

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 Complaint No.MG-III-45-2010.11
Complainant	Shri Rajbasha Kalusha Diwan, At & Post : Vanshkhilia, Dist: Anand
Respondent	Shri S D Patel, JE of Anand (Rural) of MGVCL.
Date of hearing	20.12.2010

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

The complaint dated 23.11.2010 is for the new vij connection.

Today on 20.12.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rajbasha Kalusha Diwan, appeared himself whereas Shri S D Patel, JE of Anand (Rural) appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The back ground details of the case are as follows:

1. The complainant had owned the properties bearing Survey No.355 and 366.
2. At present, property Survey No.356 is in the names of his legal heirs.
3. The legal heirs approached MGVCL Anand to give new vij connection to this premises.
4. The MGVCL asked for documents about the ownership and NOC of other legal heirs.
5. Complainant had submitted all documents to MGVCL on which MGVCL had given vij connection.
6. In the meantime, one of the legal heirs had written to MGVCL that the documents submitted were with forged signatures and were not valid.
7. MGVCL after this objection, had written to the complainant to submit notarized affidavit of NOC of other legal heirs within 7 days but the complainant could not submit the same. Hence, MGVCL had disconnected the connection.
8. The complainant ultimately approached Forum to solve the problem of vij connection.

The complainant Shri Rajbasha Kalusha Diwan contended that he is not able to get NOC of his elder brother Chimansha who is one of the legal heirs in the property Survey No.356 as they had quarrel amongst themselves about the joint property of agricultural land, however, Forum was requested to help him in getting new vij connection.

The Respondent Shri S D Patel of Anand (Rural) MGVCL contended that after getting complaint about the Forged document of NOC, the consumer was allowed to prove the validity of NOC by submitting notarized documents in seven days. The consumer had failed to submit the same and there was no other way but to disconnect the connection.

The Forum Members present at the hearing considered contention of both the parties and perused the records. For allotting new vij connection, MGVCL had accepted the affidavit for NOC on stamp paper which was signed by all legal heirs as it appears. However, family quarrel took place and the elder brother informed MGVCL about the forged signature in NOC affidavit on stamp paper. MGVCL this time asked for notarized affidavit of NOC within seven days which the consumer could not produce and hence the vij connection was cut off.

In view of the above discussion, the Forum is of the opinion that the consumer has to produce notarized affidavit mentioning therein that the original affidavit is with valid signature of all legal heirs or he has to produce fresh notarized affidavit for NOC of all legal heirs in order to get new vij connection.

ORDER

The Forum directs the complainant Shri Rajbasha Kalusha Diwan to submit fresh notarized affidavit for NOC of all legal heirs in order to get new vij connection. This is as per the Electricity Supply Code (GERC) Notification No.11 of 2005 para No.4.8.2.

(K R Shah)
Member

(M J Vaidya)
Independent Member

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>