

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complain No.MG-I-1-2010.11
Complainant	Madressa Jamea Arabia Talimal Islam, Samarkha Chawkdi, At & Post : Anand
Respondent	Shri P P Parikh, DE S/dn Anand MGVCL
Date of hearing	16.08.2010

QUORUM	NAME
Chairman	Shri K M Dave, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 28.03.2010 (recd on 01.04.2010) is against assigning bill of one consumer number to another consumer number.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Daudbhai Ishabhai Patel, appeared on behalf of Madressa Jamea Arabia Talimal Islam, whereas Shri P P Parikh, DE S/dn Anand appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows:

- Shop No.20 shopping centre Polson Dairy Road belongs to Vahivat Karta Madressa Jamea Arabia with consumer No.00107/30516/0.
- This complainant's connection during Feb 2008 was disconnected due to non-payment of energy bills.
- The shop was given on rent to Advocate. The meter was put inside the shop and MGVCL could not take out meter as the shop was found locked.
- MGVCL served notice to the Vahivat Karta on 19.09.2009 to pay bill of Rs.12498/- or the amount shall be debited to their running connection No.00115/30028/7.
- According to notice, bill with arrears was issued during Dec-2009.
- The Vahivat Karta has paid consumption bill every month deducting arrears amount
- Meter was removed by MGVCL during Jan 2010.

The representative of the complainant contended that in principle all dues are payable but as the Madressa has very limited funds and also the Advocate (the tenant) owe to pay Rs.56000/- approximately as rent, MGVCL is requested on humanitarian ground to waive off / reduce the dues.

Ultimately, the complainant expressed his feeling to go to Lok-Adalat being held on 22.08.2010.

The Respondent Shri P P Parikh, DE of Anand S/dn of MGVCL contended that as the shop owner is Vahivat karta, Madressa Jamiea Arabia Talimal Islam, Samarkha Chokdi and the meter No.00107/30516/0 under reference is also in his name, he is liable to pay the dues as per rules.

The Forum Members present at the hearing considered contention of both the parties and perused the records.

- The shop No.20 having consumer connection No.00107/30516/0 is in the name of Vahivat Karta of Madressa. The dues are against the connection No. 00107/30516/0. The same consumer has other four connections namely 00115300287, 00115300295, 001153003019 and 00115302441 respectively. As per the rule No.6.4.5 of Electricity Supply Code "if consumer has failed to pay bills of one connection, the recovery can be done from other bills by adding arrears. If dues are not paid along with other bills, other connection also can be disconnected".

In view of the above discussion, the Forum is of the opinion that the Vahivat Karta of the Madressa may approach Lok-Adalat, to be held on 22nd of Aug 2010 for getting any type of concession. However, if nothing is heard from Lok-Adalat of 22nd of Aug 2010, MGVCL is authorized to recover full amount due in maximum four instalments, including Delayed Payment Charges as per rules of company.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to allow consumer to approach and represent their case before Lok-Adalat. Otherwise, as it is not in the purview of this Forum to give concession in dues on any ground and therefore directs MGVCL to recover full amount due in maximum four instalments including Delayed Payment Charges as per rules of company.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
Chairman

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1st floor, Neptune Tower, OPP: Nehru Bridge, Ashram Road, Ahmedabad 380 009 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>