

**GUJARAT ELECTRICITY REGULATORY COMMISSION
BEFORE THE ELECTRICITY OMBUDSMAN, GUJARAT STATE
Polytechnic Compound, Barrack No.3, Ambawadi,
Ahmedabad-380015**

CASE NO. 43/2018

Appellant: Shri J.O.Vashishtha, Advocate
1,Plot No.75, Sector 1-A, Gandhidham-370201

Represented by: Not remain present.

V/s.

Respondent: Executive Engineer,
Paschim Gujarat Vij Company Limited
Division Office, Gandhidham-370201(Kutch)

Represented by: Shri H.B.Rakholiya, EE, PGVCL,D.O.Office, Gandhidham

:::PROCEEDINGS:::

- 1.0.** The Appellant had submitted representation aggrieving with the order No.74 dated 17.04.2018 passed by the Consumer Grievances Redressal Forum, Paschim Gujarat Vij Company Limited, Bhuj, in case No. PG-04-015-2017-18. The representation was registered at this office as Case No.43/2018. The hearing of this case was kept on 21.06.2018, but Appellant did not remain present. The next hearing was kept on 12.07.2018, but Appellant did not remain present.
- 2.0.** Appellant has represented the case as under.
 - 2.1.** It is submitted that in spite of application for new electric connection has been made along with requisite documents, application has not been considered by Respondent.
 - 2.2.** Respondent has written a letter to submit Leave & Licence for electric connection. Then after Appellant has written a letter on 14.03.17 and 02.04.17 but Respondent has not provided new electric connection to Appellant.
 - 2.3.** CGRF, Bhuj has heard the grievance of Appellant on 06.04.18. CGRF has found that Appellant had electric connection in the name of Shri

B.O.Vashistha at Plot No.75, Sector 1/A, Gandhidham bearing consumer No. 38103/06304/5, which is permanently disconnected by Respondent. Now new electric connection is required in the name of Shri J.O.Vashishtha at 01, Plot No.75, Sector 1/A, Gandhidham. Forum has directed to provide necessary documents as per GERC Supply Code. Appellant has submitted notarized rent agreement, death certificate of Shri B.O.Vashishtha to Respondent on 19.04.2018.

- 2.4. Respondent has informed Appellant to provide NOC of other owner as shown in the KPT allotment letter, which is not necessary because Appellant is demanding electric connection in his area/place i.e. office/shop No.1, Plot No.75, Sector 1/A, Gandhidham.
- 2.5. Appellant has referred the Ombudsman order passed in case No. 166/2013 dated 21.12.2013 and stated that as per Para No. 3.2 of said order Firm Quotation amount is recoverable towards demand of new connection. In that sense Appellant is entitled to get electric connection in his area/place mentioned in Para No.2.4.
- 2.6. Appellant is not satisfied with the order passed by CGRF up to the extent to provide NOC for electric connection from those names are shown in KPT allotment letter. The other allottee have no concern with demand of new electric connection because they are retired from Railway and earning pension and residing separately from Appellant.
- 2.7. Vide letter dated 21.06.2018 Appellant has submitted that he is busy in Senior Civil Judge Court and not able to attend the Ombudsman office at Ahmedabad and prayed to decide the case on merits.
- 2.7. Appellant has prayed to give directives to Respondent to provide new electric connection to him in the interest of justice.
- 3.0.** Respondent has made written submission as under.
- 3.1. It is submitted that Appellant had electric connection, bearing consumer No. 38103/06304/5 in the name of Shri B.O.Vashishtha at Plot No.75, Sector 1/A, Gandhidham, which was permanently disconnected due to pending dues.

- 3.2. Appellant has not submitted all requisite documents like ownership of Plot No.75 of Sector 1/A, Gandhidham, as per Cl.No.4.20 of Notification No.4/2015, and hence application was not processed. Appellant was intimated to produce the requisite documents.
- 3.3. On 06.03.2018 Appellant has submitted documents as under:
- (i) Kandla Port Trust allotment letter in the name of Shri O.P.Vashishtha, Shri M.O.Vashishtha and Shri B.O. Vashishtha.
 - (ii) Rent agreement dated 08.03.2000 signed by B.O.Vashishtha and J.O.Vashishtha which is neither registered nor notarized.
 - (iii) Pancard, election card, APL-1 card, Adhar Card, Bank of India passbook photo copy.
- 3.4. As per CGRF order, Appellant was directed to provide following documents:
- (i) NOC of other owners as shown in KPT allotment letter.
 - (ii) Notarized rent agreement.
 - (iii) Prescribed undertaking.
 - (iv) Death certificate of late Shri B.O.Vashishtha.
- In reply to that, Appellant had submitted only death certificate of Shri B.O. Vashishta.
- 3.5. It is stated that owner of Plot No.75, Sector 1A, Gandhidham is Shri O.P.Vashishtha and Shri M.O.Vashishtha who have submitted written objection for not giving new electric connection to the Appellant and submitted that agreement made is wrong and not valid.
- 3.6. There is a dispute between the owner of shop and appellant. The electric connection cannot be given without collecting requisite documents as per Clause No.4.20 of Supply Code Notification No.4 of 2015.

::: ORDER :::

- 4.0.** I have considered the written submission of the Appellant and the contentions of Respondent and the facts, statistics and relevant papers, which are on record, and considering them in detail, my findings are as under.

- 4.1. The subject matter involved herein is related to new connection. Appellant had applied for new electric connection as per Para No. 2.1. Respondent had intimated Appellant vide letter dated 25.01.18 and 22.02.18 to submit requisite documents as per Clause No. 4.20 of Supply Code, 2015.
- 4.2. As per Para 3.3, Appellant had submitted documents but he had not submitted ownership documents of Plot No. 75, Sector 1/A, Gandhidham. Respondent had written a letter and directed Appellant to submit the documents as per Para 3.4 for availing new electric connection but appellant has not fully complied with.
- 4.3. CGRF, vide order Para 4.2 mentioned the requisite documents for getting new electric connection, which is as per Clause 4.20 of Supply Code Regulation 2015.
- 4.4. As per Para 3.5, Respondent has received written application of owner of Plot No. 75, Sector 1/A, Gandhidham i.e. Shri O.P.Vishishtha and Shri M.O. Vashishtha mentioning not to provide electric connection to Shri J.O.Vashishtha without consent of them.
- 4.5. In Para 2.5, relevant grievances filed by Appellant before Ombudsman are against recovery of estimated amount and not for eligibility of providing new connection. Hence, argument of Appellant in present case is not valid and not maintainable.
- 4.6. As Appellant has not produced requisite documents as per Clause 4.20 of Supply Code Notification No.4 of 2015, Appellant is not eligible to get electric supply.
- 4.7. I order accordingly.
- 4.8. No order as to costs.
- 4.9. With this order, representation/Application stands disposed of.

(Dilip Raval)
Electricity Ombudsman
Gujarat State

Ahmedabad.
Date: 13.07.2018.