

**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-48-2013.14
Complainant	Bhikhiben Vallabhbhai Patel, 20, Vinaynagar Society Fulbai Mata Road, At & Post : Kapadwanj, Anand
Respondent	Shri R M Patel, Deputy Engineer, Kapadwanj REC S/dn of MGVCL.
Date of hearing	26.07.2013 at Corporate Office, Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 10.07.2013 regarding new agricultural connection under Dark Zone area.

On 26.07.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mahendra V Patel, Son, of complainant Bhikhiben Vallabhbhai Patel, whereas Shri R M Patel, Deputy Engineer, Kapadwanj REC appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The new agricultural connection asked in Survey No.202/1 on 07.07.1992 at village Vyas, Vasna under Kapadwanj Rural Sub-division.
2. In the year 2012, MGVCL has asked fresh documents to release the connection if she wants to adopt micro irrigation system as per Gujarat Government's guidelines.
3. Due to no water in the agricultural well on Survey No.202/1 requested to shift the connection in their survey No.35 paiki 2 at village Vejalpur, Tal: Kapadwanj.
4. MGVCL has refused to give connection because there is already one connection running on the name of Shri Shankarbhai Dwarkabhai Patel in the survey No.202/1.
5. In the year 1992, the said land of survey No.202/1 was divided and entered in the Hakpatrak and Gram Panchayat Entry No is 2309. Necessary documents submitted to MGVCL s/dn Office.

The representative of the complainant contended that the land was divided in the year 1992 and registered in Grampanchayat Entry No. 2309. Also, in the documents of 7/12 utara entered with Khata Number 182. Khata Number 182 belongs to her property and no share of the others. Therefore, requested to give new agricultural connection with shifting on Survey No.35 / 2 at village Vejalpur.

The respondent contended that complainant had applied for new connection in survey No.202/1. While survey of the said survey number, one connection on the name of Shri Shankarbhai D Patel found existing, therefore, as per the rules, another connection in the same survey number cannot be released. Therefore, MGCL has refused to give agricultural connection.

The Forum Members present at the hearing considered contention of both the parties and perused the records and found that property is divided in the year 1992 wherein Khata Number 182 & 183 is the part of Survey No.202/1. Their Khata numbers are different and its possession are independent. Therefore, considering legal possession of Bhikhiben in Khata No.182 of Survey No.202/1, shifting of agricultural connection to her other land in survey No.35/2 can be given.

In view of the above discussion, the Forum is of the opinion that the Khata No 182 & 183 are part of survey No.202/1 paiki. Their Khata numbers are different and its possession are independent. Therefore, considering legal possession of Bhikhiben in Khata No.182 of Survey No.202/1, releasing of new agricultural connection with shifting to her other land in survey No.35/2 can be given.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to release the agricultural connection on the name of complainant Bhikhiben Vallabhbhai Patel, 20, Vinaynagar Society, Fulbai Mata Road, At & Post : Kapadwanj, Anand, in Khata No. 182 of Survey No.202/1 and consider shifting of connection in her Survey No.35/2 paiki at village Vejalpur.

(Y B Sukhadia)
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>