

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-I-09-09.10
Complainant	Late Shri Vishnuprasad Shastri C/o Shri Jayesh Pandya, Bajwada, con No.16406/01090/6
Respondent	Deputy Engineer, Mandvi S/dn MGVCL Vadodara
Date of hearing	31.07.2009

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 is directed against the supplementary bill of Rs.6142.68 dated 26.12.2008 issued by the MGVCL for the meter detected to be running slow by 48.87%,

Today on 31.07.2009, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Jayesh Pandya, appeared on behalf of Late Shri Vishnuprasad Shastri whereas Shri K R Soni, Deputy Engineer, Mandvi S/dn appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The facts of the case are as follows: The complainant is having electric connection of Madhya Gujarat Vij Co Limited, con No.16406/01090/6. Original consumer Shri Vishnuprasad sold the premises to the father of present occupant Shri Jayesh Pandya. Both the seller and purchaser have expired. The connection is yet to be transferred to the present occupant Shri Jayesh Pandya. The old meter was tested in the lab on 20.8.08 in the presence of consumer and the meter was found to be running slow by 48.87% due to technical reasons. The MGVCL then issued a supplementary bill of Rs.6142.68 for 1392 units to recover the cost of units not recorded in the meter due to slowness. On his representation to the concerned MGVCL authorities, the supplementary bill amount was later reduced to Rs.1600/. He urged before the MGVCL to reduce the bill amount further but of no consequence. Therefore, he approached this Forum with a complaint letter dated 15.05.09.

Shri Jayesh Pandya who appeared as complainant submitted that during the period before July 2008 he had stayed in Ahmedabad as his mother was sick. Therefore, the consumption was meager during this period. The consumption after July 2008 as recorded in the new meter was higher as he had returned to Vadodara. Therefore, the consumption recorded after July 08 cannot be taken as basis for the units consumed before July 08 when he was away. The units recorded during this 3 months prior to 22.7.08 in old slow meter should have been taken as the basis for calculating the unrecorded units. In his support, he cited the consumer complaint

No.82/2006 before the District Consumer Dispute Redressal Forum where in the Forum set aside a supplementary bill issued by MGVCL to M/s. Niyog Polymer Industries in a similar case. He also urged that the interest charged by the MGVCL as Delayed Payment Charges for non-payment of supplementary bill of Rs.1600/ be also corrected.

Shri K R Soni, DE of MGVCL Mandvi s/dn, appearing as respondent submitted that they had already revised the supplementary bill once from Rs.6142.68 to Rs.1600/ by reducing the slowness period from 6 to 3 months. The bill was worked out for these months on the basis of average monthly consumption as recorded subsequently in the new meter.

The Forum Members present at the hearing considered contention of both the parties and perused the records. The members find that this old meter was running slow by 48.87% which is not in dispute. So the units not recorded in meter due to slowness during 3 months prior to 22.7.08 should be taken into account while preparing supplementary bill. The units recorded in old faulty meter during May, June and July 2008 were 4, 10 & 10 respectively. This adds up to 24 units recorded by the old faulty meter. As this meter was running slow by 48.87%, the units which ought to have been recorded in the correct meter would have been $24/0.4887 = 49$ units. Therefore, the units not recorded in the old faulty slow meter are estimated as $(49-24) = 25$ units. It would be reasonably just to charge the consumer with 25 units while preparing the revised supplementary bill. If the MGVCL has charged interest on non-payment of Rs.1600/ as DP Charges then it should be corrected in view of the revised supplementary bill. This decision is based on the GERC Notification No.11 of 2005 clause No.6.1.8 which is quoted hereunder:

Clause No.6.1.8 :

In the event of the meter being tested by the Distribution Licensee, either on his own or upon a request by a consumer and being found to be beyond the limits of accuracy as prescribed in the Rules in force, the amount of the bill for a period of three months immediately preceding the date of inspection of the meter in case of domestic and agricultural services and for a period of six months immediately preceding the date of inspection of the meter for all other categories of services, shall be estimated in accordance with the result of the test.

In view of the above discussion, the Forum is of the opinion that the supplementary bill issued to the complainant be revised considering only 25 units and whatever interest for delayed payment charges if charged in this regard must be corrected accordingly.

ORDER

The Forum directs the Madhya Gujarat Vij Co Limited to revise the supplementary bill of Rs.1600/- considering only 25 units and interest levied as DP Charges in this regards be corrected.

(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.