

**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-121-2011.12
Complainant	Kanubhai Shankarbhai Valand, At & Post : Nirmali, Tal. Kapadwanj, Dist. Kheda.
Respondent	Shri M.D. Dalwadi, Deputy Engineer of Kapadwanj (Rural) Sub-Division of MGVCCL.
Date of hearing	02-03-2012

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCCL

The complaint dated 27-02-2012 is for reconnection of power supply to his residence.

Today on 02-03-2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein the Complainant Shri Kanubhai Shankarbhai Valand was absent, whereas Shri M.D. Dalwadi, Deputy Engineer of Kapadwanj (Rural) Sub-division appeared as respondent on behalf of MGVCCL before the Forum.

The brief details of the case are :

1. The Complainant has Consumer No. 02019/00566/2.
2. The Complainant had been credited Rs. 1900/- through oversight, which could have been credited to Shri R.P. Patel's Account. The power supply was disconnected on 21-02-2012. The Complainant had asked MGVCCL to give in writing, whether he has to pay back Rs.1900/- OR not ! Instead, concerned Office of MGVCCL did not accepted the bill of the amount of Rs. 776/- against his energy bill. MGVCCL has repeated such mistake in the case of this Complainant.

The Respondent Shri M.D. Dalwadi, Deputy Engineer, Kapadwanj (Rural) Sub-Division contended that they had asked the Complainant to produce receipt of Rs. 1900/-, if he has paid to MGVCCL, which the Complainant could not do, as the same amount was paid by Shri R.P. Patel and through oversight credited to the Complainant's account.

The Forum Members are of the opinion that the CGRF had gone into depth to recalculate the arrears of the Complainant, which is given as under :

April-May Billed in June (Billed for Zero Unit)	Arrears	Rs. 19.06
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Actual difference is 180 units for which Supplementary Bill of Rs. 685.28 is issued. This amount is included in the bill of June-July billed in August-2011, which is as under :

Energy Bill of July-11 (310 units)	Rs. 1331.72
Past Arrears	Rs. 19.06
Supplementary Bill of May-11	Rs. 685.28

TOTAL	Rs. 2036.06 (Not paid)

Sept. -11 bill (270 Units)	Rs. 1189.46
Past Arrears	Rs. 2036.06

TOTAL	Rs. 3225.52

By mistake of MGVCL Office The amount adjusted (paid by Shri R P Patel,)	Rs.(-)1900.00

TOTAL	Rs. 1325.52 (Not paid)

Nov.-11 Bill (315 Units)	Rs. 1536.05
Past Arrears	Rs. 1325.52

TOTAL	Rs. 2861.57

Mistake in Sept.-11 Bill is adjusted	+ Rs. 1900.00

TOTAL	Rs. 4761.57

Amount paid on 29-11-2011 and 31-12-11 (Rs.1300 + Rs. 1550 = Rs.2850)	Rs.(-)2850.00

BALANCE ARREARS	Rs. 1911.57

Jan.-12 Bill (160 Units)	Rs. 776.22
Arrears	Rs. 1911.57

Bill issued on 3-2-12 and last date of Payment is 13-02-2012	Rs. 2687.79
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Effective disconnection date 13-02-2012 + 15 days = 28-02-2012

The connection was disconnected on 21-02-2012, which is earlier than the notice period allowed.

As per the past records of last one year submitted to the Forum, the consumer has paid bills regularly till March-2011.

For May-2011 Bill, initially zero unit bill was issued as locked premises but subsequently reading noted and supplementary bill of Rs. 685.28 was issued for 180 units, which is included in July-2011 bill. This bill was not paid by the consumer.

The consumer has not paid the energy bill of Sept.-2011 also (though wrong deduction of Rs. 1900/-, which is adjusted in Nov.-11 bill).

The connection was liable to disconnect after completion of grace period of July-2011 bill but MGVCL had not disconnected.

The Nov.-2011 bill was issued along with arrears and adjustment of Rs.1900/- recoverable amount arrives to Rs. 4761.57. The consumer had paid Rs. 2850/- in two installments (29-11-2011 and 31-12-2011) leaving balance arrears of Rs. 1911.57

January-2012 bill has been issued for Rs. 2687.79 including past arrears Rs.1911.57 (i.e. energy bill Rs. 776.22 + arrears Rs. 1911.57 = Rs. 2687.79).

The consumer approached to MGVCL Office to pay only Rs. 776/-, which is as per the complaint, not accepted by MGVCL Office and the connection was disconnected on 21-02-2012.

As per Jan.-2012 bill, the disconnection was done before completion of grace period of Jan-2012 issued in Feb.-2012.

All calculations are checked by the Forum and found correct except issuance of disconnection in February-2012.

As per above details, the consumer was in arrears before dispute of Rs.1900/- and also in arrears after adjustment and part payment and liable for disconnection.

ORDER

Keeping the lapses of concerned Office in view in this case, the Forum directs the Madhya Gujarat Vij Co Limited to reconnect the connection along with fresh notice period. If the complainant does not pay the arrears within stipulated period, the connection can be disconnected.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
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 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>