

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-113-2013.14
Complainant	Shri Mangalbhai Shanabhai Patel At & Post : Nirmali Ta : Kapadwanj, Dist: Kheda
Respondent	Shri R M Patel, Deputy Engineer of Kapadwanj s/dn of MGVCL.
Date of hearing	20.12.2013 Vadodara

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

The complaint dated 10.12.13 recd on 17.12.13 regarding to give agricultural connection under Dark Zone Yojana.

On 20.12.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mangalbhai Shanabhai Patel, appeared himself, whereas Shri R M Patel, Deputy Engineer of Kapadwanj s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. The complainant had applied for new agricultural connection in the year 1993 at Abwel village, Survey No.128.
2. Land divided in the year 1995 between two brothers namely Shri Maganbhai Shanabhai Patel and Shri Chandubhai Shanabhai Patel. Survey No.128 paiki, Khata No.73 on the name of Shri Maganbhai Shanabhai Patel and Survey No.128 paiki, Khata No.190 on the name of Shri Chandubhai Shanabhai Patel.

3. Existing agricultural connection in Survey No.128 paiki, Khata No.190 is on the name of Shri Dhirubhai Maganbhai Patel having present ownership of Shri Chandubhai Patel.
4. The MGVCL has refused to give agricultural connection based on one existing connection in Survey No.128.
5. The complainant has requested to give agricultural connection in his Khata No.73, Survey No.128 paiki for which he is sole owner of the land and no ownership / partner in Khata No.190 of Survey No.128 paiki whose owner is Shri Chandubhai so not to give second agricultural connection in same survey number should not be applicable to him.

The complainant contended as per above details and submitted legal documents in support of his claim.

The respondent contended that MGVCL has refused to give agricultural connection based on their circular No.15 in which restricting to release second connection in same survey number. In instant case, Survey Number is 128 in both the Khana Nos i.e. 73 & 190.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that there is separate legal ownership of land area having KhataNo.73 and 190 though the survey number is same. Existing agricultural connection in Khata No.190 and no agricultural connection in Khata No.73, therefore, demand of Shri Maganbhai S Patel for agricultural connection in his Khata No.73 is eligible. The land divided between two brothers in the year 1995. . In the year 1998, agricultural connection on the name of Shri Dhirubhai M Patel was shifted in land Survey No.128 paiki, Khata No.190. Khata No.190 is in the name of Shri Chandubhai S Patel. The respondent has explained that the case file of Shri Chandubhai S Patel is not traceable.

Considering legal ownership of KhataNo.73 of Survey No.128 paiki of Shri Maganbhai and original application is also of Shri Maganbhai as well as no existing connection in this land, the Forum is of the opinion that MGVCL can give new agricultural connection.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to give agricultural connection in land survey No.128 paiki, Khata No.73 of Shri Maganbhai S Patel who had registered new connection in year 1993.

(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>