

**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-II-100-2013-14
Complainant	Shri Abbasmiya Umarmiya Khokhar, At:Antisar, Tal: Kapadwanj, Dist: Kheda
Respondent	Shri R.M. Patel, Deputy Engineer, Kapadwanj (REC) Sub-Division MGVCL,
Date of hearing	11-10-2013, 8-11-2013 at Anand, 13.12.2013 at Vadodara

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

The complaint dated 05-10-2013 regarding cancellation of Agriculture connection under Dark Zone Yojana.

On 11-10-2013, 8-11-2013 & 13.12.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Abbasmiya Umarmiya Khokhar, appeared himself, whereas Shri R.M. Patel, Deputy Engineer, Kapadwanj (REC) Sub-Division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant had applied for new connection on 30-06-1994 in Survey No. 695 p of Village Antisar. G.P. No. 83 (1994).
2. The applicant has requested to give connection in LS No.689/1 giving reason of non availability of water in old LS No.695 paiki and submitted all the documents required for new connection and change of circumstance is also approved by MGVCL on 2.11.2012.
3. However, there after MGVCL has refused to give the connection based on the existing Agriculture connection in the same Survey Number vide letter No. 3467 dtd. 10-06-2013. The existing connection is in the name of Shri Abbasmiya Umarmiya Khokhar in Survey No. 695 p.

The complainant contended that he had applied Agriculture connection in land Survey No. 695 paiki on 30.6.1994. The application was pending since long due to declaration of Dark Zone in that area. After relaxation in dark zone ban in May 2012, they were hopeful of getting Ag. Conn. after 18 years. There after he received letter from MGVCL dtd. 10-06-2013 refusing to give connection on the basis of existing connection is in the name of Shri Abbasmiya Umarmiya Khokhar in Survey No. 695 p. As there was not sufficient water in LS No.695 paiki, he had applied under change of circumstance to LS No.689/1 and submitted all the required documents for new connection and the same is also approved by MGVCL on 2.11.2012. While applying

new Ag Connection in year 1994, he was not aware that no second new connection shall be granted in the same survey number. He has demanded new connection in his Survey No. 689/1 where there is no other existing connection. As such, requested to give Ag connection in survey No.689 / 1. .

The Respondent Shri R.M. Patel, Deputy Engineer, Kapadwanj (REC) Sub-Division contended that complainant father had applied for new connection on 30-06-1994 in Survey No. 695 paiki of Village Antiar under G.P. No. 83 (1994). New documents were submitted by complainant and his demand for the changed circumstances was approved on 2.11.2012 at LS No.689/1 under reason of non availability of water in old LS No.695 paiki. However during site verification, it was noticed that there is already existing connection in the name of Shri Abbasmiya Umarmiya Khokhar in Survey No. 695 paiki. As such complainant application was cancelled vide letter No.KPJ/3467 on 10.6.2013.

Further, hearing was held on 13.12.13 at Vadodara, wherein site visit report of Deputy Engineer was discussed and complainant was given chance to submit documents in support of LS No.695 paiki 1 & 2. The complainant informed that there is no water in ring bore of LS No.695 paiki 1, as such he has requested for shifting connection at LS No. 689 / 1. However, as per respondent's site visit report, there is no any demarcation for separation of LS No.695 paiki 1 & 2 which is owned by Shri Abbasmiya Umarmiya Khokhar.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that as per condition no.5 of letter addressed to complainant by Kapadwanj Sub D/n dtd.16.5.2012, if any connection is found existing under any of the scheme as on date, the application shall be liable for cancellation. As there is already existing connection in the name of Shri Abbasmiya Umarmiya Khokhar in Survey No. 695 paiki, though the changed of circumstances approved the application is liable for cancellation.

ORDER

The Forum directs the complainant Shri Abbasmiya Umarmiya Khokhar in Survey No. 695 paiki, At:Antisar, Tal: kapadwanj, Dist: Kheda that action of Madhya Gujarat Vij Co Limited not to give Ag. Vij Connection is in order.

(M 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>