**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**

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| Complaint No. | MG-III-30-2024-25 |
| Complainant | M/s. Aarvi Plastics Engineering, NH No. 8, Ranoli Crossing, Village Dashrath, Tal & Dist: Vadodara |
| Respondent | Shri M.C. Pargi Deputy Engineer, Chhani Sub-Division, MGVCL |
| Date of hearing | 26.11.2024 MGVCL Corporate Office, Vadodara |

| QUORUM | NAME |
|---|---|
| Chairperson | Shri S P Trivedi, Vadodara |
| Technical Member | Shri V N Rathva, I/c (RA&C) MGVCL Vadodara |

The complaint dated 22.10.2024 regarding Meter Change Without Prior Notice and Subsequent High Electricity Bills.

1.0 On date 26.11.24, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Aarsh Patel and Miss Vishakha Patel Partner appeared on behalf of complainant M/s. Aarvi Plastics Engineering, NH No. 8, Ranoli Crossing, Village Dashrath, Tal & Dist: Vadodara, whereas Shri M.C. Pargi, Deputy Engineer, Chhani Sub-Division, MGVCL appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under -

2.1 M/s. Aarvi Plastics Engineering, NH No. 8, Ranoli Crossing, Village Dashrath, Tal & Dist: Vadodara has an electrical connection bearing Consumer No.02103/06544/1 Contract Load:85 KW in LTMD Tariff.

2.2 The consumer was billed as "Faulty" for 4 consecutive Bills from Nov'23 to Feb'24 with an average of 290 Units per Bill. However, on seeing meter reading on the display on date 19.03.24, the Bill of Mar'24 was served for a consumption of 14141 Units (31687-17546) as per Meter Reading displayed on the meter.

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2.3 The so called Faulty Meter was replaced on 13.04.24 but the new Meter also became faulty and it was replaced on date 30.05.24 as per consumer's application. This time also Average Bill of 8130 Units was served to the consumer.

2.4 The consumer is of the opinion that the bills are too high compared to his usage. He approached Sub-Division Office several times but the issue is not resolved.

2.5 Aggrieved by long pending issue, the consumer approached the CGRF.

3.0 The representative of the complainant contended that -

3.1 In April 2024, the electricity meter installed at factory, "Aarvi Plastics Engineering," located at NH No. 8, Ranoli Crossing, Village Dashrath, Taluka Vadodara, District Vadodara, was replaced by another meter bearing no. 01512 by MGVCL without any prior notice or intimation to them or their authorized representative. On the day of the replacement, an MGVCL representative changed the meter without notifying or obtaining consent from them or their authorized representative. The complainant subsequently informed by one of their employees, a machine worker, that the meter had been changed. No documentation or acknowledgment regarding the meter change was provided, nor was any signature obtained from complainant or their representative.

3.2 Further, without complainant knowledge or consent, MGVCL representatives visited the factory again in May 2024, prior to receipt of the electricity bill, and replaced the meter again with a new meter bearing no. MGVCL 06709. They left the premises without providing any acknowledgment or documentation, merely stating to their employee that the meter was faulty and required replacement. The complainant was informed of this second meter change by the said employee.

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3.3 In March 2024, complainant has received an electricity bill bearing Bill No.5/00106 for Rs.1,37,598.09. Although this amount reflected a significant spike in consumption, it was anticipated, as a new machine had been tested for 10 days during the month of March, accounting for the increased electricity usage. Aware of this, complainant promptly paid the bill in full. In April 2024, complainant received a subsequent bill bearing Bill No. 5/0108 for Rs. 47,200, which reflected normal consumption and was consistent with regular usage. This bill was also paid in full without any dispute.

3.4 Upon receiving, the bill in May 2024, bearing No. 0109; complainant has noted a sudden and unexplained spike in the units consumed, resulting. in a total amount due of Rs.1,64,518.65, which included an alleged outstanding balance of Rs.83,066. Furthermore, the May bill indicated that the units consumed in April-2024 were 9,966, which is highly unusual and inaccurate, as the factory was non-operational during half of that period-. The amount due for April was Rs.1,45,061/-, which is unjustifiable given the circumstances.

3.5 Due to the aforementioned discrepancies, they did not pay the May 2024 bill. In response, they approached the MGVCL Chhani office and raised concerns with junior assistant J.R. Rana. Complainant has requested an examination of the load capacity of the premises or a valid explanation for the unusual spike in the bill. However, instead of providing assistance or guidance regarding the issue, the official categorically stated that, irrespective of the amount, the bill must be paid upon receipt.

