

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-56-2009.10
Complainant	Shri Muljibhai A Patel, At & Post Telnar, Tal: Kapadwanj, Dist: Kheda.
Respondent	Shri A G Shah, EE, Shri M D Dalwadi, DE both from Mehmadabad.
Date of hearing	31.03.2010

QUORUM	NAME
Chairman	Shri K M Dave, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Dr R C Desai, Vadodara

This complaint dated 08.03.10 is directed against the non-release of agricultural connection in response to application dated 27.07.1992 under general quota.

Today on 31.03.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Muljibhai A Patel appeared for himself, whereas Shri A G Shah, EE, Shri M D Dalwadi, DE, appeared as respondents on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

The complainant had made an application for availing agricultural connection in his farm bearing Survey No.245/4 at village Telnar, under general quota on 27.07.1992 along with payment of Rs.100/ vide MR No.92986 dated 27.07.1992. His application was registered as GP No.391 dated 27.07.1992. In the year 1992-93, a scheme was circulated under full payment scheme + Rs.25000/ as system improvement charges. Those of the applications who had submitted their written consent for the full payment were processed for issuing the estimate. These do not include the complainant. The village Telnar falls under Kapadwanj Taluka which has been declared Dark Zone by the State Government according to which the new agricultural connections are restricted since Nov-2004. As such, any pending application for a new connection thereafter is kept under abeyance. Therefore, procedures for working out estimates and intimation to remaining applicants including the complainant are not initiated till date.

Shri Muljibhai Patel who appeared personally as complainant contended orally as well as by written complaint that the estimate was dispatched by MGVCL and received by his neighbor but he has not received it as he was in Ahmedabad and USA around that period. In support of his say, he submitted

the Xerox copy of window envelope bearing the mark "RPAD – 79/2613". According to him, this envelope included the intimation notice. But he could produce the original intimation notice OR its Xerox copy. He further contended that the allotment cannot be cancelled simply because he did not pay the estimate amount. He was ready to pay the estimate amount now and urged that the connection should be released soon. He has no other income as his son has lost the job and he wants to earn his livelihood by tilling his land. But without electricity he cannot get irrigation water and he is helpless. He is entitled to connection as it is already given to others around his field.

The Respondents Shri A G Shah, EE and Shri M D Dalwadi, DE MGVCL contended that their office has not dispatched any such letter of intimation for payment as claimed by the complainant as evident from the concerned register. They had dispatched intimations for payment of Rs.25000/- to five other applicants and it does not include the name of the complainant.

The Forum Members present at the hearing considered contention of both the parties and perused the records. On perusal of the register, brought before the Forum, it appears that no such intimation was issued to the complainant for payment of necessary charges as claimed by the complainant.

In view of the above discussion, the Forum members hold that the complainant was not sent any intimation by the MGVCL office for the necessary payment, as claimed by the complainant. His complaint therefore deserves to be set aside.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to set aside the complaint of the complainant for seeking agricultural connection.

(K R Shah)
Member

(Dr R C Desai)
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

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>