

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-I-10-2010.11
Complainant	Shri Mangalbhai Manibhai Patel, At : Kashipura, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri M D Dalwadi, DE MGVCL
Date of hearing	16.08.2010

QUORUM	NAME
Chairman	Shri K M Dave, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 21.05.2010 (received through Hon'ble GERC on 23.06.2010) is against change of place for agricultural connection.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mangalbhai Manibhai Patel, appeared himself, whereas Shri M D Dalwadi, DE appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as under:

1. The complainant is staying at village Kashipura, Tal: Kapadwanj applied for agricultural shifting of their existing connection No.23691/00216/1 from village Kashipura Tal: Kapadwanj (under UGVCL) to Survey No. Survey No.221 paiki I at Thavad Tal: Kpadwanj under Mehmabad Division (under MGVCL).
2. Kapadwanj Taluka is declared as Dark Zone area by Central Government since 2004. The bore where connection is to be given is done during the year 2008. Hence, Bayad s/dn asked certificate of GWRDC Gandhinagar. Party subject to MIS system as per GGRC guidelines received certificate bearing No.GWRDC/PB/conn certi/1470/09 dated 28.07.09 with the condition that no extension in the existing Contract Demand.
3. After all requirement of documents, party requested MoSE office and Chairman GUVNL for shifting of agricultural connection from UGVCL to MGVCL on 07.09.09. Both villages are under same group gram Panchayat in Kapadwanj Taluka. Mehmabad division directed Bayad s/dn to send all documents with proposal to Kapadwanj s/dn on 05.10.09 for further action.
4. After registration with GGRC for MIS, Bayad s/dn had asked technical feasibility report from Kapadwanj Rural s/dn on 28.10.09. Accordingly,

Kapadwanj Rural s/dn submitted technical feasibility report and estimate to Bayad s/dn.

5. Bayad s/dn forwarded proposal for agricultural shifting from UGVCL to MGVCL to Competent Authority for approval and received, approval from Competent Authority vide UGVCL/HMTC/Rev/shifting/690/8359 dated 06.11.09 and handed over all documents to Kapadwanj s/dn.
6. The copy of approval letter was also marked to both concerned division, however, the approval of GUVNL was not obtained for the reasons known to the concerned only.
7. However, application of Shri Mangalbhai M Patel while forwarding for technical sanction for agricultural shifting from UGVCL to MGVCL at MGVCL Corporate level was rejected vide letter No.MGVCL/E(T)/ANC/1565 dated 21.12.09.
8. For grant of approval for MIS, GGRC required four party agreement by DE Kapadwanj s/dn.
9. As corporate office did not approve the agricultural shifting all activities are stand still and all documents are sent back to Bayad s/dn directly by at Mehmabad division vide letter No.MD(T)/Agricultural shifting/2903 dated 10.05.10.
10. GGRC vide their letter dated 03.05.10 to Chief Engineer MGVCL has requested to go positive in GGRC Reg No.KM 1255 as all other formalities are over.

The complainant contended that (1) They have been all the time in touch with UGVCL appropriate levels to get guide lines to get AG231 shifting, (2) GGRC also approved MIS vide KH 1255 (3) They had invested Rs.69439/- through GGRC (excluding subsidy) for getting all equipment for MIS (4) They have informed that agricultural shifting of PDC connection of Patel Narottambhai Mangalbhai from MGVCL from Kapadwanj survey No.92/1 consumer No.02027/00371/1 is shifted to UGVCL Bayad, Kashipura Gram Panchayat Survey No.178/2 with new consumer No.23691/00316/8 (5) They have asked for agricultural shifting because of non-functionality of old bore at Kashipura to new bore survey No.221 P/I Thavad Gram Panchayat (MGVCL) (6) Kashipura Thavad are in Kapadwanj Taluka in same group of Panchayat and connected socially and economically. Only difference is separate group of companies for electricity supply and hence their problem should be solved in the way the electric company thinks at corporate level.

The Respondent Shri M D Dalwadi, DE MGVCL contended that at Bayad s/dn (UGVCL) Kapadwanj s/dn (MGVCL) engineers have acted properly and have given sufficient guidelines to the farmer Mangalbhai Motibhai Patel to solve his problem of agricultural shifting. Even GGRC also have helped the farmers to go for MIS as Kapadwanj is declared by Central Government as Dark Zone but due to refusal of agricultural connection at corporate office the

farmer has approached to Consumer Grievances Redressal Forum Vadodara.

The Forum Members present at the hearing considered contention of both the parties and perused the records.

The root cause of problem in agricultural shifting from UGVCL to MGVCL is the creation of the many companies from the then GEB and their interactive roles. The Forum finds no reason to reject the application of the complainant for agricultural shifting on the ground of all valid reasons within the frame work of rules and procedures laid down. The farmer has completed all the formalities since 01.01.2009 and still as on today he is struggling to get new connection. GEB was too big to administer and hence many companies were area-wise created. That does not mean that the consumer has to move from pillar to post. ***However, this Forum is to deal with grievances within the scope and policy / rules / norms of MGVCL. Accordingly, the matter had been rejected and deliberated at highest level of GUVNL and as per the directives of Director (Technical) GUVNL, the request was not considered.***

ORDER

The Forum is of the opinion that since the issue has been reviewed and decided by highest technical authority of GUVNL and also since the Forum scope is limited to the grievances of MGVCL consumers only, the request of applicant is not worth for review again.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
Chairman

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1st floor, Neptune Tower, OPP: Nehru Bridge, Ashram Road, Ahmedabad 380 009 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>