

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-II-15-2010.11
Complainant	Shri Somabhai M Patel At & Post : Bhadrod, Khanpur, Dist : Panchmahals
Respondent	Shri B G Bhabhor DE of Lunawada division of 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 19.07.2010 is against allotment of agricultural connection.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Somabhai M Patel, appeared himself whereas Shri B G Bhabhor DE of Lunawada Division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

- 1.0 Complainant had applied for electricity supply to erstwhile GEB on 28.06.1996 under priority scheme for his agricultural land survey No.589 at Bhadrod Tal: Khanpur.
- 2.0 He got connection during 2002 under TATKAL YOJANA for the same survey number vide consumer No.09809/10449/9
- 3.0 As per priority list, complainant was due for electric supply but MGVCL cancelled his application vide their letter No.1661 dated 23.04.2010 on the basis of application of Shri Jayshankar Mathurbhai Patel mentioning therein the death of the original applicant and already enjoying power supply under TATKAL YOJANA in the original survey No.589. Lateron, complainant wrote the letter dated 19.07.2010 to Forum MGVCL stating that the power supply may be made available under priority number to other survey number by changing original survey No.589 for which application was made on 28.06.1996. He has also produced certificate from Talati Bhadrod group gram Panchayat on 20.04.2010 that he is alive. On the same day complainant gets NOC of other owner of Survey No.388 on Rs.100/ stamp paper.

The complainant contended that he is enjoying power supply under TATKAL YOJANA at Survey No.589. He had applied for the same survey number under priority list. Since they have already power in survey No.589, he requested to give power supply in other survey number.

The Respondent Shri B G Bhabhor DE of Lunawada division of MGVL contended that under the directives of circular No.OMR:GEN:1556 dated 16.06.1996 of erstwhile GEB for change of survey number cannot be allowed and hence application under general priority list is removed from the list and filed.

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

- 1.0 Complainant already has connection in TATKAL YOJANA and benefit cannot be given by allowing to change survey number in general priority list. No other specific reasons are found to change the survey number.
- 2.0 The death of Shri Somabhai was declared by Jayshankar M Patel which was referred in MGVL's letter No.1661 dated 23.04.2010. At the same time, Shri Somabhai submitted certificate from Talati on 20.04.2010 that he is alive. This seems to have done with bad intention to take advantage of application clauses of circular No.OMR:GEN:1556 dated 16.06.1996 of erstwhile GEB. It is a serious offense.

In view of the above discussion, the Forum is of the opinion that as per the directives of circular No.OMR:GEN:1556 dated 16.06.1996 of erstwhile GEB change of survey number in general priority list application for power supply cannot be allowed.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to note that action taken for not allowing change of survey number in general priority list in this case is found in order.

(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

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MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-I- 2 -2010.11
Complainant	Shri Rajendrabhai B Patel, At Sevasi, Dist: Vadodara
Respondent	Shri S P Sagar JE of Gotri Vadodara (O&M) 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 16.04.2010 is against title transfer to original person i.e. Kantaben Chimanbhai Vadand instead of existing Shri Dinubhai Prabhudas Patel

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rajendrabhai B Patel, appeared himself, whereas Shri S P Sagar JE of Gotri Vadodara (O&M) appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

- As per the CGRF order dated 26.10.2009 against complaint No.MG-III-37-09.10 of Shri Dinubhai P Patel, Nirman Society, Alkapuri, Vadodara, MGVCL had transferred the connection bearing consumer No.02422/60034/4 on a temporary basis till the ownership issue is resolved by the Hon'ble Court. In this regard, Shri Dinubhai Patel has given an undertaking on a stamp paper of Rs.100/- that this transfer of connection is tentative and would be reviewed / altered as per the final order of the Hon'ble Court as and when ownership is decided by the court.

Shri Dinubhai Patel had applied for transfer of name on the basis of the death of Keshavbhai Valand on 03.09.2009 and will made by him dated 11.04.2002 for the agricultural land Survey No.264 Block No.716, area 0.68.80 which was in Joint A/c. This application is rejected by Shri B R Patel, Mamlatdar (Vadodara) as per his order No.TS:Takrari:Case:285:09 dated 05.03.2010 on the following reasons:

- i. The land is of "Navi Avibhajya Sharat".
- ii. The total land of 0.68.80 area
- iii. Originally the land belonged to Harjibhai Valand. He had two sons, namely Keshavbhai and Chhaganbhai. Keshabhai had no heir and Chhaganbhai had son Chimanbhai
- iv. During 1997, there was a compromise to distribute the said land in two parts for Keshavbhai and for Chimanbhai and his heirs.
- v. Shri Keshavbhai Valand had prepared will on 11.04.2002 in favour of Shri Dinubhai Patel with full area of land i.e. 0.68.80 and the will did not contain the signatures of other heirs and hence it is not legally valid.
- vi. As on today, there is no proof of division of land among the heirs by the Competent Authority.

