

**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-83-2013.14
Complainant	Shri Arvinbhai Kanjibhai Rathwa at Dani, Tal: Naswadi, Dist : Vadodara
Respondent	Shri S M Patel, Deputy Engineer, Naswadi s/dn of MGVCL.
Date of hearing	04.10.2013, 25.10.2013 & 15.11.2013 Vadodara

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

The complaint dated 25.07.2013 registered on 16.09.013 regarding objection for agricultural vij connection.

On 04.10.2013, 25.10.2013 & 15.11.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein all times complainant Shri Arvinbhai Kanjibhai Rathwa were absent whereas Shri S M Patel, Deputy Engineer, Naswadi s/dn appeared as respondent on behalf of MGVCL before the Forum.

The brief details of the case are :

1. Survey Nos.82,83 & 84 having joint owners Smt Lilaben Kanjibhai Rathwa, Shri Ishwarbhai Kanjibhai Rathwa, Shri Arvinbhai Kanjibhai Rathwa and Surajben Kanjibhai Rathwa.
2. Shri Ishwarbhai K Rathwa has applied for new agricultural vij connection in survey No.83.

3. The complainant has not given his consent for the agricultural vij connection in survey No.83 and he further stated that Shri Ishwarbhai has submitted consent letter in which he has not signed. Connection should not be released without his consent.

During all the hearings, the complainant was absent.

- The respondent contended that vide letter No.2058 dated 15.07.2013 informed to Shri Arvindbhai K Rathwa that till date no connection has been given in Survey No.83 but Shri Ishwarbhai has submitted notarized consent letter of all owners of the Survey No.83. Another letter No.2057 dated 15.07.2013 written to Shri Ishwarbhai that MGVCL has received objection letter from his partner Shri Arvindbhai Rathwa for no consent given and requested to resolve the objection raised by his partner within seven days. In response to that Shri Ishwarbhai vide his letter dated 03.08.2013 informed that he is whole owner of Survey No.83 and documentary evidence for that will be submitted within three months.
- Application of Shri Ishwarbhai for the load of 7.5 HP agricultural vij connection in survey No.83, application was registered on 17.11.2011.
- Survey No. 83 having four owners and Shri Ishwarbhai has submitted notarized consent letter of all owners.
- Till today, Shri Ishwarbhai has not submitted documents for his sole ownership of Survey No.83. Therefore, considering objection raised by Shri Arvindbhai Rathwa, estimate has not been issued.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that consent letter submitted by Shri Ishwarbhai Rathwa is notarized one and MGVCL has to own the same. Further, if there is objection for disagreement with the signature or thumb impression the complainant, he can file a legal complaint. Shri Ishwarbhai was also called for the hearing on dated 15.11.2011 but remain absent. The Deputy Engineer has asked for the sole ownership of survey No.83 but not submitted by Shri Ishwarbhai till today. The legality of signature / thumbs impression is to be resolved by joint owners of the land or legally. The MGVCL cannot process the application to give agricultural connection in survey No.83 till legal issue is resolved.

In view of the above discussion, the Forum is of the opinion that at present registered application can be cancelled as per rules of the MGVCL.

ORDER

The Forum directs the complainant Shri Arvinbhai Kanjibhai Rathwa at Dani, Tal: Naswadi, Dist : Vadodara, that MGVCL will process for the agricultural vij connection if Shri Ishwarbhai submits whole ownership of Survey No.83 on his name or submits required legal documents. The MGVCL is directed to inform Shri Ishwarbhai K Rathwa to submit fresh documents for his ownership of survey No.83.

(Medha 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>