

**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-94-2014.15
Complainant	Shri Manorbhai Dalabhai Patel, At : Lalakpur, Post : Ranijini Padedi, Tal: Santrampur, Dist : Mahisagar
Respondent	Shri K I Dalwadi, Deputy Engineer Lunawada s/dn of MGVCL.
Date of hearing	10.12.2014 at Anand

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

The complaint dated 27.11.14 regarding to release new agricultural vij connection on LS No.65/1.

On 10.12.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Nareshbhai Manorbhai Patel appeared as representative of the complainant Shri Manorbhai Dalabhai Patel whereas Shri K I Dalwadi, Deputy Engineer Lunawada 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. For new Ag connection application registered on dated 26.10.2008.
2. Estimate amount paid on 26.03.2012.
3. Due to existing connection in survey No.65/1, MGVCL has cancelled the application vide their letter No.Lunawada Scheme/SDN/Tech/1565 dated 26.09.2013.
4. Applicant had submitted Punchcase stating that of a well prepared in LS No.65/1 before 50 years which is in between the fields of Shri Manorbhai Dalabhai Patel and Shri Kodarbhai Dalabhai Patel
5. The consumer number given by MGVCL for existing connection is actually released in survey No.10/2 while new connection is demand in LS No. 65/1

The representative of the complainant contended that 3 HP new connection demanded for Survey no.65-1 in the name of Shri Manorbhai Dalabhai Patel. As

informed by MGVCL, connection bearing consumer No.09610/10046/5 is actually in survey No.10/2 (Khata No.12). In Survey No.65/1, there is no electric connection but only old well is existing which is not being used since last 20 years. As demanded by MGVCL, he has submitted test report on 21.02.2013 but vide letter dated 26.09.2013, MGVCL has requested to give connection and cancelled his application considering existing connection in the name of Shri Kodarbhai Dalabhai Patel, survey No.65/1 consumer bearing No.09610/10046/5 but this connection is actually in survey No.10/2. He requested the Forum to give justice.

The respondent contended that there is old connection bearing consumer No.09610/10046/5 in the name of Shri Kodarbhai Dalabhai Patel released on 01.11.1993. The complainant was informed for cancellation of his application due to existing connection in same survey number i.e. 65/1 as another connection cannot be given in same survey number.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that Shri Manorbhai Dalabhai Patel has got new connection in the year 2003 by shifting in the same survey No.65/1 whereas he again demanded for new connection vide his application dated 26.10.2008. Shifted connection bearing consumer No.09610/10045/7. As per MNGVCL cancellation letter dated 26.09.2013, there is existing connection bearing consumer no.09610/10046/5 in survey No.65/1. It means that there are two connections in survey No.65/1 whereas complainant's statement is that there is no connection in survey No.65/1. As per Punchcase and map provided which is signed by Punch as well as Talati Cum Mantri Santrampur Gram Panchayat. In the map, Survey No.65/1 and survey no.10/2 are shown as adjacent and well between these survey numbers but as per Tikamap, there are number of other survey number between Survey no.10/2 and 65/1 so it seems that there is something wrong while preparing Punchcase. In the year 2003, complainant has already got connection by shifting in survey No.65/1 which are verified from the documents submitted by that time to MGVCL. Considering the dispute, Forum has asked MGVCL to verify physically to the disputed survey No.65/1 and existing two connections bearing consumer no.09610/10046/5 and 09610/10045/7. Santrampur subdivision, MGVCL vide letter dated 09.01.2015 (received to corporate office MGVCL on 28.01.2015) stated that they have contacted to Mamlatdar for verification of survey number location and till date no action has been taken by them. It seems that as per record available with MGVCL, there is existing connection in survey no.65/1 and considering that documents, new connection cannot be released as per rules. If either consumer or MGVCL found facts that there is no connection in survey no.65/1 and connection released as above are in another survey number then Forum may take up the matter again for hearing.

ORDER

The Forum directs the complainant Shri Manorbhai Dalabhai Patel, At : Lalakpur, Post : Ranijini Padedi, Tal: Santrampur, Dist : Mahisagar, the cancellation of the application is in order.

(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>