

**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-40-2012.13
Complainant	Shri Kanubhai Harmanbhai Patel at Shreya Gruh Udyog, Anand Road, Uttarsanda, Tal: Nadiad, Dist: Anand.
Respondent	Shri S A Kadia, Deputy Engineer, Chaklasi s/dn of MGVCL.
Date of hearing	24.8.2012 & 23.11.2012

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 16.07.2012 is for refund against payment of estimate.

On 24.08.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri N M Vaghela, appeared on behalf of complainant Shri Kanubhai Harmanbhai Patel, whereas Shri S A Kadia, Deputy Engineer, Chaklasi 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. The complainant has consumer No.19704 / 03070 / 3 in the name of Shreya Gruh Udyog, Anand Road, Uttarsanda, Tal: Nadiad, Dist: Anand.
2. The complainant had applied for electric connection on 23.03.2011.
3. The estimate amounting to Rs.83842/ was given on 27.4.2011 and the same was paid on 18.5.2011.
4. The load demand was increased from 60 KW to 80 KW.

The complainant contended that as per clause No.8.2(F) Chapter 4 of Notification 9 of GERC (2005) his case should be considered.

The Respondent Shri S A Kadia, Deputy Engineer 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>