The complainant contended that the electric connection transferred in the name of Shri Dinubhai on the basis of will is not correct as per the order of Mamlatdar vide his order No.T.S/Takrari/case/285/09 dated 05.08.2010 and original owner's name in MGVCL should be continued till distribution of land is done by the Competent Authority.

The Respondent Shri S P Sagar JE of MGVCL contended that he shall follow the instructions of higher up or the Forum's directives as the matter is found complicated in nature.

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

- (1) The agricultural land is of NAVI AVIBHAJYA sharat.
- (2) The total land is of 0.68.80 area
- (3) Originally land belongs to Harjibhai Muljibhai Valand. He had two sons, namely Keshabhai and Chimanbhai
- (4) Keshavbhai had no heir but being the elder son, his name was appearing in the revenue records.
- (5) Apparently Shri Keshavbhai had made two wills one on Shri Dinubhai Patel's name with full area of land i.e. 0.68.80 area on 11.04.2002. He had made another will in the name of Shri Keyurbhai Pravinchandra and Patel Rajendrabhai Bhailalbhai on 22.04.2009
- (6) It is important to note here that the undertaking given by Shri Dinubhai Patel does not narrate the ownership of the land i.e. NOC of other legal heirs not submitted. It is also important to note that the application of Shri Dinubhai Patel to MGVCL to transfer the name of the old consumer i.e. Keshavbhai Valand to his name is only on death

certificate and will. The death certificate is correct but the will is not legally valid. In addition, condition (1) is not complied with.

- (7) As per para No.4.8.2 (c) of Electricity Supply Code “Affidavit declaring that the applicant is the successor of interest in the premises, or NOC of other legal heirs is not submitted by Shri Dinubhai P Patel.

In view of the above discussion, the Forum is of the opinion that:

- 1.0 The name of Shri Dinubhai Patel from the consumer connection No.02422/60034/4 to be removed with immediate effect.
- 2.0 To continue the consumer name / names as per the revenue records or MGVCL records.
- 3.0 Any change / transfer of name in consumer's connection No.02422/60034/4 shall be after the distribution of land among the heirs and on production of proof.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to remove the name of Shri Dinubhai P Patel from the consumer's connection No.02422/60034/4 with immediate effect and to continue the original consumer name / names as per the original revenue / MGVCL records. Any name / names as per original connection shall be after the distribution of land among the heirs and on production of proof.

(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.

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MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-I-7-2010.11
Complainant	Shri G K Sadhwani, Block No.B 65/257 & 258, Santkawar Colony, Vadodara 390 001
Respondent	Shri K R Soni, DE of Mandvi s/d of MGVCCL
Date of hearing	16.08.2010

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

The complaint dated 31.05.2010 is against grant of adjustment in energy bill.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri G K Sadhwani, complainant appeared himself whereas Shri K R Soni, DE of Mandvi S/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

- There are irregularities in billing dates, signing date and billing handling over dates.
- The analysis shows the earlier billing as well as delayed billing.
- Some adjustment in billing amount still pending because of irregularities in billing dates.
- Some bills are found without reader's signature.

The complainant contended that -

- Shri Sadhwani apart from claim of adjustment in billing amount insisted to instruct the agency to stick to billing date (19th / 20th day of the month) as per laid down procedure. The irregularities shall be removed and efficiency in working system may be improved. Shri Sadhwani was enthusiastic to give suggestions to improve the working system.
- He also suggested to arrange CONSUMER MEET to improve the system by removing / eliminating the problems.

The Respondent Shri K R Soni, DE of Mandvi, MGVCL contended that the complainant has suffered because of irregularities in billing system by the agency. The corrective actions are taken against the agency.

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

- The irregularities are found in the billing dates (earlier as well as delayed) by the contract agency.
- Some adjustment in billing amount is found still pending.
- Some bills are found without reader's signature.

In view of the above discussion, the Forum is of the opinion that the meter reading and bill preparing agency is responsible for such irregularities by their staff. Agency should be removed or heavy penalty should be laid down on agency if such lapses are found in future.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to take strict actions with the agency. All irregularities to be stopped immediately and checked frequently. Bill adjustment to be completed. All actions taken to be reported to the Forum.

(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.

