

**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-I-13-2015.16
Complainant	M/S. Krishna Stone Crusher, At : Othvad, Tal: Balasinor, Dist : Mahisagar.
Respondent	Shri A.A. Ganchi, Dy.Engr. Balasinor-2 Sub-division
Date of hearing	29.05.2015 at Godhra, 05.06.2015 at Vadodara & 19.06.2015 at Anand

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Shri A G Shah, MGVCL

The complaint dated 15.05.2015 regarding supplementary bill.

On 29.05.2015 at Godhra, 05.06.2015 at Vadodara & 19.06.2015 at Anand, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Dineshbhai S. Patel, partner & Vinubhai Patel, Electrician appeared on behalf of M/s. Krishna Stone Crusher whereas Shri A.A. Ganchi, Dy.Engr. Balasinor-2 Sub-division, 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. The Consumer No.19520/01030/0 Meter No.08172792.
2. Recently MGVCL has issued supplementary bill for the month of Sept. & Oct.-2012 for 29940 Units amounting to Rs.1,07,577/36. One more supplementary bill for Rs.1,16,931.91 is also issued for Sept-Oct-2012. They are regularly paying all bills issued till day so the additional bill issued on 4/4/2015 & 30/4/2015 are illegal and required to investigate into the matter and revised accordingly.

The representative of the complainant contended that

their Consumer No.is 19520/01030/0 with 94 KW load. Their connection was released in the Year 2006. In Sept & Oct 2012, they received a bill for average units consumption due to faulty meter and same were paid in respective months. The meter was replaced on 11/10/2012. Recently additional bill for Sept-Oct-2012 issued by MGVCL in April-2015 for Rs.1,16,931.91 which is also paid with objection. Again an additional bill for the same months issued on 30/4/2015 for 29940 Units amounting to Rs.1,07,577.36. Another bill is also received for Rs. 2.39 Lakhs. They could

not understand these bills issued for the month of Sept-Oct-2012 after about 3-years.

The Respondent contended that

the connection of M/s. Krishna Stone Crusher released on 1/6/2006. The Meter Reader had given faulty meter status in the bill of Sept-2012 billed on dtd.19/9/2012 due to no display. As per procedure, average bill for 6510 units was issued for the month of Sept-2012 & Oct-2012 each. The faulty meter was replaced on 11/10/2012 and sent for Laboratory inspection which was done on 3/1/2013 in the presence of Company's representative Shri Dipakbhai Mohanbhai Patel (Meter Make L&T, Meter No.8172792). The meter testing Laboratory reported that Meter is O.K. but its terminal block is burnt. The meter's last reading recorded 0518907.1. After Laboratory inspection and its report, the supplementary bill for the faulty period was to be issued by the sub-division at that time to adjust average billing done for Sept-Oct-2012. It was came to know in April-2015. So supplementary bill was issued in Apr'2015. The consumption of all the faulty period is considered as per the consumption recorded in new meter replaced on 11/10/2012 and recorded upto 21/11/2012 i.e. 42 Days. According to that, average consumption per day considered from July-2012 to October-2012 (121 Days). Accordingly 60379 Units calculated considering 499 units per day. Bills already issued and paid during that period for 21370 Units are deducted and finally bill for balance 39009 units for Rs.2,39,307.98 issued on 4/4/2015. The consumer has objected the bill on 21/4/2015 and reported that their factory was under renovation during the month of Sept-Oct-2012 so there was no power consumption. Also, stated that being monsoon period it is slack season so low power requirement which can be seen from respective months of previous years, therefore the bill calculated needs to be revised. The representation of consumer and proposal was sent to their division office and as per the approval of Division Office the supplementary bill revised as per units recorded in new meter from 21/8/2012 to 19/10/2012. The revised bill issued on 30/4/2015 for Rs.1,07,577.39.

The respondent further contended that in Oct'2012 for Rs.1,18,205.80 was for reactive units. It was a mistake so corrected and given credit in the month of January-2013. Hence, final supplementary bill issued on 30.4.2015 for Rs.1,07,577.39 is payable by the consumer.

The forum members present at the hearing considered contention of both the parties and perused the records and observed that wrong debit of Rs.1,18,205.80 given in Oct'2012 was corrected and already its credit given in the bill of November billed in December-2012 after adjusting actual reactive charge of Rs. 590.00 so that issue is cleared. For the Meter's no display billing period, the supplementary bill issued for Rs.2.39 Lacs. Is revised on 30.4.2015 for Rs.1,07,577.36. The forum has gone through the calculation presented by respondent for average power consumption during meter faulty billing period. The forum found some errors in calculation of period and average billing amount.

Last bill issued on 20.8.2012 (The meter working) having meter reading 518606. The meter testing Laboratory has noted last reading 518907. The difference 301 units recorded before burning of terminal block of meter. The faulty meter replaced on 11.10.2012. The bills issued for the month of Sept'2012 and Oct'2012 on average consumption basis i.e. 6510 units per month. Oct'2012 bill issued on dt.19.10.2012. The respondent has considered period from 21.8.2012 to 19.10.2012 (60 days). The faulty meter was replaced on 11.10.2012 so actual consumption recorded in new meter from 11.10.2012 to 19.10.2012 is counted in next billing month Nov'2012 as Oct'2012 bill was given on average rate of consumption. Hence, average units billing period should be considered from 21.8.2012 to 10.10.2012 only. Also being monsoon season and consumers statement for their plant closed in Sept-Oct'2012, for renovation works, past records of corresponding months of previous years should be considered. The power consumption rate counted based on consumption recorded in replaced meter (middle to end of Oct'2012) is not proper and cannot be justify. MGVL had not down loaded meter MRI data so record not available verification of actual consumption (meter was OK only terminal block was burnt). So in absence of MRI data, natural justice goes in favour of the consumer. Also there is no verification available for plants shutdown for renovation works during disputable period. Hence, based on previous years consumption in corresponding period should be taken as base to count average consumption from 21.8.2012 to 10.10.2012. It is taken on record that contract load is not increased from year 2010 to till date.

In view of the above discussion, the Forum is of the opinion that MGVL should revised the bill issued on 30.4.2015 considering average consumption of previous year in corresponding period and deduct average units billed and paid.

O R D E R

The Forum directs the Madhya Gujarat Vij Co Limited to revise the supplementary bill issued on 30.4.2015 for the period from 21.8.2012 to 10.10.2012 and its average consumption as per its previous year in corresponding months and deduction of average units billed in that period. Also submit action taken report with copy of revised bill to the Forum.

(A G Shah)
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>