

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Review Order

Subject	Consumer Grievances Complaint No.MG-I-07-2014-15
Complainant	Smt. Avniben Sujitbhai Bhayani, 66 Kunj Society, Alkapuri, Vadodara.
Respondent	Shri K N Parikh, ACE (SD&P), Shri S R Pandya, S E (Tech) & Shri Amish Desai, DE Koyli s/dn of MGVCL
Date of hearing	13.06.2014 at Corporate office, Vadodara

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

The review application from MGVCL dated 09.06.2014 against the Forum order dated 26.05.2014.

On dated 13.06.2014, the case of the complainant Grievance was heard before Consumer Grievance Redressal Forum where in Shri Sujal Arvindbhai Vakil representative of complainant Smt. Avniben Sujitbhai Bhayani were present whereas Shri K N Parikh, ACE (SD&P), Shri S R Pandya, S E (Tech) & Shri Amish Desai, DE Koyli s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

Madhya Gujarat Vij Company Limited (MGVCL) is reluctant to implement the Forum order and represented that demand of residential vij connection is in agricultural land. There is no objection for the Vadodara Urban Development Authority's (VUDA) construction permission but there is a constraint to give power supply from the existing feeder like JGY or Agricultural DOM through

Special Design Transformer (SDT). Moreover, as per their circular, demand in agricultural land is not within the specified distance i.e. not falling under “A” category connection. Also, vij connection cannot be given under RGGVY scheme. Under Agricultural DOM feeder through SDT, there is limitation to cater power supply upto 3 KW whereas demand is for 10 KW load. The area where connection is demanded is far away from Gamtal area and not a cluster of 20 vij connections so JGY line cannot be extended as per their circular Nos.25, 25(A) & 25(B), therefore, requested the Forum to review the order. There is no existing agricultural connection in the said land and no demand for the new agricultural vij connection. As per circular, MGVCL can give single phase power supply for residential purpose if agricultural connection exists.

Representative of the complainant Shri Sujal A Vakil contended that they are not intend to ask agricultural connection as there is no programme for farming but as per VUDA's guidelines and permission allowed to construct the residential house within 5% of the agricultural land. They are ready to pay normal lighting tariff as per the rules. The area is being developed as greenbelt and as per VUDA, only residential and agricultural activities are being permitted. Therefore, MGVCL should give residential connection. The area is being developed specially near bank of Mahi river area in specified zone only and same rules is not applicable to other agricultural land. Therefore, rules of the common agricultural should not be implemented to these area. MGVCL should respond positively to the Government / Municipal scheme by giving residential vij connection. He also stated that in past, residential vij connection given in the surrounding area of his agricultural land which covers under VUDA greenbelt area.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the circular issued by MGVCL are for normal agricultural land whereas VUDA has given special permission to construct residential house under Gujarat Town Planning & Development Act, 1976 in the limited area so said circulars cannot be implemented to this area. When official permission given to construct residential house, MGVCL should consider to give residence vij connection.

In view of the above discussion, the Forum is of the opinion that being specially considered to develop river bank area under the Gujarat Town Planning & Development Act, 1976, review application for not to give vij connection cannot be considered. MGVCL should consider positively to give vij connection.

O R D E R

The Forum directs Madhya Gujarat Vij Company Limited that specified zone & agricultural land being specially considered to develop river bank area under the Gujarat Town Planning & Development Act, 1976, review application cannot be considered and to give vij connection as demanded as a special case in respect of complainant Smt. Avniben Sujitbhai Bhayani, 66 Kunj Society, Alkapuri, Vadodara,

(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>