

**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-142 - 2013-14
Complainant	Shri Gopalbhai Budhabhai Patel, At. & Po. Telnar, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R M Patel, Deputy Engineer of Kapadwanj REC S/dn of MGVCL
Date of hearing	14.02.2014 at Kapadwanj

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

The complaint dated 10.02.2014 to give agriculture vij connection in Darkzone area.

On 14.02.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Gopalbhai Budhabhai Patel, appeared himself whereas Shri R M Patel, Deputy Engineer of Kapadwanj REC s/dn of MGVCL 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. Complainant's father Shri Budhabhai Muljibhai Patel had applied for new vij connection in LS No. 406/1 at village Telnar and registered as GP No.125 on 16.12.1994 under Dark Zone.
2. The change of name in the name of legal heir Shri Gopalbhai Budhabhai Patel and change of survey no. from 406/1 to 592 paiki 2/paiki 1 at village Telnar has been approved vide letter no. ANC/Tech-2/12259 dated 13.12.2012.
3. MIS consent was received on 03.06.2012. It was sent to GGRC vide letter no. AWR/4892 dated 15.06.2012 and work order no. 5065 was issued by GGRC.

4. GGRC had auto cancelled work order No.5065 due to non-receipt of FPA within 180 days.
5. MGVCCL has informed to the complainant that his application is cancelled by GGRC due to non-payment of GGRC work order vide letter no. KRC/Tech/108 dated 04.01.2014.
6. As the work order No.5065 was cancelled by GGRC due to non-receipt of FPA within 180 days. After some follow up, WO No.KH-8367 was regenerated by GGRC but MGVCCL has informed that based on auto cancellation of previous WO No.5065 his application is already cancelled.

The complainant contended that initially he requested to give estimate in sprinkle. But GGRC refused as the land area was not sufficient as per criteria, so drip irrigation has to be installed. Further complainant said that it was not informed by the agency Netafirm regarding the WO No.5065 issued by GGRC. Then they approached M/s. Polysil Irrigation systems Pvt. Ltd. and WO No.KH-8367 was regenerated by GGRC. On receipt of WO No.KH-8367 when complainant approached MGVCCL for FPA, MGVCCL has informed that his application is already cancelled by the GGRC due to no action on their WO No 5065 within its time limit of 180 days and so MGVCCL also has cancelled his application vide letter no. KRC/Tech/108 dated 04.01.2014. He is unaware of such activities and requested Forum to consider his application to process GGRC WO No.KH-8367. The applicant has requested the forum to give justice.

The respondent contended that Shri Budhabhai Muljibhai Patel had applied for new vij connection in LS No. 406/1 at village Telnar and registered as GP No.125 on 16.12.1994 under Dark Zone. The change of name in the name of legal heir Shri Gopalbhai Budhabhai Patel and change of survey no. from 406/1 to 592 paiki 2/paiki 1 at village Telnar has been approved vide letter no. ANC/Tech-2/12259 dated 13.12.2012. MIS consent was received on 03.06.2012. It was sent to GGRC vide letter no. AWR/4892 dated 15.06.2012 and work order no. 5065 was issued by GGRC. GGRC has cancelled his WO No. 5065 after laps of 180 days on the basis of non-completion of FPA by the applicant. MGVCCL has informed to the complainant that his application is cancelled by GGRC for non-payment GGRC work order vide letter no. KRC/Tech/108 dated 04.01.2014.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the complainant's application was cancelled by the GGRC due to no action on their WO No 5065 within its time limit of 180 days and so MGVCCL also has cancelled his application. As earlier, agency had not informed complainant regarding GGRC work order, he had approached M/s. Polysil Irrigation System Pvt Ltd., and new work order is generated by GGRC No.KH-8367. The complainant was not aware of auto cancellation of GGRC work order. As the complainant has got his turn after a period of 19 years his case to be considered on symphethical ground.

The Forum is of the opinion that the case should be considered to give new connection as no fault on the part of the complainant and it is a system error.

ORDER

The Forum directs that the decision of Madhya Gujarat Vij Co Limited to process for new agriculture connection to complainant Shri Gopalbhai Budhabhai Patel in L.S.no. 592 paiki 2/paiki 1 at village Telnar, Tal: Kapadwanj, Dist : Kheda.

(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>