

**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-107-2013.14
Complainant	Shri Chimangiri Kailashgiri Goswami at & Po: Aboch, Ta: Kapadwanj, Dist: Kheda
Respondent	Shri R M Patel, Deputy Engineer, Kapadwanj Sub- Division, MGVCL.
Date of hearing	06.12.2013 at Anand

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

The complaint dated 26.11.2013 regarding to give new agricultural vij connection under Dark Zone Yojana.

On 06.12.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Chimangiri Kailashgiri Goswami, appeared, whereas Shri R M Patel, Deputy Engineer, Kapadwanj Sub-Division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief detail of the case is as under:

The complainant has applied for Agriculture connection on 29.10.2002. But after declaration of darkzone, connection was registered pending. After relaxation on the ban of dark zone, he had received letter from Kapadwanj Sub-division on dated 17.05.2012 to provide fresh land documents for connection asked. Same were provided. Thereafter, Survey was carried out twice. The letter No.788 dated 03.05.2013 received from Kapadwanj REC Sub-division stating that connection in the name of Shri Balgar Madhavgar Goswami is existing.

Again letter no. 6454 dated 13.11.2013 from Kapadwanj Rural Sub-division was received stating the cancellation of Agricultural application. It is further stated that survey no. 3 was having 10.5 "Viga" land. After bifurcation of land in three brothers, and 0-80-94 area of land from 3 paiki having survey no. 265 owned by him. Whereas existing connection is in survey no. 386 owned by Shri Somgiri Balgiri Goswami. He has urged for giving agricultural connection in survey no. 3 paiki Khata No.265.

The complainant contended the facts mentioned in his application during the hearing. He has also informed that Mamlatdar has given letter confirming the different legality for "Khata Nos." of one survey number.

The Respondent Shri R M Patel Deputy Engineer Kapadwanj Sub-Division contended that complainant has demanded agricultural connection in L.S.No.3 on 29.10.02. Due to no water in well, he has applied for change of survey no from 3 to 3 paiki. Approval for the same under C.O.C was given by circle office vide letter no. Anc/1919 dated 19.02.2013. At the time of survey on dated 27.04.2013, connection existing in the name of Shri Balgar M Goswami was pointed out. Applicant was asked to provide documents. He has given affidavit stating that no connection is existing in Khata No. 265 of L.S.No.3 paiki.

The case was referred to corporate office for guide line. Corporate office vide letter no. MGVCL/DERE/Kata no/652 dated 25.07.2013 had directed to cancel the application. Accordingly, applicant was informed on dated 13.11.2013. On referring letter to Mamlatdar by consumer, Mamlatdar has given opinion for separate legality for different Khata number.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that though survey number is same but Khata number is different. Further, Mamlatdar, Mehmabad has also confirmed that if in same can be considered as separate entity.

In view of the above discussion, the Forum is of the opinion that though L.S.Number is same, Khata number is different. The existing connection is in the name of Balgar

M Goswami in L.S.No.3 Paiki Khata No.386 where as complainant Shri Chimangiri K Goswami has demanded connection in L.S.No.3 Paiki Khata No.265. As Khata number are different, can be considered.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process new agriculture connection to Shri Chimangiri Kailashgiri Goswami at & Po: Aboch, Ta: Kapadwanj, Dist: Kheda at L.S.No.3 paiki Khata no.265 and issue FQ immediately.

(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>