

**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-28-2012.13
Complainant	Shri Hargovindbhai Ramabhai Patel at Post : Thavad, Tal: Kapadwanj, Dist : Kheda.
Respondent	Shri M D Dalwadi, Deputy Engineer of Kapadwanj s/dn MGVCL.
Date of hearing	20.07.2012 at Anand

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 30.06.2012 is for new agricultural connection in Dark Zone.

Today on 20.07.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant Shri Hargovindbhai Ramabhai Patel was absent whereas Shri M D Dalwadi, Deputy Engineer of Kapadwanj s/dn appeared as respondent on behalf of MGVCL before the Forum.

The brief details of the case are :

1. Shri Hargovindbhai Ramabhai Patel at Post : Thavad, Tal: Kapadwanj, Dist : Kheda had applied for agricultural connection on 22.9.1994 by paying Rs.100/ as registration fee receipt No.26871.
2. The complainant did not get any intimation for vij supply from MGVCL though other applicants received the same under new Dark Zone Policy.
3. On enquiry, the complainant found that his name is not found in priority register nor his payment for registration fee is confirmed by the accounts department at s/dn office.
4. On presentation of original receipt by the complainant, he was advised by MGVCL to give undertaking on Rs.100/ stamp paper duly notarized about the genuinely of required documents etc.

The complainant was absent.

The Respondent Shri M D Dalwadi, Deputy Engineer of Kapadwanj s/dn of MGVCL contended that the complainant has presented original money receipt but the s/dn has no documents for confirmation. They had received the guidelines from circle / division office and accordingly they had accepted the documents from the complainant along with undertaking on Rs.100/ stamp paper duly notarized. If documents are found genuine then the complainant shall be given GP No.101 / 1 in

general priority register as per his date of application and further formality shall be done accordingly.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that it is the duty of MGVL to maintain the records and enter the names of applicants in sequence as per their application date. If such records are missing, lost or not maintained properly then it is the duty of MGVL to create the entitlement of the applicant and take corrective actions at company's cost. In this case, if the original receipt is presented by the applicant, why applicant should be penalized by asking for undertaking on Rs.100/ stamp paper duly notarized? In absence of this undertaking, if the consumer is proved having submitted wrong information, he is liable to be punished and he can be refused for connection or can be disconnected vij supply.

In view of the above discussion, the Forum is of the opinion that the complainant should be enlisted in GP register as confirmed by MGVL and to pay Rs.300/ against the expenditure of stamp paper, typing and notary fees.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to enlist the name of Shri Hargovindbhai into general priority register and take subsequent actions as per rules and refund him Rs.300/ against his expenditure done towards undertaking on stamp paper, typing and notary fees. Accomplishment report should reach to Forum within fifteen days from this order date.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
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/Consumer%20Grievances/Procedure/Procedure.pdf>