

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2011 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-27-2016-17
Complainant	Shri Shaileshkumar Shankarlal Thakar, At & Post : Gangta, Tal: Khanpur, Dist: Mahisagar
Respondent	Shri T G Brahmabhatt, Deputy Engineer , Lunawada II s/dn of MGVCCL.
Date of hearing	30.12.2016 at Vadodara

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Harsha S Chauhan, Vadodara

The complaint dated 06.12.2016 regarding line shifting charges

1.0 On 30.12.2016, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein representative Shri Shaileshkumar Shankarlal Thakar appeared on behalf of complainant whereas Shri T G Brahmabhatt, Deputy Engineer , Lunawada II s/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 The complainant had applied for shifting of 11 KV line passing through his farm at village Gangta, Tal: Khanpur, Dist: Mahisagar.

3.0 The representative of the complainant contended that he is aware that the said 11 KV line might have been erected more than 25-30 years back of which records are not available. Now, after death of his father Shri Shankarlal Thakar, he has taken for farming work where he has planted some Nilgiri plants which may touch the overhead 11 KV line crossing interruption & may cause any untoward incident which is not a healthy situation. He is, therefore, of the opinion that lines owned by MGVCCL should be shifted without recovering any cost.



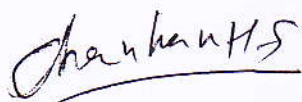
4.0 The respondent contended that the lines are in question is laid since long back may be about 30 years or so. As per provision in CEA 2010, Section 63, Point No.IV, "it has been mentioned that any application received for obstructing the electric line which require shifting then, applicant has to pay the necessary estimate within 30 days. Thus, in line with the strict implementation of CEA Regulation of safety, it is mandatory to pay shifting charges.

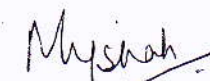
5.0 Also, in CRC at Godhra on dated 28.11.2016 where order was passed that the estimate given for line charges is in order.

6.0 The Forum Members present at the hearing heard the arguments of both the petitioner and respondent in detail considered contention of both the parties and perused the records and observed that looking to the provision of Act in CEA 2010 Regulations safety of prime implication of Indian Telegraphic Act. It is mandatory to make payment of shifting of line charges is as per prevailing cost data. Also, local officer should monitor regarding whether trees are touching to our overhead lines or not? Because this may cause either accident, fire or interruption in power supply.

ORDER

The Forum orders the complainant Shri Shaileshkumar Shankarlal Thakar, At & Post : Gangta, Tal: Khanpur, Dist: Mahisagar that estimate issued by MGVL amounting to Rs.62,990/- is in order.


(Harsha S Chauhan)
Independent Member


(Smt Mala Y Shah)
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>

