

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 2ND FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007

Subject	Consumer Grievances Complaint No.MG-III-40-09.10
Complainant	M/s. Tashkent Oil Co Pvt Ltd., Nandesari, con No.02418/00105/9 LTP-III.
Respondent	Shri R D Chandel, DE Koyali s/dn MGVCL
Date of hearing	30.12.2009

QUORUM	NAME
Chairman	Shri S A Pota, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Dr R C Desai, Vadodara

This complaint dated 6.11.2009 is directed against the supplementary bill of Rs.49541.38 dated 18.03.09 issued by the MGVCL for the alleged slowness of 37.16% detected in the meter.

Today on 30.12.2009, the case of the Complainant Grievances was considered on the basis of the complaint matter and written submission as desired in the complainant's (M/s. Tashkent Oil Co Pvt Ltd.) letter No.09/24/202 dated 24.12.2009. Shri R D Chandel DE Koyali s/dn appeared as respondent on behalf of MGVCL before the Forum. Submission of both the complaint and respondent were considered.

The facts of the case are as follows:

The complainant is an oil company having electric connection from MGVCL bearing consumer No.02418/00105/9 of LTP-III category. During checking by MGVCL officers on 16.3.2009, the electric meter of this installation was found to be running slow by 37.16% on comparison with the accucheck meter. No other infirmities or tampering of meter were found. MRI data was also taken. It was found that the slowness was due to non-availability of B-Phase voltage to the meter. The meter was tested in the lab on 27.10.09 and it was detected that the meter was deprived of B phase voltage due to rusting on the connection of B Phase leading to the meter.

A supplementary bill dated 18.03.2009 for Rs.49541.38 was issued to the complainant for 9267 units of consumption not recorded in the meter due to slowness. The complainant paid the full amount of the supplementary bill in protest on 13.4.2009. Aggrieved by this supplementary bill, the complainant preferred to approach this Forum.

The complainant was called earlier to appear before this Forum on 23.11.09 but his representative sought adjournment as a technical person was not available, after making short oral submission. He was called today. In absence of the complainant today, as stated in their letter dated 24.12.2009, we have considered its complaint matter submitted vide letter dated 6.11.09. He has

challenged the mode of calculation of chargeable 9267 units and also the period of slowness. There is no dispute about the slowness or its quantum. According to him, the slowness period and chargeable units should have been (17.9.08 to 16.3.09) and 5734 units respectively. In his complaint, it is also urged that the extra amount of Rs.18889/- collected by MGVCL be refunded, as according to him, the chargeable units ought to have been 5734 instead of 9267 units claimed by the MGVCL.

The Respondent Shri R D Chandel, DE Koyali s/dn of MGVCL contended that the supplementary bill issued for 9267 units is in order. The MRI data revealed that the slowness of meter due to non-availability of B Phase connection to the meter crept in from 16.10.2008 onwards. Therefore, the chargeable units have been calculated from the actual units recorded in the meter for the period from 16.10.2008 to the date of checking 16.03.09. This period is less than six months whereas the slowness period suggested by the complainant from (17.9.08 to 16.3.09) is longer and incorrect. Moreover, the mode of calculation of chargeable units from the recorded units suggested by the complainant is also erroneous. He finally submitted that supplementary bill of Rs.49541.38 is in order.

The Forum Members present at the hearing considered contention of both the parties and perused the records. On going through the MRI record, it appears that the non-availability of B Phase to the static meter first crept in on 16.10.09. Therefore, the slowness period is taken from 16.10.08 to 16.03.09 and is rightly taken by the respondent. The units recorded in the slow running meter during this period and the chargeable units calculated on the basis of slowness are as per usual practice and verified to be correctly taken and worked out. The subject matter of the complaint is devoid of correctness perhaps out of misunderstanding. The Forum members therefore hold the supplementary bill of Rs.49541.38 for 9267 units is correctly worked out.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant is in order.

ORDER

The Forum opines that the supplementary bill of Rs.49541.38 issued by MGVCL and paid by the complainant is in order and that any claim of any refund against this payment made by the complainant is set aside.

(K R Shah)
Member

(Dr R C Desai)
Independent Member

(S A Pota)
Chairman

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach the Ombudsman, Gujarat Electricity Regulatory Commission, 1st floor, Neptune Tower, OPP: Nehru Bridge, Ashram Road, Ahmedabad 380 009 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

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>