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MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-I-8 -2010.11
Complainant	Shri Pravinbhai D Patel, At & Post : Dili, Tal: Karjan Dist: Vadodara
Respondent	Shri T R Patel DE Karjan s/dn of 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 29.05.2010 is against disconnection of 20 HP additional load granted.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Pravinbhai D Patel, appeared himself, whereas Shri T R Patel DE of Karjan s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

The complainant had applied for additional load of 20 HP on 01.06.2006 which was granted during the year 2008. The sanctioned additional load was used to operate second bore and hence MGVCL had to disconnect the additional load. The matter went to Vadodara District Court vide appeal No.56 of 2007, Ahmedabad Gujarat High Court Spl Civil Application No.11536 - 11538 of 2008. In all cases the judgement has come in favour of MGVCL and hence the additional load used for the second bore was disconnected.

The complainant contended that the additional load sanctioned can be used for other bore also and hence MGVCL cannot disconnect the additional load connection.

The Respondent Shri T R Patel DE of Karjan s/dn contended that the additional load sanctioned was to increase the pumping capacity of existing bore by increasing the motor HP and other configurations. As per MGVCL's rules, additional power is not sanctioned to operate second bore and hence the additional load can be disconnected which is also found in court's judgement in favour of MGVCL.

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

- It is the prevailing practice of MGVCL to give new connection for agricultural purpose as per the target only. The only applications of additional load in the existing facility are considered for sanction. Accordingly, complainant's was sanctioned additional load of 20 HP to the existing load, while complainant considered it for new bore. This has been made clear at all levels in the court of law as mentioned elsewhere.

In view of the above discussion, the Forum is of the opinion that the complainant cannot use the sanctioned additional load to operate new bore. MGVCL has no other go but to disconnect the additional load of 20 HP which is also supported by court of law.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to educate the applicant to interpret the sanction of additional load in case of agricultural land is to increase the capacity of the existing facilities. The action of MGVCL is found in order.

(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***

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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-II-13-2010.11
Complainant	Shri Poonambhai Shankarbhai Patel, Post : Piplag Tal: Nadiad
Respondent	Shri G N Shah DE of Nadiad, MGCVCL.
Date of hearing	16.08.2010

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

The complaint dated 14.07.2010 is against assessment of wrong energy bill by field office of MGCVCL.

Today on 16.08.2010, the case of the Complainant Grievance was not taken before Consumer Grievances Redressal Forum as the complainant submitted letter dated 10.08.2010 mentioning therein to withdraw the complaint. Shri G N Shah DE of Nadiad appeared as respondent on behalf of MGCVCL before the Forum.

In view of the above, the Forum decided to close the file of the above referred complaint.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to remove the said complaint from the list and file pertaining to the above referred complaint to be closed.

(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.

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MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-II-15-2010.11
Complainant	Shri Somabhai M Patel At & Post : Bhadrod, Khanpur, Dist : Panchmahals
Respondent	Shri B G Bhabhor DE of Lunawada division of 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 19.07.2010 is against allotment of agricultural connection.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Somabhai M Patel, appeared himself whereas Shri B G Bhabhor DE of Lunawada Division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

- 4.0 Complainant had applied for electricity supply to erstwhile GEB on 28.06.1996 under priority scheme for his agricultural land survey No.589 at Bhadrod Tal: Khanpur.
- 5.0 He got connection during 2002 under TATKAL YOJANA for the same survey number vide consumer No.09809/10449/9
- 6.0 As per priority list, complainant was due for electric supply but MGVCL cancelled his application vide their letter No.1661 dated 23.04.2010 on the basis of application of Shri Jayshankar Mathurbhai Patel mentioning therein the death of the original applicant and already enjoying power supply under TATKAL YOJANA in the original survey No.589. Lateron, complainant wrote the letter dated 19.07.2010 to Forum MGVCL stating that the power supply may be made available under priority number to other survey number by changing original survey No.589 for which application was made on 28.06.1996. He has also produced certificate from Talati Bhadrod group gram Panchayat on 20.04.2010 that he is alive. On the same day complainant gets NOC of other owner of Survey No.388 on Rs.100/ stamp paper.

The complainant contended that he is enjoying power supply under TATKAL YOJANA at Survey No.589. He had applied for the same survey number under priority list. Since they have already power in survey No.589, he requested to give power supply in other survey number.

The Respondent Shri B G Bhabhor DE of Lunawada division of MGVCL contended that under the directives of circular No.OMR:GEN:1556 dated 16.06.1996 of erstwhile GEB for change of survey number cannot be allowed and hence application under general priority list is removed from the list and filed.

