

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-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 MGVL 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. MGVL 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 MGVL 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

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