

**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-II-34-2014.15
Complainant	Shri Vitthalbhai Talshibhai Patel At & Post : Bhoja na muvada, Tal: Kapadwanj, Dist : Kheda
Respondent	Shri R M Patel DE, REC Sub D/n. MGVCL
Date of hearing	11.07.2014 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 05.07.2014 received on 08-07-2014, regarding to release agriculture vij connection under Dark Zone.

On 11.07.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Ramanbhai Talshibhai Patel, brother of complainant appeared on behalf of complainant Shri Vitthalbhai Talshibhai Patel 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 had applied for new agriculture connection on 10.10.2012 under Dark Zone in Survey No.114 paiki, Khata No.234 at village Bhoja na Muvada, Tal: Kapadwanj, Dist : Kheda and registered under vikalp A as GP no. A/27 dated 10-10-2012.
2. On site verification it was found that there exists an agriculture connection in the name of Shri Ramanbhai Talshibhai Patel in L.S. no. 114 paiki bearing consumer no. 02004/01019/3. As complainant had demanded the agriculture connection the same L.S. no. 114 paiki his application under Dark Zone was cancelled by Kapadwanj REC Sub D/n. vide letter no. KPR/Tech/1593 dated 19-07-2013 in view of the MGVCL circular that only one connection can be given in one survey number.

The complainant contended that the application was registered for Agricultural Connection on 10.10.2012 under Dark Zone in Survey No.114 paiki, Khata No.234 at village Bhoja na Muvada, Tal: Kapadwanj, Dist : Kheda and registered under vikalp A as GP no. A/27 dated 10-10-2012. The land bearing L.S. no. 114 paiki was divided in the year 1995. The connection in the name of Shri Ramanbhai Talshibhai Patel bearing consumer no. 02004/01019/3 in L.S. no. 114 paiki exists in different khata no. i.e. 154. This has been in the certificate issued by DLR. Complainant requested to give the connection as he has demanded new agriculture connection in the L.S. no. 114 paiki with different khata no. i.e. 234. MGVCL is considering only LS number but land in his ownership is having LS No.114 paiki & Khata no.234 where there is no other vij connection. Therefore, requested the Forum to give justice.

The respondent contended that the complainant has registered for Agricultural Connection on 10.10.2012 under Dark Zone in Survey No.114 paiki, Khata No.234 at village Bhoja na Muvada, Tal: Kapadwanj, Dist : Kheda and registered under vikalp A as GP no. A/27 dated 10-10-2012. On site verification it was found that there exists an agriculture connection in the name of Shri Ramanbhai Talshibhai Patel in L.S. no. 114 paiki bearing consumer no. 02004/01019/3. As per MGVCL Circular considering same survey No.114 paiki, the application was cancelled and applicant was informed vide letter no. KPR/Tech/1593 dated 19-07-2013. Moreover, sub-division had submitted proposal to division office for new connection to Shri Vitthalbhai Talshibhai Patel but division office raised the query that khata number is not entered in the Mapani sheet.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that sub-division had submitted proposal to division office for new connection to Shri Vitthalbhai Talshibhai Patel but division office raised the query that khata no. was not entered in the Mapani sheet. LS No.114 Paiki is same but Khata numbers are different i.e. 154 & 234. Forum members has instructed to complainant for submission of sufficient documents regarding chaturseema indicating sketchment area along with khata number, survey number, owner name & Javab Panchkyas from Talati. After that, complainant had submitted the documents to Deputy Engineer Kapadwanj REC s/dn and same are submitted by DE Kapadwanj REC during CGRF hearing.

Forum had instructed Deputy Engineer, REC s/dn, Kapadwanj to submit “chaturseema” of both the khata nos. of LS No.114 paiki issued by Talati / Sarpanch. The same was submitted vide letter no. KPJ/REC/2571 dated 21.07.2014. On perusing the records Forum is of the opinion that the

connection can be given to the complainant having same survey number 114 paiki but different Khata number 234, being legal possessor. So the application of Shri Vitthalbhai Talshibhai Patel should be processed to give Ag Connection. In instant case, the Khata nos 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 for new agriculture connection to complainant Shri Vitthalbhai Talshibhai Patel At & Post : Bhojanamuvada, Tal: Kapadwanj, Dist : Kheda in L.S. no. 114 paiki, Khata no. 234.

(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>