

**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-132-2013.14
Complainant	Shri Dashrathbhai Ramanbhai Dalwadi, At. Rajputwadi - Atarsumba, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R D Vankar, Junior Engineer of Kapadwanj REC S/dn of MGVCCL
Date of hearing	07.02.2014 at Vadodara

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

The complaint dated 28.1.2014 regarding to give agricultural vij connection under Dark Zone Yojana.

On 07.02.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Dashrathbhai Ramanbhai Dalwadi appeared himself, whereas Shri R D Vankar, Junior Engineer of Kapadwanj REC S/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case is as under:

1. Shri Dashrathbhai Ramanbhai Dalwadi had applied for new Agriculture vij connection of 10 HP in LS No.23/1/paiki 4 at village Atarsumba and registered as GP No.30(vikalp C) on 06.10.2012 under AG Dark Zone Scheme.
2. The site survey was carried out by Deputy Engineer, REC sub-division on 09.07.2013. While verification at site there was no bore existing in the L.S.no. 23/1/paiki 4. At the time of survey Panchnama was prepared in presence of his nephew Sh. Hemantbhai Ishawarbhai Dalwadi.

3. Then the application was transferred to vikalp D (no bore category) and the applicant was informed the same vide letter no. KPJ/2617 dated 30.11.2013.
4. The applicant has requested the forum to give justice as no prior intimation of survey was received by him and wrongly surveyed. Actually, bore exists since long and informed to s/dn but no action taken.

The complainant contended that he was not intimated to remain present at the time of survey. He was not present at the time of survey, but his nephew Shri Hemantbhai I Dalwadi who is not aware of location of survey number was called. The bore was made before two years in the L.S.no. 23/1/paiki 4. The entry was made in 7/12 document on 04.10.2012 by Nayab-Mamlatdar, e-dhara, Kapadwanj i.e. prior to date of survey.

The respondent contended that Shri Dashrathbhai Ramanbhai Dalwadi had applied for new Agriculture vij connection of 10 HP in LS No.23/1/paiki 4 at village Atarsumba and registered as GP No.30(vikalp C) on 06.10.2012 under AG Dark Zone Scheme. Survey was carried out by Deputy Engineer, REC sub-division on 09.07.2013. While verification at site, there was no bore existing in the L.S.no. 23/1/paiki 4. At the time of survey, panchnama was prepared in presence of Sh. Hemantbhai Ishawarbhai Dalwadi. Also there was no entry in the land document 7/12 of dated 18.12.2013, regarding bore. So the complainant's application was transferred to vikalp D (no bore category) and the applicant was informed the same vide letter no. KPJ/2617 dated 30.11.2013.

The Forum Members present at the hearing considered contentions of both the parties and perused the records and observed that as per land record 7/12 of dated 27.09.2012, hand written entry for bore exists as source of irrigation made on 4.10.2012 by Nayab Mamlatdar, e-dhara, Kapadwanj. It is also observed that there is a contradiction in land record 7/12 of dated 4.10.2012 and 18.12.2013. Also, statements of an applicant and respondent for existing bore are different. Therefore, the forum has asked respondent to resurvey the

LS No.23/1/paiki/4 in presence of an applicant and other witnesses. The respondent has submitted his report dated 15.02.2014 along with “Panchnama” that bore /well not exists.

The Forum is of the opinion that while survey; the applicant must be insisted to remain present. The forum appreciates the respondent for correct survey whereas at the same time noted the negligency of Nayab Mamlatdar, Kapadwanj, for not verifying the status before doing manual (hand written) entry in the computerized copy of land record 7/12.

ORDER

The Forum directs complainant Shri Dashrathbhai Ramanbhai Dalwadi that the decision taken by Madhya Gujarat Vij Company Limited for transfer of the application to Vikalp-D 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>