3.6 Complainant has inquired about the laboratory testing facility available to citizens and subsequently requested a lab test for their meter, bearing No.. MGVCL-06709. However, due to a misunderstanding or misinformation, the team mistakenly tested meter No. MGVCL06709, while complainant had intended for meter No. 01512 to be examined. The lab test was conducted on 25/06/2024, under BRD No. 200. The inspection team confirmed that the tested meter was faulty due to a display issue and further indicated that the necessary procedures would need to be undertaken by MGVCL.

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3.7 On 08/07/2024, a second lab test was conducted under BRD No. 396 on meter bearing No. 01512. The test results indicated that the meter was functioning normally and showed no faults.

3.8 Consequently, the bill for June 2024, bearing Bill No. 0110, showed the units consumed for both May and June 2024 as 8,130 units each, and reflected a total outstanding amount of Rs.2,47,787.49, which included the previously unpaid amount of. Rs.1,64,518.65. However, it is important to note that the factory was not operational during this period, making it impossible to have accumulated such a high figure of units consumed. Furthermore, in the July 2024 bill, bearing Bill No. 0112, the amount further increased to Rs.3,50,250.21.

3.9 After repeatedly visiting the MGVCL office and speaking with various officials, the bill for August 2024, bearing Bill No. 0114, finally reflected a reasonable unit consumption of 1,868 units and showed a total outstanding balance of Rs.2,85,608/-, with Rs.75,292.29 credited to their account. Additionally, the unit consumption returned to a reasonable level, with the meter recording 1,668 units for which the amount due was Rs.10,651/-. However, the remaining balance continued to be carried forward as unpaid.

3.10 Despite their repeated visits to the MGVCL office and numerous attempts to-resolve the issue by approaching various officials, complainant have not received any satisfactory explanation or resolution regarding the discrepancies in their electricity bills. Since May of this year, complainant have repeatedly requested the MGVCL Chhani branch to have the meter tested, but no action has been taken. Complainant has also approached Shri M.C. Pargi, Deputy Engineer at MGVCL Channi S/dn, on multiple occasions, requesting that he check the load capacity of the premises. However, despite their repeated requests, no action has been taken. Moreover, complainant had maintained a detailed ledger of electricity, usage, which can assist in resolving any doubts regarding consumption.

3.11 Furthermore, the designated MGVCL representative responsible for delivering the bills, who previously brought them directly to the office, now merely slides them through the main gate of the factory premises. The representative can be asked regarding the functioning of the factory during the period from month of May to July.

3.12 This prolonged ordeal has not only caused, significant inconvenience but has also led to mental stress and agony. Complainant, therefore, seek appropriate relief from Hon'ble Authority to address the ongoing billing issues and to bring this matter to a just and fair conclusion.

3.13 The complainant has prayed as under:

a) That MGVCL be directed to rectify the outstanding amount on their electricity bills by accurately calculating the amount payable based on the corrected meter readings and unit consumption.

b) That the newly installed meter be thoroughly checked and verified to ensure its proper functioning, and that all previous discrepancies be addressed.

c) That any excess amounts billed to them due to faulty meter readings be adjusted and refunded accordingly.

d) The complainant prays the Hon'ble authority that the respondents pay the sun of Rs.5000/- for mental pain and agony suffered by the complainant during the period.

e) Any other relief that this Hon'ble Authority deems fit in the interest of justice and also complainant trust that MGVCL will take this matter seriously and resolve the issue promptly.

4.0 The respondent contended that -

4.1 Looking to the billing history and information provided by the meter reader, above connection meter have been given "F" status first time on 21.11.2023 due to some display error or No Display and faulty bill with average of 290 kwh was served on that day and three more bills thereafter were served for same average as above. Thereafter, one of the meter reader found reading on display of meter on dated. 19.03.24 with KWH reading as 31687 during billing in the Month of March 2024 and energy bill of 14141 kwh of Amt Rs. 137598.00 was served. Then, the meter is changed by new one with Meter No. 01512 by technical staff on dated. 13.04.2024 with Performa - 15 No. 1037 and sign was also taken

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of consumer's representative who was available at site. It is stated that there no need to issue notice or to take prior permission to replace consumer meter if it needs to be replaced because of any other reason of mal functioning or display error that can be found by MGVCL.

4.2 Further, the consumer had given an application on dated 14.05.24 regarding testing of newly replaced meter due to excessive electricity bill and accordingly, the technical staff had replaced that meter on 30.05.2024 at consumer's premise. MGVCL staff has taken sign of their available representative if the present situation at site at the time of replacement. There is no need to issue notice and to inform earlier as it was replaced because of application given by the consumer himself to change the meter.

4.3 In March 2024, When billing was done on 19.03.24, kwh readings were seen as 31687 and they were billed accordingly for a consumption of 14141 units of Rs. 137598. Accordingly, they have paid that charges for the energy consumed by their unit for past period as told. Also, it is to state that previous meter which was replaced on 13.04.24 have been inspected on 08.07.2024, as per Lab rojkam No. 0396 and meter was found to be OK. There after a Bill of Rs.47200 for the April 2024 was served to them and the same was also paid in full by the complainant without any dispute as stated.

