

**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-02-2014.15
Complainant	Maniben Lakhabhai Vankar At :Nikol, Post : Aantarsuba, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R M Patel, Deputy Engineer of Kapadwanj REC S/dn of MGVCL.
Date of hearing	04.04.2014 at Vadodara

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

The complaint dated 26.03.14 recd on 02.04.14 regarding Agricultural vij connection under dark zone yojana.

On 04.04.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Ramanbhai Bhavanbhai Kapadia, son of complainant At :Nikol, Post : Aantarsuba, Ta. Kapadwanj, Dist. Kheda appeared on behalf of Smt Maniben Lakhabhai Vankar whereas Shri R.M.Patel, Deputy Engineer of Kapadwanj (REC) s/dn of MGVCL 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 Maniben Lakhabhai Vankar had applied for 7.5 HP New Agriculture connection on 7.3.1994 in L.S.no.105 At. Nikol, Post : Aantarsuba & Tal. Kapadwanj, Dist. Kheda and his application was registered as GP.NO.28 under dark zone scheme.
2. The applicant had applied for change of land survey no. from 105 to 104 at village Nikol due to no water in well

of land survey no. 105 and COC approved vide circle office letter no.ANC/Tech-2/171 dated 2.1.2013.

3. The site survey was carried out by Deputy Engineer Kapadwanj (R) s/dn. While verification of site there was existing connection in the name of Smt Maniben Lakhabhai Vankar bearing Ag Connection no 02056 / 01020 /8 in land survey no.105 which was released on 12.4.1991.
4. The application for new agriculture connection of Smt Maniben Lakhabhai Vankar in the L.S. no.105 was cancelled in accordance to circular No.15 regarding not to give second connection in the same survey number vide s/dn office letter no.KWR/Tech/6127 dated 23.10.2013.
5. Applicant has requested the Forum to give Agriculture vij connection in land survey no.104 and give proper justice.

The representative of the complainant contended that Smt Maniben L Vankar had applied for 7.5 HP New Agriculture connection on 7.3.1994 in L.S.no.105 at Nikol, Post: Aantarsuba 206 Ta. Kapadwanj, Dist. Kheda and registered her application as GP NO.28. As the land area is more, new connection is demanded in same LS number by digging second bore. There is existing connection in the name of Smt Maniben L Vankar bearing connection No.02056/01020/8 in land survey no. 105 which was released on 12.4.1991. His application is cancelled vide s/dn office letter No.KWR/Tech/6127 dated 23.10.2013 with the reason that connection exists in same LS No.105. She had applied for change of LS number from 105 to 104 at village Nikol due to no water in one of the well of land survey no. 105 so her application for releasing the new agriculture connection should be considered.

The respondent contended that complainant had applied for new agriculture connection for 7.5 HP on 7.3.1994 in L.S.no.105 At. Nikol Po. Aantarsuba, Ta. Kapadwanj, Dist. Kheda and registered her application at GP.NO.28. The site survey was carried out. During verification of site, it was observed that one connection is existing

in the name of Smt Maniben L Vankar bearing 02056/01020/8 in land survey no.105 which was released on 12.4.1991. The application for new agriculture connection in the L.S. no. 105 was cancelled in accordance to circular no.15 regarding not to give second connection in the same survey number and processing of change of LS number cannot be done.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that MGVCL has cancelled her application based on existing vij connection in same LS number 105 in which new connection demanded. This is as per MGVCL policy. There are two wells in the LS No.105. The well having existing connection is running but in another well there is no water.

In view of the above discussion, the Forum is of the opinion that the complainant's application cannot be processed for giving new connection in L.S.No.105 as there is existing one connection of 7.5 HP in the name of Smt Maniben L Vankar. The complainant can apply afresh for LS No.104 with all related documents including adoption of MIS. This is applicable till relaxation to give vij connection in dark zone area is in force.

ORDER

The Forum directs the complainant Maniben Lakhabhai Vankar At : Nikol, Post : Aantarsuba, Tal: Kapadwanj, Dist : Kheda that the decision of cancelling the application for agriculture connection by Madhya Gujarat Vij Co Limited is in order.

(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>