

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM**  
**MADHYA GUJARAT VIJ CO LIMITED**  
CORPORATE OFFICE, 2<sup>ND</sup> FLOOR SP VIDYUT BHAVAN,  
**RACECOURSE, VADODARA 390 007**

|                 |                                                                               |
|-----------------|-------------------------------------------------------------------------------|
| Subject         | Consumer Grievances Complaint<br>No.MG-III-48-2010.11                         |
| Complainant     | Jyoti Swaroop Oil Industries, Mehmabad.                                       |
| Respondent      | Shri D C Parmar, DE & Shri H K Kataria, Dy Supdt<br>A/c. of Mehmabad of MGVCL |
| Date of hearing | 10.12.2010                                                                    |

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

The complaint dated 06.12.2010 is against the wrong high bill amount in energy bill.

Today on 10.12.2010, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Satramdas appeared on behalf of Jyoti Swaroop Oil Industries, Mehmabad, whereas Shri D C Parmar, DE & Shri H K Kataria, Dy Supdt A/c. of Mehmabad appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The back ground details of the case are as follows:

1. The complainant had informed to MGVCL in advance about the seasonal off period between 1.2.08 to 31.10.08 for their 120 HP connection No.01302/00361/5. MGVCL had prepared bill upto 19.01.08. They had not prepared bill for the period between 19.1.08 to 31.01.08 falling in seasonal period.
2. Instead, MGVCL had prepared the bill of said period i.e. 19.1.08 to 31.01.08 on 13.02.08 thereby mixing of seasonal period and off seasonal period in one bill.
3. The units consumption between 19.1.08 to 31.1.08 should be added to seasonal period consumption for Jan 08.
4. The complainant had orally informed to MGVCL to take reading but MGVCL did not take any action for taking timely reading.

The representative of the complainant contended that they had declared seasonal period from 01.11.07 to 31.01.08 and off seasonal period from 01.02.08 to 31.10.08. MGVCL has clubbed units consumption of seasonal period and off seasonal period by preparing bill for reading from 19.1.08 to 13.02.08 i.e. Feb-08 bill. The units consumption from 19.01.08 to 31.01.08

should be separated for seasonal period and the rest should be separated and clubbed with off seasonal period.

The Respondent Shri D C Parmar, DE and Shri Kataria Dy Supdt A/c. of Mehmabad s/dn contended that they have prepared the bills as per normal practice but could not satisfy the Forum in showing calculations for preparing bill as per the existing Tariff Schedule.

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

1. MGVCL had mixed up the seasonal period consumption and off seasonal period consumption between the period 19.1.08 to 13.02.08. As per consumer's declaration, 19.01.08 to 31.01.08 is a seasonal period and 01.02.08 to 13.02.08 is an off seasonal period.
2. Though consumer had orally informed in advance to MGVCL to take care of taking meter reading to demarcate the seasonal period and non-seasonal period, MGVCL did not take it seriously.
3. Because of such mesh MGVCL sub/dn was all the time advising the consumer to keep excess amount of Rs.65000/ pending and clear up the normal dues.
4. While going through the correspondence among sub/dn (Mehmabad), Division (Mehmabad) and the consumer Jyoti Swroop, the consumer had written to Division office on 4.7.09 requesting them to consider consumed units from 19.1.08 to 31.01.08 in seasonal period as per their declaration for Yearly Minimum Charges (YMC). Shri Kataria had asked for guidelines from division office on 18.8.10 in this case as DE sub-division office had asked the consumer to pay Rs.62508.75 otherwise electric supply shall be disconnected without any notice, vide his RPAD letter No.2867 dated 14.5.10. The consumer had again written to Anand office on 25.8.2010 repeating his complaint. Again Mehmabad office had written letter to consumer on 13.09.10 asking for documents of Sales tax, Excise Duty, Purchase & Sales. Again Mehmabad division office had written letter to Shri S J Dave (Accounts of Nadiad (Rural) asking why units of left out period of Jan-08 are not considered in YMC but no satisfactory explanation and correct analysis were given in reply dated 18.10.10 by Shri S J Dave. Another clarification given by Shri S J Dave in his letter dated 8.1.2010 is not in line with the Circular No.COM:D:PR 46:3060 dated 21.06.2001 from Corporate Office, Vadodara.

Again Mehmabad s/dn DE had written a letter to the consumer vide RPAD letter No.SDM:billing:7044 dated 29.11.10 to pay Rs.62508.75 within ten days otherwise electric supply shall be cut off without any notice.

From the above, it was found necessary to call EE (O&M) Mehmabad Division office, Supdt A/cs Exp Mehmabad and DE S/dn Mehmabad. After discussion at length, these officers have

admitted that the reading at the end of seasonal month i.e. 31.01.2008 should have been taken which was missed. They have recalculated and submitted to the Forum on 20.12.2010 the explanation where things went wrong along with revised calculation sheet which shows recovery of Rs.23,846.25 instead of Rs.62508.75.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant of Rs.62508.75 was wrong as the units consumption of period 19.1.08 to 31.01.08 was not considered for YMC. In spite of consumer's reminder, the reading on 31.01.08 at end of seasonal period was not taken. Audit had raised recovery purely on the basis of Feb 2008 reading. The concerned billing section did not analyze the contractual terms and hence the consumer had to struggle for justice.

### **ORDER**

The Forum directs the Madhya Gujarat Vij Co Limited to recover Rs.23846.25 instead of supplementary bill of Rs.62508.75 from the complainant.

**(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, 1<sup>st</sup> 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>