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

- 3.0 Complainant already has connection in TATKAL YOJANA and benefit cannot be given by allowing to change survey number in general priority list. No other specific reasons are found to change the survey number.
- 4.0 The death of Shri Somabhai was declared by Jayshankar M Patel which was referred in MGVCL's letter No.1661 dated 23.04.2010. At the same time, Shri Somabhai submitted certificate from Talati on 20.04.2010 that he is alive. This seems to have done with bad intention to take advantage of application clauses of circular No.OMR:GEN:1556 dated 16.06.1996 of erstwhile GEB. It is a serious offense.

In view of the above discussion, the Forum is of the opinion that as per the directives of circular No.OMR:GEN:1556 dated 16.06.1996 of erstwhile GEB change of survey number in general priority list application for power supply cannot be allowed.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to note that action taken for not allowing change of survey number in general priority list in this case is found in order.

(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.

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MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-II-17-2010.11
Complainant	M/s. Piramal Glass Limited (Formerly Gujarat Glass Limited) Station Road, Sayajiganj, Vadodara 390 005
Respondent	Not Applicable
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 22.07.2010 is against Yearly Minimum Charges (YMC) energy bill.

Today on 16.08.2010, the case of the Complainant Grievance was not taken before Consumer Grievance Redressal Forum as the complainant submitted the letter dated 16.08.2010 mentioning therein the receipt of the refund under question.

From the records and the letter from complainant dated 16.08.2010 it is found that he has already received amount of Rs.2353.52 and credited in their Account No.35278.

In view of the above, the Forum decided to remove the said complaint from the list.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to remove the said complain from the list and file pertaining to the above referred complaint to be closed.

(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.
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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>

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-II-11-2010.11
Complainant	Shri Dipakbhai T Patel, Nandanvan Nursery, Chikhodra Chawkdi, Chikhodra, Dist: Anand
Respondent	Shri V S Virapara, DE Anand of 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 02.07.201 is against applicability of tariff from agriculture.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Diapkbhai T Patel appeared on behalf of Nandanvan Nursery, whereas Shri V S Virapara DE Anand appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as under:

- A. Nandanvan Nursery at Chikhodra Chawkdi Anand has consumer No.04311600272 with 7.5 HP connection since 27 years.
- B. During checking of installation on 20.07.09 it was found that from this connection water was fed to Nursery through underground piping and hence it was advised to consider this connection as industrial connection and difference in tariff was charged Rs.40630/.
- C. Complainant has paid total bill under protest.

The representative of the complainant contended that:

- 1.0 Nursery is a primitive stage of agricultural activity.
- 2.0 It is done on agricultural land only.
- 3.0 There is no industry run and hence industrial tariff is not applicable, only agricultural tariff is applicable.
- 4.0 If industrial tariff is applicable, MGVCL should give electricity for 24 hours which is not done.
- 5.0 As per documents submitted that nursery is a part of agriculture and hence it is income tax free and sales tax free, as seen from court judgement and tax consultant.

The Respondent Shri V S Virapara, DE of Anand, MGVCL contended that he had asked for the advice from Audit section for applicability of tariff. He had been advised to apply LTP-I tariff i.e. industrial tariff and hence bill with difference of tariff was issued to the party.

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

1. The Electricity Act, 2003 and the amendments thereafter has not shown nursery anywhere in industrial or commercial tariff.
2. Nursery is done on agricultural land only.
3. It is neither the laboratory nor the factory.
4. It is essential to do saplings / seedlings before agricultural work; it means it is upstream activity in the same way as agricultural work is done.
5. With the applicability of industrial tariff MGVCL should supply electricity for 24 hours which becomes mandatory.

In view of the above discussion, the Forum is of the opinion that the complainant should be paid the excess amount by him under the LTP-I tariff in the form of recovery in future bills and agricultural tariff should be continued.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to give recovery of the full amount of supplementary bill of Rs.40,630/- to the complainant.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
Chairman

PS :

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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 Mehmadaabad 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. Mehmadaabad 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 Mangalbhaj 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 Mangalbhaj 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 Mangalbhaj Motibhaj 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 MGVCCL 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 MGVCCL. 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 MGVCCL 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 :

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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-II-16-2010.11
Complainant	Shri Maganbhai V Rabari & Natubhai F Patel on behalf of Asodar Gram Panchayat, Tal: Anklav, Dist: Anand
Respondent	Shri S M Garasia, DE & Shri S K Patel JA of MGVCCL
Date of hearing	16.08.2010

