

**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-58-2011.12
Complainant	Mr Thakur of M/s. Bharti Infratel Limited at 103, Baleshwar Square, OPP: Iscon Temple, Sarkhej Gandhinagar Highway, Ahmedabad.
Respondent	Shri R J Patel, D E Baranpura s/dn of MGVCL.
Date of hearing	16.03.2012

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated NIL received on 8.9.2011 is for disconnection of power supply to Mobile Tower on Akar Complex-A and to reconnect the same.

Today on 16.03.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Hitesh C Mehta, appeared himself on behalf of M/s. Bharti Infratel Limited, whereas Shri R J Patel, D E Baranpura, s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. Shri Hitesh C Mehta, the developer of Aakar Complex-A had entered into the MoU with Bharti Airtel Limited to erect Mobile tower on the terrace of Aakar Complex-A. The electric supply from MGVCL was released during 2007.
2. Based on the complaint of residents of complex in past and after hearing on 24.12.2010, Forum had given Order "to cut off the electric supply to mobile tower on the terrace of Aakar Complex due to non-availability of authentic documents required for new connection to Mobile Tower and NOC of the residents of Aakar Complex-A". Thereafter, Bharti Airtel Limited has tried to submit documents.

The present complainant Shri Thakur of Bharti Infratel Limited contended that Forum is requested to reconnect the power supply to Mobile Tower as they have submitted necessary documents.

The Respondent Shri R J Patel, D E of Baranpura s/dn contended that though the documents are submitted by complainant, they are not able to entertain request as per directives of Forum. All documents, they received are submitted to the Forum.

The Forum Members present at the hearing considered contention of both the parties and perused the records. It is clear that documents submitted are not still completed in some cases. However, as it is sub-judiciary matter at this stage, Forum shall not decide and pass the order in the matter.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited not to take decision for reconnection as it is a sub-judiciary matter.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
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 Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 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>