

**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-157-2013.14
Complainant	Shri Rajabhai Hothabhai Chauhan Near High School Khetarma, At & Post : Madaj, Tal: Mehmabad, Dist:Kheda
Respondent	Shri T j Shah, Deputy Engineer, Mehmabad Rural s/dn of MGVCL
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, MGVCL

The complaint dated 24.02.2014 regarding to reconnect power supply for to his house in the agricultural land.

On 07.03.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rajabhai Hothabhai Chauhan, appeared himself, whereas Shri T J Shah, Deputy Engineer, Mehmabad Rural s/dn 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 was having residential connection in the agricultural land at village Madaj, Tal: Mehmabad, Dist:Kheda
2. The complainant was paying electricity bills regularly. A supplementary bill was issued for unauthorized use of power (connected load more than contracted load) for Rs.10457.61. It was not paid so his connection was disconnected.
3. As per rules, CC No.345, notice issued on 23.06.2010 by MGVCL to pay within the prescribed time limit but not paid so connection made PDC.
4. The complainant had paid pending dues on 17.08.2010 and requested for reconnection of disconnected residential connection but till date, same is not given.
5. He had approached Mehmabad s/dn office. As per directives given, he had prepared papers for application for getting new connection at his residence but same is not accepted by Mehmabad s/dn office.

6. He had requested to give connection as his daughter is studying and due to non-availability of power, she is facing difficulties in study.

The complainant contended that he was having residential connection in agricultural land and residing along with three houses adjoining to his house. His vij connection was disconnected due to non-payment of dues. But after clearing the dues on dated 17.08.2010, MGVCL has refused to give connection. He had requested to give connection, as his daughter studying and is facing difficulties in study due to non-availability of power.

The respondent contended that neither complainant had approached for reconnection of power supply nor he had applied for new connection. Further, he had informed that complainant was having dues against the bill issued for change of tariff under the Electricity Act, 2003, clause No.126. He was found utilizing single phase water works connection through his residential connection and was booked under change of tariff. He had further informed that he has borewell in the agricultural land adjoining to his residence which was given to Panchayat by making "Baxis Karar". Due to non-payment of dues, residential connection was made PDC on 31.03.2010. Thereafter, PDC notice was issued on 23.06.2010 to the consumer. Further informed that as per guidelines received vide letter No. MGVCL/CE(T&O)/RE/4363 dated 06.12.2013 MGVCL/CE(T&O)/RE/326 dated 30.01.2014, no residence vij connection can be given in agricultural land, if not falling under "A" category and no LT line from Agricultural DOM feeder if agricultural connection is not existing. As per information given by complainant, 3 nos. of existing connections given in past are getting supply from JGY feeder. Being a policy matter, it will not be possible to process the application for residence connection in agricultural field as he is not having Agricultural connection.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that complainant had not applied for residence vij connection with Haldarwas s/dn. Also, as per policy matter, residence vij connection in agricultural field cannot be processed if no nearby LT line from Agricultural DOM feeder is available. However, in this case, 3 Nos. of residence vij connections are existing in the same land Survey number from JGY feeder so MGVCL may review policy decision for giving A type connection from JGY feeder as given to adjacent other residents in same land.

In view of the above discussion, the Forum is of the opinion that as per policy, MGVCL should consider to give residence vij connection in agricultural land as adjacent residents in same land are given connection from JGY feeder which will not incur more cost and by not giving such connection may lead to theft of power from adjacent houses.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to review policy decision for giving "A" type connection from JGY feeder in respect of Shri Rajabhai Hothabhai Chauhan Near High School Khetarma, At & Post : Madaj, Tal: Mehmabad, 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>