

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

Subject	Consumer Grievances Complaint No. MG-IV-125-2014.15
Complainant	Munaf Mansuri, Next to SBI, Three Gate, Cambay.
Respondent	Shri R.D. Chandel, Executive Engineer, Cambay City Division
Date of hearing	04.04.2015 at Vadodara

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

The complaint dated 20.03.2015 regarding faulty meter & high energy bill.

On 04.04.2015, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Munaf Mansuri himself and Ilham Mansuri appeared as complainant whereas Shri R.D. Chandel, Executive Engineer, Cambay City 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:

01. The complainant has commercial connection bearing consumer No.00906/00437 /3 and Meter No. 0026800.
02. Commercial connection was not used by the complainant and as per billing dated 22.03.2014, the meter was faulty.
03. High amount of bill Rs. 7053/- dtd. 27.11.2014 was received by the complainant and objected for the same.
04. MGVCL has disconnected and removed meter without knowledge of the complainant.
05. The complainant is not ready to pay the bill dated 27.11.2014 stating that they have not used power from commercial meter.
06. MGVCL has disconnected the commercial connection and given notice to the complainant that the arrears amount of commercial connection will be added to his residential connection and if not paid, the residential connection will be disconnected.

07. He has strongly objected for the intention of MGVCL and requested the Forum to give justice.

The complainant contended that he has purchased old premises, which was Godown on the name of Shri Pravinchandra Nandlal Parikh. The connection was of commercial tariff. He got change of name to Munaf D. Mansuri with effect from 09.04.2014. He constructed residential building in same premises and kept old commercial meter aside and till date he has not consumed any power from that connection, therefore, not liable to pay any further bill from that connection. For residential purpose, he got a new connection having RGPU tariff on 29.03.2014 bearing consumer no. 00906/80082/0. He stated that it is illegal to recover the bill of other connection. Since purchase of the premises he has not used power from commercial meter given to godown.

The respondent Shri R.D. Chandel, Executive Engineer, Cambay City Division contended that Shri Munaf Mansuri has purchased commercial premises having commercial vij connection bearing consumer No.00906/00437/3 in the name of Pravinchandra Nandlal Parikh. Change of name to Shri Munaf D. Mansuri was given effect from 09.04.2014. Up to February-March, 2014 billed in April-2014, all bills were paid. Thereafter, bills are not paid. There is dispute about bill issued in April-2014, wherein meter reading difference is 2 units, but billed for 10 units and given faulty status. As the bills are not paid, the connection was made TDC on 09.06.2014 and PDC from 24.11.2014. Adjustment of Feb-March-2014 bill for 8 units (billed 10 units- recorded 2 units) of Rs.54.70 given in the bill dated 04.03.2015. The connection made PDC on 24.11.2014 considering the pending arrears and chance to reopen the connection, "X" status not given in the billing programme. New residential building constructed on the same premises and residential vij connection released on 29.03.2014, bearing consumer No.00906/80082/0. Final notice for recovery of arrears in respect of commercial connection was given on 17.03.2015 to recover it from their residential vij connection. This is as per rules.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the complainant has constructed residential building in the same premises where old commercial vij connection exists. The commercial meter was kept aside by the complainant at the time of construction work. MGVCL has given new residential vij connection in this same premises. As per MGVCL Circulars, MGVCL is not giving another connection in the same premises. While TDC / PDC of commercial connection, the meter reading noted and billed accordingly.

It is as per power consumption recorded in the meter. In bill of April-2014, wrong billing of 8 units is adjusted in the bill of March-2015. The complainant is liable to pay balance units recorded in the commercial vij connection. The utility can recover the arrears of a connection from any other connection in the same name as per Gujarat Electricity Regulatory Commission's Supply Code, Clause No.8.7.5

i.e. for non-payment of any charges for electricity, the consumer will not be permitted to have electricity connection from any other Distribution Licensee. Hence, the final notice issued by MGVL is in order.

ORDER

The Forum directs complainant Munaf Mansuri, Next to SBI, Three Gate, Cambay that the bills issued by Madhya Gujarat Vij Company Limited in respect of his commercial connection are in order and pay accordingly.

(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>