

**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-173-2013.14
Complainant	Shri Gaurang Chimanbhai Kapadia, At : Kamla Bhavsar Vad, Near Chemical Dyestuff Factory, Gwalior Emporium, Nadiad , Dist : Kheda
Respondent	Shri G N Shah Deputy Engineer of Nadiad, MGVCL.
Date of hearing	28.03.2014 at Vadodara

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

The complaint dated 24.03.2014 regarding agricultural vij connection under TATKAL Scheme.

On 28.03.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Gaurang Chimanbhai Kapadia, appeared himself, whereas Shri G N Shah Deputy Engineer of Nadiad appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. The complainant had applied for 7.5 HP agricultural connection in LS No.459 on dated 16.10.2002 by paying Rs.100/ registration charges.
2. The same application was switched over to TATKAL scheme by paying Rs.500/ registration charges on 04.03.2003.
3. An estimate considering 15 HP load for agricultural connection was issued by MGVCL amounting to Rs.52705/ on dated 12.05.2003 though the complainant had demanded for 7.5 HP only.

4. The complainant had informed vide letter dated 8.4.2003 to continue application for 7.5 HP connection under normal category instead of TATKAL.
5. The complainant had inquired with s/dn office on 04.03.2014 vide letter as well as personally, it was informed that application is cancelled on 15.03.2014.
6. The complainant had requested to give agricultural connection of 7.5 HP.

The complainant contended that he had applied for 7.5 HP agricultural connection on 16.10.2002. Thereafter, switch over to TATKAL scheme on 04.03.2003 but estimate for 15 HP amounting to Rs.52705/ was received which was not possible for him to pay due to poor financial position at that time. He had further stated that though the demand was 7.5 HP, estimate considering 15 HP load was issued. He had never given consent for 15 HP load. He had further informed that he had given an application on dated 08.06.2003 to keep 7.5 HP agricultural load application made on 16.10.2002 as pending under normal scheme if minimum load of 15 HP require for TATKAL Scheme. He had written a letter dated 6.3.2014 inquiring the status of his application. He had received reply vide letter dated 15.3.2014 that his application is cancelled. He also contended that he had never ever received letter of cancellation of his application dated 16.10.2002 for 7.5 HP connecion. He had requested to consider his application dated 16.10.2002 for giving agricultural connection of 7.5 HP.

The respondent contended that after switch over to TATKAL on dated 04.03.2003 by paying Rs.500/ registration charges, survey was carried out on 26.03.2003. After survey, the applicant was informed vide letter

No.121 dated 28.03.2003 that there is no nearby LT line but HT line is passing nearby. If connection is required, minimum 15 HP load is to be demanded so that technically it would be feasible to give connection in "D" category i.e. by installing transformer centre 10 days' notice was given. Thereafter, estimate amounting to Rs.52705/ was issued on 12.05.2003 consent given by applicant is not available with case papers at s/dn office. As no payment was received against the estimate issued, his application under TATKAL switch over was cancelled. Further, he informed that complainant's reviewed application dated 8.6.2003 is not available with s/dn. His application under normal scheme was also treated as cancelled as no letter from applicant to continue his application dated 16.20.2002 was received. No written cancelation letter is available with s/dn office.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that respondent had insisted applicant to demanded 15 HP instead of 7.5 HP load under TATKAL switch over scheme and without consent issued estimate amounting to Rs.52705/ which is not proper. Respondent could have cancelled TATKAL application if technically not feasible. Simultaneously, he should have been informed complainant the procedure for continues normal agricultural application. Without giving intimation of cancellation of agricultural application, action taken by respondent is not proper.

In view of the above discussion, 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 cancel 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>