

**BEFORE THE CONSUMER GRIEVANCES REDRESSALFORUM
MADHYA GUJARAT VIJ COLIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-I-12-2015.16
Complainant	Shri Mangalbhai Ravjibhai Parmar, At: Sokhda (Bathama), Ta: Matar, Dist: Kheda
Respondent	Shri I.C. Patel, D.E. Kheda sub-division
Date of hearing	21.05.2015 at Nadiad

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri A G Shah, MGVCL

The complaint dated 05.05.2015 received on 13.5.2015 regarding refund against agriculture vij connection under Tatkal Scheme.

On 21.05.2015, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant Shri Mangalbhai Ravjibhai Parmar himself, appeared whereas Shri I.C. Patel, DE Kheda sub-division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. The AG connection taken in the year 2012 under Tatkal Scheme. The estimate Rs.1,56,511.00 was paid to MGVCL.
2. In current year, MGVCL has given Vij Connection from his power line to Shri Vinubhai Becharbhai Parmar and Mafatbhai Bhikhabhai Parmar.
3. The complainant has asked proportionate refund from the original he has paid by recovering that cost from new consumers connected on his line.

The complainant contended that the existing connection is in the name of his father who expired before 2½ months. The existing connection was taken by paying estimate under Tatkal Scheme. He also contended that the connection could have been given by erecting only 2 poles in the year 2012. So the estimate prepared at that time by MGVCL was wrong. He also contended that he has paid full charges of his line taken under Tatkal Scheme so from his line connection should not be given to others and if MGCVL considers to give connections to others from same line then its proportionate cost should be refunded to him.

The Respondent contended that the application registered for his new connection for survey No. 649 under normal scheme on 9/11/2009 in the name of Shri Ravjibhai Gandabhai Parmar. Meanwhile, he had applied under Tatkal Scheme on 25/1/2011 and FQ paid on 10/11/2011. The connection was released on 19/5/2012. Shri Ravjibhai Gandabhai Parmar expired before 2 ½ months. The complainant Shri Maganbhai Ravjibhai Parmar is legal heir of Shri Ravjibhai who has objected to give agricultural vij connection to others from his feeder (Vij line). Though the cost paid by the complainant, the vij line and transformer centre is the property of MGVCL. So MGVCL can give vij connection to other consumers if technically feasible. The existing line having spare capacity so 2 new connections are proposed from 11 KV feeder. One connection of Shri Vinubhai Becharbhai Parmar registered on 26/11/2012 for 7.5 HP load demand is released on 24/2/2015 and second connection to Shri Mafatbhai Bhikhabhai Parmar for 5 HP load registered on 20/12/2013 is under progress. The existing connection to Late Shri Ravjibhai was given under 'D' Type category in Tatkal Scheme.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the objections raised by the complainant for initial estimate paid in the year 2011 cannot be heard by the Forum being more than 2 years old. The objection to give connection to other farmers from the same line going to his connection cannot be considered as the power line and transformer centre becomes the property of the distribution licensee i.e. MGVCL in this case. The MGVCL can utilize / alter it without distributing quality of power to the existing consumer. Therefore, the actions taken by MGVCL to give connections to other 2 consumers are in line with the rules.

ORDER

The Forum directs complainant Shri Maganbhai Ravjibhai Parmar, at Sokhda (Bhathama), Ta: Matar, Dist: Kheda that new vij connections being given to other 2 consumers from the same feeder which also connect to his agricultural connection is in order and no refund from the original estimate paid under Tatkal Scheme is eligible.

(A G Shah)
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 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>