

**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-IV-114-2012.13
Complainant	Shri Kantibhai Parmabhai Patel, At village Vavia Muvada, Tal: Santrampur, Dist : Godhra.
Respondent	Shri V B Garasia, Deputy Engineer Santrampur s/dn of MGVCL.
Date of hearing	15.02.2013 at Godhra

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 04.02.2013 regarding cancellation of electric supply given to Survey No.163.

On 15.02.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Kantibhai Parmabhai Patel appeared himself whereas Shri V B Garasia, Deputy Engineer Santrampur s/dn 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 has survey No.164 at village Vavia Muvada, Tal: Santrampur, Dist : Godhra with a well. He is also having 3 HP Agriculture connection. Adjoining there is a survey No.163, which is owned by Shri Hirabhai Haribhai, Shri Somabhai Haribhai, Hirabhai Kalubhai etc.,
2. The complainant has further informed that there is no well in survey No.163. By false documents, owners of Survey No.163 have asked for vij connection on the same well on which his 3 HP connection is there so he had objected vide his letter dated 29.12.2012. The work was suspended by Deputy Engineer Lunawada s/dn at that time. Again, the owners of survey No.163 had tried to get vij supply on complainant's well and the MGVCL had dumped materials on

29.01.2013. It was again objected by the complainant. This time also they had created false documents like Punchnama. Hence, requested the forum to give justice.

The complainant contended that survey No.164 at village Vavia Muvada is owned by him and there is a well existing on this survey number with 3 HP Agriculture power connection. However, owners of adjoining survey No.163 have tried to show well in their survey number and got connection on the basis of false documents created by them. In spite of his objection in writing to MGVCL, they have not considered it and finally they have arranged to get vij supply on the same well on which he is possessing vij connection of 3 HP. The owner has tried to stop this activity but not succeeded so approached forum.

The Respondent contended that based on the land records submitted by Shri Somabhai H Patel, one of the owners of Survey No.163, power supply connection was released considering that well is situated in the survey No.163.

The Forum Members present at the hearing considered contention of both the parties and perused the records and found that 1) As per A-1 form submitted by Shri Somabhai Patel has asked for 3 HP connection in survey No.163 for agricultural purpose. He has also shown that it is owned by him only and not in joint ownership, 2) As per documents submitted by Talati Cum Mantri on Rs.20/ stamp paper dated 24.01.2013, the well is situated between survey No.163 & 164 and hence well is of Shri Somabhai Patel and Shri Kantibhai P Patel. Documents is witnessed and signed by Shri Ranchodbhai Dalabhai Patel and Shri Muljibhai Dalabhai Patel, 3) Again on 30.01.2013, Talati Cum Mantri has done panchcase and stating that well is not in the survey No.163 but it is in survey No.164.

In short, Talati Cum Mantri has shown in different documents that well is in the survey No.164 and well is between survey No.163 & 164 having joint ownership. MGVCL had neither confirmed the correct location of well after objection raised by existing consumer nor considered contention of Certificates/Punchnama signed by the Talati-cum-Mantri of that village. Secondly, the disputed well is already having

one vij supply connection owned by Shri Kantibhai P Patel. As per rules, more than one connection cannot be released on same well.

In view of the above discussion, the Forum is of the opinion that the connection released on the name of Shri Somabhai considering the well is in the survey No.163 is wrong. Also a well cannot have two connections simultaneously. The well should be owned by the person (s) who also own(s) the premises in which well is situated.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to disconnect the power supply released to Shri Somabhai H Patel considering the well to be in survey No.163 and take appropriate steps after receiving legal documents for ownership of the well and its premises.

(M J Vaidya)
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>