

**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-01-2016.17
Complainant	Shri Pareshbhai Ramanbhai Patel Village : Dungari, Tal: Tarapur, Dist : Anand
Respondent	Shri M.B. Chauhan, Dy.Engr. MGVCL, Tarapur Sub-division.
Date of hearing	12.04.2016 at Anand

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri B J Upadhyay ACE (RA&C) MGVCL Vadodara

The complaint dated 14.03.2016 regarding reconnection of agricultural vij connection, consumer No.13864/00225/7

On 12.04.2016, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Pareshbhai Ramanbhai Patel, appeared himself as complainant whereas Shri M.B. Chauhan, Dy.Engr. MGVCL, Tarapur Sub-division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

The Agricultural connection bearing consumer No.13864/60001/4 in the name of Shri Ramanbhai Dahyabhai Patel, father of the complainant. Shri Ramanbhai Dahyabhai Patel expired before 1 year. About 10 years before MGVCL has removed the LT connection along with distribution transformer. The consumer had not applied to reconnect as the tube well failed. The minimum bill is being paid regularly till date. Now this connection is required to reconnect so Shri Paresh R. Patel legal heirs frequently visited to Tarapur Sub-division, but there is no response from them so request the Forum to give justice.

The complainant contended that his Father expired before one year and still the connection is in his Father's name. The connection is in Survey No.342. The existing owner of the Survey No.342 as per the land record is Shri Jitendra Laljibhai Patel. The connection is in the name of his Father Ramanbhai D. Patel. Now, he requires reconnecting the said connection with change of name being legal heir of the consumer. He applied and requested to MGVCL frequently, but MGVCL has refused for reconnection. The connection was remaining in non use condition for long time and the room where the meter installed was damaged so the meter taken out and kept at his home.

The Respondent contended that the existing connection in the name of Ramanbhai Dhulabhai Patel in Survey No.342 as unconnected. As per the record, minimum bill is being paid by the consumer till date. He has also contended that the connection seems deemed released on 07/08/1978.

The connection initially released on flat tariff which was subsequently converted to meter tariff as per the consumer application dated 25/11/1994. While installation checking in March 1997, the connection was confirmed as unconnected as per "Rojkam" done at that time.

The complainant is not the consumer of the said connection, but he is legal heir. The owner of Survey No.342 is Jitendrabhai Laljibhai Patel at Village_Dungari, Taluka: Tarapur who is not legal heir of late Ramanbhai Patel. The complainant has not submitted the legal documents claiming for his demand. Therefore the connection cannot be reconnected as per the complainant's request.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that as per the documents submitted to the MGVL and the Forum, the complainant himself is either not the owner of the land survey No.342 where the existing connection is located or submitted consent agreement for the change of name.

The consumer is expired before one year. Therefore, the owner of the Survey Number has to complete the formalities for change of name as per the legal requirement of MGVL. Shri Pareshbhai could not submit the documents claiming for his legal ownership of the land or the connection. Therefore, the Forum cannot consider the request of the complainant.

The Forum is of the opinion that MGVL should initiate the process of change of name as the consumer is expired.

ORDER

The Forum directs to Shri Pareshbhai Ramanbhai Patel that the request for reconnection of the connection bearing consumer No. 13864/60001/4 in the name of Shri Ramanbhai Dhulabhai Patel cannot be reconnected in absence of legal documents for his partnership in Land Survey No.342 & the connection. Therefore, the present action taken by Madhya Gujarat Vij Company Ltd., is in order.

(B J Upadhyay)
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

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>