

**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-III-95-2014.15
Complainant	Shri Bhathibhai Rupabhai Rathod, At: Zanda, Po: Aabvel, Ta: Kapadwanj, Di: Kheda
Respondent	Shri R M Patel, Deputy Engineer of Kapadwanj s/dn of MGVCCL.
Date of hearing	19.12.2014 at Vadodara

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

The complaint dated 03.12.2014 regarding to give agricultural vij connection under Dark Zone Yojana.

On 19.12.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bhathibhai Rupabhai Rathod appeared himself whereas Shri R M Patel, Deputy Engineer of Kapadwanj s/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. The complainant had applied for new agricultural vij connection on dated 12.10.2012 in Survey No.106 paiki Khata No.399 under Option- C.
2. MGVCCL had informed to the applicant vide their letter no.KPJ/REC/ Tech/Estt/1588 dated 23.04.2014 that his application is cancelled for existing connection in same LS number i.e. 106 paiki in the name of Shri Chandubhai J Rathod. Therefore, in same survey number another connection cannot be given as per rules.
3. Again, MGVCCL had informed to the applicant vide their letter No. KPJ/REC/ Tech/1755 dated 13.05.2014 that as per their corporate office, Vadodara letter No.MGVCCL/CE/Proj/RE/148 dated 04.03.2014, the connection can be given provided the applicant submit all the documents given in the letter.

4. Vide MGVCL letter No.KRC/Tech/4057 dated 26.11.2014 informed the applicant that his application is cancelled.
5. The complainant has requested the Forum to look into the matter as existing connection is in LS No.106 but in Khata no.81 which is in the name of Shri Chandubhai J Rathod. His khata no. is 399 in which there is no connection. Requested Forum to give justice.

The complainant contended that he has asked new Agricultural connection in his survey no.106, Khata No.399. He had applied on dated 12.10.2012. There is no vij connection in his land mentioned above. The LS No.106 is divided among three occupants in the year 2003. It is entered in Hakkpatrak, Form-6 Entry No.1018 as under:

- | | |
|------------------------------|--------------|
| 1. Shri Chandubhai J Rathod, | Khata No.81 |
| 2. Shri Bhathibhai R Rathod | Khata No.399 |
| 3. Shri Jayantibhai S Rathod | Khata No.394 |

Above are grand-sons of Shri Motibhai R Rathod. Before year 2003, the land was in the name of Shri Chandubhai J Rathod and existing connection also in his name and now it is in his Khata No.81. He has already made expenditure about Rs.50,000/ for drip irrigation installation in his Khata No.399, LS No.106.

The respondent contended that the complainant has asked for new Agricultural connection on dated 12.10.2012 in LS No.106P, Khata No.399 at village Zanda, Po:Aabvel, Ta: Kapadwanj, Di: Kheda. As per policy, complainant has given consent for adoption of MIS. During survey, it was noticed that there is existing connection on same survey number i.e. 106 in the name of Shri Chandubhai J Rathod. The survey No.106 is divided among three occupants in which khata No.81 & 399 are adjacent. The connection of the bore located at the boundary of the khata No.81 and 399. Khata no.81 is in the name of Shri Chandubhai J Rathod having existing connection bearing consumer No. 02007/00264/7 is also in the name of Shri Chandubhai J Rathod. Khata No.399 is in the name of Shri Bhathibhai R Rathod. Apparently, it is seen that connection exist in Khata No.399 of LS No.106 P so demanded Mapnisheet from the complainant. In the Mapnisheet, location of boar or well is not shown. Therefore, they have cancelled their application and informed to the applicant on dated 26.11.2014.

The Forum Members present at the hearing considered contention of both the parties and perused the records observed that the land divided among legal heirs of Shri Motibhai Rathod's second generation. It is divided in the

year 2003. The existing connection is old one and in the name of oldest heir Shri Chandubhai J Rathod. The location of bore seems at the boundary of the Khata no.81 & 399. As per “Panchnama” dated 14.05.2014, it is shown in khata no.81. The surrounding land of the bore is being used by Shri Chandubhai J Rathod. There is no other connection in LS no.106P.

In view of the above discussion, the Forum is of the opinion that the MGVCL has cancelled application based on doubt of location of existing connection which is nearer to Khata No.399. The “Panchnama” clear the doubt so connection to Shri Bhathibhai R Rathod in his S No.106, Khata No.399 can be given.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process for agricultural connection to complainant Shri Bhathibhai Rupabhai Rathod, At: Zanda, Po: Aabvel, Ta: Kapadwanj, Di: Kheda, in his land survey No.106, Khata no.399.

(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>