

**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-02-2015.16
Complainant	Shri Vijaykumar Ranchodbhai Badamwala, Type III, 30/1 GEB Colony, Tal: Galteshwar, Dist : Kheda
Respondent	(1) Shri N B Kansara, CoA, WTPS GSECL Wanakbori. (2) Shri K V Solanki both from WTPS GSECL Wanakbori (3) Shri R R Darji Incharge Deputy Engineer, Thasra s/dn of MGVCL (4) Shri K M Rathod Junior Assistant of Thasra S/d of MGVCL (5) Shri K B Solanki Assistant Secretary, WTPS GSECL Wanakbori (6) Shri P N Vaniya, Senior Assistant of WTPS GSECL Wanakbori (7) Shri M K Garval Deputy Engineer, of Thasra s/dn MGVCL (8) Shri H R Dubey Dy SA (Rev) of Thasra s/dn MGVCL
Date of hearing	24.04.2015, 08.05.2015 both at Vadodara & 21.05.15 at Nadiad

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

The complaint dated 12.03.2015 regarding electricity bills not deducted from his salary by WTPS GSECL Wanakbori and MGVCL has issued disconnection notice to recover arrears.

On dated 24.04.2015 both complainant and respondent were absent and on dated 08.05.2015, Shri Vijaykumar Ranchodbhai Badamwala as complaint and representative of Shri N B Kansara, CoA, Shri K V Solanki both from WTPS GSECL Wanakbori and Shri R R Darji Incharge Deputy Engineer, Shri K M Rathod Junior Assistant of Thasra s/dn of MGVCL as respondent were present. On dated 21.05.2015 only respondent was called where in Shri K B Solanki Assistant Secretary, Shri P N Vaniya, Senior Assistant of WTPS GSECL Wanakbori and Shri M K Garval Deputy Engineer, Shri H R Dubey Dy SA (Rev) of Thasra s/dn MGVCL were present. Both the parties were heard.

The brief details of the case are as under:

1. The complainant is working at WTPS GSECL Wanakbori and staying in company's quarter at Type III, 30/1, having consumer No.05099/01375/5

2. Billing of GSECL colony is being done by MGVCL.
3. Bill amount of GSECL employees staying in GSECL colony quarters are being recovered from salary of the employees and paid to MGVCL.
4. The complainant had taken the possession of quarter at Type III, 30/1 on 30.09.2011. Initial two bills amount was deducted from complainant's salary. Thereafter, he received bills regularly but billing amount was not being recovered by GSECL from his salary.
5. The complainant had informed to GSECL regarding no deduction of his electricity bills from his salary but no action thereof taken by GSECL till date of complaint.
6. The complainant has received notice letter from the MGVCL vide letter No.Thasra/Mahekam/Baki Vij bill/1511 dated 07.03.2015 to pay Rs.2210.59 as arrears and if not paid then his connection will be disconnected on 26.03.2015.

The complainant contended that

he is an employee of GSECL staying in its colony at quarter No. III 30/1. His electric bill is being prepared and delivered to him by MGVCL. The amount of the bill being deducted by GSECL from his salary payment and same is credited to MGVCL.

The recovery of his electricity bills are not being done by his employer at WTPS GSECL Wanakbori. The employees staying in quarter of WTPS are not paying their bills directly to MGVCL but billing amount deducted by WTPS from their salary payment and same are being credited to MGVCL. After possession of quarter type III, 30/1, initial two bills amount were deducted from his salary and thereafter till date not deducted. As soon as he noticed in his pay slip that his electricity bills is not being deducted, he informed to the office of WTPS. Frequently, he reminded to the office for the same. The deduction of bills from his salary is the responsibility of WTPS organization. He is not at all faulty for pending arrears. MGVCL has recently issued notice to him stating that if the arrears amount of Rs.2210.59 is not paid by 25th March 2015, his connection will be disconnected on 26.03.2015 without any further notice.

He further stated that he is ready to pay bills but paying procedure is through his office i.e. WTPS so he is not at all fault. He should not be punished for recovery of arrears with penalty.

He further stated that while taking possession of the quarter initial consumption of NINE units not paid by previous employee staying in same quarter was recovered from him should be refunded to.

He requested Forum not to disconnect his connection till grievances is resolved.

The MGVCL representatives of the respondent contended that

As per vacancy and possession report of the quarter submitted by WTPS initial meter reading was 2579 units whereas billing done for 2570 units i.e. difference of NINE units amount of previous employee was also billed in his first bill. The present consumer has taken possession on 30.09.2011 and before that last billing was done on 24.09.2011. MGVCL is billing bimonthly regularly and not considering change of employee in between billing data. It is the responsibility of WTPS to adjust and recover the amount from concerned employee. MGVCL is directly giving bimonthly bills to the consumers and its billing amount is being credited by WTPS to them. MGVCL was sending the billing data in pen-drive to office of WTPS. After credit of bills amount of initial two billing cycle of the complainant, WTPS has stopped to credit amount of the bills as there was no proper procedure between WTPS GSECL and Thasra s/dn of MGVCL to cross check defaulters. The issue was not noticed by MGVCL. The data procedure in soft copy at that time is not available as on today for verification so at this stage their office could not pin-point the real cause. However, they received letter from WTPS on 19.07.2013 that they have resolved the issue and there after recovery and crediting to MGVCL is regularized. As arrears are pending on the name of consumer Shri V R Badamwala, a disconnection notice to pay the arrears is issued.

The representatives of the respondent WTPS GSECL contended that billing data are being given by MGVCL in soft copy and based on that soft copy, they are recovering bills amount from the salary of the employees. In instant case of Shri V R Badamwala, after recovery of initial two bills stoppage of recovery could not be understood by them. There is no past record available for verification. However, they have informed to MGVCL on 19.07.2013 and asked to resolve the issue. They could not trace out the name of Shri V R Badamwala from the list submitted by MGVCL. The arrears amount will be recovered from the salary of Shri V R Badamwala and it will be credited to MGVCL. The problem of cross billing of NINE units between previous occupier and present occupier of quarter No.III 30/1 will be resolved at their end.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that both organization i.e. MGVCL & WTPS GSECL Wanakbori could not furnish information regarding missing of name of the complaint from the list of bills recovery

statement. It is fact that after initial two bills, no billing amount recovered from the salary of Shri Badamwala and that billing amount not credited to MGVL. Hence, cumulative arrears are shown in the bill and its delay payment charges applicable. Though the employee Shri V R Badamwala has informed to the office of WTPS, no action thereof was taken for longer period which resulted into accumulation of arrears. The issue was resolve jointly by MGVL & WTPS GSECL Wanakbori in July 2013 and subsequently the bills are being regularly credited to MGVL. The arrears for the year 2011 to 2013 are not credited by GSECL WTPS till today. It is the responsibility of WTPS to credit the arrears to MGVL.

In view of the above discussion, the Forum is of the opinion that the complainant cum consumer is not at fault for payment of energy bills as recovery from his salary is the responsibility of WTPS. Therefore, the arrears pending on the record of MGVL should be paid by WTPS GSECL Wanakbori.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to recover any outstanding dues in respect of complainant Shri Vijaykumar Ranchodbhai Badamwala, Type III, 30/1 GEB Colony, Tal: Galteshwar, Dist : Kheda from WTPS GSECL Wanakbori. Also WTPS GSECL to adjust 9 (nine) units wrongly recovered from the complainant.

(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>