

**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-I-19-2012
Complainant	Shri Pareshkumar Rameshbhai Patel at A-13, Bapukakani Society, Mehmadabad.
Respondent	Shri M M Padhiyar, Deputy Engineer Mehmadabad s/dn MGVCL.
Date of hearing	08.06.2012

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 24.5.2012 is for new agricultural vij connection.

Today on 8.6.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Pareshkumar Rameshbhai Patel, appeared himself, whereas Shri M M Padhiyar, Deputy Engineer, Mehmadabad s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. Shri Rameshbhai Chhotabhai Patel at village Areri, Tal: Mehmadabad, Dist : Kheda had asked for 10 HP agricultural vij connection for his block No.348 vide his application dated 5.2.1992.
2. Many a times, they approached for knowing the status of their application but unfortunately nothing was heard from concerned office.
3. Mehmadabad s/dn office vide their letter dated 19.2.2004 informed to the complainant that their application dated 5.2.1992 for getting 10 HP agricultural vij connection in their block No.348 has not been considered as it is dark zone Taluka and file is closed and registration fee will be refunded.
4. Unfortunately, no original record are available in the concerned office of MGVCL.

The complainant contended that concerned MGVCL office could not give satisfactory reply to our application of 1992 as the original records were not traceable by them. However, it was to state that the letter of refusal as mentioned in MGVCL's letter dated 19.2.2004 are not issued to all applicants of nineties. He showed registration fee receipt for the application for getting agricultural vij connection. MGVCL has not refunded the registration fee as mentioned in their refusal letter.

The Respondent Shri M M Padhiyar, Deputy Engineer Mehmabad s/dn MGVCL contended that the records of GP register are not traceable in the office. They have record from the year 2004 only. He could not explain to the Forum under which context the refusal was made by MGVCL vide their letter dated 19.2.2004. The signatory of letter dated 19.2.2004 also could not throw light on the subject matter.

The Forum Members present at the hearing considered contention of both the parties and perused the records and found that –

- Original block No.348 was in the name of Smt Kashiba who had made distribution of her land among her heirs during 1990. She expired on 2.11.1993.
- Block No.348 was transferred in the name of Shri Rameshbhai Chhotabhai Patel during 1990, which was again transferred in the name of his son Shri Pareshkumar R Patel during 1998.
- The complainant has submitted following documents –
 - Land distribution agreement of Smt Kashiba
 - Panchayat certificate stating that block No.348 has bore with sufficient quantity of water
 - The authority given by Shri Rameshbhai Chhotabhai Patel to his son Shri Pareshkumar Patel.

In view of the above discussion, the Forum is of the opinion that the MGVCL has not given satisfactory explanation about the refusal of agricultural vij connection to complainant. MGVCL also could not produce evidence of GP register. MGVCL has not refunded registration fee paid by the complainant for getting agricultural vij connection. Keeping all these in view, Forum is of the opinion that general priority according to the date of application for getting agricultural vij connection should be maintained from the original records. If records are not available, the documents available from the consumer should be considered as final and agricultural vij supply should be provided as per latest directives from the Government of Gujarat.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to maintain general priority of the complainant on the basis of his application during 1992 and should offer agricultural vij connection in dark zones as per latest directives from the Government of Gujarat.

(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/Cosumer%20Grievances/Procedure/Procedure.pdf>