4.4 Upon receiving the Bill of May 2024, the Bill for first meter change with total amounting Rs.145060.00 was served to the complainant for consumption of 9966 units. For this they complaint MGVCL to test meter and that meter was replaced accordingly on 30.05.24. This meter was inspected in Baroda Lab on dated. 25.06.2024 with lab rojkam No. 0200 and meter was found to be faulty. So, According to the prevailing rules of company bill is to be issued according to previous average of last 3 bills. In fact, whether consumer have consumed more or lesser then previous consumption or average, they are supposed to pay as per average fixed during F status billing.

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4.5 As they told that and due to aforementioned discrepancies, they didn't pay the bill for May 2024 and it shows huge outstanding in the bill. It is a prime duty of any revenue person to watch outstanding of different consumers time to time and make all efforts to get them paid timely and completely. So, Mrs. J R Rana might have said to pay them outstanding amount which was reflecting in 134 master ledger. Also, it is to state that even after visiting or verifying the site, they cannot assess Complainant's past usage of electricity.

4.6 The meter No MWCT 01512 was inspected in lab on dated. 25.06.24, vide lab rojakm no. 0200 and said meter was found to be faulty. But instead of checking Meter No. MWCT 01512, the later was inspected first in the Baroda laboratory due any reason and the same was declared as Ok meter.

4.7 For meter no. MWCT 06709 second lab test was conducted on 02/07/24 and meter found OK.

4.8 In the Month of June 2024, a bill amounting Rs. 158561.64 was served with previous dues may have a higher total and showing as outstanding in the bill. That bill also includes an amount of Rs.75292 along with total 158561.64 which was came in addition due to KVARH reading being not punched by mistake during meter change and that much amount was added to the total as a result of circle over reading error by system. That amount of Rs. 75292.00 is also deducted / adjusted in the next bill for July 2024.

4.9 After approaching MGVCL office, reactive unit amount which was came in the total due to circle over error of system, amount of Rs.75192.00 was also credited to their account and net bill for that month also clear. But due to non-payment of past dues, it is continually reflecting along with huge individual month total as a huge outstanding. So, Once the net clear bill amount will be paid, huge outstanding will be cleared.

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4.10 On their every visit at office, MGVCL Chhani Sdn have tried their best to resolve consumer's queries. Also, it is to state that even after visiting or verifying the site, MGVCL cannot assess their past usage of electricity.

4.11 MGVCL meter readers are already instructed to serve bill hand to hand personally to the consumer or any representative of consumer. But if factory / premise remains closed then it may be left somewhere near to the meter or meter room.

4.12 During hearing of the case at CGRF on 26.11.24, the Respondent was advised to visit the consumer's site and submit report clearly stating whether, Average of 290 Units per month were deducted or not while the Bill was issued as per actual reading found on the Meter after billing as Faulty with Average consumption for 4 times bill from Dec'23 to Feb'24; the Faulty Meter was replaced in 30/5/24 then why the Bill prepared on date 20.6.24 was prepared as per Average Units for the full Billing period.

4.13 With reference to CGRF Directives, the Respondent Deputy Engineer, Chani Sub-Division, MGVCL has submitted his report to CGRF vide Letter No. 7576 Dtd. 30.11.24. The content of the submission is as below.

4.13 (a) Looking to the billing history and Consumer general ledger (145 PRT), billing of faulty meter was done for continuous 4 bills from Nov Billed in Dec 23 to Feb billed in Mar 24 with an average of 290 units. The Faulty bills amount for previous 3 bills for the date of meter replaced/ changed has not been credited to consumer. So, faulty bills for above period will have to credit as per supply code prevailing norms. The analysis of faulty bills is as under.

| Billing Period | Consumption (Units in KWH) | F bill amount in Rs. | Fixed charge (Rs.) | Net amount to be credited (Rs.). |
|---|---|---|---|---|
| Nov Dec 23 | 290 | 13131.60 | 8637.50 | 4494.10 |
| Dec Jan 24 | 290 | 13204.40 | 8637.50 | 4566.90 |
| Jan Feb 24 | 290 | 13172.70 | 8637.50 | 4537.50 |
| Feb Mar 24 | 290 | 13149.17 | 8637.50 | 4511.67 |
| | Total | 52657.87 | 34550.00 | 18110.17 |

