

**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-IV-154 -2013.14
Complainant	Shri Bababhai Kalabhai Waghela at Vadol Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R B Vankar Deputy Engineer of Kapadwanj REC S/dn of MGVCCL
Date of hearing	07.03.2014 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Medha M Marathe, MGVCCL

The complaint dated 21.02.2014 regarding to give agricultural vij connection under Dark Zone Yojana.

On 07.03.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bababhai Kalabhai Waghela, appeared himself along with his son Deepsinh, whereas Shri R B Vankar Junior Engineer of Kapadwanj REC S/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. Shri Kalabhai Ramji Waghela, had applied for new vij connection in LS No.858 village Vadol and registered as GP No.80 on 19.07.1999.
2. Meanwhile Shri Kalabhai Ramji Waghela applied for Tatkal scheme under switchover, but due to financial constraint he couldn't pay estimate charges for estimate served to him.
3. As per requirement of MGVCCL, Shri Bababhai Kalabhai Waghela had submitted fresh documents on 08.07.2012 along with consent for drip irrigation.
4. Due to land division, the complainant had applied to change land survey number from 858 to 858/2. The change of circumstances case for L.S.No.858/2 approved by C.O. Anand on 07.02.2013 and case forwarded to GGRC on 04.05.2013
5. W.O.KH-6135 issued by GGRC.
6. Shri Kalabhai Ramji Waghela expired on dtd.06.10.2013
7. Fresh documents for change of name submitted to MGVCCL on 21.11.2013

8. Subsequent to death of Shri Kalabhai, for COC proposal not approved by MGVCL.
9. MGVCL has cancelled application due to nonpayment of estimate for TATKAL connection vide L.No.650dtd.13.02.2014.

The complainant contended that as his father is expired, old issues related to the case is not known to him but confirmed that the quotation / estimate issued by MGVCL was not paid due to their poor financial condition at that period of time. Till date, approximately 1.5 lacs cost incurred for preparing borewell, room, motor, pipeline etc. It will be difficult to live if MGVCL refuse to give electrical connection. Requested the Forum to consider his case sympathetically.

The respondent has confirmed the brief details as above and contended that their division office has not approved fresh documents submitted to take benefit of relaxation given for dark zone area by adopting Micro Irrigation System (MIS) due to non-payment of estimate issued under Tatkal scheme and the applicant had not asked to continue his application under normal scheme.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that complainant's father has registered the application in L.S.No.858, but that was switched over by him to the TATKAL scheme. Estimate under TATKAL scheme was served but not paid by him. Then under Dark zone scheme same, was processed under change of circumstances in L.S.No.858/2(after death of original applicant) for their legal heir. But same was rejected and application was cancelled due to non-payment of TATKAL estimate charges.

The Forum is of the opinion that the original application should not be cancelled if an estimate under Tatkal scheme at that point of time is unpaid and should be considered for proposed MIS in dark zone area if documents and consent for MIS given as per rules.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to uphold the stand taken to cancelled the application and process the same after verification of all fresh documents and consent to adopt MIS as per rules.

(Medha M Marathe)
Technical Member

(Harsha S Chauhan)
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>