

**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-80-2013.14
Complainant	The President, Keshav Residency, OPP: Samruddhi Society, Near Manisha Chowkdy, Old Padra Road, Vadodara
Respondent	Shri N D Pradhan, Deputy Engineer of Akota s/dn of MGVL.
Date of hearing	04.10.2013 at Corporate Office, MGVL Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara

The complaint dated NIL received on 10.09.13 regarding wrong applicability of tariff - consumer No.15529/03943/0.

On 04.10.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Dr Naniben J Shah & Jaykamal K Shah appeared on behalf of complainant The President, Keshav Residency, whereas Shri N D Pradhan, Deputy Engineer of Akota s/dn appeared as respondent on behalf of MGVL before the Forum. Both the parties were heard.

The brief details of the case are :

1. As per section 3 of the Electricity Supply Code, the MGVL has changed the tariff to NRG. They have President, Keshav Residency, having two meters, one for lift and water works and another meter for lighting. Initially, these were billed under tariff LTP-I and LFD-II respectively.
2. After revision of tariff with effect from 01.09.2011, these tariffs were changed to NRG. Complainant has objected for applicability of the metered tariff. Being residency and no commercial connection,

therefore, RGP tariff should be applicable and requested to revise bill accordingly.

The representative of the complainant contended that from very beginning, the MGVL has applied wrong tariff in their residential area. There is no commercial connection for use of power for commercial application. However, MGVL has billed the common utility connection i.e. lift and motive power motor for drinking water purpose under LTP-I tariff and common lighting under LFD-II tariff. They have objected for the said tariff on 19.12.2011 and submitted their application to the sub-division office of MGVL but no actions taken thereafter. From 01.09.2011, these both tariffs are changed to NRGP i.e. for non-residential area which is also a wrong tariff applied by the MGVL. It is requested to the Forum to consider as residential premises and revise the bill as per RGP tariff.

The respondent contended that prior to 01.09.2011, the common utility connections in a group of residential area were treated as industrial connection and billed under LTP-I / LFD-II tariff. He confirmed that there is no commercial connection exist in this residential area. As per MGVL Circular No. (1) MGVL / Accts/ NRGP /LTMD / Tariff / K-554 dated 25.02.2013 and (2) No. MGVL / Accts/ NRGP /LTMD / Tariff / 13 / K-602 dated 17.08.2013, the NRGP tariff is now changed to RGP tariff from 21.09.2013.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that after revision of the tariff by Gujarat Electricity Regulatory Commission (GERC), Gandhinagar, w.e.f. 01.09.2011, the prior two type of tariff merged to single tariff namely NRGP / RGP. The area under the complaint is purely residential area, therefore, tariff must be applicable under RGP. It is also observed that sub-division has proposed revision of tariff w.e.f. 21.09.2013 instead of 01.09.2011 which is required to be corrected and applicability of RGP tariff must be from 01.09.2011.

In view of the above discussion, the Forum is of the opinion that the revision of tariff to RGP should be implemented from 01.09.2011.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to revise the billed tariff for the common utilization of power for residential purpose to Keshav Residency, OPP: Samruddhi Society, Near Manisha Chowkdy, Old Padra Road, Vadodara, to RGP tariff w.e.f. 01.09.2011.

(Harsha S Chauhan)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 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>