેવા પેટા પરા વિસ્તારને અગાઉ આપાયેલ જ્યોતીગ્રામ યોજનાના નિયમો મુજબ વીજળીકરણનો લાભ અપાશે. તેમજ સદર પેટાપરા/ જુથને જ્યોતીગ્રામ ફીડર સાથે જોડવાનો ખર્ચ DPU&JY હેઠળ કરવાનો રહેશે.
જો DPU&JY યોજના અંતર્ગત જોગવાઈ ન હોય તો, તેવા કિસ્સાઓમાં આ ખર્ચ Kullir Jyoti/ TASP/ લાગુ પડતી અન્ય યોજના હેઠળ કરવાનો રહેશે.
3. જો સદર પેટાપરા/ જુથ સંબંધિત તાલુકા વિકાસ અધિકારી દ્વારા પ્રમાણિત ન હોય તો તેવા કિસ્સામાં કનેક્શન આપવા માટે ઊભી કરવામાં આવતી માળખાકીય સુવિધાને લગતો તમામ ખર્ચ, જુથના તમામ અરજદાર-સભ્યો પાસેથી માંગેલા વીજભારના પ્રમાણ મુજબ વસુલીને જરૂરીયાત મુજબ સિંગલ ફેઝ/ટ્રી ફેઝ વિજ જોડાણ, જે તે સમયના ધારાધોરણ અને લાગુ પડતા ટેરીફ મુજબ આપવામાં આવશે.
4. વીજચોરી અને અકસ્માત નિવારણ આવા કનેક્શનને નજીકના હયાત હજવા દબાણવાળા વીજરેષામાંથી એલટી એબીસી દ્વારા વીજપુરવઠો પૂરો પાડવામાં આવશે અથવા HVDS પ્રધાતિ દ્વારા વીજપુરવઠો પૂરો પાડવામાં આવશે અને HT લાઇન માટે ઓવરહેડ HT AB CABLEનો ફરજિયાત ઉપયોગ કરવાનો રહેશે.
5. હાલમાં, કોઈ પેટાપરામાં હયાત વીજજોડાણનો વીજપુરવઠો જો ખેતીવાડી ફીડર પરથી મળતો હોય અને આ નીતિ મુજબ તે જેજવાય ફીડર પરથી વીજપુરવઠો લેવા માંગે તો ઉપરોક્ત શરતોને આધીન ફેરફાર કરાવી શકશે.

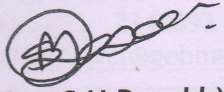
4.2 Also, in MGVCCL Circular No.2545 dated 20.09.2017, it is clearly mentioned that revised guidelines regarding not to recover actual cost from consumers is applicable to connections asked other than residential purpose.

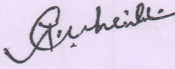
5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that as per gamtal circular and its amendments and as per Circular No.MGVCL/Tech/ DoP/670 dated 19.2.19, it is clearly mentioned in Point No.3 that “as per present policy, while giving new LT connection in NA Land' within city / Gamtal area / GIDC / Industrial estate, estimates are given on KW based fixed charges. But as the Sukan Park scheme is out of gamtal area and bearing Revenue Survey number, line charges recovered proportionately from each applicant is as per prevailing norms and in order.

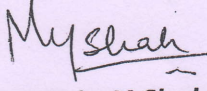


ORDER

6.0 The Forum has come to the conclusion that the estimates issued to complainant Farjanaben Abdulsafar Vohra & 17 others At : Baharpura, Post: Kheda, Tal& Dist: Kheda, considering adjustable fixed charge is in order & as per prevail norms.


(Smt S H Parekh)
Technical Member


(A G Shaikh)
Independent Member


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

