

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-IV-84-2010.11
Complainant	Shri Rajeshkumar N Patel at village Sinhuj, Tal; Mehmadabad Dist Anand.
Respondent	Shri D C Parmar DE & Shri H K Kataria Dy Supdt of MGVCL.
Date of hearing	04.03.2011

QUORUM	NAME
Chairman	Shri K M Dave, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Shri M J Vaidya, Vadodara

The complaint dated 08.02.11 is for billing for faulty meter and refund.

Today on 04.03.11, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rajeshkumar N Patel, appeared himself whereas Shri D C Parmar DE & Shri H K Kataria Dy Supdt appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are:

- 1.0 The complainant stays at village Sinhuj, Tal; Mehmadabad Dist Anand has consumer No.01362 / 00863 / 0.
- 2.0 The meter was found faulty since Oct Nov 2009. Before that the average consumption was found 200 units.
- 3.0 The connection was checked on 03.06.2010 and booked under section 135 of The Electricity Act, 2003 as theft case. The bill of 77070/- was paid by the consumer but he has filed civil suit No.25 / 10 in the Hon'ble District Court Nadiad against MGVCL for theft bill.
- 4.0 As there was shortage of meters, again the same meter was installed on 11.10.2010 and bill of Rs.2298.61 was served.
- 5.0 As the consumer has not paid the bill, the connection is disconnected on 10.02.2011.

The complainant Shri Rajeshkumar Patel contended that his consumption is 200 units on average but bill is issued for 560 units considering faulty meter. Lateron, as per Lab report of faulty meter the same is found OK but the refund of excess amount is not given. Initially, he had paid the bill raised by MGVCL on the basis of faulty meter but lateron he refused to pay and hence MGVCL has disconnected the power supply since 10.12.2011.

The Respondent Shri D C Parmar DE of MGVCL contended that they had revised the bills due to faulty meter considering average consumption of 560

units. They could not produce the proof why meter was replaced on 11.10.2010 and 18.12.2010 though the meter had recorded the consumption and event on testing the meter in Lab, it was found OK.

The Forum Members present at the hearing considered contention of both the parties and perused the records.

- It was a mistake on MGVCL side to declare the meter faulty though the same was recording the consumption. It is beyond any doubt that MGVCL had put average consumption of 560 units simply on the basis of Meter Reader's remarks without any base. Deputy Engineer Shri D C Parmar and Shri H K Kataria Dy Supdt of MGVCL could not produce any details of the case and also faulty meter's report. They did not inform the Forum about the disconnection which was informed by the complainant.

In view of the above discussion, the Forum is of the opinion that as MGVCL could not substantiate about the faulty meters and as meters were recording the consumption in normal way, the actual reading of meters should be considered as actual consumption and accordingly the complainant should be charged.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to consider the recorded readings of the meters from Oct Nov 2009 o Dec 2010, Jan 2011 till the point of disconnection and charge the complainant Shri Rajeshkumar Patel. During this period, whatever bills he has paid should be calculated and accordingly refund / claim amount should be intimated to him immediately under the information to Forum.

(K R Shah)
Member

(M J Vaidya)
Independent Member

(K M Dave)
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>