

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ COLIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-III-42-2015.16
Complainant	Mr Jehangir Patva, 68, Upkar Society, Near Harinagar Society, Gotri Road, Vadodara.
Respondent	Shri H K Parmar, Deputy Engineer, Gotri s/dn of MGVCL.
Date of hearing	29.12.2015 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Ms Harsha S Chauhan, Vadodara
Technical Member	Shri P K Agrawal, MGVCL Vadodara

The complaint dated 28.11.2015 (recd on 09.12.2015) regarding Higher Billing and lab testing report of meter No.65038, Consumer No.15425/01701/4.

The complaint was heard by the Forum on dated 29.12.2015 wherein complainant Shri Jehangir Patva appeared himself and Shri H K Parmar, Deputy Engineer, Gotri s/dn, appeared as respondent on behalf of MGVCL.

The brief details of the case are as under:

1. Bill for 3977 units amounting to Rs.30881.49 was issued to the complainant by MGVCL for the billing period of May-June 2015 billed in July 2015. According to the complainant the energy consumption recorded is very high and not acceptable.
2. Aggrieved by the bill, consumer on dated 20.07.2015 requested Deputy Engineer, Gotri s/dn, for lab testing of the meter.
3. The complainant had paid meter testing charge of Rs.330/-. The meter was replaced on 20.07.2015 and sent to the Meter Testing Laboratory for testing after wrapping it in paper bag & obtaining signature of the consumer on the paper seal.

4. Testing of the meter was scheduled for 06.08.2015 and consumer was asked by letter dated 03.08.2015 to remain present to witness the testing.
5. During testing in lab in presence of the consumer and found the meter accuracy within permissible limits.
6. Complainant had acknowledged meter testing results mentioned in M2/M4 register of the company and test certificate No.1940 was provided to the complainant. Same was again sent by post on dated 26.10.2015.
7. Further to study the consumption data stored in the meter, the meter was sent to meter manufacturer's place for down loading of MRI data as same facility was not available in the Lab.
8. Not satisfied with the outcome of the meter testing, consumer had represented to the General Manager (F&A) of MGVCL vide letter dated 5.11.2015 and letter dated 23.11.2015 claiming that his bill is excessive and payment thereof should be refunded to him.
9. Chief Engineer (T&O) MGVCL vide his letter dated 26.11.2015 has explained in detail that consumption recorded in the meter is correct as per test report & MRI data and is in line with consumption pattern of previous years. The consumer was advised to pay outstanding bills to avoid disconnection of power supply.
10. Aggrieved by the communication dated 26.11.2015, he has filed complaint on dated 28.11.2015 with the Consumer Grievances Redressal Forum wherein he has requested for refunding of the bill amount paid by him.

The complainant contended that -

1. Meter testing report delivered and accepted by him on same day by signing in register M2/M4 is not correct.

2. It is claimed by him that he has signed in the M2/M4 register and in meter testing Form No.97 prior to meter testing.
3. It is also contended that if register shows his signature other than this, then it is a clear forgery case.
4. It is questioned by the applicant that if meter was correct then why it was sent to meter manufacturer's place for rechecking and why report of manufacturing company checking is not provided to him.
5. He had waited for four months for favourable consideration from General Manager (F&A) of MGVCL expecting that General Manager will find truth and give him proper justice.
6. It is also claimed by complainant that respondent while on visit to his residence had admitted that excess supply of voltage is main reason for the heavy light bills.
7. After replacement of the meter, two bills are issued to him and both bills show 40% less consumption than the bill of May June 2015. Therefore, he is entitled to get refund.

The respondent contended that -

1. Bill for 3977 units amounting to Rs.30881.49 towards the consumption of May June 2015 billed in July 2015 was issued to the consumer on dated 11.07.2015.
2. Consumer represented against excessive bill and requested for testing of meter.
3. Consumer had paid Rs.330/- towards testing meter fees on dated 20.07.2015. Accordingly, as per norms, meter was replaced on same day and new meter was provided. Replaced meter was preserved in paper

bag with the paper seal duly signed by the consumer and was sent to lab for testing.

