

**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-84-2013-14
Complainant	Shri Kiritbhai Hargovindbhai Patel, At: Antisar, Tal: Kapadwanj, Dist: Kheda
Respondent	Shri R.M. Patel, Deputy Engineer, Kapadwanj (REC) Sub-Division MGVCL,
Date of hearing	27-09-2013

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

The complaint dated 05-09-2013 regarding cancellation of Agriculture connection under Dark Zone Yojana.

On 27-09-2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Kiritbhai Hargovindbhai 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's father had applied for new connection on 18-06-1997 in Survey No. 337 of Village Antisar. G.P. No. 103 (1997).
2. The applicant has submitted all the documents required for new connection in Dark Zone area, and option for change of circumstance is also approved by MGVCL on 15.1.2013 for shifting of demanded connection from Survey No.337 to Survey No.339 /4.
3. However, there after MGVCL has refused to give the connection based on the existing Agriculture connection in the same Survey Number vide letter No. 2940 dtd. 06-05-2013. The existing connection is in the name of Shri Bipinbhai Hargovindbhai Patel in Survey No. 337.

The complainant contended that his father had applied Agriculture connection in land Survey No. 337 on 18.6.1997. The application was pending since long due to declaration of Dark Zone in that area. After relaxation of dark zone ban in May 2012, he was hopeful of getting Ag Conn. after 16 years. He received letter from Kapadwanj Sub Division on 17.5.2012 to furnish documents. Accordingly, all documents were furnished within time limit. There after he received letter from MGVCL on 6.5.2013 refusing to give connection. the turn of his agricultural connection came after long period & cancellation of the same is injustice to consumer and unnecessary expenditure to consumer also. The existing connection is in the name of Shri Bipinbhai Hargovindbhai Patel in Survey No. 337 was released under Tatkal scheme. As such there is no relevance with his father's application of year 1997 and while releasing connection under Tatkal, it was not intimated that no new connection shall be granted in the same survey number. He has demanded new connection in his Survey No. 339/4 where there is no other connection existing and MGVCL has also approved change of circumstances on 15.1.2013. 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 father had applied for new connection on 18-06-1997 in Survey No. 337 of Village Antisar under G.P. No. 103 (1997). As per new documents submitted by complainant, the changed of circumstances was approved on 15.1.2013. However during site verification on 19.4.2013, it was noticed that there is already connection exists in the name of Shri Bipinbhai Hargovindbhai Patel in Survey No. 337 so as per rules, no new connection can be given in same survey number. As such complainant application was cancelled vide their letter No.KPJ/ 2040 on 6.5.2013.

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 letter addressed to complainant by Kapadwanj Sub D/n dtd.17.5.2012,, if any connection is found existing under any of the scheme as on date, the application shall be liable for cancellation. There is already connection exists in the name of Shri Bipinbhai

Hargovindbhai Patel in Survey No. 337. The complainant had not disclosed this matter as per condition No.5 of Kapadwanj s/dn letter dated 17.05.2012 which came to know only after site verification on 19.04.2013. In such case, changed circumstances rule doesn't apply, therefore, application is liable for cancellation.

ORDER

The Forum directs the complainant Shri Kiritbhai Hargovindbhai Patel, at: Antisar, 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 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>