

**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-166-2013-14
Complainant	Shri Vijaysingh Sahebsingh Chavda, Krishnanagar, At. Kotlindora, Ta, Thasra, Dist. Kheda.
Respondent	Shri R R Darji, Deputy Engineer of Dakor S/dn of MGVCL
Date of hearing	19.03.2014 Vadodara

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

The complaint dated 14-3-2014, regarding not giving lighting connection.

On 19.03.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Vijaysingh Sahebsingh Chavda, appeared himself whereas Shri R R Darji, Deputy Engineer of Dakor 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. The complainant had applied for residential connection under Zupadpatti scheme by paying Rs. 50/- through chalan, alongwith 15 other applicants, on 29.06.2009 at Krishnanagar, At. Kotlindora, Ta, Thasra, Dist. Kheda.
2. Father of complainant Shri Sahebsingh Makamsingh Chavda was bearing flat tariff agriculture connection in his name. He was first time booked under EA 2003 clause 135 for theft of energy on dated 02.01.2009 for utilizing flat tariff agriculture connection for residential lighting purpose. Bill of amount 26608-64 was issued and FIR was lodged vide 49/09. The bill amount was paid in two installments on 21.01.2009 & 26.06.2009.
3. Second time the same connection was booked under EA 2003 clause 135 again for illegal shifting of the agriculture connection of 15 HP from L.S. no. 349 to 348 on 18.05.2010. Bill of amount Rs. 57580-18 was issued and FIR was lodged vide 568/10. This bill amount is not paid till date.
4. One more FIR has been lodged against Shri Sahebsingh Makamsingh Chavda for man-handling MGVCL staff and creating obstruction in the proceedings of MGVCL.
5. The complainant's application was cancelled considering Pakka house and same is not falling under Zupadpatti scheme.

The complainant contended he had applied for residential connection under Zupadpatti scheme by paying Rs. 50/- through chalan, alongwith 15 other applicants, on 29.06.2009 at Krishnanagar, At. Kotlindora, Ta, Thasra, Dist. Kheda. In the year 2010 their house was sanctioned under Indira Awas Yojna in the name of complainant's wife Smt. Bhavnaben V. Chavda. His father has been wrongly alleged for the cases against him. His father expired in the year 2011As the agriculture connection was in the name his father he is least concerned about it. Out of 15 applicants connections of 13 applicants have been released whereas complainant's application has been cancelled on the ground of Pakka RCC slab. As he is residing in *para* area, so he requested to consider his application for releasing the connection under Zupadpatti scheme.

The respondent contended that complainant had applied for residential connection under Zupadpatti scheme by paying Rs. 50/- through chalan, alongwith 15 other applicants, on 29.06.2009 at Krishnanagar, At. Kotlindora, Ta, Thasra, Dist. Kheda. Father of complainant Shri Sahebsingh Makamsingh Chavda was bearing flat tariff agriculture connection in his name. He has booked for theft of energy twice under EA 2003 clause 135 for utilizing flat tariff agriculture connection for residential lighting purpose and illegal shifting of the agriculture connection of 15 HP from L.S. no. 349 to 348 on 02.01.2009 & 18.05.2010 respectively. FIR has been lodged in both the cases. Theft bill of first detection amounting Rs. 26608-64 has been paid but the second supplementary bill amount has not been paid till date. Further one more FIR has been lodged against Shri Sahebsingh Makamsingh Chavda for man-handling MGVCL staff and creating obstruction in the proceedings/work of MGVCL. Moreover the connection demanded under Zupadpatti scheme is at the same place where the theft has been detected. Complainant's application was cancelled as the house indicated in the application form is Pakka RCC slab house.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that one of the theft bill issued for the same premises to Shri Sahebsingh Makamsingh Chavda, father of complainant has not been paid till date. A legal suit is also pending for the same premises in the name of Shri Sahebsingh Makamsingh Chavda, father of complainant. Further the house where connection is demanded under zupadpatti scheme is at the same place and with Pakka RCC slab.

In view of the above discussion, the Forum is of the opinion that the complainant's application cannot be processed for giving application.

ORDER

The Forum directs the complainant Shri Vijaysingh Sahebsingh Chavda, Krishnanagar, At Kotlindora, Ta, Thasra, Dist:Kheda that the decision of cancelling the application under Zupadpatti connection by Madhya Gujarat Vij Co Limited 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>