

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-II-08-2019-20
Complainant	Shri Gordhanbhai A Patel & others, Sai Villa 1 & 2, At : Sunav, Tal: Petlad, Dist: Anand
Respondent	Shri K T Shah, Deputy Engineer Sojitra s/dn of MGVCCL
Date of hearing	02.08.2019 at MGVCCL CO Anand (Postponed due to flood in Vadodara), & 14.08.2019 at Corp Office Vadodara

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

The complaint dated 10.07.19 recd on 17.07.19 regarding revision of FQ issued considering infrastructure cost i.e. line charges.

1.0 Hearing was arranged on 02.08.2019 at MGVCCL CO Anand (Postponed due to flood in Vadodara), & again on 14.08.2019 at Corp Office Vadodara, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mukeshbhai Patel appeared on behalf of complainant Shri Gordhanbhai A Patel & others whereas Shri K T Shah, Deputy Engineer Sojitra s/dn appeared as respondent on behalf of MGVCCL 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 16 nos of applications for single phase residential & one W/W connections with total 50 KW load as a group with individual Aakarni issued by Gram panchayat of village Sunav in NA land bearing RS No.69 & 71 of village Sunav. Also, lay out plan is approved by competent revenue authority. Accordingly, survey was carried out by Sojitra s/dn under D category having proposed work (i) 11 KV HT line (AB cable) 0.110 Km (ii) LT line (AB cable) 0.400 km and (iii) 63 KVA transformer at an estimated cost of Rs.4,78,889/-. The TS was accorded by Division office, Petlad, vide letter No.3237 dated 15.06.19 on the basis of corporate office circular letter No. MGVCCL/Tech/ DoP/670 dated 19.02.19 with a remark to recover full cost from applicants.

2.2 Individual estimates to all 17 applicants were issued with adjustment of fixed charge, security deposit and fixed charges as per load demand. In which, difference of fixed charge



proportionately recovered from individual applicant (total Rs.358046/-).

2.3 Estimates were not paid by group as mentioned above.

2.4 Aggrieved with estimate issued as shown in 2.2, complainant represented regarding discrepancies in estimate issued and also raised grievance regarding recovery of infrastructure cost as "adjustment of fixed charges" & also submitted in writing with evidence of FQ issued that in other s/dn (Mogri s/dn) of Anand circle they are not charging infrastructure cost in NA land outside gamtal area. Specifically at Tulsi Heritage, Mogri, for 16 nos of connections. In which, HT line 0.015 Km, LT line 0.124 Km and 63 KVA T/C was proposed.

2.5 Complainant has requested not to transfer his application at CRC.

2.6 Complainant not satisfied and approached CGRF for revision of estimates and to give natural justice as per GERC Noti No.9 of 2005, chapter IV.

3.0 The representative of the complainant contended that -

3.1 The complainant had registered 16 nos of applications for single phase residential & one W/W connections with total 50 KW load as a group with individual Aakarni issued by Gram panchayat of village Sunav in NA land bearing RS No.69 & 71 of village Sunav. Also, lay out plan is approved by competent revenue authority (Nagar Niyojak, Anand).

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

3.3 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.

3.4 As the land where Sai Villa Society constructed in NA land bearing LS No.69 & 71 of village Sunav. Hence, as per circular of GoG dated 24.01.2017 & subsequent circulated vide Circular No.2545 dated 20.09.2017 electrification outside Gamtal area in NA land 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 Petlad Division office, as shown above in Point No.2.2 and as per GUVNL Circular No.GUVNL/Tech2/RNR/2719 dated 30.01.2017 (gamtal circular) and also, in MGVCL Circular No.2545 dated 20.09.2017, it



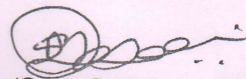
is clearly mentioned that revised guidelines regarding not to recover actual cost from consumers is applicable to connections asked other than residential purpose. Also, as per circular issued vide MGVCL/Tech/DoP/670 dated 19.02.19 point No.3 FQs were issued considering adjustment of fixed charges.

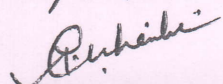
- 5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that as per gamtal circular and its amendments and as per Circular No.MGVCL/Tech/DoP/670 dated 19.2.19, it is clearly mentioned in Point No.3 that "as per present policy, while 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 Sai Villa 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.

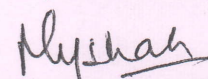
ORDER

- 6.0 The Forum has come to the conclusion that the estimates issued are as per prevailing norms and also as per GoG Tharav of Gamtal as narrated above, to the complainant Shri Gordhanbhai A Patel & others, Sai Villa 1 & 2, At : Sunav, Tal: Petlad, Dist: Anand.

Note: There is 7 days delay in order issue, because an amendment was expected in Govt Tharav / Circular.


(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>

Phone: (079) 2340612
Email: mgvcl@mgvcl.org



Shri. G. Chandra A. Patel & Co.
200 Sky Electricals
1st Floor Complex 2
Near Sardar Patel Statue
Vadodra 390 120

Subj: Your grievance regarding estimate issued considering adjustment of fixed charges (line charges) for Sai villa 10 2 society located at village Sunag/Dist: Anand.

Ref: Your application dated 10.07.19 read on 17.07.19

Dear Sir,

Enclosed herewith please find the order of the Consumer Grievances Redressal Forum as mentioned above.

Thanking You,

Yours Sincerely,
For & on behalf of CGRF

(S N Pariani)
Convener

Encl: As above

MGVCL along with order for

ETA to MD MGVCL Corp Office, Vadodra
CC (Prof) MGVCL Corp Office, Vadodra

Copy to:

SE (OBM) Unit MGVCL - CO Anand

EE (OBM) MGVCL SO Pindad

DE (OBM) MGVCL Soitra v/d

SE (CGR) (F) is requested to submit Action Taken Report within 7 days from the date of issue of this letter.

SE (IT)

COA

SE (OSM)

EE (Tech)

EE (RE) (GRC)

EE (SAFETY)

DE (COM) (AST)

RA

Handwritten signature
5/10