

**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-01- 2014-15
Complainant	Shri Narendrabhai Haribhai Patel, At. Kapdiva, Po. Chikhlod, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R M Patel, Deputy Engineer of Kapadwanj REC S/dn of MGVCL
Date of hearing	04.04.2014 Vadodara

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

The complaint dated 29.03.2014 to give vij connection in Darkzone area under tatkal scheme.

On 04.04.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Narendrabhai Haribhai Patel, appeared himself whereas Shri R M Patel, Deputy Engineer of Kapadwanj REC 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 Narendrabhai Haribhai Patel had applied for new agriculture connection on 18.09.2012 at village Chikhlod, Tal: Kapadwanj, Dist : Kheda in Survey No. 623 paiki for 7.5 HP under Dark Zone area. It was registered under vikalp C, G.P.no. 2857 dated 18.09-2013.
2. The complainant opted to switch over to tatkal scheme on 14.12.2013.

3. After site survey, his application was cancelled by Kapadwanj s/dn as there exists an agricultural connection in the name of complainant's father Shri Haribhai Ramjibhai Patel in the Khata no.445 of LS No.623 paiki.
4. The land bearing Khata no.610 of LS No.623 paiki (3 acre 26 Guntha) was purchased by the complainant from Shri Bhupendrabahi K Patel as stated in entry No.8266 in form 6 dated 14.11.2008.
5. MGVCL has refused to give vij connection considering existing connection in same LS Number 623 paiki.

The complainant contended that the application was registered for new agriculture connection on 18.09.2012 at village Chikhlod, Tal: Kapadwanj, Dist : Kheda in Survey No. 623 paiki for 7.5 HP under Dark Zone area which was registered under vikalp C, G.P.no. 2857 dated 18.09-2013. He opted to switch over to tatkal scheme on 14.12.2013. His application is cancelled by MGVCL & informed that as there exists an agriculture connection in the L.S.no. 623 paiki, second connection in same LS number cannot be granted. Complainant has also stated that the existing connection is in the name of Shri Haribhai Ramjibhai Patel is in khata no. 445 of L.S.no. 623 paiki whereas he had demanded the connection in his khata no. 610 of L.S. no. 623 paiki. The land bearing Khata no. 610 of L.S. no. 623 paiki was purchased by him from Shri Bhupendrabahi Karsanbahi Patel as stated in entry no. 8266 in form 6 dated 14.11.2008. Moreover he has also opted for drip irrigation system as per requirement. So he requested to consider his application for giving new agriculture connection in the L.S. no. 623 paiki (khata no. 610).

The respondent contended that the complainant has registered for new agriculture connection on 18.09.2012 at village Chikhlod, Tal: Kapadwanj, Dist: Kheda in Survey No. 623 paiki for 7.5 HP under Dark Zone area. It was registered under vikalp C, G.P.no. 2857 dated 18.09-2013. Lateron, he opted to

switch over to tatkal scheme on 14.12.2013. While site survey, it was found that a connection was existing in the L.S.no. 632 paiki in the name of Shri Haribhai Ramjibhai Patel bearing consumer no. Ag-129, which was released in the year 1986. So the complainant's application was cancelled vide letter no. KPJ/IC/Tech/71 dated 02.01.2014 by Kapadwanj REC s/dn on the basis that only one connection can be released in one survey number.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the existing connection in the LS No.623 paiki Khata No. 445 is in the name of Shri Haribhai Ramjibhai Patel bearing consumer no. Ag-129, whereas the land owned by the complainant bears khata no. 610 of L.S. no. 623 paiki. Thus though L.S.no. is same khata numbers are different i.e. 445 & 610. The connection can be given to the complainant having same survey number 623 paiki but different Khata number 610, being legal possessor of different land. Accordingly, application of Shri Narendrabhai Haribhai Patel can be processed to give Ag Connection.

In instant case, the Khata numbers of a Survey Number are different and their legal possession is with different owners so considering separate entity vij connection can be given.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process the application for new agriculture connection to the complainant Shri Narendrabhai Haribhai Patel at village Chikhlod, Tal: Kapadwanj, Dist : Kheda in Survey No. 623 paiki Khata No. 610 for 7.5 HP.

(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>