

**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-111-2013.14
Complainant	Shri Bhaveshbhai Dhirubhai Patel, At : Thavad lat, Tal: Kapadwanj, Dist: Kheda.
Respondent	Shri R M Patel, Deputy Engineer of REC Kapadwanj of MGVCCL
Date of hearing	06.12.2013, 13.12.2013 & 20.12.2013 at Corporate Office, Vadodara

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

The complaint dated 28.11.2013, to give vij connection in Darkzone area.

On 06.12.2013, 13.12.2013 & 20.12.2013 the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bhaveshbhai Dhirubhai Patel, appeared himself, whereas Shri R M Patel, Deputy Engineer of REC Kapadwanj of MGVCCL appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are:

1. The complainant's father Shri Dhirubhai Vashrambhai Patel had applied for new agriculture connection on 5.3.1992 at village Sultanpur (vadedara) in Survey No.151/1A.
2. Due to declaration of dark zone area, the applications under dark zone area was not processed but later on in the year 2012 the Government allowed to release connection in dark zone area provided the consumer adopt Micro Irrigation as per rules. The applicant has submitted all the required documents for new connection in Dark Zone area with shifting to L.S.No. 140/108 under change of circumstance which is approved by MGVCCL on 6.5.2013.
3. Land has been divided & transferred among the successors. The land bearing L. S. no. 151/1A was transferred in the name of Shri Devjibhai Vashrambhai Patel on dated 2.1.1993 as stated in the entry no. 570 of Hakk Patrak no. 6.
4. There after MGVCCL has refused to give the connection based on the existing Agriculture connection in the same Survey Number vide letter No. KPJ/REC/2446 dtd. 18-11-2013. The existing connection is in the name of Shri Naranbhai V Patel in Survey No. 151/1A.

The complainant contended that his father had applied for new agriculture connection on 5.03.1992 at village Sultanpur(vadedara), Tal: Kapadwanj, Dist: Kheda. As a result of division of land bearing L. S. no. 151/1, L. S. no. 151/1/1/A was allotted to his father Shri Dhirubhai Vashrambhai Patel. There is no existing connection in L. S. no. 151/1/A {village Sultanpur(vadedara)} as well as in L.S.No. 140/108 (village Thavad). So Shri Bhaveshbhai Dhirubhai Patel requested to give the agriculture connection in the L. S. no. 140/108 of village Thavad which belongs to him, being successor of his father. Though changed circumstances is approved by MGVCCL his application has been wrongly cancelled on the basis that there is existing Agriculture connection in the same Survey Number.

The respondent contended that the complainant's father had registered for new connection on 5.3.1992 in Survey No.151/1A at village Sultanpur (vadedara), Tal: Kapadwanj, Dist: Kheda. Due to relaxation in release of connections in the dark zone area in 2012, the process for release of new agricultural connections was started. Letters were issued to all registered applicants to submit fresh documents alongwith consent for adoption of Micro Irrigation System (MIS). As the complainant had given consent for adoption of MIS, his application was processed. The complainant had applied for shifting of connection from survey no. 151/1A to 140/108 under changed circumstances which was approved on 6.05.2013. During site survey it was noticed that there is existing agriculture connection in L. S. no. 151/1A in the name of Shri Naranbhai V Patel bearing consumer no. 02052/00110/7. As such his application was cancelled vide letter no. 2446 dtd 18.11.2013.

The Forum Members present at the hearing considered contention of both the parties, perused the records and observed that the complainant's father had registered for new agriculture connection on 5.3.1992 in Survey No.151/1A at village Sultanpur (vadedara). There after the land bearing L. S. no. 151/1A was transferred in the name of Shri Devjibhai Vashrambhai Patel on dated 2.1.1993 as stated in the entry no. 570 of Hakk Patrak no. 6. (Division of land among legal successors). It is also mentioned that name of Shri Dhirubhai Vasharambhai is deleted from L.S.No. 151/1A.

In view of the above, the Forum is of the opinion that agriculture connection cannot be given as the land bearing L. S. no. 151/1A is no more in the name of Shri Dhirubhai Vashrambhai Patel (complainant's father) and existing connection is on the name of Shri Naranbhai V. Patel in same Survey Number i.e. 151/1A.

ORDER

The Forum directs the complainant Shri Bhaveshbhai Dhirubhai Patel, At : Thavad lat, Tal: Kapadwanj, Dist: Kheda that action of Madhya Gujarat Vij Co Limited not to give Ag. Vij Connection 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>