

**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-IV-164-2013-14
Complainant	Shri Damanbhai Babarbhai Tarabda, At. Fajalpur, Po. Aambapura, Ta. Sankheda, Dist. Vadodara.
Respondent	Shri G N Rathwa, Deputy Engineer of Bodeli S/dn of MGVCL
Date of hearing	19.03.2014 & 21.03.2014 Vadodara

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

The complaint dated 10-03-2014, regarding to give agricultural connection.

On 21.03.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Damanbhai Babarbhai Tarabda and Shri Parshottambhai Chhaganbhai Tarabda appeared himself whereas Shri G N Rathwa, Deputy Engineer and Shri V J Patel Junior Engineer of Bodeli 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 Shri Damanbhai Babarbhai Tarabda had applied for new agriculture connection on 16.01.2012 in L.S.no. 212 at village Dholpur, Ta. Sankheda.
2. After survey, estimate of Rs. 4600/- was issued which was paid by complainant on 31.01.2014. On payment of estimate work of line erection was commenced and so poles were erected.

3. Bodeli s/dn has informed that new connection in LS No.212 cannot be given as there is existing connection in the name of Shri Parshottambhai Chhaganbhai Tarabda.
4. The complainant has also informed that said connection is already shifted to nearby LS no.199 and at present no connection exists in LS No.212 so requested forum to give justice.

The complainant contended that he had applied for new agriculture connection on 16.01.2012 in L.S.no. 212 at village Dholpur, Ta. Sankheda. He has also paid the estimate on 31.01.2014 of Rs. 4600/- issued to him. MGVCL has cancelled his application on the ground that connection exists in same LS number. He informed that the connection is shifted in L.S.No.199 and at present no connection exists in L.S.No.212 so his application for releasing the new agriculture connection should be considered. Shri Parshottambhai Chhaganbhai Tarabda uncle of the complainant in whose name the connection is existing in LS No.212 as per MGVCL record contended that due to division of land among family members the land bearing survey No.212 allotted to Shri Damanbhai Babarbhai Tarabda in which electric connection to agricultural well exists in his name. Adjacent LS No.199 allotted to him so he has shifted the connection from LS No.212 to LS No.199 (Tubewell). He is not knowing or aware for MGVCL procedure for shifting of connection. He confirms that at present there is no connection in LS No.212.

The respondent contended that complainant had applied for new agriculture connection on 16.01.2012 in L.S.no. 212 at village Dholpur, Ta. Sankheda and the estimate of Rs. 4600/- issued to him has been paid by him on 31.01.2014. He had further informed that after erection of poles complaint was received regarding existing agriculture connection in L.S.No.212 and illegally shifted to L.S.No.199. Since the connection in the name of Shri Purshottambhai Chaganbhai Tarabda was released in L.S.no. 212 as per documentary evidences available in the consumer file, the application for new agriculture connection of Shri Damanbhai Babarbhai Tarabda in the L.S. no. 212 was cancelled in accordance to circular no.15 regarding not to give second connection in the

same survey number. He also informed that the 10 HP agriculture connection of Shri Parshottambhai Chhaganbhai Tarabda was released in L.S.no.212 in the year 1978. In 1990 reduction of load i.e. from 10 HP to 7.5 HP was sanctioned and carried out. Due to non availability of water the connection was made PDC in the year 1993-94. Later when water was available in new well in the same L.S. no. the connection was reconnected with shifting in the same L.S. no.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that at the time of survey, connection was existing but it was not noticed as it was shifted to L.S.No.199 illegally. From the office record it was confirmed that connection was given in L.S.No.212 in the name of Shri Parshottambahi Chhaganbhai Tarabda and shifting procedure to LS No.199 is not followed.

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.212 as there exists one connection of 7.5 H.P. in the name of Shri Purshottambhai Chaganbhai Tarabda. After legally shifting of connection to LS No.199 the complainant can apply again fresh for agricultural connection in LS no.212.

ORDER

The Forum directs the complainant Shri Damanbhai Babarbai Tarabda, At. Fajalpur, Po. Aambapura, Ta. Sankheda, Dist. Vadodara 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>**