

**CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well**  
**Notification No.2/2011 of GERC (CGRF & Ombudsman)**

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM  
MADHYA GUJARAT VIJ CO LIMITED  
CORPORATE OFFICE, 5<sup>TH</sup> FLOOR SP VIDYUT BHAVAN,  
RACECOURSE, VADODARA 390 007**

|                 |                                                                              |
|-----------------|------------------------------------------------------------------------------|
| Subject         | Consumer Grievances Complaint<br>No.MG-III-25-2016-17                        |
| Complainant     | Shri Kishorbhai Gordhanbhai Desai, Prabhakunj<br>Society, OPP: Dairy, Godhra |
| Respondent      | Shri R.V. Katara, Deputy Engineer, Godhra East Sub-<br>division.             |
| Date of hearing | 20.01.2017 at Godhra                                                         |

| QUORUM             | NAME                                        |
|--------------------|---------------------------------------------|
| Chairperson        | Smt Mala Y Shah, Ahmedabad                  |
| Independent Member | Harsha S Chauhan, Vadodara                  |
| Technical Member   | Shri B J Upadhyay ACE (RA&C) MGVCL Vadodara |

The complaint dated 22.11.2016 regarding objection for not disconnecting power supply.

1.0 On 20.01.2017 at Godhra, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Nilay K Desai, representative of Shri Kishorbhai Gordhandas Desai appeared on behalf of complainant. Whereas as a respondent Shri R.V. Katara, Deputy Engineer Godhra East Sub-division appeared on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under: The grievances of the complainant is that on his request application for disconnection of power supply of his property namely Niki Complex (basement shops 1,2,3 & 4), MGVCL has not taken any action for disconnection.

3.0 The representative of the complainant contended that he has learnt that under Section 17 of Electricity Act that the power connection should be of the person who occupies and utilizes the power. He is the consumer bearing No: 17708064007 of Godhra East Sub-division of MGVCL. He in his written submission has stated that the above questioned premises has been given on leave and license to Shri Ashish Vinodchandra Jayswal. He contended that he being the



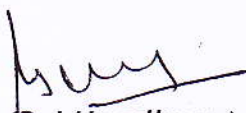
consumer of MGVCL had applied for disconnection of power of above premises but it has not been disconnected.

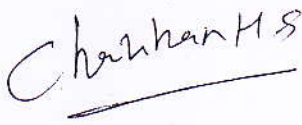
4.0 The respondent contended that the above premises though Shri Kishorbhai is the consumer of MGVCL but as he has given the same on leave and license to Shri Ashishbhai Jayswal and consumer applied for disconnection power. Now as per the rules when there is no arrears on the account, then the request for disconnection cannot be entertained.

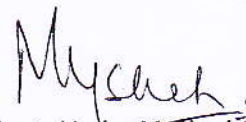
5.0 The Forum Members present at the hearing heard the arguments of both the petitioner and respondent in detail and considered contention of both the parties and perused the records and observed that the connection given to the consumer is having no arrears and the bills are paid regularly in time so as per the rules, power connection cannot be disconnected if there is no arrears on his account

### ORDER

In view of the above discussion & provisions, norms of GERC, the Forum orders that the action taken by MGVCL for the complaint of the complainant, Shri Kishorbhai Gordhanbhai Desai, Prabhakunj Society, OPP: Dairy, Godhra is in order.

  
(B J Upadhyay)  
Technical Member

  
(Harsha S Chauhan)  
Independent Member

  
(Smt Mala Y Shah)  
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 Clause No.2.63 Chapter-2 of GERC Notification No.2 of 2011.

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>

