

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-27-09.10
Complainant	M/s. Ajanta Enterprise, Civil Court Road, Dahod 389151 (Con No.07910/50538/8)
Respondent	Shri S L Varma, DE Dahod City Division.
Date of hearing	16/09/2009

QUORUM	NAME
Chairman	Shri S A Pota, MGVCL
Member	Shri K R Shah, MGVCL
Independent Member	Dr R C Desai, Vadodara
Convener	Shri P L Mistry, MGVCL

This complaint dated 01.09.09 is directed against the supplementary bill of Rs.1,03,219.48 dated 24.01.07 and Rs.1,44,354.87 dated 22.07.07 issued by the MGVCL for the meter running slow by 52.69%.

Today on 16/09/2009, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Maheshbhai Desai, appeared on behalf of M/s. Ajanta Enterprise, Civil Court Road, Dahod whereas Shri S L Varma, DE appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows. The electric installation of the complainant (75 HP motive power) was checked on 07.10.06 by DE I/c Godhra and was found to be running slow by 52.69% by connecting accucheck test meter in parallel with complainant meter. The slowness was attributed to non-availability of B Phase PT link. MRI was not possible for this old meter. No other irregularities were noticed in this installation. Checking report No.0565 was prepared to that effect on the spot. A supplementary bill of Rs.3,23,455.37 was issued for the slowness considering 12 months period. However, the supplementary bill was revised to Rs.1,03,219.48 (24247 units) considering six months period on 24.01.07 as per GERC regulation. Aggrieved by this bill, the complainant filed C/S No.28 of 2007 before Dahod District Court which was dismissed for want of adequate stamp duty, without considering merit of the case. The old meter was continued till the new meter was installed on

20.02.07. And so another supplementary bill was served for Rs.1,44,354.87 (50448 units) on 22.02.07 for the period from 07.10.06 to 20.02.07. The complainant has paid Rs.1,00,000/-, Rs.1,00,000/- and Rs.47,574/- on 5.12.07, 07.01.08, 14.2.08 respectively against regular and supplementary bills. Aggrieved by these supplementary bills, the complainant has approached this Forum with a complaint letter dated 01.09.09.

Shri Mahendrabhai Desai appeared for M/s. Ajanta Enterprise, and repeated the submission made in his earlier letters to MGVCL. His main argument was that they are manufacturing PVC pipes which is a seasonal production, hectic from Sept to December and slack during rest of the year. He then submitted that their yearly average consumption for the last 3 years was 86907 units. He has already paid for 53625 units recorded in the meter and billed over the entire slowness period. He should, therefore, be charged for 33782 units ($86907 - 53625$) and not for the 54795 ($=24247 + 50448$) units estimated in the two supplementary bills. He finally prayed for reduction in the supplementary bills.

The Respondent Shri S L Varma, submitted that there is no dispute with the complainant about slowness or supplementary bill as agreed upon in the agreement signed with MGVCL on 5.10.07 after issue of supplementary bills. The suggestion for considering average consumption made by the complainant was considered in a meeting with Shri Desai on 07.07.08 and this was ruled out by CE (T&O) MGVCL in a letter dated 05.03.09. Therefore, the two supplementary bills issued to the complainant are in order.

The Forum Members present at the hearing considered contention of both the parties and perused the records. On perusal of the agreement signed on stamp paper on 5.10.07, it appears that the complainant has no dispute regarding slowness or the supplementary bills issued for slowness of meter to recover the charges for units not recorded in the meter. If the meter runs slow by 52.69%, it means that out of 100 units consumed, only 47.31% units are recorded in the meter which are billed in regular bills. The rest 52.69% units are not recorded in the meter and the licensee would be justified in recovering charges for the unrecorded quantum of units of electrical energy. We have checked the calculations and the supplementary bills and

are found in order. The complainant needs to understand from the above discussion that the unrecorded units based on which supplementary bill is prepared are obtained from the recorded units by a multiplier. Therefore, in a slack season, when consumption is poor, the units reflected in the supplementary bill also be poor and the vice versa.

In view of the above discussion, the Forum is of the opinion that the supplementary bills issued to the complainant are in order.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to recover the full amount of supplementary bills of Rs.1,03,219.48 and Rs.1,44,354.87 from the complainant.

(K R Shah)
Member

(Dr R C Desai)
Independent Member

(S A Pota)
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.