

**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-II-56-2014.15
Complainant	Shri Rameshbhai V Kakadia, 29, Vadilal Park Society, Bapunagar, Ahmedabad (at Vadod, Tal: Haldarwas, Dist : Kheda)
Respondent	Shri A A Kureshi, Junior Engineer, Kathlal s/dn of MGVCCL
Date of hearing	28.08.2014 at Vadodara

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

The complaint dated 19.08.2014 regarding transfer of Dark Zone Vij connection from D to C category at Vadod, Tal: Haldarwas, Dist : Kheda.

On 28.08.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rameshbhai V Kakadia appeared himself whereas Shri A A Kureshi, Junior Engineer, Kathlal s/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. Complainant had applied for agricultural connection in LS No.315 on dated 16.10.2012 at Haldarwas s/dn of MGVCCL but connection is not released. Complainant had requested to direct MGVCCL to give connection.

The complainant contended that -

- i. He had applied for 50 HP agricultural connection in LS No.315 at village Vadod on dated 16.10.2012.
- ii. He was not present at the time of survey on 26.10.2013 but his representative Shri H B Patel was present who was newly

appointed to look after the land who was not aware of the existing bore and could not show the same to MGVCL officers at the time of survey.

- iii. The existing bore in survey No.315 is 10 years old.
- iv. When he came to know the wrong information to the survey officer of MGVCL in his absence. He had requested local MGVCL office for resurvey.
- v. Resurvey was carried out on dated 03.12.2013 but not considered the same and transferred his application under Vikalp-“D”.
- vi. He had requested to give the agricultural connection considering bore is already existing i.e. continue in “C” category.

The respondent contended that -

- a. Shri Rameshbhai V Kakadia had registered 50 HP load for agricultural connection in LS No.315 of village Vadod on dated 16.10.2012 by paying registration charges Rs.200/-.
- b. Survey was carried out on 26.10.2013 by Shri R B Thakor, Junior Engineer of Vasna s/dn alongwith Shri S M Parmar & Shri R N Solanki E.A of Vasna s/dn & Haldarwas s/dn respectively in presence of Shri H B Patel representative of complainant Shri R V Kakadia.
- c. Survey report submitted was with “NO BORE” status.
- d. Applicant was informed by RPAD letter vide letter No.KTL/Tech/663 dated 07.11.2013 that his application is transferred from “Existing Bore” category to “NO BORE” category i.e. Vikalp “C” to “D”.
- e. Accordingly, priority number “C-173” now changed to “D-290”.
- f. Complainant had represented vide his letter dated 27.11.2013 that 10 years old bore is existing in LS No.315. “Panchnama” made by SPGP Saranch was also submitted and requested to resurvey.
- g. Resurvey was carried out by Shri A A Kureshi, Junior Engineer of Kathlal s/dn on dated 03.12.2013. It was observed that old bore was existing. Also, single phase lighting connection in the name of Shri V G Patel,

consumer No.19441 / 00453 / 7 of 5 KW & agricultural connection of 50 HP in the name of Shri Vallabhbhai G Patel having consumer No.19441 / 00059/0 were existing.

- h. During the resurvey, it was noted that bore is existing, the matter was referred to Mehmadabad division office for change of category vide letter No.2075 dated 09.12.2013 but same was not approved.
- i. It was informed to Shri Rameshbhai V Kakadia vide letter No.156 dated 08.01.2014 that category from vikalp “D” to “C” is not considered.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that there is no record submitted for existing agricultural connection. To decide the LS number of old existing agricultural connection, case file was asked from MGVCL but it is reported that the same is not traceable.

The applicant could not submit any proof in respect of bore in LS No.315. The applicant had approached for resurvey after about one month and it is difficult for MGVCL to decide the age of bore in LS No.315. The Survey Engineer has detailed in his report about existing connection but it's survey number is not mentioned and also it's consumer file is not traceable.

Therefore, the Forum is of the opinion that the action taken by MGVCL to transfer the application category from “C” to “D” is as per rules. Also, MGVCL has to verify the location of existing connection found during survey before processing new connection in reference to policy for one connection for survey number.

ORDER

The Forum directs the complainant Shri Rameshbhai V Kakadia, 29, Vadilal Park Society, Bapunagar, Ahmedabad (at Vadod, Tal: Haldarwas, Dist : Kheda) that the decision given by Madhya Gujarat Vij Company Limited to transfer his application from category (vikalp) “C” to “D” is in order.

(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>