

**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-I-29-2013.14
Complainant	Shri Girishbhai Somabhai Patel At : Fatepura, Post : Kavath, Tal: Kapadwanj, Dist: Anand.
Respondent	Shri G S Patel, Deputy Engineer Kapadwanj® s/dn and Shri R M Patel, Deputy Engineer of REC Kapadwanj of MGVCL
Date of hearing	21.06.2013 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 05.06.2013, to give vij connection in Darkzone area.

On 21.06.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Girishbhai Somabhai Patel, appeared himself, whereas Shri G S Patel, Deputy Engineer Kapadwanj® s/dn and Shri R M Patel, Deputy Engineer of REC Kapadwanj of MGVCL 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 agriculture connection in the year 1998 in Survey No.1/1 Paiki 1.
2. Due to declaration of dark zone area, the application was not processed.
3. In the year 2012, the government allowed to release connection in dark zone area provided the consumer adopt Micro Irrigation as per rules.
4. During survey, it was noticed that in the same survey number there is already electric connection in the name of Shri Melabhai Dhulabhai Prajapati. As per rules two connections in same survey number cannot be released, so his application was cancelled.

The complainant contended that they asked for vij connection in 1998. The existing connection was in the name of Shri Melabhai Dhulabhai Prajapati in the waste land adjoining to the survey No.1/1 paiki 1. The same has also mentioned in copy of 7/12 that 1/3 part of the well is in the name of Shri Melabhai Dhulabhai & 2/3 part is in the name of Shri Kantibhai Hirabhai. The complainant has informed that the existing bore in L S No 1/1 Paiki 1 has collapsed and there is no water in

well. So the complainant has requested to shift the new connection from L S No 1/1 Paiki 1 to 163/1.

The respondent contended that the complainant has registered for new connection on 16-7-1998 in Survey No.1/1 at Fatepura, Post: Kavath, Tal: Kapadwanj, Dist : Kheda. Due to relaxation in release of connections in the dark zone area in 2012, the process for release of new agricultural connections was started. As the complainant had given consent for adoption of MIS, survey was carried out. During survey, it was noticed that there is a connection existing in the same survey number in the name of Shri Melabhai D Prajapati. This connection was released on 20.03.82, hence complainant application was cancelled and not processed for L S No 1/1.

The Forum Members present at the hearing considered contention of both the parties and perused the records observed that the existing connection is in the waste land adjoining to L S No 1/1. Complainant owned survey No.1/1 paiki 1. in which there is no well or connection. Looking to the copy of 7/12 land document 1/3 part of the well is in the name of Shri Melabhai Dhulabhai & 2/3 part is in the name of Shri Kantibhai Hirabhai thereby stating that Shri Girishbhai Somabhai Patel has no ownership of the existing connection. The old well situated in LS No.1/1 paiki 1 has collapsed and there is no possibility of water in well as requested by the applicant, the Forum is of the opinion that the request of complainant to shift the new connection from L S No 1/1 Paiki 1 to 163/1 needs consideration.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process for new agriculture connection to complainant Shri Girishbhai Somabhai Patel at Fatepura, Post : Kavath, Tal: Kapadwanj, Dist : Kheda along with shifting of the connection from L S No 1/1 Paiki 1 to 163/1 under prevailing circumstances not usable well in L S No 1/1 Paiki 1.

(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>