

**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-89-2013-14
Complainant	Shri Chhaganbhai Nanjibhai Patel, At: Vitthalpura, Po: Aminpura, Tal: Kapadwanj, Dist: Kheda
Respondent	Shri R.M. Patel, Deputy Engineer, Kapadwanj (REC) Sub-Division MGVCL,
Date of hearing	11-10-2013 at Anand

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

The complaint dated 24-09-2013 regarding decision of Agriculture connection under Dark Zone Yojana.

On 11-10-2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Chhaganbhai Nanjibhai Patel, 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 18-06-1992 in Survey No. 683/27 B of Village Vitthalpura.
2. The applicant had sold out the Land Survey No.683 / 27 B in the year 2006 to Shri Jayantibhai Khimjibhai Patel along with Agriculture connection.
3. After receipt of letter from MGVCL, he applied under change of circumstances (CoC) to LS No.726 paiki of village Vadol. The CoC also approved by MGVCL on 18.10.2012
4. However, there after MGVCL has refused to give the connection based on the existing Agriculture connection in the same Survey Number vide letter No.

2625 dtd. 24-04-2013. the existing connection was in the name of Shri Chhaganbhai Nanjibhai Patel (at present in name of Jayantibhai Khimjibhai Patel) in Survey No. 683/27/B.

The complainant contended that he had applied for agriculture connection in land Survey No. 683/27 B of Village Vitthalpura on 18.6.1992. The application was pending since long due to declaration of Dark Zone in that area. After relaxation of dark zone ban in May 2012, they were hopeful of getting Ag. Conn. after 21 years. They received letter from Kapadwanj Sub Division to furnish documents. Accordingly, he applied for agricultural connection at village Vadol in LS No.726 paiki owned by him as the original land Survey No.683 / 27B for which registration made was sold out with connection. All documents required were furnished within time limit. There after he received letter from MGVCL on 24.4.2013 refusing to give connection as there is agricultural connection in survey No.683 / 27B. The existing connection was in the name of Shri Chhaganbhai Nanjibhai Patel (at present in name of Jayantibhai Khimjibhai Patel) in Survey No. 683/27/B. As original land was sold out with Ag Connection, he has demanded new connection in his Survey No. 726 paiki where there is no other connection existing and MGVCL has also approved under changed circumstances on 18.10.2012. If MGVCL would have informed earlier they would have applied under GUVNL option "A" in Sept-2012 and could get connection under priority. Now the period is also over. As such, requested to give Ag Connection under dark zone.

The Respondent, Shri R.M. Patel, Deputy Engineer, Kapadwanj (REC) Sub-Division contended that complainant had applied for new connection on 18-06-1992 in Survey No. 683/27B of Village Vadol under G.P. No. 325 (1992). After submission of new documents, shifting under the changed circumstances was approved on 18.10.2012. However, during site verification, it was noticed that there is already existing agricultural connection in the name of Shri Chhaganbhai Nanjibhai Patel (at present in name of Jayantibhai Khimjibhai Patel) in Survey No. 683/27/B.. As such complainant application was cancelled vide their letter No.KPJ/2625 on 24.4.2013.

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 MGVCL letter dated 07.05.2012 issued to applicant that if any connection is found existing under any of the scheme as on date, the application shall be liable for cancellation. Upon site verification, it was found that one connection is existing in the name of Shri Chhaganbhai Nanjibhai Patel (at present in name of Jayantibhai Khimjibhai Patel) in Survey No. 683/27/B. The land where connection was demand already sold with electrical connection so the applicant is not eligible to demand new connection.

ORDER

The Forum directs the complainant Shri Chhaganbhai Nanjibhai Patel, At: Vitthalpura, Po: Aminpura, Tal: Kapadwanj, Dist: Kheda that action of Madhya Gujarat Vij Co Limited not to give Ag. Vij Connection is in order.

The Forum also directs the MGVCL to verify all required conditions before approving new connection under changed circumstances so that post refusal and inconveniency to the applicant can be avoided.

(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>