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-II-50-2014.15
Complainant	Shri Hemeshbhai J Patel Plot no. 705, GIDC, Halol, Dist : Godhra
Respondent	Shri H A Gandhi DE, Halol (T) Sub D/n. MGVCL
Date of hearing	19.09.2014 at Vadodara

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

The complaint dated 20-08-2014 received on 22-08-2014. regarding supplementary bill.

Complainant was absent on 28-08-2014 and 05-09-2014. On 19-09-2014, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein complainant Shri Hemeshbhai J Patel appeared himself whereas Shri H A Gandhi, Deputy Engineer of Halol (T) s/dn of MGVCL 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. The LTMD connection of 26 KW in the name of Shri Hemeshbhai J Patel, bearing consumer no. 07401/509089/0 was released 31-01-2005 at Plot No. 705, GIDC Halol.

2. While installation checking on 03-07-2014 the energy meter of above stated LTMD connection was wrapped by providing paper seal for further detailed inspection at concerned lab.

3. The inspection was carried out at Halol meter testing lab on dated 05-08-2014 in the presence of consumer wherein no irregularity was found.

4. An additional bill of Rs. 2522531 was issued by Halol (T) s/dn. Vide letter no. HLSD/Tech/Rev/2630 dated 12-08-2014 without any details regarding bill calculation. On inquiry at s/dn. Office, it was stated that multiplying factor 2 was not considered since the installation of the said meter.

5. The complainants installation has been checked at regular intervals and no irregularity had been observed so far. Further the issue of

multiplying factor for preparation of energy bill had also not been noticed so far.

6. After lapse of such a large period, their production cost considered earlier cannot be revised and also the difference on account of that revision cannot be recovered from the clients to whom the material had already been supplied so far and so it is not possible to make payment of the supplementary bill.

7. Inspite of no irregularity by the applicant, the supplementary bill has been issued with retrospective effect.

8. Complainant has requested to consider his appeal and withdraw the supplementary bill immediately.

The complainant contended that he had a LTMD connection of 26 KW in the name of Shri Hemeshbhai J Patel, bearing consumer no. 07401/509089/0 was released 31-01-2005 at the plot no. 705, GIDC Halol. The energy meter of above stated LTMD connection was wrapped by providing paper seal for detailed inspection at concerned MGVCL lab based on installation checking on 03-07-2014. While inspection at Halol meter testing lab on 05-08-2014, no irregularity was detected. But later on an additional bill of Rs. 2522531/- was issued by Halol (T) s/dn. vide letter no. HLSD/Tech/Rev/2630 dated 12-08-2014 without any details regarding bill calculation. On inquiry at s/dn. office it was stated that multiplying factor 2 was not considered while issuing the energy bill since the installation of the said meter. Meter box seal had been replaced by Halol s/dn on 15-04-2013. Complainant further contended that as his installation has been checked at regular intervals and no irregularities had been detected so far, how the error of multiplying factor had not been noticed till then. He has raised the issue that how it has been ascertained that the multiplying factor had been persisting since the date of release of connection and how the supplementary bill has been issued with retrospective effect from that date. Moreover he has raised issues of the periodicity for which supplementary bill can be issued as per prevailing norms. He contended that they are in plastic bag manufacturing business. The factory is being given to tenants as per requirement & also they carry out job work for self as per orders. Final price of product is determined after considering all expenses including electricity charges. Moreover, after lapse of such a long period, the production cost considered earlier cannot be revised and also the difference on account of that revision cannot be recovered either from the clients to whom the material had already been supplied so far or the tenant. So it is not possible to make payment of the supplementary bill and he requested to consider his appeal and withdraw the supplementary bill immediately.

The respondent contended that LTMD connection of 26 KW in the name of Shri Hemeshbhai J Patel, bearing consumer no. 07401/509089/0 was released 31-01-2005 at the plot no. 705, GIDC Halol. The complainant had opted for LTP III tariff in year 2007. While installation checking on 03-07-2014 the energy meter of above stated LTMD connection was wrapped by providing paper seal for further detailed inspection at concerned meter testing lab as per the instruction of the vigilance department. The inspection was carried out at Halol meter testing lab on dated 05-08-2014 in the presence of consumer wherein no irregularity was detected. Lab test result stated that the meter is of 100/5 Amp capacity and the CT are of 200/5 Amp capacity which results in multiplying factor 2 for calculating energy bills. So additional bill of Rs. 2522531/- was issued by Halol (T) s/dn. Vide letter no. HLSD/Tech/Rev/2630 dated 12-08-2014 considering multiplying factor 2 for the energy bills since the installation of the said meter. He further stated that the MMB seals were replaced in the year 2013 as per seal register record. New seal provided on dated 13-05-2013 bearing serial no. 2995841. No records regarding issuance of 200/5 CT coils are available and the case file is also not traceable, not even in the scanned files records.

The Forum Members present at the hearing considered contention of both the parties and perused the records and observed that the multiplying factor 2 was not considered while issuing the energy bill since the installation of the said meter. This fact was revealed while vigilance checking and subsequently lab inspection of the meter on dated 05-08-2014.Additional bill of Rs. 2522531 was issued for the period since installation of meter till last billing. Meter installed on 31.01.2005. The meter must have checked periodically by MGVCL and latest MMB seals replaced on 13.05.2013. Reason for replacement of MMB seal not traceable. Also as per GERC Notification No. 11 of 2005 of Electricity Supply Code and Related Matters Regulations clause 6.4.8 of section 6 - the Distribution Licensee shall not be eligible for recovery of the dues from the consumer after a period of two years from the date when such amount becomes first due, if such dues are not shown as arrears continuously for a period of two years from the due date. The failure on the part of the Distribution Licensee to show such arrears continuously for a period of two years as arrears shall not entitle the Distribution Licensee to effect the disconnection of supply to the concerned consumer

In view of the above discussion, the Forum is of the opinion that the bill can be revised in line with the regulations stated above.

O R D E R

The Forum directs the Madhya Gujarat Vij Co Limited to revise the supplementary bill issued on dated 12.08.2014 to the complainant Shri Hemeshbhai J Patel Plot no. 705, GIDC, Halol, Dist: Godhra for the period of two years as per GERC regulations.

(Medha M Marathe)	***(Harsha S Chauhan)***	***(P J Patel)***
Technical Member	***Independent Member***	***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