

**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-II-04-2022-23
Complainant	Shri Hemant Gandhi, 3, Rajkamal Society, Behind Shrenik Park, Akota, Vadodara.
Respondent	Shri S M Patel, Dy Engineer, and Shri Nilesh Parekh, Dy SA (Billing) both from Akota s/dn of MGVC
Date of hearing	28.07.2022 at Corporate Office, MGVC, Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Independent Member	Dr M B Kaka, Vadodara
Technical Member	Shri K B Dhebar, (RA&C) MGVC Vadodara

Complaint by email dated 18.07.2022 & letter No. Ombudsman/170 dtd 21.07.2022 regarding electricity bill & MGVC employee service related matter.

1.0 On 28.07.2022, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Hemant Gandhi appeared himself as a complainant whereas Shri S M Patel, Dy Engineer, and Shri Nilesh Parekh, Dy SA (Billing) both from Akota s/dn & Shri H I Patel, Deputy General Manager & Shri R C Rathva, Personnel Officer of HR department of MGVC Corporate Office appeared as a respondent on behalf of MGVC before the Forum.

2.0 The brief history of the case is as under:

2.1 The complainant Shri Hemant Gandhi, residential consumer No.15530/01263/9 residing at 3, Rajkamal Society, Behind Shrenik Park, Akota, Vadodara, had represented vide their frequent letters & emails dated 25.07.2022, 18.07.2022, 14.07.2022, 11.07.2022, 08.07.2022 & others, regarding, disconnection of power to his residence, illegally recovered charges i.e. reconnection charges and HR side service related matters.

3.0 The complainant contended that -

3.1 During service in the RA&C Cell of MGVC, he was asked to look after incoming call of consumers whenever regular employee was not available on his table. On 23.11.2016, he has attended the phone call of consumer Mr Dharmendra Chauhan, aggrieved by his reply, the consumer complained to Managing Director of MGVC by email. Though, he is handicapped person, he was transferred to Dahod division of MGVC



3.2 In above circumstances, he had applied to MGVL authority asking Voluntary Retirement. Though he want to withdraw VRS, he was retired from the services of MGVL.

3.3 Since his salary was stopped from Jan 2019, he could not pay electricity bill of his residence resulting into disconnection of power supply. He has alleged that due to retirement from services of MGVL he has financial crunch and on account of nonpayment of the regular Energy bill power supply to his residence was disconnected. As such, his case may be resolved by the CGRF of MGVL.

4.0 The respondent contended that -

4.1 Dy Engineer Akota s/dn of MGVL has submitted that residential purpose electricity connection No.15530/01263/9 in the name of Shri H B Gandhi, was disconnected as per GERC Supply Code 2015, on dated 28.01.21 and after payment of the pending dues power supply was reconnected on 29.01.21 at 3, Rajkamal Society, Behind Shrenik Park, Akota, Vadodara, on account of non-payment of electricity bill.

4.2 Again on account of non-payment of the energy bill power supply was disconnected on 03.12.21 and after payment of the pending dues on 03.12.21 power supply was reconnected on the same day.

4.3 Thereafter, again on account of nonpayment of the Energy bill power supply was disconnected on 03.06.22 and after payment of the pending dues on 03.06.22 power supply was reconnected on the same day.

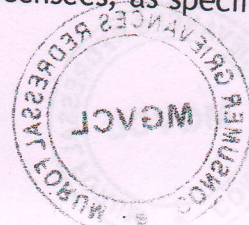
4.4 He categorically submitted that there are no separately norms for employee / ex-employee of the company regarding power supply billing. The connection was disconnected due to non-payment of arrears as per clause 56(1) of Electricity Act, 2003.

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 GERC(Consumers Grievances Redressal Forum and ombudsman) Regulation, 2019

Complaint" means any complaint made by a Complainant, either in writing, including e-mail and facsimile modes, or verbally over phone if such numbers are specified by a Licensee for lodging complaints, or by visiting personally to such offices of the Licensee which are designated by the Licensee for registering the complaints, to a Licensee, which may, without limitation, include complaints relating to:

- i. any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which has been undertaken to be performed by the Licensee in pursuance of a licence and/or any contract or agreement or under the Electricity Supply Code or in relation to Standards of Performance of Licensees, as specified by the Commission;



- ii. any unfair trade practice or restrictive trade practice which has been adopted by the Licensee in providing Electricity Service; or
- iii. Electricity Services which are being offered for use to the public in contravention of the provisions of any applicable law including safety code, rules and regulations, as prescribed by the competent authorities under the relevant laws or established through prudent industry practices, and as a result whereof the life and safety of the human beings, livestock or property is put at risk and endangered.

5.2 The CGRF is formed to resolve consumers' complaints related to power supply, billing, and new electricity connection as per CGRF & Ombudsman Regulations, 2019.

5.3 The CGRF has no jurisdiction to hear employee related service matters.

5.4 In view of above, the Forum members have clarified to the complainant that grievances raised regarding service matters are not under the purview of CGRF. He may opt any other remedies to resolve his service related matters.

5.5 The power supply to his residence was disconnected on 28.01.21, 03.12.21 & 03.06.22 due to non-payment of energy bills as per Electricity Act, 2003. Consumers including employee / ex-employee of the company are required to pay electricity bills within time limit as per GERC Tariff order and Supply Code 2015.

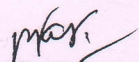
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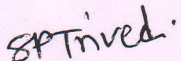
6.0 The Forum has come to the conclusion that -

6.1 The power supply to complainant residence at 3, Rajkamal Society, Behind Shrenik Park, Akota, Vadodara was disconnected on dated 28.01.21, 03.12.21 & 03.06.22 due to non-payment of energy bills as per Electricity Act, 2003.

6.2 The CGRF has no jurisdiction to hear employee related service matters.


(K B Dhebar)
Technical Member

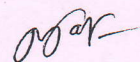

(Dr M B Kaka)
Independent Member


(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

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>



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