

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACE COURSE, VADODARA - 390 007**

Subject	Consumer Grievances Complaint No.MG-IV-67-2010-11 dtd. 17-01-2011
Complainant	Shri Harmanbhai S. Chavda, At & Post : Lalpura, Tal. & Dist. Anand.
Respondent	Shri V.S. Virpara, Deputy Engineer(O&M), MGVCL, Anand (North) Sub-Division
Date of hearing	06-01-2012

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

The complaint dated 17-01-2011 is for Ag. PDC due to non-payment of bills.

Today on 06-01-2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Harmanbhai S. Chavda, appeared himself, whereas Shri V.S. Virpara, Deputy Engineer, Anand (North) Sub-Division, appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has consumer No. Ag. 647 (04325/60044/2) with 10 H.P. Power.
2. Though C.G.R.F. had issued Order No. 147 dtd. 10-03-2011, the Complainant had approached M.D. – MGVCL with a copy to GERC, which was forwarded vide e-mail dtd. 13-12-2011 to C.G.R.F. of MGVCL. However, the C.G.R.F. decided to call the Complainant again to review the Order, if necessary and accordingly the Complainant was called in C.G.R.F. Hearing on dt. 06-01-2012.
3. Due to non-payment of bills, the said Ag connection of the Complainant was made PDC on dt. 24-09-2002. He had applied for PDC on 30-10-2007. As per the Complainant, he had received Micro Irrigation Scheme (M.I.S.) application form from the concerned Sub-Division.
 - a. In reply, MGVCL had written to the Complainant on 21-06-2008 that he has to complete G.G.R.C. formalities within 10

days with an agreement, failing which it will be understood that the connection is not required and his application will be filed.

4. Further, concerned Office of MGVCL informed the Complainant that his application for M.I.S. is not sanctioned and then he was advised to apply for fresh connection under Tatkal Scheme. It is important to note that no corresponding file for G.G.R.C. is available with MGVCL Division / Sub-Division Office. He had tried at G.G.R.C. Office also, but in vain. The Complainant had paid Rs. 200/- on 07-12-2009 with an application for fresh electric connection and as per General Priority, the Complainant can apply in Tatkal Scheme declared by the Govt. of Gujarat.

The Complainant contended that because of his poor financial condition, he was not able to pay the electricity bills and his connection was made PDC on 24-09-2002. After PDC, Rs. 6000/-, which was to be paid, he could pay Rs.4000/- on 13-11-2001 and remaining amount of Rs. 2000/- he could pay on 03-12-2009 only. As the period of five years lapsed, according to the rules, he had to go for Micro Irrigation Scheme (M.I.S.) initially again, but later on he did not intend to have it.

The Complainant further contended that he had made application under M.I.S. on dt. 06-05-2003. However, he could not submit the copy of the same. Further, he had submitted the letter No. AS/Rev./T/3204 dtd. 21-06-2008, wherein the reference is given by Deputy Engineer (O&M), MGVCL, Anand (North) Sub-Division regarding their application dtd 06-05-2003, which proves that the contention of the Complainant is correct that he had applied for M.I.S. Ag PDCRC as per the advice of the concerned Officer of MGVCL i.e. Sub-Divisional Officer (S.D.O.). While paying the arrears for PDCRC, he was not aware of the rules that time limit for PDCRC was for 5 years from the date of PDC. S.D.O. – MGVCL did not advise him to pay the arrears in time OR allow him for installments, as deemed fit.

The Respondent Shri V.S. Virpara, Deputy Engineer, MGVCL, Anand (North) Sub-Division contended that he has made Office files on the basis of correspondence received from the Complainant and no data is available beyond the year 2007. Further, he added that the PDCRC file including papers of GGRC is neither available in his Office nor in the Division / Circle Office.

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

1. Though the Complainant had applied for M.I.S. as per the advice of S.D.O.-MGVCL, it could not materialize. The reasons can be established, as the original file is not traceable.

2. The Deputy Engineer (O&M), MGVCL, Anand (North) Sub-Division could not produce the correspondence letters with GGRC and the Rejection Letter of GGRC.
3. The consumer was not advised properly when he was to cross 5 years' limit for PDCRC.
4. It was not clear why the application for fresh connection took place from June-2002 to December-2009 in spite of many reminders.
5. It is also observed that there is marginal delay of hardly one month for PDCRC to fulfill the required norms for PDCRC of 5 years period.
6. Though the Complainant has submitted '7/12 Utara' to correct Survey No. for the new connection, the query was raised by the Respondent, which has wasted the time unnecessarily to arrive at the correct decision.
7. Though the S.D.O. had issued estimate for new supply under Tatkal Scheme, due to poor financial condition of the Complainant, he could not pay the necessary estimate charges within prescribed time limit.
8. The Complainant has registered his application under Normal Priority (General Priority) in the year 2009, which can materialize only beyond 2012.

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

1. The Complainant has not been advised to maintain the time limit while paying the bills before PDCRC.
2. He was entangled in unnecessary correspondence for submission of correct copy of '7/12 Utara'.
3. No files, containing all the details of the matter, are available at the Sub-Division / Division / Circle Office.

In view of the above, PDCRC of Shri Harmanbhai Shabhaibhai Chavda should be revived and should be released after completion of all the formalities at the earliest.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to release the PDCRC to Shri Harmanbhai Shabhaibhai Chavda at Lalpura, Tal. & Dist. Anand at the earliest after completion of all the required formalities.

(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>