4. Consumer was advised to remain present on dated 06.08.2015 at lab of MGVL to witness testing of the meter.
 - a. Meter was taken out of paper bag in presence of consumer which he has acknowledged by putting his signature on Form No.97.
 - b. Meter was tested in lab on dated 06.08.2015 in presence of complainant and testing results are found to be within permissible limits. Same was communicated to the complainant through entry in M2/M4 register of MGVL wherein consumer has also signed towards acceptance.
5. Contention of complainant that meter was sent to manufacturer's works, because it was not correct is not true as Meter was sent to meter manufacturer's works only for MRI data down loading since software required to download MRI data in laboratory malfunctioned.
6. It is confirmed by the respondent that Chief Engineer (T&O) of MGVL has given truthful correct and self-explanatory reply to the consumer vide its letter dated 26.11.2015.
7. Respondent or his colleague has never said that excess voltage is reason for high electricity bills. Infact since meter is within permissible limits it reflects energy consumption by the consumer. It is further informed that energy consumption pattern of the consumer since 2012 also shows that consumption during 2015 is similar to the bills in preceding years.
8. The contention of the complainant that bills issued after May June 2015 shows less consumption and therefore, he should be given refund is not correct since bills issued after May-June 2015 are of monsoon period and obviously electricity consumption during monsoon period will be less compared to the electricity consumption of summer period. Further to

it, even after replacement of meter in July 2015 consumption which is recorded in new meter is also identical to the consumption recorded by earlier meter during similar period of preceding years. Hence, working of the meter was correct and complainant is not entitled for any refund.

Forum Members present at the hearing considered contention of both the parties, perused the records and observed that -

1. After filing of the complaint and payment of testing charges, meter was immediately replaced by the respondent company and sent for testing in the laboratory. The meter in question was tested in presence of the complainant. Testing results of the meter shown accuracy to be within permissible limits which is acknowledged by the consumer through his signature on M2/M4 register of MGVCL.
2. Chief Engineer (T&O) of MGVCL vide letter dated 26.11.2015 had replied in detail to all the points raised by the consumer in his letters dated 5.11.2015 & 23.11.2015 respectively.
3. The complainant has raised doubt about functioning of Meter Testing Laboratory i.e. breach of trust. The Meter Testing Laboratory is one of the units of MGVCL equipped with trained staff and precise certified testing equipments. The forum doesn't find any basis for doubts of the complainant. For further analysis, it was required to analyze the stored data in the meter. As data downloading software was not working in the Lab, the data got downloaded with the help of the manufacturer.
4. The Forum has perused the MRI data and it is observed that report submitted by M/s. L&G nowhere shows that meter was tested for its accuracy and it gives only historical report of energy consumption which is in line with the bills issued to the consumer.
5. Forum has also perused the consumption details of the consumer from the year 2012 to year 2015 and it is observed that consumption pattern of 2015 is comparable to consumption pattern of previous years of

corresponding months. (The consumption in corresponding period of previous year throughout the billing months of year 2012 to 2015 found increasing trend). The complainant's comparison is with previous month of subsequent bill is not correct as consumption changes as per seasons. It is also noted that hot-cold-rain environment cannot be exactly comparable with the previous years but gives clue to the patterns.

6. It is also observed by the Forum that even after replacement of the meter, consumption pattern from July August 2015 billed in Sept 2015, Sept Oct 2015 billed in November 2015 has remained comparable to the consumption pattern for same period in previous years.

Considering contention of the complainant and respondent and after perusing the records, Forum is of the opinion that meter accuracy is within permissible limits and hence complainant is not entitled for any refund.

O R D E R

The Forum directs the complainant Mr Jehangir Patva, 68, Upkar Society, Near Harinagar Society, Gotri Road, Vadodara, that action taken by Madhya Gujarat Vij Co Limited is in order & not entitled for any refund.

(P K Agrawal)
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 Clause No.2.63 Chapter-2 of GERC Notification No.2 of 2011.

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>