

**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-43-2014.15
Complainant	M/s. Yadunandan Stone Crusher, C/o Keshurbhai N Kandoriya, At : Othwad, Tal: Balasinor, Dist : Nadiad
Respondent	Shri Aarif A Ghanchi, Deputy Engineer, Balasinor s/dn of MGVCL.
Date of hearing	08.08.2014 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Smt Medha M Marathe, MGVCL

The complaint dated 02.08.2014 to reconnect the vij connection.

On 08.08.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Ashokbhai Dahyabhai Patel partner of the company appeared on behalf of M/s. Yadunandan Stone Crusher, whereas Shri Aarif A Ghanchi, Deputy Engineer, Balasinor s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. 3 Phase LTMD connection bearing consumer No.19520 / 01049 / 1 for 75 KW load was released on dated 11.04.2007 in the name of M/s. Yadunandan Stone Crusher.
2. The notice vide letter No. 2852 dated 29.04.2014 was issued for payment of arrears amounting to Rs.36557/ within one month period otherwise connection will be made PDC.
3. Notice dated 29.04.2014 was actually issued on dated 15.05.2014 vide RG 5695670771N & received by complainant on 16.05.2014.
4. Complainant had paid Rs.46000/ on dated 10.06.2014 vide MR No.893221.
5. Meter, Service line and transformer centre were removed from site on 28.06.14 by MGVCL.

6. Complainant had objected for disconnection as he had paid pending dues within one month period i.e. before 16.06.2014 even though connection is made PDC. Aggrieved with this, requested to give justice by making reconnection.

The complainant contended that he has applied for PDC on 06.03.2014 due to poor financial position but within a week time the application was cancelled by approaching to MGVCL officer personally. Original application was returned by MGVCL officer with remark of cancellation. He had received notice from MGVCL dated 29.04.2014 giving one month period to clear the pending dues. Though the date on letter was 29.04.2014, it was actually dispatched by MGVCL office on 15.05.2014. Xerox copy of the postal cover was produced as a proof. As per the notice, he had cleared the arrears amount by paying Rs.46000/- vide MR No.893221 on 10.06.2014 i.e. before expiry of one month period from the date of receipt of notice. As such, he was not at all at fault though his meter, service line & transformer centre was dismantled by MGVCL on dated 28.06.2014. On approaching local MGVCL office for connection, he was informed that the connection is made PDC. He requested to give justice & to reconnect the connection.

The respondent contended that consumer had given PDC application on 06.03.2014 but connection was not disconnected due to arrears of Rs.17170/-. The notice of CC No.345 was issued on 29.04.2014 giving one month period to clear pending dues. As per notice 'X' was made in billing system for making connection permanently disconnected on dated 30.05.2014. Meter, Service line with transformer centre were removed on 28.06.2014. Delay in issue of notice dated 29.04.2014 was neither taken into consideration nor verified whether meter and service line was removed. He further added that after realizing the mistake, he reported to Division office to reopen the case but division office has rejected the same.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that MGVCL had not taken action at right time to recover arrears and to disconnect the connection having arrears. Notice CC 345 issued was dispatched late and consumer had paid arrears within the notice period from the date of dispatch so PDC made on ledger on dated 30.05.2014 is wrong. Meter & Service line etc were also not removed before making connection 'X' i.e. PDC as per rules.

In view of the above discussion, the Forum is of the opinion that the complainant has paid dues within the notice period counting from the date of dispatch / receipt of the notice so there is a mistake on the part of company in taking action for PDC so old connection should be reconnected.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to reconnect the connection having consumer No.19520 / 01049 / 1 in respect of M/s. Yadunandan Stone Crusher, C/o Keshurbhai N Kandoriya, At : Othwad, Tal: Balasinor, Dist : Nadiad without recovering reconnection charges

(Medha M Marathe)
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 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>