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

The complaint dated 06.07.2010 is against supplementary bill of Rs.99000/- as a Yearly Minimum Charges (YMC) issued by the MGVCCL for the years 2005-06 and 2006-07.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Maganbhai V Rabari & Natubhai F Patel, appeared on behalf of Asodar Gram Panchayat, whereas Shri S M Garasia, DE & Shri S K Patel Jr Asstt appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The facts of the case are as under:

1. Asodar Gram Panchayat was regularly paying bills during 2005-06 and 2006-07 for their street lights
2. During these two years, they are found with three consumers' connection No.04404/00771/0 (8 KW load), 04404/00770/1 (4.5 KW load) and 04404/00588/1 (4.5 KW load).
3. The Audit Section found out that during said period as per tariff rules minimum 2200 units / KW / Annum for more than 50 lights should be charged to the Panchayat
4. Accordingly, concerned sub/dn raised a bill of Rs.99000/- as a difference of minimum charges as per tariff rules for the street lights during the said two years.
5. During the years, under reference all the three consumer meters were found in order as there was no complaint reported
6. There is a significant difference in units actually consumed and units charged during 2005-06 and 2006-07.

The representative of the complainant contended that –

- (1) Asodar Gram Panchayat has very low income and hence this burden of additional bill of Rs.99000/- is too big to bear.
- (2) Neither Gram Panchayat nor bill making unit of MGVCL know that applicability of tariff i.e. minimum charges as 2200 units / KW / Annum for street lights for more than 50 in number. It was only Audit section which had raised this point and advised to the concerned to put additional bill as per tariff rules. It is a genuine mistake of gram Panchayat that they tried to reduce electric consumption by putting low waitage reducing number of hours for street lights during bright night around full day etc etc
- (3) They have put sincere efforts to reduce electrical consumption bills also.
- (4) Considering the above, the additional bill may be waived off as they have not consumed the energy and additional bill is raised for the units not consumed by the gram Panchayat.
- (5) To eliminate the mistake of indicating maximum loads of 8 KW, 4.5 KW and 4.5 KW as requirement of gram Panchayat, they have reduced the load to 1 KW in each connection from Oct 2008.

The Respondent Shri S M Garasia, DE of MGVCL contended that the audit section had noticed that for street lights the minimum charges should be for consumption of 2200 units / KW / Annum for more than 50 street lights and not an actual consumption of units and hence they had raised bill of Rs.99000/- for the years 2005-06 and 2006-07.

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

- Accordingly, Asodar Gram Panchayat was regularly paying electrical consumption bills. They have sincerely tried to reduce electrical consumption thereby reducing their electrical bills but this did not help them as they did not know that street light are billed on minimum tariff basis as per load in KW sanctioned. The concerned department also could not advise them. All meters are found in order as there was no complaint reported. There is a significant difference in units consumed and units charged. This shows that they have put sincere efforts to save energy. As it seems that Asodar Gram Panchayat has low income, they have already reduced their load demand to 1 KW in each connection, it will be 3 KW total load for street lights total 307 in number. If they do not cross 3 KW load per year, the bill for street lights be approximately Rs.22000/- per year.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant is purely on the units not consumed by the gram Panchayat and that too with significant difference between units consumed and minimum tariff to be applied per street light for

more than 50 in number. The applicability of tariff for minimum 2200 units / KW / Annum for more than 50 street lights was neither known to gram Panchayat nor to the billing unit of MGVCL otherwise gram Panchayat insisted of putting all efforts in energy saving and billing department would have raised the additional bill at the end of the year 2005-06 and would have advised gram Panchayat properly for the tariff rules in the beginning itself.

Keeping all facts, records and discussions with the complainant and respondent in view the Forum is of the opinion that without making any precedent in the future, 50% concession may be given to the gram Panchayat in the supplementary bill of Rs.99000/- and four instalments may be granted to gram Panchayat for necessary payment.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to recover 50% amount of the supplementary bill of Rs.99000/- from the complainant in four equal instalments without making any precedent in such cases in future.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
Chairman

PS :

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MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

NOT WRITTEN DUE TO SOME REASONS

Subject	Consumer Grievances Complaint No.MG-II-12 -2010.11
Complainant	Shri Indravadan Manubhai Patel, OPP: Kuber Nivas At & Post : Uttarsanda, Tal: Nadiad
Respondent	Shri
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 06.07.2010 is against meter reading.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri _____, appeared on behalf of M/s. _____, whereas Shri _____ appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case

The representative of the complainant contended that

The Respondent _____ contended that

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

In view of the above discussion, the Forum is of the opinion that the

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
Chairman

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