

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-I-27-2014.15
Complainant	Shri Mohsin Malek, Energy Controller, GEB Coordinator, Vadodara, (Parmeshwarkrupa Electrical) on behalf of M/s. Indus Towers Limited at 103, Baleshwar Square, S G Highway, Ahmedabad
Respondent	Shri Bhavesh K Parekh, Deputy Engineer, Chhotaudepur s/dn of MGVCL.
Date of hearing	04.07.2014 at Vadodara

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Harsha S Chauhan, Vadodara
Technical Member	Smt Medha M Marathe, MGVCL

The complaint dated 24.06.2014 regarding bill generated on average basis in meter faulty status for non-operational tower.

On 04.07.2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Mohsin Malek, Energy Controller, working as sub-contractor-cum-coordinator of Indus Tower, (Parmeshwarkrupa Electrical), Vadodara, appeared on behalf of complainant whereas Shri Bhavesh K Parekh, Deputy Engineer, Chhotaudepur s/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are as under:

1. Connection for tower at Plot No.32, Club Road, Near Gopal Lodge, Chhotaudepur was non-operational since December 2011 due to fire incident took place at site. However, bills from December 2011 to October 2012 were issued for 6100 units per month as average consumption showing meter under Faulty status. Since 29.12.2011, after incident of fire, they are not using electricity and tower is non-operational.

2. The matter was taken up with MGVCL vide letter dated 17.09.2012 to revise the bill for the period December 2011 to October 2012 as per MRI report. But the MGVCL authority informed that during lab testing, meter was declared faulty for no display and MRI could not be taken hence MGVCL has informed to clear pending dues.
3. Complainant had requested vide letter No.REG/12/1314 / 73 dated 31.12.2013 to provide PDC final bill with correction in amount of pending dues as per MRI report but no action has been taken by MGVCL. He had received letter No.1748 dated 04.06.2014 from MGVCL to pay Rs.333314/- pending dues. Average units 6100 under faulty status of the meter are changed from Dec 2011 to Oct 2012 (11 months).
4. Complainant had requested to revise the average bill issued.

The representative of the complainant contended that on dated 29.12.2011, fire took place at their mobile signal transmission tower. Supply was immediately cut off by MGVCL. Since then the tower was under non-operational status. Reconnection application was not given due to objection raised by local residents of nearby society and till today power is not restored. All materials and tower were removed due to objection of nearby residents. Due to average billing dispute, he had demanded MRI report in support of consumption details of the month of Dec 2011 i.e. upto the date of fire incident. Thereafter, meter was in disconnected status so minimum bill should have been raised by MGVCL instead of 6100 units average consumption. He had approached twice to local MGVCL office but no positive response was received. He had also informed that last payment of energy bill was made on 21.05.2012 clearing average bills issued upto March 2012. It is requested to review the bill issued from December 2011 onward as meter was under disconnected position since Dec 2011 and tower and its related infrastructure was removed.

The respondent contended that due to no display, meter reader had issued average bill for 6100 units under faulty status. As per procedure followed under his division, 3 phase faulty meter is being replaced by engineer from Dabhoi laboratory. Laboratory had not taken timely action

to replace the faulty meter as there was no complaint from consumer. Meter was declared faulty due to no display. MRI report could not be downloaded by laboratory. Also, meter was not sent to manufacturer (M/s. Secure) for obtaining MRI data. MGVCL had removed service line & meter due to arrears on 08.03.2013. Meter was inspected in laboratory on dated 7.09.2013 & declared faulty due to no display. CC No.345 was issued on 12.03.2013. Application for making PDC was received on dated 28.08.2013 from complainant. The connection was made PDC on dated 06.01.2014.

The Forum Members present at the hearing considered contention of both the parties and perused the records. MGVCL had disconnected the connection / meter on occurrence of fire incident. No display was due to disconnected position but meter reader had declared it as faulty meter. MGVCL should take action for replacement of faulty meter on getting report from meter reader / system generated reports as per SoP. In this case, MGVCL had not taken action to replace the faulty meter within the time limit as per Standard of Performance Chapter-VIII clause (b) 8.1 under heading complaints on Meter / Metering system. In fact, in this case, meter was temporarily disconnected. Accordingly, suitable entry in this regard if given in consumer ledger, meter had not been declared as faulty. Also, after giving CC No.345 notice, action taken by MGVCL for making connection PDC is delayed.

In view of the above discussion, the Forum is of the opinion that meter was disconnected by MGVCL due to fire incident and there after not connected as tower & material was removed from site and reconnection not demanded by the complainant. Meter reader had given faulty status wrongly. Fire took place on 29.12.2011 and on that day the meter was disconnected. Bill for the month of December 2011 is to be prepared on average basis due to no display. For the period thereafter, minimum bill should be issued considering disconnected power supply. Also, after issue of CC No.345, on dated 12.03.13, minimum bill should have been stopped from May 2013.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to revise the bill for the month of December 2011 billed in January 2012 on the basis of

average consumption and from January 2012 onward upto May 2013 with minimum bill & it is to be adjusted against the amount paid by complainant on dated 21.05.2012. Excess balance amount if any to be refunded to complainant M/s. Indus Towers Limited at 103, Baleshwar Square, S G Highway, Ahmedabad.(Plot No.32, Club Road, Near Gopal Lodge, Chhotaudepur).

(Medha M Marathe)
Technical Member

(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>