

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-60-2010.11
Complainant	Shri Rajkumar Lekhi, G 78, Anushktinagar Sama Road, Vadodara
Respondent	Smt Marathe EE & Shri Bhavin Rana JE of Sama s/dn and Kalpana Madholkar Dy E V'mitry (W) of MGVCL.
Date of hearing	31.12.2010

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

The complaint dated 21.12.2010 is against the charges recovered for burnt meter & excess charges taken in the electricity bills for the month of July and Aug 2010.

Today on 31.12.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Rajkumar Lekhi, appeared himself, whereas Smt Marathe EE & Shri Bhavin Rana JE of Sama s/dn and Kalpana Madholkar Dy E V'mitry (W) appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are:

1. The complainant having consumer No.15625/61856/1
2. The complainant's meter (static) was found burnt by the reader and was replaced on 19.08.2010. For this, MGVCL had charged Rs.4720/ as per lab report.
3. There was no display observed by the reader and lab declared that meter is totally burnt.
4. After the intervention of higher authorities, the burnt meter was opened in the lab and reported that the current coil, CT wiring, and terminal block were in order but PCB was found meter.
5. During this period, the incoming overhead cable to the consumer's premises was found sparking. Inspite of consumer's complaint, it was continued for few days. After vigorous follow up by the consumer, the cable was replaced by MGVCL.
6. It is important to note here that the consumer being safety conscious, has provided IC DP switch, ELCB, MCB on each of three phase and overload trip on water pump.
7. As endorsed by EE, they never open the burnt static meter and as per their normal practice, once it is declared by lab as burnt, they recover the meter charges from the consumer.

The complainant Shri Rajkumar Lekhi, contended that –

- the meter was found burnt not because of the downstream system as he being safety concerned had provided all safety devices like IC DP switch, ELCB, MCB and also overload trip on pump motor, all within his control. Then why he should be penalized by charging meter cost. Whatever, he has paid against meter charges should be refunded. To add, he had noticed sparks coming out of his incoming cable and his complaint was ignored for few days by MGVCL local office. He also contended that during the period of replacement of meter, he was charged heavily which should be reviewed by MGVCL.

The Respondents Mrs Marathe, EE, Shri Rana and Kalpana Madholkar contended that –

- it is their normal practice not to open the static meter in lab for analysis of problem and they recover the amount from the consumer after getting report of burnt meter from the lab. In this case, EE vide her letter dated 30.12.2010 to the Forum informed that current coil, CT wiring and terminal block are found in order but PCB is found burnt because of fault of voltage.
- During the discussions, they explained to Forum and Shri Lekhi that they have charged Rs.4720/ for replacement of meter and the excess amount deducted in billing cycle has been credited. All calculations were explained to the complainant who was convinced.

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

1. The latest circular of Shri J C Marathe, the then Chief Engineer and Joint Managing Director ref No.MGVCL:JMD:Tech:4187 dated 4.7.2005 (enclosed) describes the degree of damages and recovery to be made. It also mentions “There are number of incidences where consumers have objected for levy of burnt meter charges, on the ground that they are not at all responsible for burnt meter because meter and power supply both are by the company. The meters are installed at their premises by the Board and meter rent is also being recovered in the energy bill @ Rs.10/month. Some of the consumers have challenged the levy of burnt meter charges in Consumer Redressal Forum. In one of the recent judgement Forum had passed order in favour of consumer and ordered company to pay not only the burnt meter charges recovered from the consumer but also with interest as well as penalty”.

As a part of revenue enhancement measure old meters are being replaced under meter replacement drives. These meters have been in usage since more than 10 to 15 years and are sluggish and to be disposed off as scrap as no electromechanical meters are now to be provided at the consumers' installation.

During the lab inspection of such replaced meter, tampering in the meter, burning C, CC, terminal block etc are observed and the burnt meter charges are recovered from the consumers.

This has created great resentment amongst consumers as they are being penalized for no fault of them and meter fault has been recalled from the consumers by way of meter rent charges in 2 to 3 years.

The issue was discussed number of times in the HoD and Apex Co-ordination committee meeting and it was decided that no burnt meter charges be recovered from the consumers for the meters more than 5 years old.

Above meters charges may be recovered if the meters which are less than 5 years old as per the lab record and in case of repeated incidence of burning of meter.

In view of above, it is decided not to recover burnt meter charges from the consumers for the meters which are more than 5 years old w.e.f. 01.04.2005.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant Shri Rajkumar Lekhi against burnt meter charges of Rs.4720/ is not justifiable. As a special case, the static meter was opened for analysis which revealed that PCB burning was due to voltage which is in the control of MGVCL and not the consumer. The voltage disturbance may be a result of sparking incoming cable which is again in the purview of MGVCL. Other coils and terminal block found in order conveys that the downstream system had no problem to make any damage to the static meter. MGVCL unilaterally cannot penalize the consumer for the damage to static meter done for the reasons beyond his control.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to

1. To refund full amount of supplementary bill of Rs.4720/- to the complainant Shri Rajkumar Lekhi.
2. To introduce the system in the lab to do analysis of the burnt meter and recover meter charges from the consumers who are found responsible for the burning of meters.

(K R Shah)
Member

(M J Vaidya)
Independent Member

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>