

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-I-23-2011.12
Complainant	Hemlataben H Gurjar, A2, Shri Nathji Park Housing Society, OPP: Novino Battery, Makarpura Tarsali Road, Vadodara
Respondent	Shri V N Rathwa DE Tarsali s/dn of MGVCL
Date of hearing	08.07.2011

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

The complaint dated 18.6.11 is for change of name with Security Deposit.

Today on 8.7.2011, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Hemlataben H Gurjar, could not attend as she did not receive call letter till the hearing date whereas Shri V N Rathwa DE of Tarsali s/dn appeared as respondent on behalf of MGVCL before the Forum.

The brief details of the case are:

1. Shri Harishbhai Gurjar had vij connection at his residence at A-2, Shri Nathji Park Housing Soc, OPP: Novino Battery, Makarpura Tarsali Road, Vadodara
2. He expired on 26.6.2010. Hence, his wife Hemlataben applied for change of name in MGVCL with payment of Registration charges vide receipt No.775154 dated 7.2.2011 for Rs.20/- with application form.
3. MGVCL had issued FQ on dated 19.2.2011 amounting to Rs.1796.00 towards Security Deposit amount to be paid by the applicant.
4. Hemlataben H Gurjar, could not pay FQ within the time limit, due to insufficiency of the fund with her.
5. The complainant complained vide her letter dated 18.6.2011 that till date, she has not received any clarification for intimation about her application for change of name.

The Respondent Shri V N Rathwa DE of Tarsali s/dn of MGVCL contended that as per computer system, company cannot transfer Security Deposit of original consumer to the new consumer even though the new consumer is legal heir. The normal practice is to credit Security Deposit in

running bills and fresh Security Deposit is to be deposited by the new consumer. However, in this case, the widow Hemlataben has regretted to pay new Security Deposit at once as her financial condition is not good so she has requested to adjust new Security Deposit against old Security Deposit of which receipt has been already submitted.

The Forum Members present at the hearing considered contention of both the parties and perused the records. In this case, the complainant is a widow whose spouse has passed away last year. She has to depend on the pension income only. Hence, it has been difficult for her to arrange for payment of new Security Deposit. The Distribution Circular No.778 dated 6.9.2002 was also perused wherein it has been directed that for change of name requested by legal heir of the deceased consumer, then in such case, the Security Deposit shall not be insisted upon.

In view of the above discussion, the Forum referred the Distribution Circular No.778 dated 6.9.2002 and opined that the Security Deposit shall not be insisted upon in this case and the change of name application shall be processed by MGVCL accordingly.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited not to insist for the payment of amount of new Security Deposit as per guidelines given vide Distribution Circular No.778 dated 6.9.2002 of erstwhile GEB and complete the formality of change of name.

(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/Consumer%20Grievances/Procedure/Procedure.pdf>