

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 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-III-13-2022-23
Complainant	Shri Nayan Prajapati, C/o Shri J C Prajapati, C-70, Vraj Villa, OPP: Savita Hospital, Parivar Char Rasta, Waghodia Road, Vadodara
Respondent	Shri M C Pargi Dy Engineer, MGVCL Chhani Sub-Division
Date of hearing	17.12.2022 at Corporate office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Independent Member	Dr M B Kaka, Vadodara
Technical Member	Shri K B Dhebar, (RA&C) MGVCL Vadodara

The complaint dated 05.11.2022 (recd on 07.11.22) regarding action against the contractor / agency for the casual approach & damage to the property - Application Ag Sr No.6879855.

1.0 On 17.12.2022, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein, Shri Nayan Prajapati appeared on behalf of complainant Shri J C Prajapati whereas Shri M C Pargi DE Chhani Sub division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard

2.0 The brief history of the case is as under:

2.1 Shri J C Prajapati had applied for 5 HP Ag connection at Amreshwar Ta Waghodia under Chhani Sub division.

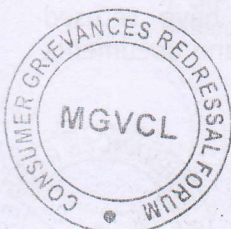
2.2 The work involved for catering 5 HP AG power supply was 300 MTR 11 KV HT and 10KVA T/C.

2.3 The work order for execution of the line work was issued to the contractor Shri K. P. Kapadiya.

2.4 The contractor had commenced the work under supervision of Asst. Lineman Shri D B Parmar.

2.5 The work for catering power supply was completed in the end of Aug'22.

2.6 During execution of the work, Shri Nayan Prajapati had complained to the sub division that GEB contractor carried out line work in their absence, without prior information and in negligence. The contractor's workers jumped to his premises over the fencing and broken the chain provided on



gate of the premises. Due to such negligence in the work, they suffered great loss of crops by animals which planted before six months.

2.7 In above context, the Dy. Engineer Chhani Sub division had asked explanation from the contractor and supervisor Shri Parmar, Asst. line man.

In reply, Shri Parmar has clarified that when he went with the contractors laborers for installation of the transformer, he seen that the lock provided on the gate of the premises was already found broken.

The contractor Shri Kapadiya had replied that when their laborers went for installation of the transformer, they need not required to enter into the premises as such there was no question of breaking of lock.

Accordingly, the Dy. Engineer MGVCCL Chhani sub division had replied wide letter dated 04.10.2022 to the complainant.

Not satisfied with the reply received from the sub division office, the complainant had applied vide letter dtd. 05.11.2022 to the MGVCCL C.G.R.F. to take action against the contractor for the casual approach and damage to the property.

3.0 The representative of the complainant contended that -

3.1 Shri Nayan Prajapati behalf of Shri J.C. Prajapati AG Consumer argued that he already informed in advance to the Junior Engr. at sub division to contact him prior to commencement of the line work for 5 HP AG connection. He also provided his mobile number for contacting him in advance.

3.2 In spite of his advance intimation, the contractor started the work in his absence by jumping over fencing provided at the premises. Due to this negligence, the crop planted before six months was damaged. Thereafter, the chain provided at the gate was cut and laborers entered in to his premises for installing transformer.

3.3 He did not agree with the reply of the ALM & Contractor and requested to take action against contractor and ALM for negligence in the work and damage to the property.

4.0 The respondent contended that -

4.1 Shri Pargi Dy. Engineer Chhani sub division stated that line work for catering 5 HP AG power supply to the complaint was issued to Shri Kapadiya and supervision was allotted to Shri D B Parmar ALM.

4.2 On receipt of the complaint from the complaint, he asked explanation from the contractor and supervisor Shri Parmar. Both have refused allegations made by the complaint. The asked information and documents were also provided to the complainant.

4.3 The power supply to the complaint was already released.



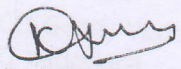
5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

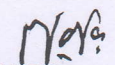
- 5.1 The contractor and supervisor commenced the work without prior intimation to the consumer.
- 5.2 The contractor should commence the work with prior intimation to the consumer and in presence of the consumer.
- 5.3 The supervisor Shri Parmar ALM should supervise the line work properly in coordination with the consumer so that such type of complaint may not arise.
- 5.4 The Dy. Engineer Chhani sub division should personally visit the premises when such type of complaint received by him in order to resolve the complaint.
- 5.5 Explanation should be asked from the ALM Shri Parmar for negligence in the supervision work allotted to him.
- 5.6 The concerned Dy. Engineer should give strict instruction to the contractor to carry out work as per supervision of the Asst. Line man in with prior intimation to the concern consumer.
- 5.7 The Dy Engineer should discuss this event in the lineman monthly meeting at sub division level and ensure that no such complaint may arise in future.

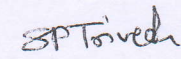
ORDER

6.0 The Forum has come to the conclusion that the contractor and supervisor carried out work without prior intimation to the consumer.

- 6.1 Strict notice should be issued within 10 days from receipt of the order to the Contractor Shri Kapadiya for negligence in the work allotted for catering power supply to the complainant.
- 6.2 Explanation should be asked within 10 days from the Assistant Line Man Shri Parmar and for their negligence in the supervision work allotted to him.
- 6.3 Behavioral training to all line staff to be given for improvement in intra personal relationship with the consumers.

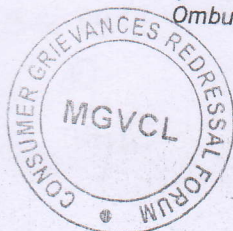

(K B Dhebar)
Technical Member


(Dr M B Kaka)
Independent Member


(S P Trivedi)
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.3.19 (viii) of GERC Notification No.2 of 2019.

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

