

**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-05-2014.15
Complainant	Shri Bhaijibhai Pratapbhai Zala At : Rampura (Sorna)Tal: Kapadwanj, Dist : Kheda
Respondent	Shri G S Patel Deputy Engineer, Kapadwanj s/dn of MGVCL.
Date of hearing	17.04.2014 at Anand

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

The complaint dated 09.04.2014 regarding to reconnect PDC agricultural vij connection.

On 17.04.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Arvindbhai Bhaijibhai Zala son of complainant Shri Bhaijibhai Pratapbhai Zala appeared himself whereas Shri G S Patel Deputy Engineer, 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 :

1. PDC connection, bearing consumer No.02001/01003/6 in the name of Shri Pratapbhai Rumalbhai Zala was in survey No.52 of Rampura village Tal: Kapadwanj
2. After death of Shri Pratapbhai Rumalbhai Zala on 24.09.1989, legal heir Shri Bhaijibhai P Zala had applied for PDC RC on dated 13.06.2012 revised on dated 18.12.2012 for PDC RC with shifting.

3. Simultaneously, complainant had approached GGRC for drip irrigation and paid Rs.63050/ against GGRC work order KH No.460 dated 13.08.2012.
4. The complainant had approached s/dn office Kapadwanj for FPA but same was not made by concern of s/dn due to non-submission of required documents by the applicant & pending technical sanction.
5. The complainant has obtained refund of estimate paid against GGRC Work Order No.KH-460 after 7 months due to non-execution of FPA. On 17.02.2014, complainant had received post from S/dn office asking for NOC on Rs.100/ stamped paper from co-owner of Survey No.53.
6. The complainant had not submitted NOC from co-owner and informed the s/dn office that as per letter of Deputy Collector, NOC from co-owner of same khata number is required and not from co-owner of whole survey number.
7. The complainant had received post on 29.03.2014 informing that he had to submit measurement sheet from DILR showing the land boundary of khata No.220 of land survey No.53.
8. The complainant has informed that the land was divided in years back, resurvey is not possible.

9. In Kisan Vij Book, Page No.2, it was informed that if 6 Hakkpatrak shows division of land survey number, new connection in the name of eligible applicant or to legal heir can be given.

The complainant had requested to give agricultural connection at the earliest.

The representative of the complainant contended that he had mentioned everything in his application. There are 25 owners at LS No.53 but khata No.220 is the part of survey No.53 which is owned by Shri Bhaijibhai P Zala, the sole owner. LS No.53, is having three more khata Nos.216, 217 & 73 which are owned by other 24 persons. Due to family disputes, it is not possible for him to obtain report of DILR showing measurement of different khata numbers. Similarly, he is also not in a position to obtain NOC from other 24 co-owners of LS No.53. He had further added that there is no connection existing in LS No.53. He has requested to give agricultural connection without insisting for documents as NOC from main owner or DILR report for LS No.53.

The respondent contended that PDC connection, consumer No.02001/01003/6 in the name of late Pratapbhai Rumalbhai Zala was in survey No.52 of Rampura village Tal: Kapadwanj. Shri Bhaijibhai P Zala had applied for PDC RC with shifting on 18.12.2012 at GP No.95. Shri Pratapbhai Rumalbhai Zala was expired on 24.09.1989. Shri Bhaijibhai P Zala is legal heir of Shri Pratapbhai R Zala. He had applied for PDC RC with shifting from LS No.52 to LS No.53 on 18.12.2012. Due to non-submission of samatipatrak from co-owner of LS No.53, the technical sanction was not received for PDC RC with shifting. Therefore, FPA was not signed by Deputy Engineer when applicant approached for the same. MGVCCL has issued letter No.MGVCL:RE:Khata No:148 dated 03.03.2014 giving

clarification for processing the application for giving unnecessary considering Khata number of one land survey number, again getting the land measurement sheet issued by concerned District Inspector of land record of the said LS number. It is required to be certified by DILR to prove the legal owner of separate premises. Letter is given on dated 29.03.2014 to Shri Bhaijibhai P Zala for submission of the necessary survey report from DILR for Khata No.220 of LS No.53. Till date, he has not submitted the same and technical sanction is not received. No further action for giving connection can be taken unless he submits required documents. The complainant had submitted Tika map showing measurement for khata number from Talati for survey No.53 who is not the authority for giving such documents.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the process of giving connection is held up at the stage of technical sanction due to non-submission of required documents i.e. either Samatipatrak of all co-owners of LS No.53 OR survey report of DILR for Khata No.220 of land survey No.53. The complainant had to submit either of the documents so as to process the application for PDC RC alongwith shifting.

In view of the above discussion, the Forum is of the opinion that either complainant has to submit samatipatrak of all members of LS No.53 OR survey report of DILR for his khata No.220 of Survey No.53 so that MGVCL can process new connection application.

ORDER

The Forum directs the complainant Shri Bhaijibhai Pratapbhai Zala At : Rampura (Sorna)Tal: Kapadwanj, Dist : Kheda, either to submit samatipatrak of

all members of LS No.53 OR survey report of DILR i.e. measurement sheet for his khata No.220 of Survey No.53. MGVL is directed to process to give agricultural connection after receipt of said documents.

(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>