

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2011 of GERC (CGRF & Ombudsman)

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-I-07-2017-18
Complainant	M/s. Arcadia Agro, Block No.43, Behind GETCO s/s Village : Mogar, Dist: Anand
Respondent	Shri R D Chandel, Deputy Engineer and Shri PP Pancholi, Deputy Engineer both from Borsad division of MGVCCL.
Date of hearing	19.05.2017 at Vadodara Corp office & 13.06.2017 at Anand, MGVCCL

QUORUM	NAME
Chairperson	Smt Mala Y Shah, Ahmedabad
Independent Member	Harsha S Chauhan, Vadodara

The complainant had complained before CGRF regarding supplementary bill for slowness of meter for their HT installation bearing No.15055 under Borsad division of Anand Circle.

On 19.05.2017 party was called at corporate office but he remained absent so again he was called on 13.06.2017, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bhavik C Shah appeared on behalf of complainant M/s. Arcadia Agro, whereas Shri R D Chandel, Deputy Engineer and Shri PP Pancholi, Deputy Engineer both from Borsad division appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief history of the case is as under:

1. The meter installed at their HT installation was checked on 01.07.2016 and found to be slow by 27.53%.
2. The complainant had applied for reduction of load from 475 KVA to 130 KVA on 19.03.2016.
3. MRI data was analyzed but, there was no voltages imbalance events recorded and no any tamper events of occurrence and recurrence of current without vaults - start or end recorded by meter so, actual duration of slowness or abnormality could not be ascertained. Hence, from field office a email was sent to the meter manufacturing company to get technical comments of this type of behavior of meter. Secure company did not reply to earlier email but, after further follow up company finally replied on 12.10.2016 through email that "it seems to us that due to internal hardware corruption, MD got over-shoot, meter is defective." On the basis of this certificate, it was decided to replace the meter. The meter in question was checked before replacement but



at the time of checking, the same meter further found to be slow by 45.53%. Hence, it is a case of issue of another additional bill for slowness of meter.

The representative of the complainant contended that since due to their personal issues, their factory was not running in full fledged. So by the end of November 2015, they found that they are paying unnecessary more demand charges which is not required by them so, they had applied for reduction of load from 475 KVA to 130 KVA which after procedure was made to 130 KVA Contract Demand on 19.03.2016.

The complainant had submitted their production data and other relevant documents before CGRF to defend their case against receipt & payment of supplementary bill for slowness of meter.

Meter in question was checked on 01.07.2016 by Shri PP Pancholi, Deputy Engineer of MGVL where meter was found to be slow by 27.53% and he was served supplementary bill amounting to Rs.57902.96 for the period from 19.05.2016 to 01.07.2016 for 8943 units which was paid by them on 05.10.2016.

Complainant again at the time of HT reading in Sept 2016 by AMR on 19.09.2016 informed that meter in question has recorded maximum demand of 175.90 KVA at 9.30 PM which is something wrong. To attend this complaint meter was replaced on 12.10.2016 on the basis of company's certificate as stated above that, the meter was checked & replaced. While checking the existing meter in question was found to be slow by 45.57% slow on 16.11.2016 at the time of replacement. Hence, again additional bill for slowness for the period from 01.07.2016 to 16.11.2016 i.e. from the date of last checking to the date of replacement of meter was issued on 04.01.2017 for Rs.6,21,646.92 with the assessed units of 73878. Against this bill, party has submitted all required documents and verbal arguments that since the date of slowness is not sure then how he can be issued bill for 73878 units.

The respondent contended that pointwise arguments of complainant that -

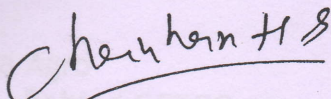
- Firstly, bill of slowness issued from 19.05.2016 to 01.07.2016 as JE of Vasad s/dn found voltages deviations during reading on 19.05.2016. For the reduction of load at the time of replacement of CTPT on 18.03.2016, meter was found to be OK so inspite of six months' bill to be served for six months as per (as per Supply Code Regulations, 2015, clause No.6.33), it was issued from 19.05.2016 to 01.07.2016.
- Secondly, for the period from 01.07.2016 to 16.11.2016, it is not known that when meter in question was again become slow by 45.57% as he has submitted production record and consumption sheet but from production report and consumption sheet, law / regulations does not support the period for issuing supplementary bill. On the basis of last date of checking i.e. 01.07.2016 to date of replacement of meter i.e. 16.11.2016 supplementary bill was prepared and issued for about four & half months of period. The maximum period has been considered in line with the Supply Code Regulations, 2015, as per clause No.6.33 because here the meter manufacturing company SEMs also declared meter to be defective so no exact data can be obtained from results. Under these circumstances, bill issued are as per Regulations and they are in order.

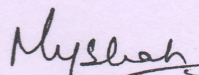


The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that no doubt, reports, readings (on party side) are produced, it does not give any indication / evidence for calculating the period for preparing supplementary bill for slowness. Hence, actions taken by MGVCL are in accordance with Supply Code Regulations, 2015.

ORDER

The Forum has come to the conclusion that the supplementary bill issued by the respondent Deputy Engineer of Borsad division of Madhya Gujarat Vij Co Limited, to the complainant M/s. Arcadia Agro, Block No.43, Behind GETCO s/s, Village : Mogar, Dist: Anand, is in order.


(Harsha S Chauhan)
Independent Member


(Smt Mala Y Shah)
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>

