

**CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 of GERC (CGRF & Ombudsman)**

**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-06-2024-25
Complainant	M/s. Ravi Talkies, Owner Balaji Enterprise, At : Bajwa, Dist : Vadodara
Respondent	Shri M V Chauhan, Dy Engineer Koyli s/dn of MGVCL
Date of hearing	29.04.2024 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Technical Member	Shri B J Desai, ACE(RA&C) MGVCL Vadodara

The complaint dated 25.04.2024 regarding appeal against the CRC order dated 03.04.2024 of S E (O&M) MGVCL Baroda (O&M) Circle, Gotri, Vadodara (complain regarding relief in Electricity bill for Corona (Covid 19) period.

1.0 On 29.04.2024, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Jayprakash Patel and Shri Vijaybhai Patel partners, appeared on behalf of complainant M/s. Ravi Talkies whereas Shri M V Chauhan, Dy Engineer Koyli s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard

2.0 The brief history of the case is as under:

2.1 The complainant was having load of 50 KW for their Talkies located At & Po: Bajwa, Ta: Vadodara, Di: Vadodara. The connection was released on 24.05.2001 having Security Deposit of Rs.1,31,644/- and the connection was PDC on 30/03/2024.

2.2 On dated 30/08/2021, consumer has submitted an application regarding Waiver of Fixed Charge, bearing Inward No. 1053, dated 03/09/2021. In the application, the waiver of Fixed Charge from Electricity Bills were claimed for the covid period as per Government of Gujarat G.R. No.- GUV-132020-1293-6.1, dated 20/07/2021.



2.3 Again in 2023, consumer submitted an application regarding Waiver of Fixed Charge for the period from 01/04/2021 to 31/03/2022, dated 10/08/2023. In the application, the waiver of Fixed Charge from Electricity Bills were claimed vide G.R. No.- 52CH/802021/3719/P, dated 23/07/2021.

2.4 Then after an Intimation from Baroda O&M Circle bearing letter dated 14.02.2024 to be present for the hearing under CRC held at Baroda O&M Circle as on 20/02/2024.

2.5 For the same, the consumer did not appear during hearing, due to which next hearing date was given vide letter dated 22.02.2024 to be present for the hearing under CRC held at Baroda O&M Circle as on 01/03/2024.

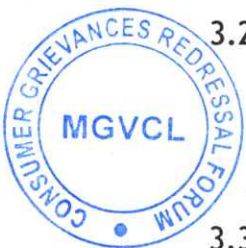
2.6 Then after, consumer had applied for Permanent Disconnection as on 28/03/2024, vide Inward No. 231, dated 30/03/2024. Accordingly, the connection was permanently disconnected w.e.f. 30/03/2024.

2.7 The Judgment was received from CRC vide BRD/CRC/2024/ 01/1533, dated 03/04/2024, ordered that the waiver is not allowed as per the Company's Norms. Additionally, the Security Deposit is also not allowed to be refunded as the connection was live as on 01/03/2024.

2.8 Aggrieved by CRC order dated 03.04.2024, complainant has approached CGRF vide letter dated 25.04.2024 to give natural justice.

3.0 The representative of the complainant contended that -

3.1 Government of Gujarat GR No. GUV-132020-1293-6.1, dated 20/07/2021, the minimum charges for the period from 01.04.2021 to 31.03.2022 for electricity connections had been waived due to Corona Epidemic.



3.2 Since they did not get exemption from the payment of minimum charge, they requested Koyli s/dn of MG VCL to waive minimum charges as per GoG GR dated 20.07.2021.

3.3 In spite of repeated follow up, they did not get waiver of minimum charges for Corona period, they applied to CRC Baroda (O&M) Circle.

3.4 Since CRC Baroda (O&M) Circle, did not consider their request for waiver of minimum charges, they approached CGRF MGVCCL Vadodara.

3.5 Due to Corona Epidemic, their talkies was closed and they faced heavy financial loss. Under such circumstances, they requested CGRF to consider waiver of minimum charges as per GoG GR dated 20.07.2021.

4.0 The respondent contended that -

4.1 The complainant was having load of 50 KW for their Talkies located At & Po: Bajwa, Ta: Vadodara, Di: Vadodara. The connection was released on 24.05.2001 having Security Deposit of Rs.1,31,644/- and the connection was PDC on 30/03/2024.

4.2 On dated 30/08/2021, consumer has submitted an application regarding Waiver of Fixed Charge, from Electricity Bills as per GOG G.R. No.- GUV-132020-1293-6.1, dated 20/07/2021.

4.3 The application was duly forwarded to Baroda O&M Division for approval with outward no.- KYL/LEGAL/21/5611, dated 22/09/2021.

4.4 Again in 2023, consumer submitted an application regarding Waiver of Fixed Charge for the period from 01/04/2021 to 31/03/2022, dated 10/08/2023. In the application, the waiver of Fixed Charge from Electricity Bills were claimed vide G.R. No.- 52CH/802021/3719/P, dated 23/07/2021.

4.5 The application was duly forwarded to Baroda O&M Division for approval with outward letter dated 11/09/2023. Then after an Intimation from Baroda O&M Circle bearing letter dated 14.02.2024 to be present for the hearing under CRC held at Baroda O&M Circle as on 20/02/2024.

4.6 For the same, the hearing under CRC held at Baroda O&M Circle as on 01/03/2024.

4.7 Then after, consumer had applied for Permanent Disconnection as on 28/03/2024, vide Inward No. 231, dated 30/03/2024. Accordingly, the connection was permanently disconnected w.e.f. 30/03/2024.



4.8 Finally, the Judgment was received from CRC vide BRD/CRC/2024/01/1533, dated 03/04/2024, ordering that the waiver is not allowed as per the Company's Norms. Additionally, the Security Deposit is also not allowed to be refunded as the connection was live as on 01/03/2024.

4.9 Aggrieved by CRC order dated 03.04.2024, complainant has approached CGRF vide letter dated 25.04.2024 to give natural justice.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 As per Government of Gujarat GR No. GUV-132020-1293-6.1, dated 20/07/2021, the complainant is eligible to get waiver of minimum charges for the period from 01.04.2021 to 31.03.2022 for their electricity connections due to Corona Epidemic.

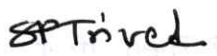
5.2 Complainant had submitted application on 30.08.2021 at Koyali sub division for waiver of Fixed charges & again submitted application on 10.08.2023. No action for waiver of fixed charges from respondent MGVL seen.

5.3 Since, the respondent MGVL did not grant waiver as per GoG GR dated 20.07.2021 so far, the request of the complainant is considered to waive minimum charges as per GoG GR dated 20.07.2021.

O R D E R

6.0 The Forum has come to the conclusion that since the respondent MGVL did not grant waiver as per GoG GR dated 20.07.2021 so far, the respondent MGVL is requested to waive minimum charges as per GoG GR dated 20.07.2021 within 15 days from the issue order to the complainant M/s. Ravi Talkies, At : Bajwa, Dist : Vadodara, for the period 01.04.2021 to 31.03.2022.


(B J Desai)
Technical Member


(S P Trivedi)
Chairperson

PS :



If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question. **The Office address of the Ombudsman is : The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Clause No.3.19 (viii) of GERC Notification No.2 of 2019.**

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

