

**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-86-2013.14
Complainant	Shri Ramabhai Khatubhai Solanki, 27, Narna Muwada, PO:Garod, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R M Patel, Deputy Engineer, REC of MGVCL.
Date of hearing	27.09.2013 at Anand

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara

The complaint dated 17.09.2013 is for giving agricultural connection under Dark Zone Yojna.

On 27.09.2013 the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Ramabhai Khatubhai Solanki, appeared himself, whereas Shri R M Patel DE Kapadwanj REC appeared as respondent on behalf the Forum. Both the parties were heard.

The brief of the case are:

1. The complainant had applied for agriculture connection on 20.01.1995 in L S No.670/1 on the name of Khushalbai Khatubhai Vankar who is his elder brother.
2. At that time land was in joint name.
3. Due to distribution of land, the land of L S No 670/1 paiki 1 is allotted to Ramabhai Khatubhai Vankar.
4. Elder brother Shri Khushalbai K Vankar died in 2012.
5. MGVCL office has informed that the original application was cancelled by MGVCL on 19.03.1998.

The complainant contended that his elder brother had applied on 20.01.1995 in L S No 670/1 vide G.P.No 12/1995. At that time the land was in joint name. After distribution of land the land of L S No. 670/1 Paiki 1 was allotted to Ramabhai Khatubhai Solanki. The elder brother died in the year 2012. After lifting of Dark

Zone, he had taken consent of his legal heir on Rs. 100/- Stamp Paper and submitted required documents for Agriculture connection.

Instead of processing his application he had received letter from MGVCL that his application is filed as original application is already cancelled in the year 1998 vide letter No. 2298 dated 19.03.1998. He contended that he had not received any letter for cancellation of application. If any letter would have been received, they would have applied for new Agriculture connection. As they are waiting for Agriculture connection since last 15 to 17 years due to dark zone area, requested to consider sympathetically as they are dependent on farming only.

The respondent Shri R M Patel DE contended that agriculture connection was registered by Shri Khushalbhai Khatubhai Vankar on 20.01.1995. It was decided to release connection in Dark Zone, a letter was served to all such applicants to give consent for MIS and to submit fresh documents. After submission of document, the proposal for changed circumstances was sent on 03.08.2013. During scrutiny, it was observed that application was cancelled as there was no name entry of the applicant Shri K K Vankar in 7/12 copy. The same was conveyed to applicant vide RPAD Letter No KPJ/1698 Dated 23.03.1998. Therefore, an application in the name of Ramabhai Khatubhai cannot be processed.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that an application was registered by Shri Khushalbhai Khatubhai Vankar for agricultural connection at L S No 670/1 in the year 1995. While scrutiny at sub d/n, it was observed that land is in the name of Shri Ramabhai Khatubhai & Jayantibhai Khatubhai only. As the land was not in the name of Shri Khushalbhai K Vankar application was cancelled in the year 1998 and same was also informed to the applicant vide RPAD letter. As application is already cancelled and no new application registered on the name of complainant of Land Survey No.607 / 1, it cannot be processed.

ORDER

The Forum directs the applicant Shri Ramabhai Khatubhai Vankar at Narna Muvada, Po: Garod, Ta:Kapadwanj, Di:Kheda, that the decision taken by the Madhya Gujarat Vij Company Limited that his application cannot be considered based on original application of his brother is in order.

(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>