

**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-60-2013.14
Complainant	Shobhnaben J Patel, 16, Swagat Villa, Rambhai Kaka Road, Bakrol, Tal & Dist: Anand
Respondent	Shri H L Bhalsod, Deputy Engineer, VVnagar s/dn of MGVCCL.
Date of hearing	02.08.2013 at Anand Circle Office

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCCL

The complaint dated 26.07.2013 regarding new residence vij connection.

On 02.08.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri M A Patel appeared on behalf of Shobhnaben Jayeshkumar Patel, whereas Shri H L Bhalsod, Deputy Engineer, VVnagar S/dn 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 had applied for residence vij connection at 16, Swagat Villa, Rambhai Kaka Road, Bakrol, Tal & Dist: Anand.
2. Complainant has represented that as per GERC notification No.9 of 2005 chapter 4 and as per GUVNL circular No.GUVNL:Tech:D(T):1067 dated 11.05.2011, connection shall be given either demanded by owner of flats or developers himself on fixed charges basis only.
3. To give e-urja prgramme based estimate instead of manual estimate.
4. Requested to give temporary connection till her problem is resolved.

The complainant contended that as per GERC notification No.9 of 2005 chapter 4 and as per GUVNL circular No. GUVNL:Tech:D(T):1067 dated 11.05.2011, residential connection shall be given on fixed charges basis only.

The respondent contended that the residential connection is demanded by complainant Shobhnaben Jayeshkumar Patel, residing at 15, Swagat Villa, Rambhai Kaka Road, Bakrol, Tal & Dist: Anand .On survey it was found that there are 16 no. of villas under construction in same area. For providing infrastructure for electric power supply and also for esthetic view of the well developed scheme, a systematic and safe network is required to be erected instead of erecting haphazard line in piecemeal. The developer should pay the charges for such systematic network as they are generally collecting charges from the purchaser for

development of electric infrastructure. It is not a question of collecting money from such developers by the MGVCL but it is the motto to provide systematic and safe network with esthetic view which is to take care for total estimated load required for the entire scheme and to provide quality and reliable power supply with minimum maintenance required in future. On the other hand, the lines will be erected to meet individual load demand only in case of individual applications. Total six individual applications received and the estimate was issued considering infrastructure cost in group as per guideline of Division Office. It was not possible to generate such estimate through e-urja system so manual estimate was issued to all six applicants.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that as per GERC notification No.9 of 2005 chapter 4, residential consumers are exempted from payment of HT / LT line and transformer charges (i.e. infrastructure cost). As per circular No.GUVNL/Tech/D(T)/SC/1067 dated 11.5.11 clarified that *“in case of infrastructure development if developer has asked only for electrification and not for any new connection then full cost of electrification shall be recovered from the developer and charges mentioned above shall be recovered from the subsequent applicants from such developed network. However, in case individual applicants apply for new connection(s) the charges mentioned above shall be recovered and no any charge for electrification be recovered and only electrification to the extent of releasing connection be carried out”*.

It is very clear from above the method of giving the residential connection. It is also clear that in case of individual application, the electrification of network capacity will be limited to that individual loads only.

The Forum also noted that in absence of actual consumer and their individual demand, the utility cannot lay HT/LT infrastructure in advance which is cost effective and uncertain revenue in starting period. On the contrary if developer himself come forward to pay infrastructure charges as per GUVNL circular 11/05/2011, future hardship to the consumers (like erection of pole, overhead line - way leave problems etc) of that area can be minimized and better quality power supply can be catered. The developer may take such factors into consideration for better services to their clients. The utility MGVCL cannot deny giving connection to individual resident-applicant if she demands.

In view of the above discussion, the Forum is of the opinion that the developer can choose options either to pay for infrastructure charges to give better infrastructure facility at one stroke for electricity supply up to LT network and subsequently individual applicants pay fixed charges whenever they apply to get vij connection or an individual residential applicant can apply to get vij connection and pay fixed charges only.

O R D E R

The Forum directs the Madhya Gujarat Vij Company Limited to implement GERC Notification No.9 and GUVNL circular No. GUVNL/Tech/D(T)/SC/1067 dated 11.5.11 for giving residential new electrification and recovery of charges thereof.

As complainant has applied as individual applicant, recover only fixed charges with electrification to the extent of load demanded.

(Y B Sukhadia)
Technical Member

(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>