

**BEFORE THE CONSUMER GRIEVANCES REDRESSALFORUM
MADHYA GUJARAT VIJ COLIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-IV-118-2014.15
Complainant	Shri Bipinbhai Dahyabhai Patel, At & Post : Dudhathal, Tal: Kapadwanj, Dist : Kheda.
Respondent	Shri R M Patel, Deputy Engineer, Kapadwanj REC S/dn of MGVCL.
Date of hearing	13.03.2015 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
IndependentMember	Harsha S Chauhan, Vadodara
Technical Member	Shri A G Shah, MGVCL

The complaint dated 02.03.2015 regarding cancellation of new agricultural connection under darkzone Yojana.

On 13.03.2015, the case of the ComplainantGrievance was heard before Consumer Grievance RedressalForum wherein Shri Bipinbhai Dahyabhai Patel appeared himself whereas Shri R M Patel, Deputy Engineer, Kapadwanj REC 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 has applied for new agricultural connection under darkzone at LS No.227 at village Dudhathal, Tal: Kapadwanj, Dist :Kheda, with GP No.K1046 as per draw.
2. During survey on dated 20.01.2015, one agricultural connection found exists in LS No. 227 in the name of the complainant Shri Bipinbhai Dahyabhai Patel bearing consumer No.02063/01018/8.
3. MGVCL has cancelled application as another agricultural connection cannot be given in same survey number as per rules.

The complainant contended that he has applied for new agricultural connection at LS No.227 on dated 18.09.2012. Meanwhile he got another agricultural connection shifted from another LS No. 219 which was declared PDC to LS No. 227. Hence he has applied for shifting of his new agricultural connection demand in Village Dudhatal LS No. 227 to Village RaliaOvadaLS No. 19/P1.

But his request application for shifting of new connection is cancelled by MGVCL's Kpadwanj REC S/Dn vide their letter No. 578 dtd. 11.02.2015. He also contended that the water in LS No. 227 is salty so he requested the forum either to consider to stop existing connection in LS No. 227 and give new connection in LS No. 19/P1 (Village Ralia Ovada) or to consider shifting of existing connection of LS No. 227 to LS No. 19/P1.

The respondent contended that at the time of survey, it is found that complainant having agricultural connection in LS No.227 bearing consumer No.02063/ 01018/8 in his name, which was released on 04.01.2014. On detailed investigation, it is found that the PDC connection was shifted from survey No.219 of village Dudhathal to LS No.227 at village Dudhathal. Hence, party has already availed benefit of PDCRC with shifting. Now, new agricultural connection which is registered on 08.09.2012 is required to be shifted at village Ralia Ovada LS No.19/P1 which cannot be entertained as party has not submitted proof of non-availability of water in LS No.227. Also for shifting of existing connection to LS No. 19/P1, minimum two years of land ownership and minimum two acres of land is required which is not being fulfilled.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the complainant has demand agricultural connection in LS No.227 cannot be entertained as one connection in the name of complainant is already exist. The complainant wants to shift his new agricultural connection demand (registered on dtd. 18.09.2012) to another Village Ralia Ovada LS No. 19/P1.

The existing connection in LS No. 227 was got shifted from another survey number. However, for salty water in LS No. 227, its certificate from "Talati" is not submitted. So shifting of new connection to another survey is not fulfilling the required conditions. During hearing, the complainant has proposed to shift existing connection of LS No. 227 (considering water not suitable for farming - salty water) to LS No. 19/P1 of another Village. It may be permitted if conditions for shifting of existing connection are satisfied.

The forum is of the opinion that new connection in LS No. 227 of Village Dudhatal cannot be given. In the event of existing connection of LS No. 227 made PDC for the reason of salty water, MGVCL can consider for new connection to LS No. 19/P1 of Village Ralia O vada, provided all applicable conditions for new Agricultural connections are satisfied.

ORDER

The Forum directs the complainant Shri Bipinbhai Dahyabhai Patel, At & Post : Dudhathal, Tal: Kapadwanj, Dist : Kheda that the cancellation order issued by

Kapadwanj REC S/Dn of MGVLG vide order No. 578 dtd. 11.02.2015 is in order. However, other alternatives to shift the connection to LS No. 19/P1 of Village Ralia Ovada can be considered by MGVLG if the required conditions are fulfilled. The forum directs MGVLG to inform the complainant in writing for their legal requirement for shifting as stated in above observation & opinion of the forum.

(A G Shah)
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 Clause No.2.63 Chapter-2 of GERC Notification No.2 of 2011.

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>