

**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-30-2014.14
Complainant	Shri Udaji Chandaji Dabhi, At : Sarkhej, Tal: Kathlal, Dist : Kheda
Respondent	Shri J.I.Gadhvi, Deputy Engineer of Kathlal S/dn of MGVCL
Date of hearing	04.07.2014 at Vadodara

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

The complaint dated 30.06.2014 to give agricultural vij connection under Dark Zone Scheme.

On 04.07.2014 the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bhemaji Udaji Dabhi appeared on behalf of, Shri Udaji C Dabhi as legal heir whereas Shri J.I.Gadhvi, Deputy Engineer of Kathlal 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. Complainant Shri Udaji C Dabhi had applied for new vij connection in LS No.223/2 at village Sarkhej and registered on 29.07.1994 under dark zone scheme. He had submitted all relevant documents as per rules at the time of application.
2. Later due to non availability of water in L.S. no. 223/2 complainant had requested by application dated 07.06.2013 to process his application for L.S.no. 266/3 instead of 223/2.
3. Inspite of the fact that all relevant documents were submitted by complainant in time at MGVCL Kathlal subdivision office, there was delay by subdivision office to forward it to division office Mehamdavad and so they couldn't get AG vij connection.

4. Due to delay, complainant is deprived of right to have new AG connection for which he is eligible.

The complainant contended that he had applied for new vij connection in LS No.223/2 at village Sarkhej and registered on 29.07.1994 under dark zone scheme. He had submitted all relevant documents as per rules at the time of application.

He was informed vide letter dated 04.05.2013 from D.E., Kathlal subdivision to submit fresh documents to consider his application under dark zone scheme. He had not received any letter before that letter. Due to non availability of water in L.S. no. 223/2 complainant had submitted all applications dated 07.06.2013 to process his application for L.S.no. 266/3 and consequently on dtd.07.06.2013 complainant had submitted all relevant documents like 7/12, 8A and 6A huk-patrak along with new form at MGVCL Kathlal subdivision office i.e all requirement was fulfilled. On frequent reminders to give connection the sub-division office asked to submit notarized consent letter of co-owners of land vide letter dated 09.12.2013. He had submitted the same on 10.12.2013. Due to late processing of his application division has cancelled his application vide L.No.406 dtd.13.01.2014. Complainant stated that due to mistake and late processing by Kathlal sub division office, his application was ultimately cancelled despite the fact that he had fulfilled all the requirements timely as raised from MGVCL side. He requested to consider his application for new Ag connection.

The respondent contended that Complainant had applied for new vij connection in LS No.223/2 at village Sarkhej and registered on 29.07.1994 under dark zone scheme. He had submitted all relevant documents as per rules at the time of application.

Complainant was informed by D.E., Kathlal subdivision by letter dated 07.05.2012 to submit fresh documents to consider his application under dark zone scheme. Again complainant was informed vide letter dated 04.05.2013 from D.E., Kathlal subdivision to submit fresh documents to consider his application under dark zone scheme. Due to non availability of water in L.S. no. 223/2 complainant had requested by application dated 07.06.2013 to process his application for L.S.no. 266/3 consequently on dtd.07.06.2013 complainant had submitted all relevant documents alongwith change of L.Sno. Division office has cancelled complainant's application on dtd.13.01.2014 vide L.No.406 with the reason that compliance to query raised by division office was after lapse of time (i.e. after 2 months) & time limit for old dark zone was already over. Thereafter on getting request from complainant to reopen the case, it was taken upto corporate office without stating the reason of cancellation and the case

was not considered for reprocessing. However complainant's late document submission is reason for cancellation.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that original letter of May-2012 written by DE Kathlal s/dn was not received by complainant. Acknowledgement receipt is not available with MGVCL for letter dated 07.05.2012 whereas acknowledgement receipt of letter dated 04.05.2013 was available with sub-division. The complainant had immediately responded to reply/submission of documents but MGVCL has not taken actions as per SOP of GERC and there is no fault on the part of complainant. The case is required to be reviewed.

The forum is of the opinion that as the cancellation of application is on account of delay by MGVCL, complainant's request has merit for consideration.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process for new agriculture connection to complainant Shri Udaji Chandaji Dabhi at Sarkhej, Tal: Kathlal, Dist : Kheda in LS No.266/3.

(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>