

**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-49-2014.15
Complainant	Shri Ashwinbhai Ishwarbhai Patel, C/o Sagar Poultry Farm, Vidha Dairy Road, At & Post : Navli, Tal & Dist ; Anand
Respondent	Shri PP Pancholi, Deputy Engineer, Mogri Sectional Office, of MGVCL.
Date of hearing	28.08.2014 at Vadodara

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

The complaint dated 20.08.2014 regarding not to increase vij load.

On 28.08.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Ashwinbhai Ishwarbhai Patel & Shri Rameshbhai Bhailalbhai Patel appeared whereas Shri PP Pancholi, Deputy Engineer, Mogri Sectional Office 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. At present 3 phase connection of 3 KW load is existing for poultry farm located in agricultural land having consumer No.13908 / 00418 / 1.
2. Owner wants to additional load of 33 KW.
3. Connection is existing since the year 1979 from Ag DOM feeder with Special Design Transformer (SDT) facility & as per Government Resolution, NA permission is not required for poultry farm.
4. MGVCL has refused to give additional load of existing 3 KW connection unless land is converted into non-agricultural land.

5. Owner has requested the Forum to consider the load demand to expand their poultry farm and to direct the MGVCL to take needful action.

The complainant contended that they are expanding their poultry activities so they require higher vij load. They applied for the same to the MGVCL but MGVCL has refused to fulfill their demand and asked them to convert agricultural land to non-agricultural land if they require additional load. They further contended that as per circular of Revenue Department of Government of Gujarat, Gandhinagar, Poultry Farm activity is allowed in agricultural land and need not to convert in non-agricultural land.

The respondent contended that based on government policy and GUVNL Circular No.327 dated 21.09.2012, MGVCL has issued Circular No.9 dated 23.12.2012 and letter No.MGVCL:SE(Tech:904 dated 28.02.2013 that for Poultry Farm activity, single phase connection upto 3 KW load can be released in agricultural farm and in such cases, non-agricultural permission is not required. The complainant's demand is for more than 3 KW load. At present, single phase power supply to 3 KW load is being given from Ag DOM feeder through Special Design Transformer (SDT). The SDT cannot cater higher load as they are designed for a limited load. After development of Jyotigram Yojana Scheme, 3 phase power supply to the connections other than Ag in agricultural land is not allowed considering possibility of unauthorized use of power by the farmers by using Phase Convertor (TETA). This being a policy matter, MGVCL cannot give 3 phase 24 hours power supply.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that Government has allowed poultry Farm in agricultural land for the poultry activity and not for its bi-products. Also, for agricultural land, Government has allowed only Ag-DOM feeder which caters 3 phase power supply for only 8 hours per day and for the

rest period, single phase power supply through SDT being catered for the residents of the farmers for farming activity. Therefore, for Poultry Farm activity only single phase power supply can be given in agricultural land. If they at all require 3 phase power supply then land must be converted to non-agricultural land. Existing 3 phase 3 KW connection was given in the year 1979 i.e. before existence of Jyotigram Yojana.

In view of the above discussion, the Forum is of the opinion that the action taken by MGVCL for not release additional load in agricultural land is in order.

ORDER

The Forum directs the complainant Shri Ashwinbhai Ishwarbhai Patel, C/o Sagar Poultry Farm, Vidha Dairy Road, At & Post : Navli, Tal & Dist ; Anand that the action taken by the MGVCL for not release additional load in agricultural land 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>