

**BEFORE THE CONSUMER GRIEVANCES REDRESSALFORUM
MADHYA GUJARAT VIJ COLIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-I-24-2013.14
Complainant	Shri Chandrakant G Patel, A 801, Spring Retreat I Behind Navrachna University, Vadodara Bhayli Road, Vadodara.
Respondent	Shri V M Dave, Deputy Engineer, Vasna s/dn of MGVCL.
Date of hearing	14.06.2013 at Corporate Office, MGVCL Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
IndependentMember	Harsha S Chauhan, Vadodara

The complaint dated 23.05.13 regarding over billing by Vasna sub-division of MGVCL.

On 14.06.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Chandrakant G Patel, appeared himself, whereas Shri V M Dave, Deputy Engineer, Vasna s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has new connection from January 2013 having consumer No.15701 / 67933 / 0.
2. First bill received in January 2013 for Rs.205.00 with ZERO unit consumption.
3. Second & Third bills received each for 1820 units consumption with meter faulty status (No display).
4. Fourth bill received in April 2013 for 1820 units as previous ones with amount of Rs.27271.76
5. After contacting s/dn office, Rs.10,000/ adhoc payment made and requested MGVCL to resolve overbilling and faulty meter issue.

6. Meter replaced on 27-04-2013. Meter tested in MGVCL lab and for further investigation sent to the Manufacturer.
7. Registered letter issued by Vasna s/dn to pay Rs.14488.23 -for the past three months' consumption on an average of 730 units / month.
8. The average has been worked out based on 10 days' consumption recorded in replaced meter which is objected by the complainant as during winter season, consumption was less.

The complainant contended that he is living at present address since middle of December 2012. He had asked new connection. The energy meter was faulty from day one. The first bill served with ZERO consumption and subsequent bills showing average 1820 units till replacement of new meter. He had lodged the complaint to MGVCL s/dn and paid adhoc payment of Rs.10,000/ against first bill and not paid subsequent bills as no action from MGVCL to correct the wrong bills. The meter replaced on 27.4.13, thereafter MGVCL had issued bill of Rs.14488.23 over and above his credit balance of Rs.10,000/. He made personal inquiry at s/dn and it was informed him that based on 10 days' consumption of new meter, average consumption came to 730 units / month (faulty meters bills were 1820 units / month). As his consumption is very low and also remains out of station for some period and also winter season period, not agreed for such unrealistic estimate of average consumption. He has submitted all documents as proof of their tour to north India for 18 days. The revised average bill has been served based on 10 days' consumption after replacing meter on 27.4.2013 whereas during winter season consumption was less and their house was locked for 18 days (March 12 to March 29,2013) as they had gone out of Vadodara on tour. Average cannot be equal for each month. They have started usage of Air-condition from middle of April only. Based on this consumption average cannot be worked out. As such, requested to revise the bill.

The respondent confirmed that the meter was faulty, He contended that due to computerized billing programme, average consumption was worked out as 1820 units based on 7.5 KW contracted load. The meter was replaced on 27.4.2013. Based on new meter reading, average bill was issued on 730 units / month. The meter is of L&G make showing NO DISPLAY & MRI could not be downloaded by

laboratory and the manufacturer, hence, average units consumption considered based on new meter consumption for initial period of 10 days. (Previous year/Past data not available as new consumer)

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that meter was faulty from day one of release of new connection. In absence of recorded data in meter (MRI could not be downloaded from faulty meter), so based on 10 days' consumption of new meter, average consumption computed by MGVCL. The MGVCL has not considered house close period while the consumer on tour and the season as explained by the complainant. The complainant has submitted document as proof of their visit to "Dharmashala-Delhouse-Manali" during 12.03.2013 to 29.03.2013 are required to be considered.

In view of the above discussion, the Forum is of the opinion that the MGVCL should have replaced faulty meter immediately upon receipt of complaint or first zero consumption bill with meter status condition. Instead of 10 days' average more than 60 days' consumption average to be worked and report to Forum so that consumption of both season can be measured. The average bill issued to the complainant for meter faulty period upto 27.4.13 required to revise considering house lock period of 18 days and limited hours of use of Air-conditioner after immediate post winter season. The complainant is senior citizen, no children or others living with them, honorable member of numbers of public societies, also numbers of charities and donations for public use is given so his statement for use of air-conditioner from middle of March 2013 can be considered. The bill for the month of April-May 2013 is issued on 10.06.2013 for 800 units & for June-July 2013 issued on 29.07.2013 for 462 units. As these two bills cover both the season, the average work out 15 units per day (1507 units on 29.07.2013 & 245 units on 07.05.2013 i.e. 1262 units for 83 days.)

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to revise the bill of complainant Shri Chandrakant G Patel, A 801, Spring Retreat I, Behind Navrachna

University, Vadodara Bhayli Road, Vadodara, at an average 15 units / day from the date of release of connection to the date of replacement of meter (upto 26.4.13) and also by considering ZERO consumption for 18 days-from 12.03.2013 to 29.03.2013. The Forum also directs the Madhya Gujarat Vij Company Limited to devise a system to replace the faulty meter on top priority considering consumer grievances and loss of revenue. Also submit the Action Take Report to the Forum within 15 days after receipt of the order.

(Harsha S Chauhan)
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>