

**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-109-2011.12
Complainant	Mohammad Safi Jamalji Khatri at Kilachand Jin Compound, At Bodeli, Tal: Sankheda, Dist: Vadodara.
Respondent	Shri V D Suthar, Deputy Engineer of Bodeli MGVCL
Date of hearing	21.01.2012

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

The complaint dated 05.01.12 regarding disconnection of industrial vij supply.

Today on 21.01.2012, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mohammad Safi Jamalji Khatri, appeared himself whereas Shri V D Suthar, Deputy Engineer of Bodeli appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. Complainant has two nos of connections namely 3 phase for their Ice factory and single phase for their lighting purpose.
2. Complainant had applied for disconnection of 3 phase supply as his factory was closed in the month of Aug 2011.
3. The meter was faulty showing NO DISPLAY
4. The meter was replaced on 7.11.12 and faulty meter was sent to lab for testing.
5. As per lab report, MRI data was not collected and was not mentioned in the report.
6. There is no proof of illegal practice with this vij connection. The three phase connection was given for their Ice factory and single phase connection was given for lighting connection. The application for the disconnection of three phase supply was not considered by the then Deputy Engineer as he was not inclined to disconnect only 3 phase connection.
7. The energy bill of Sept and October 2011 were prepared on average basis considering the meter as faulty.

The complainant contended that their factory was closed from Aug 2011 as there was major break down in the machinery and they had no sufficient fund to repair it. They are not ready to pay the dues on the average energy consumption considered by MGVCL, their factory being closed since Aug 2011. They further requested to immediately disconnect their 3 phase connection. If any problem, they are ready to accept disconnection of single phase and 3 phase connection.

The Respondent Shri V D Suthar, Deputy Engineer, Bodeli, MGVCL contended that dues are pending with the complainant and hence they are not able to disconnect the only three phase power as requested by the complainant.

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

- The complainant had requested vide his letter dated 3.12.11 about the cancellation of industrial vij connection along with refund of deposit and other deposits paid against the application of said demand.
- The concerned s/dn should have immediately taken action for disconnection of 3 phase supply as the latest circular w.e.f. 01.09.2011 arrears merging of both tariffs.
- The meter testing lab has not collected MRI data of faulty meter nor mentioned in the report.
- MRI data of faulty meter or the actual consumption, metered on DTR meter is not submitted, it is presumed that the DTR meter is in order.

In view of the above discussion, the Forum is of the opinion that the energy bill of Sept and October 2011 should have been prepared on the basis of MRI data of faulty meter and / or MRI data of DTR meter. In case non-availability of MRI data, the average consumption should be considered from the respective months of the previous order. As the complainant could not produce the proof of closure of their factory and other relevant data, Forum is of the opinion that they have consumed some energy in the Ice making plant.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to take MRI of old 3 phase meter which was faulty and checked by meter testing lab. The lab report submitted is silent on MRI data. Also, take MRI of related transformer meter for counter checking. Based on these MRI data MGVCL

is directed to consider actual energy consumption accordingly instead of average bills issued.

If MRI data of meters as mentioned above not down loading, it is directed to take the energy consumption based on last year's consumption in same period as the use of electricity is for ice factory and the average bills issued for this period. Revise the bills accordingly.

For disconnection of 3 phase connection, it is directed to take prompt action for disconnection / reduction of load. It is also directed to guide the consumer in reference to new tariff provisions effective from 01.09.2011 for merger of old tariff and benefit of reduction of load instead of disconnection if the consumer pays revised / corrected all dues. The actions taken to be reported to the Forum.

(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>