

**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-I-1-2015-16
Complainant	Shri Bipinbhai Hargovindbhai Patel, At village Antisar, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R M Patel, Deputy Engineer of Kapadwanj REC S/dn of MGVCL.
Date of hearing	10.04.2015 at Vadodara

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

The complaint dated 24.03.2015 regarding to give new agricultural vij connection in Dark Zone area - GP No.159/1992.

On 10.04.2015, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bipinbhai Hargovindbhai Patel appeared as complainant whereas Shri R M Patel, Deputy Engineer of 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. Late Hargovindbhai C Patel had applied for new agricultural vij connection in survey No.254 at village Antisar on dated 09.04.1992.
2. Shri Hargovindbhai C Patel expired on dated 17.04.2004. His legal heir Shri Bipinbhai H Patel is looking after the case.
3. The Government of Gujarat had given relaxation in its Darkzone policy and accordingly notice to the consumer issued on 04.05.2012 to submit fresh documents. The applicant had submitted documents on 21.05.2012.
4. The site was surveyed in June 2012. Existing connection in the name of Smt Arunaben B Patel bearing consumer No.02076/00962/0 was found in same survey number i.e. Survey No.254 wherein new agricultural connection is asked.
5. The application was cancelled vide letter No.KWR/7412 dated 25.07.2012 stating that another connection in same survey number cannot be given.

6. The legal heir of the applicant Shri Bipinbhai H Patel represented that there are two separate lands i.e. 2 khata numbers in survey No.254. Khata No.1187 belongs to Shri Bipinbhai H Patel and Khata No.1268 belong to Smt Arunaben H Patel.
7. Earlier, the same case was referred to CGRF on dated 26.05.2014. The CGRF had issued an order on dated 10.06.2014 to solve the grievances as per previous decisions given by CGRF in similar cases.
8. Accordingly, MGVCL had asked fresh documents and the complainant had submitted all the required documents on dated 26.06.2014 but till today MGVCL has not given connection so requested the Forum to give justice.

The complainant contended that an application for new agricultural vij connection in survey No.254 was done by his father Shri Hargovindbhai C Patel in the year 1992 who expired on 17.04.2014. The land survey No.254 was divided in the year 1998 as per Hakpatrak No.6 Sr No.9370 dated 29.04.1998. The survey No.254 is having 2 separate khatas, Khata No.1187 belongs to Shri Bipinbhai H Patel and Khata No.1268 belongs to Smt Arunaben B Patel. The existing vij connection in Khata No.1268 in survey no.254 in the name of Smt Arunaben B Patel was taken under TATAKAL scheme. The connection was started in the year 2000. The new agricultural vij connection is demanded in Khata No.1187 in the name of Shri Hargovindbhai C Patel now in the name of Shri Bipinbhai H Patel being legal heir. He has applied for change of name.

The respondent contended that late Shri Hargovindbhai C Patel had applied for agricultural connection in survey No.254 at village Antisar on dated 09.04.1992. Notice was given to the applicant on dated 04.05.2012 to submit fresh documents which was submitted on 21.05.2012. While site survey, it was found that there is existing connection in the name of Shri Arunaben Bipinbhai Patel bearing consumer No.02076/00962/0. As another connection is not allowed in the same survey number, the application for new agricultural connection was cancelled vide their letter No.KWR/7412 dated 25.07.2012. As the applicant expired in the year 2004, the legal heir Shri Bipinbhai H Patel represented to their office that the land is divided in the year 1998 having two separate khatas. No agricultural vij connection exists in his survey No.254 & Khata no.1187. He has applied for change of name being legal heir of Shri Hargovindbhai C Patel. Previously, the same case was referred to the CGRF by the complainant and CGRF had given order dated 10.06.2014 to resolve the grievances as per previous decisions given by CGRF in similar cases. Accordingly, it was processed and asked fresh documents on 10.06.2014. The complainant has submitted fresh documents on 26.06.2014. The proposal was sent to their higher authorities on 01.07.2014. Subsequently, the queries raised by their office are replied and approval for change of name (CoC) is pending at circle office.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that there is no proper synchronization between REC, O&M and other higher offices. Though, it is a clear orders issued by CGRF in similar cases and ordered accordingly on 10.06.2014, the matter is not resolved till today. Considering separate khata numbers and the existing connection released in the year 2000 in the name of Smt Arunaben B Patel bearing Khata No.1268 whereas legal heir of late Shri Hargovindbhai C Patel demanding agricultural connection in khata No.1187, survey No.254. There is no vij connection in khata No.1187, survey No.254,

In view of the above discussion, the Forum is of the opinion that there are 2 owners in land survey No.254 having separate entity bearing Khata No.1187 & 1268. New agricultural connection in land of Khata No.1187, survey No.254 is eligible as there is no existing connection.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process to give agriculture connection in survey No.254 & Khata No.1187 to Shri Bipinbhai Hargovindbhai Patel, At village Antisar, Tal: Kapadwanj, Dist : Kheda after approval of CoC.

(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>