

**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-143-2013.14
Complainant	Shri Nileshkumar Natvarlal Patel At & post : Ghodasar, Tal: Mehmabad, Dist : Kheda
Respondent	Shri G M Patel DE, Kathlal REC Sub Dn MGVCL
Date of hearing	14.02.2014 at Kapadwanj s/dn

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

The complaint dated 05.02.2014 regarding to release agriculture vij connection under Dark Zone Yojna.

On 14.02.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Nileshkumar Natvarlal Patel, appeared himself, whereas Shri G M Patel DE, Kathlal REC Sub Dn 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 applicant had applied for new agricultural connection on 12.10.2012 in LS No.88 paiki Khata No.458 At & post : Ghodasar, Tal: Mehmabad, Dist : Kheda.
2. During draw of agricultural connection, priority No.1 was allotted.
3. As per consent of MIS, payment to GGRC for installation of MIS is also made.
4. Payment for agricultural connection is also made to MGVCL on 03.09.2013 and line & Transformer center is erected in his farm. Test report is also submitted by complainant.
5. After completion of line erection work when the consumer case file was submitted to Mehmabad Division office for necessary pre-audit, consent of all the co-owners of L.S. no. 88 paiki was demanded by Division office. The complainant was informed to submit the said consent vide letter no. KTL/RE/Tech/2089 dated 11.12.2013.
6. On representation by complainant regarding this consent matter the Mamlatdar, Mehmabad has informed Deputy Engineer REC Kathlal sub-division vide letter dated 03.01.2014 that if Khata nos of a Survey Number are different and their legal possession is with different owners, then they can be considered as having separate entity.

The complainant contended that the application was registered for new agricultural connection on 12.10.2012 in LS No.88 paiki, Khata No.458. At the time of application, he had submitted NOC of other two co-owners namely (1) Shri Kanchanben Natvarlal and (2) Shri Ashwinbhai Natvarlal. But MGVCL asked for NOC of all the co-owners of LS No.88 paiki. As there are four Khata numbers in LS No.88 paiki and other 19 co-owners of the land, it is not required. As all the procedures have been completed, line including transformer center has also been erected. Test Report is also submitted. He

has requested to release connection immediately as agricultural is main source of income for his family.

The respondent contended that the complainant had applied for new agricultural connection on 12.10.2012 in LS No.88 paiki Khata No.458. There are other 19 co-owners of LS No.88 paiki. Complainant should submit NOC of all 19 co-owners but complainant had submitted NOC of only 2 co-owners of Khata No.458 of LS No.88 paiki so he had demanded NOC of all co-owners to release the connection.

The Forum Members present at the hearing considered contentions of both the parties and perused the records and observed that LS No.88 paiki is same but Khata numbers are different. Therefore, Khata numbers viz. 190, 205, 206 & 458 are separate. Complainant demanded agricultural connection in Khata No.458 of LS No.88 paiki. In 7/12 utara, there are 3 owners namely (1) Shri Kanchanben Natvarlal (2) Shri Ashwinbhai Natvarlal, and (3) Shri Nileshkumar Natvarlal (applicant). As there are 3 owners of the land other 2 co-owners had given NOC for connection. As LS No.88 paiki is same but Khata numbers are different, there is no need of NOC of other co-owners of same survey number.

In instant case, Khata nos of a Survey Number are different and their legal possession are with different owners so considering separate entity, other co-owners NOC (except owner of Khata No.458) not required, vij connection can be released.

ORDER

The Forum directs MGVCL to release agricultural connection to the complainant Shri Nileshkumar Natvarlal Patel At & post : Ghodasar, Tal: Mehmabad, Dist : Kheda.

(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>