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4.13(b) After replacement of 1st F meter on dated. 20.04.2024, newly provided meter also found to be doubtful in consumption in the month of May-24 billed in June-24 and same was also replaced on 30.05.24 as per consumer's application. So, in that case, billing was done with an average of 8130 units. And in that case again faulty average was calculated by system according to previous 3 bills considering 290, 14141 and 9966 units of previous consumptions. But it is to be cleared that consumer's factory was functional with full load for a period of 10 days during that month as stated by consumer's representative. So, after meter change on 2nd time, average may be calculated proportionally as under.

| | | |
|---|---|---|
| Last Billing Date | 23.05.2024 | |
| Meter Change Date | 30.05.2024 | 8 days period from billing date |
| Next billing date | 20.06.2024 | 21 days period from meter change date |
| So, proportional units of faulty meter | = 8130 x 8 / 30 | = 2168 units |
| Correct reading of new meter (3587-7) | = 3580 | = 3580 units |
| | Total units | = 5748 units |

So, Final average for second period shall be taken as 5748 units. But, as per system calculation, 2nd time average calculated was 8130 units as mentioned in PRT.

The connection of the complainant was temporarily disconnected on 18.10.2024 due to pending arrears of Rs. 2,96,260/-. The consumers premise was checked by Chhani Sdn Junior Engineer on Dated. 29.11.2024 and following listed load was found at site.

| Sr No. | Particulars | Nos. | |
|---|---|---|---|
| 1 | Petblow Machine | 01 | 28.0 KW |
| 2 | Air Compressor | 01 | 25.0 HP |
| 3 | Chillar Fan | 01 | 01.50 KW |
| 4 | Helogen (Foxes) | 09 (100 W each) | 0.900 |

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4.13(c) During site visit, it is found that the connection was in dis-connected condition and the total load was found in idle condition since the end of Jun 24 as stated by consumer, and only lighting load including 9 Nos halogens of total 0.900 KW was functional.

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 complainant was billed as "Faulty Status" of Meter with an Average of 290 Units each time for continuous 4 monthly billing cycles as below. The Meter was Sr.No. MWCT 06709.

Dec'23; Jan'24; Feb'24; Mar'24.

Subsequently, Meter Reader found Reading on display of Meter as 31687 on dated 19.03.24, and hence considering the said reading, energy bill of 14141 units amounting Rs.137,598/- was served towards bill of March'24 on date 19.03.24.

5.2 In the Bill of March'24, issued on date 19.03.24, though the Bill was prepared considering meter reading, the Amount of Units billed towards "Faulty Average" for the four Bills (290x4 Bills) was not given credit to the consumer.

5.3 Above described meter, bearing Sr.No. MWCT 06709, was replaced by a new meter bearing Sr.No. MWCT 01512 on date 13.04.24 and signature of consumer's representative available at site was also obtained.

5.4 Meter No. 06709 was inspected in MGVCL laboratory as Per Lab Sheet No. 396 on date 02.07.24 and found OK. It was tested on Test Bench and accuracy found in order as per Remarks in Laboratory Sheet.

5.5 Meter No. 01512 also became faulty and Faulty Meter Bill with an Average of 8130 Units served on date 23.05.24. The said faulty meter was replaced on date 30.05.24. This replaced Meter No. 01512 was tested in MGVCL Laboratory as per Lab Sheet No.200 on date 25.06.24 and was found that the Meter Display is OFF, i.e. meter is "Faulty".

5.6 Next Bill was prepared on 20.06.24. Although Meter on this date was working, with a reading of 3587 noted on the bill, the bill was served with a Faulty Average of 8130 Units. In this Billing cycle, the faulty meter was faulty only from last billing date 23.5.24 to 30.5.24 (meter replacement date), i.e. 8 days. Thereafter, new meter in working condition was available at the installation till the Billing date of 20.6.24. Hence this Bill need to be revised considering average only for the 8 days

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and remaining period as per actual meter reading. This is calculated as 5748 Units at point No. 2 in Respondent Letter No.7576 Dtd. 30.11.24.

5.7 Bills prepared in July'24 to Nov'24 are as per actual meter reading.

## ORDER

6.0 The Forum has come to the conclusion that Respondent Deputy Engineer, Chhani Sub Division, MGVCL, has to resolve the complaint of M/s. Aarvi Plastics Engineering, NH No. 8, Rangoli Crossing, Village Dashrath, Tal & Dist: Vadodara Consumer No.02103/06544/1 Contract Load:85 KW in LTMD Tariff as under:

6.1 Credit of Amount Billed as Faulty Units for 4 Bills from Nov'23 to Feb'23 to be given to the complainant in next bill.

6.2 Bill prepared on date 20.06.24 considering Faulty average shall be revised as described in 4.13 (b) and 5.7 above, and necessary credit shall be given to the consumer in next bill.

6.3 Action taken to be intimated to the Forum in 30 days.

SPTrivedi

***(V N Rathva)***
***I/c 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.

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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

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