

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 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-05-2023-24
Complainant	Shri Narsinhbhai S Sakariya, A 26, Shubh Residency Village: Ratanpur, Post: Khatamba, Tal & Dist: Vadodara
Respondent	Shri V L Prajapati, Dy Engineer & Shri G U Parmar, Senior Assistant of Khatamba s/dn of MGVCCL.
Date of hearing	26.06.2023 & 25.07.2023 both at Corporate Office, MGVCCL Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Technical Member	Shri K B Dhebar, (RA&C) MGVCCL Vadodara

The complaint dated 24.05.2023 regarding refund of wrong assessed residence energy bill, con No.51804/00421/9.

1.0 On 26.06.2023, the complainant was not present & on 25.07.2023, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Narsinhbhai S Sakariya appeared himself whereas Shri V L Prajapati, Dy Engineer & Shri G U Parmar, Senior Assistant of Khatamba appeared as respondent on behalf of MGVCCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under:

2.1 The complainant is having residential single phase connection of 3.0 KW at A 26, Shubh Residency Village: Ratanpur, Post: Khatamba, Tal & Dist: Vadodara.

2.2 Respondent had issued provisional bill of 530 units on 28.10.2021 for the month of Sept Oct 2021 indicating faulty meter.

2.3 Aggrieved by above mentioned bill, the complainant had requested vide application dated 01.11.2021 for revision of bill and replacement of faulty meter.

2.4 In response of application, the faulty meter was replaced on 05.11.2021 by the Respondent. As per meter reading confirmed in the lab, the bill was issued as per consumption.

2.5 Thereafter, the connection was disconnected due to non-payment of energy bill which was reconnected after payment of Rs.22,700/- under PROTEST by the complainant.



2.6 Aggrieved by huge amount of energy bill after replacement of faulty meter, the complainant approached CRC at Baroda (O&M) Circle of MGVL for refund of assessed amount and delayed payment charges.

2.7 After hearing on 05.04.2023, CRC at Baroda (O&M) Circle of MGVL vide order dated 21.04.2023 that Dy Engineer, Khatamba s/dn had replaced on 08.11.2021 & as per meter reading "10870", the bill issued to the complainant was in order. Since complainant could not pay bill within time limit, the delayed payment charge recovered as per e-Urja system.

2.8 Again aggrieved by the order of CRC, the complainant had approached CGRF at Corporate Office, MGVL, Vadodara vide application dated 24.06.2023.

3.0 The complainant contended that -

3.1 As per his request, the faulty meter was replaced on 05.11.2021, but meter was not tested in laboratory.

3.2 The bill issued as per last reading of faulty meter was very higher side and not as per their actual consumption.

3.3 The connection was disconnected due to non-payment of energy bill which was reconnected after payment of Rs.22,700/- under PROTEST by them.

3.4 His application dated 23.02.2022 was also misplaced by the Khatamba s/dn.

3.5 As per their calculation, the consumption of 20 months' period was 4062 units and after replacement of faulty meter, the consumption recorded is 4007 units. Based on connected load at their premises, the bill of Sept 2021, is not correct and, therefore, it is to be revised as per average consumption and delayed payment charges should be refunded.

4.0 The respondent contended that -

4.1 The Dy Engineer of Khatamba s/dn had submitted the meter replaced on 05.11.2021, was found OK while depositing in the Jambuva lab. Since the complainant had not paid the testing fee of meter, the meter was not required to be tested in presence of complainant.

4.2 As per meter reading noticed in the lab, the bill was issued to the complainant. The credit of provisional units was also given in their account.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 The meter was not tested in the lab in presence of consumer as the complainant had not paid meter testing fee.



5.2 The status of meter like whether it was OK or faulty, If OK than issued to which sub division and installed at which consumer and if faulty reason for the same credited to Jambuva Lab was asked from respondent. Respondent vide email dtd 04.08.2023 informed Jambuva Lab to provide the status of the Meter.

5.3 Jambuva lab has reported vide email dtd 07.08.2023 that while retesting of said Meter in May'2022 it was found RTC fail and Meter was in guarantee period and its entry is made in faulty Meter register.

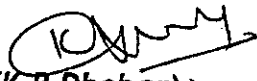
5.4 As per Jambuva Lab report the meter was faulty and hence the assessment for faulty period require to be made as per supply code, 2015 clause No. 6.58 and bill issued for period 23.08.2021 to 05.11.2021 require to revise.

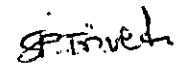
ORDER

6.0 The Forum has come to the conclusion that -

6.1 Jambuva lab has reported vide email dtd 07.08.2023 that while retesting of said Meter in May'2022 it was found RTC fail and its entry is made in faulty Meter register

6.2 As the meter was faulty the assessment for faulty period required to be made as per supply code, 2015 clause No. 6.58 and bill issued for period 23.08.2021 to 05.11.2021 require to revise and necessary credit to be given to consumer billing account.


(K B Dhebar)
Technical Member


(S P Trivedi)
Chairperson

PS:

If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question. The Office address of the Ombudsman is : 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.3.19 (viii) of GERC Notification No.2 of 2019.

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

