

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-II-16-2010.11
Complainant	Shri Maganbhai V Rabari & Natubhai F Patel on behalf of Asodar Gram Panchayat, Tal: Anklav, Dist: Anand
Respondent	Shri S M Garasia, DE & Shri S K Patel JA of MGVCL
Date of hearing	16.08.2010

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

The complaint dated 06.07.2010 is against supplementary bill of Rs.99000/- as a Yearly Minimum Charges (YMC) issued by the MGVCL for the years 2005-06 and 2006-07.

Today on 16.08.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Maganbhai V Rabari & Natubhai F Patel, appeared on behalf of Asodar Gram Panchayat, whereas Shri S M Garasia, DE & Shri S K Patel Jr Asstt appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as under:

1. Asodar Gram Panchayat was regularly paying bills during 2005-06 and 2006-07 for their street lights
2. During these two years, they are found with three consumers' connection No.04404/00771/0 (8 KW load), 04404/00770/1 (4.5 KW load) and 04404/00588/1 (4.5 KW load).
3. The Audit Section found out that during said period as per tariff rules minimum 2200 units / KW / Annum for more than 50 lights should be charged to the Panchayat
4. Accordingly, concerned sub/dn raised a bill of Rs.99000/- as a difference of minimum charges as per tariff rules for the street lights during the said two years.
5. During the years, under reference all the three consumer meters were found in order as there was no complaint reported
6. There is a significant difference in units actually consumed and units charged during 2005-06 and 2006-07.

The representative of the complainant contended that –

- (1) Asodar Gram Panchayat has very low income and hence this burden of additional bill of Rs.99000/- is too big to bear.
- (2) Neither Gram Panchayat nor bill making unit of MGVCL know that applicability of tariff i.e. minimum charges as 2200 units / KW / Annum for street lights for more than 50 in number. It was only Audit section which had raised this point and advised to the concerned to put additional bill as per tariff rules. It is a genuine mistake of gram Panchayat that they tried to reduce electric consumption by putting low waitage reducing number of hours for street lights during bright night around full day etc etc
- (3) They have put sincere efforts to reduce electrical consumption bills also.
- (4) Considering the above, the additional bill may be waived off as they have not consumed the energy and additional bill is raised for the units not consumed by the gram Panchayat.
- (5) To eliminate the mistake of indicating maximum loads of 8 KW, 4.5 KW and 4.5 KW as requirement of gram Panchayat, they have reduced the load to 1 KW in each connection from Oct 2008.

The Respondent Shri S M Garasia, DE of MGVCL contended that the audit section had noticed that for street lights the minimum charges should be for consumption of 2200 units / KW / Annum for more than 50 street lights and not an actual consumption of units and hence they had raised bill of Rs.99000/- for the years 2005-06 and 2006-07.

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

- Accordingly, Asodar Gram Panchayat was regularly paying electrical consumption bills. They have sincerely tried to reduce electrical consumption thereby reducing their electrical bills but this did not help them as they did not know that street light are billed on minimum tariff basis as per load in KW sanctioned. The concerned department also could not advise them. All meters are found in order as there was no complaint reported. There is a significant difference in units consumed and units charged. This shows that they have put sincere efforts to save energy. As it seems that Asodar Gram Panchayat has low income, they have already reduced their load demand to 1 KW in each connection, it will be 3 KW total load for street lights total 307 in number. If they do not cross 3 KW load per year, the bill for street lights be approximately Rs.22000/- per year.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant is purely on the units not consumed by the gram Panchayat and that too with significant difference between units consumed and minimum tariff to be applied per street light for more than 50 in number. The applicability of tariff for minimum 2200 units / KW / Annum for more than 50 street lights was neither known to gram Panchayat nor to the billing unit of MGVCL otherwise gram Panchayat insisted of putting all efforts in energy saving and billing department would

have raised the additional bill at the end of the year 2005-06 and would have advised gram Panchayat properly for the tariff rules in the beginning itself.

Keeping all facts, records and discussions with the complainant and respondent in view the Forum is of the opinion that without making any precedent in the future, 50% concession may be given to the gram Panchayat in the supplementary bill of Rs.99000/- and four instalments may be granted to gram Panchayat for necessary payment.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to recover 50% amount of the supplementary bill of Rs.99000/- from the complainant in four equal instalments without making any precedent in such cases in future.

(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>