

**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-148-2013.14
Complainant	Shri Shabhaibhai Bhulabhai Patel at : Later, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R B Vankar, Junior Engineer, Kapadwanj REC S/dn of MGVCL
Date of hearing	21.02.2014 at Vadodara

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

The complaint dated 15.02.14 regarding to release agriculture vij connection under Dark Zone Yojna.

On 21.02.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rajubhai Shabhaibhai Patel son of Shri Shabhaibhai Bhulabhai Patel, appeared 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 is as under:

1. The complainant had applied for new agriculture connection on 17.07.1999 in Survey No.139/5 of village Later, Tal: Kapadwanj, located in dark zone area.
2. The agricultural connection is registered at priority number 79 dated 17.07.1999.
3. Site was verified on 5.2.13. At that time, it was noted that agricultural connection bearing Sr No.02061 / 01006 / 7 in the name of Shri Govindbhai Bhulabhai Patel is existing in LS No.139/5 and as per MGVCL circular No.15 only one connection in one survey number is allowed.

The complainant contended that the application was registered for Ag. Connection on 17.07.1999 for Survey No.139/5. The land bearing Survey No.139/5 was already distributed in the year 2002 in two part consisting of Khata No. 569 & 570. There is no existing Ag Connection in Survey No.139/5, Khata No.569. As Khata number being different having separate entity and ownership, requested to give agricultural connection.

The respondent contended that the complainant's application was registered for new connection on 17.07.1999 for Survey No.139/5. CoC was approved on 01.01.2013 from Survey No.139 / 5 to 139 / 5 paiki. At the time of site verification on 5.2.2013, one agricultural connection in the name of Shri Govindbhai B Patel was found existing in survey number i.e.139/5 Paiki. The application was cancelled and informed to the applicants vide letter No.1886 dated 25.3.13 that as per existing rules, another connection cannot be given in same survey number.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that LS No.139/5 Paiki is same but Khata numbers are different. The connection can be given to the complainant having same survey No.139/5 paiki but different Khata numbers as legal possessor are different. Accordingly, application of Shri Shabhaibhai B Patel should be processed to give Ag Connection.

In instant case, the Khata number of land survey number are different and their legal possession are with different owners so considering separate entity vij connection can be given.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to process for new agriculture connection to complainant Shri Shabhaibhai Bhulabhai Patel at : Later, Tal: Kapadwanj, Dist : Kheda, in LS No.139/5 paiki Khata No.569.

(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>