

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-IV-67-2010.11
Complainant	Shri Harmanbhai Shabhaibhai Chavda At & Post : Lalpura, Tal: Anand.
Respondent	Shri V S Virpura, DE Anand of MGVCL.
Date of hearing	28.01.2011

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

The complaint dated 17.01.2011 is for agricultural PDC due to non-payment of energy bills.

Today on 28.01.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Harmanbhai Shabhaibhai Chavda, appeared himself whereas Shri V S Virpura, DE Anand appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as follows:

- 1.0 The complainant at village Lalpura, Dist : Anand was having consumer bearing No.AG.647/04325/600442 with a 10 HP power.
- 2.0 The complainant could not pay MGVCL's dues and connection was PDC on 24.09.2002.
- 3.0 He had applied for PDCRC on 30.10.007.
- 4.0 The concerned Deputy Engineer of sub-division had written to the consumer on 29.11.2007 stating that PDCRC can be done after lapse of more than five years only if consumer agrees for MIS through GERC.
- 5.0 In absence of MIS, consumer was advised to apply for fresh connection and accordingly the consumer under reference had completed all formalities for new connection on 07.12.2009.
- 6.0 The complainant owns survey No.549/1 and 549/2 total area of one acre and 33 guntha.
- 7.0 Finally, Deputy Engineer of Anand south s/dn has informed to the consumer vide letter reference No.AS:Billing:261 dated 27.01.2011 that (a) GGRC has not sanctioned the application for MIS and hence that file is closed (b) consumer has paid Rs.200/- on 7.12.2009 with application for fresh electric supply and as per that priority, the consumer can apply in Tatkal scheme 2010 declared by Government of Gujarat.

The complainant Shri Harmanbhai Chavda contended that because of his financial constraints, he was not able to pay electricity bills and his connection was done PDC on 24.09.2002. After PDC, Rs.6000/- which were to be paid, he could pay Rs.4000/- on 13.11.2002 and remaining amount of Rs.2000/- he could pay on 03.12.2009 only. Thereafter, he made application on 07.12.2009 for fresh connection. He requested the Forum to help in getting connection. He is not interested in MIS as he has found it not suitable for his crops in the said land as it involved the expenditure to the tune of Rs.70,000/- to Rs.80,000/-. He had completed application formalities for MIS through GGRC along with necessary documents during the year 2008. As nothing was heard about MIS from GGRC / MGVCL ultimately he applied for fresh application.

The Respondent Shri V S Virpura, of Anand sub/dn, MGVCL contended that application for MIS through GGRC is not sanctioned, he has to apply to new Tatkal scheme of 2010 of Government of Gujarat in order to get vij connection.

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

1. The consumer had crossed five years' limit for revival of PDC for the reasons known to him only. May be due to financial crisis and / or not knowing the five years' limit for revival of PDC put by MGVCL.
2. Deputy Engineer of Anand, could not produce the correspondence details with GGRC and rejection letter of GGRC.
3. The reasons for rejection of MIS by GGRC was not known to him.
4. File of GGRC for MIS was closed during June 2008
5. It is not clear why application for fresh connection took place so long from June 2008 to Dec 2009. In spite of many reminders, Shri V S Virpura, could not produce rejection letter till 25th Feb 2011. The complainant is found the shuttle cock between GGRC and MGVCL, the concerned Deputy Engineer is not able to get rejection documents even from GGRC office also as per his statement. The poor complainant is the victim of the system.

In view of the above discussion, the Forum is of the opinion that due to bad financial condition of the complainant after PDC on 24.09.2002, he could pay Rs.4000/- out of Rs.6000/- dues to be paid for PDCRC on 13.11.2002. Remaining Rs.2000/- he could pay only on 03.12.2009. As five years had lapsed from PDC Date he had to opt for GGRC as per rules which also unfortunately could not work. Probably, he was not aware of five years' time limit for PDCRC, nor MGVCL informed him about this rule while first part payment of dues was made by him. Further, time was wasted in GGRC formalities. Keeping in view his financial condition and his refusal to go further for MIS, he has to depend upon Tatkal Scheme 2010 declared by Government of Gujarat on the basis of his application made during Dec 2009.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to advise the complainant to take benefit of Tatkal Scheme 2010 on the basis of his application made during December 2009. It is further stated that MGVCL should derive a system to pass on to consumer the details of change in rules, circulated in the company from time to time which is going to effect the consumers to protect their economic interest at large. Preferably, it should be in vernacular language. It is hoped this shall reduce grievances to a greater extent.

(K R Shah)
Member

(M J Vaidya)
Independent Member

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>