

**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-IV-46-2015-16
Complainant	M/s. Everest Mineral, Station Road, Chhotaudepur,
Respondent	Shri Bhavesh K Parekh, Deputy Engineer, Chhotaudepur s/dn of MGVCCL.
Date of hearing	19.02.2016 at Nadiad

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara

The complaint dated 09.02.2016 regarding additional bill issued against slowness of meter amounting to Rs.4,02,687.12.

On 19.02.2016, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Mr.Iqbal A Mafat, appeared on behalf of M/s. Everest Mineral, whereas Shri Bhavesh K Parekh, Deputy Engineer, Chhotaudepur s/dn appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. The complainant is having LTMD connection having consumer No.11701/10105/0 with contract load of 57 KW.
2. The installation was checked by Deputy Engineer IC squad Gotri of MGVCCL on dated 20.08.2015 and detected energy meter recording 43.5% slow.
3. Chhotaudepur S/dn had issued additional bill for six months' amounting to Rs.3,25,657/- and the amount was paid on dated 21.08.2015 UNDER PROTEST.

The complainant contended that :

- i. Slowness detected is not justified looking their steady use of power and its related production data. The complaint was heard in CRC meeting at Baroda (O&M) Circle on 24.11.2015. The CRC(Circle level redressal Committee) confirms slowness. The production data submitted are not considered valid.
- ii. Complainant have stated that they have to declare purchase and sale price monthly and annually to the VAT office in which production calculation is not required. It is also not entitled for central excise.

- iii. If 43.5% slow is considered the consumption derived is tune of 18000 units to 26000 units which is never recorded since January 2012 to November 2015 hence slowness is not justified.
- iv. The meter was inspected in Dabhoi laboratory on dated 19.09.2015 in which there is no event of tampering or any error in the meter.
- v. Meter was replaced on 31.08.2015. Thereafter, also monthly consumption is around 7000 units only.
- vi. Still it requires detailed investigation of the cause of incident and requested the Forum to quash bill looking to the natural justice.

The respondent contended that :

- 1. The meter under question was checked with LT accuecheck meter and slowness derived is valid.
- 2. Additional bill issued as per GERC Notification No.11 of 2005, clause No.6.1.8 for six months.
- 3. Production data submitted is not showing quantum of material hence energy consumption calculation is not possible.
- 4. MRI report submitted by the Dabhoi lab is for the period of 62 days only, as six months' load survey data cannot be retrieved, hence the bill issued is in order.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that meter was found slow by checking officer on dated 20.08.2015 and noted in the checking sheet that "Y" phase PT voltage is missing. It was also mentioned in the checking sheet that due to heat of PT connection "Y" phase voltage is not found in display. Hence confirms detection of slowness at the time of checking. Now it is matter of how long duration the slowness was exists. The period specified in GERC Notification no. 11/2005 clause no. 6.1.18 is a maximum period for six months, but wherever possible other parameters should be taken into consideration to arise nearer to actual events. To exercise the same following documents taken into account:

- 1) Production is not constant and VAT charges not reflecting production data so not considered it.
- 2) Comparison of last 3 years data in corresponding months. The consumption found increased in 2014-15 compared to 2013-14., but not to the tune percentage slowness recorded. The new meter installed after checking also not reflecting quantity of %age slowness.
- 3) Failing to analyse above para (1) &(2), the only reliable source available is MRI data which was possible to retrieve only for 62 days.

The matter was referred to meter manufacturer. According to the manufacturer no defect in meter. However, details data retrieves for 62 days but there is a log of events. As per the log of events previous imbalance of voltage was recorded on 6/7/2011 and then the current voltage event on dated 15/7/2015 (current without voltage). The consumption pattern checked before and after 15/7/2015 which confirms slowness of meter occurred on 15/7/2015.

The Forum is of the opinion that the slowness bill requires to revise from the date of event logged (15/7/2015) to the date of meter replacement i.e. 31/08/2015.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to revise the additional bill by considering percentage slowness detected from 15/7/2015 to 31/08/2015 and excess recovery made should be adjusted in customer energy bill account in respect of complainant M/s. Everest Mineral, Station Road, Chhotaudepur.

(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>