

**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-IV-96-2012.13
Complainant	Shri Naresh A Harwani No.15, Kamal Park, Near Poojapark, Warsiya Ring road, Vadodara
Respondent	Shri D C Kaushik, Deputy Engineer Sardar Estate s/dn of MGVCL.
Date of hearing	01.02.2013 at Corporate Office, Vadodara.

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 15.01.2013 regarding mental harassment done by MGVCL constantly.

On 01.02.2013, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Naresh A Harwani appeared himself whereas Shri D C Kaushik, Deputy Engineer Sardar Estate Sub D/n appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The complainant contended that:

1. He has consumer No.16703/20765/8
2. During last seven months he had very bad experience of service provided by MGVCL
3. He had got new lighting connection In Aug-2012
4. He shifted to new house in 1st week of Sep-2012 and got first bill of Rs.1120/-
5. He approached Sub D/n. office for high amount of bill. He was informed that due to meter faulty condition average bill has been served.

6. He argued that how can average be worked out in first bill without knowing his past consumption.
7. He was advised to pay bill under protest, accordingly bill was paid by complainant.
8. Complainant meter was replaced after few days.
9. Second bill was issued for Rs.1758/- against actual consumption of 78 unit only.
10. While contacting office, he was advised to pay Rs.455/- as per actual consumption. He paid Rs.455/- accordingly on 28.11.12.
11. His harassment was still not over, as on 26.12.12 MGVCL staff came for disconnection of his connection at his house.
12. He had to rush to house after closing his shop. He was shown pending bill amount of Rs.1292/- Complainant requested staff not to disconnect his connection as he had already paid the bill.
13. Complainant had to rush to the office of MGVCL and met concerned officer who had issued disconnection order and shown receipt of payment. The disconnection order was cancelled and correction was made in computer in front of him and he was assured that such mistake will not repeat in future.
14. The third bill was received by him on 13.01.13, again same amount was shown as pending in his bill.
15. He could not understand how this can happen when correction was done in front of him. Complainant contended that he was made fool by officer by given assurance that he had made arbitrary correction in computer.

The respondent contended that

1. The connection was released on 24.7.2012 and the first bill for the month of July-August-12 served on 20.5.12 for 202 units average as meter was not working.
2. As per system of billing program in master creation in case of faulty meter, each consumer has to be given average unit of bill as per load.
3. In this case, during the first bill of July-Aug-12, issued on 20.9.12, meter was found faulty (F), hence average 202 unit bill is automatically worked out by system for 38 days.
4. The meter was replaced on 27.9.12, The second bill of Sep-Oct-12 issued on 8.11.12 for 60 days and average of 60 days becomes 320 unit through the system for billing. Accordingly bill was served for 320 unit even though 71 units were recorded in the meter from 27.9.12 to 8.11.12.
5. The third bill for the month of Nov-Dec-12 issued on 10.1.13 as per actual consumption of 77 units.
6. There was no any intention of Sub D/n to harass the complainant. This has happened due to system problem only.
7. The credit of Rs.1926.76 is given to complainant account and matter is resolved.

The forum members present at the hearing considered the contention of both the parties and perused the records and observed that

1. Due to faulty mete (newly installed meter), the first bill issued considering faulty status and billing as per contract load and period of usage.

2. Meter replaced on 27.9.12. The second bill issued for Sept Oct months. During this span, period upto 27.9.12 of faulty meter and balance period of replaced meter involved so this bill also considered as average bill calculation by the computerized billing system.
3. The third bill for actual consumption of 77 units.
4. Based on the actual consumption pattern, the MGVCL has to recalculate the proportionate consumption of meter faulty period.
5. MGVCL has recalculated accordingly and given credit to the complainant's account for Rs.1926.76. The account statement checked by the Forum and agreed.
6. The disconnection order issued by the MGVCL without verifying the paid up amount by the complainant is a gross negligence of concerned staff.

In view of the above discussion, the Forum is of the opinion that the concerned Sub-Division of MGVCL should verify the records before issuing disconnection order and proper understanding in details should be given to the consumer when such dispute arises.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to revise bills of Shri Naresh A Harwani, No.15, Kamalpark, Near Pooja Park, Warsiya Ring Road, Vadodara, as per rules. Forum further directs MGVCL to be more careful while issuing bills and to take corrective steps in time so that consumer should not be harassed.

(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>