

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2011 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-IV-20-2020-21
Complainant	Urmila Nivas Flat Owners' Association, Vishwamurty Colony, Ganesh Wadi Road, Behind Khanderao Market, Vadodara 390001
Respondent	Shri S M Patel, Dy Engineer, Dandiya Bazar s/dn of MGVCL
Date of hearing	28.01.2021 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Independent Member	Mr A G Shaikh, Nadiad
Technical Member	Shri K B Dhebar, (RA&C) MGVCL Vadodara

The complaint dated 24.12.2020 (recd on 12.01.21) regarding energy bill payment through cheque.

1.0 On 28.01.2021, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Vishwanath and Shri S Y Muley appeared on behalf of complainant Urmila Nivas Flat Owners' Association whereas Shri S M Patel, Dy Engineer, Dandiya Bazar s/dn 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 Urmila Nivas Flat Owners' Association located at Vishwamurty Colony, Ganesh Wadi Road, Behind Khanderao Market, Vadodara, is having 6 KW NRGp connection for common purpose, bearing con No.16143/ 00444/7.

2.2 Generally, they are paying energy bill through cheque.

2.3 On dated 04.08.2020, payment of energy bill amounting to Rs.9445/- for the month of June-July 2020 was paid through cheque No.161008 of Bank of Maharashtra.

2.4 The same cheque was dishonored by Bank of Maharashtra stating that "alteration in the cheque" and same was informed to complainant. The payment was made through cash on 14.08.2020 vide MR No.231982.

2.5 Again complainant wants to pay energy bill of Aug Sept 2020 amounting to Rs.8033.24 through cheque of Bank of Maharashtra and same was not accepted by collection agency of MGVCL as previous cheque shown in 2.4 above was dishonored.



2.6 Aggrieved by non-acceptance of payment through cheque, complainant approached CGRF, MGVCCL, Vadodara on 24.12.2020 to intervene and to direct for accepting payment through cheque.

3.0 The representative of the complainant contended that -

3.1 They are having 6 KW NRGP connection for common purpose, bearing con No.16143/ 00444/7 of Dandiya Bazar s/dn at Urmila Nivas Flat, Vishwamurty Colony, Ganesh Wadi Road, Behind Khanderao Market, Vadodara.

3.2 Generally, they are paying energy bill through cheque.

3.3 On dated 04.08.2020, payment of energy bill amounting to Rs.9445/- for the month of June-July 2020 was paid through cheque No.161008 of Bank of Maharashtra.

3.4 The same cheque was dishonored by Bank of Maharashtra stating that "alteration in the cheque". Hence, the payment was made through cash on 14.08.2020 vide MR No.231982.

3.5 During the payment of energy bill of Aug Sept 2020 amounting to Rs.8033.24 through cheque of Bank of Maharashtra but same was not accepted by collection agency of MGVCCL stating that as cheque of previous month payment was dishonored, you will have to pay by cash during whole financial year.

3.6 As per our RTI application, MGVCCL Dandiya Bazar s/dn has given copy of Account circular No.16 dated 03.03.2015 of MGVCCL in which it is clearly mentioned that it will be valid upto March 2016, so during 2020, the circular No.16 is not in force.

3.7 Also it was informed by Dandiya Bazar s/dn of MGVCCL that amount more than Rs.10,000/- will not be accepted in cash which is also injustice and harassment to the consumers.

3.8 They have requested to intervene in the matter and to direct Dandiya Bazar s/dn office to accept cheque payment even after dishonor of cheque as it cannot be considered as violation of negotiable instrument act.

4.0 The respondent contended that -

4.1 Urmila Nivas Flat Owners' Association located at Vishwamurty Colony, Ganesh Wadi Road, Behind Khanderao Market, Vadodara, is having 6 KW NRGP connection for common purpose, bearing con No.16143/ 00444/7.

4.2 Generally, they are paying energy bill through cheque.

4.3 On dated 04.08.2020, payment of energy bill amounting to Rs.9445/- for the month of June-July 2020 was paid through cheque No.161008 of Bank of Maharashtra.



4.4 The same cheque was dishonored by Bank of Maharashtra stating that "alteration in the cheque" and same was informed to complainant. The payment was made through cash on 14.08.2020 vide MR No.231982.

4.5 Again complainant wants to pay energy bill of Aug Sept 2020 amounting to Rs.8033.24 through cheque of Bank of Maharashtra and same was not accepted by collection agency of MGVCL as previous cheque shown in 2.4 above was dishonored.

4.6 Complainant had asked some details regarding circulars, rules & regulations etc under RTI & same information was conveyed to consumer as per rules.

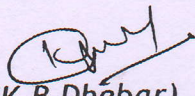
4.7 Also complainant has misinterpreted the contents of MGVCL's Account Circular No.16 dated 03.03.2015.

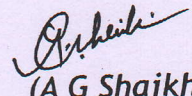
5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 Stands taken by respondent MGVCL is in order and as per rules & regulations.

ORDER

6.0 The Forum has come to the conclusion that stands taken by MGVCL is in order and as per rules & regulations. Also complainant Urmila Nivas Flat Owners' Association, Vishwamurty Colony, Ganesh Wadi Road, Behind Khanderao Market, Vadodara, is advised to make payment through online portal of MGVCL.


(K B Dhebar)
Technical Member


(A G Shaikh)
Independent Member

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

