

Brief history of the case

1. Smt. Jankibai P. Thakral residing at 1st Floor, Flat No. 14, Sunil Co-op.Soc., Plot No. 255, Sion (East), Mumbai having consumer no. 609-201-031*6, installation no. 0305044 had a high bill complaint. The old meter no.A031399 was showing steady consumption from the date of installation, but suddenly in the month of April 2006 it has recorded 743 units for two months which were too high as compared to old consumption. The high bill dt. 7/9/2006 was for an amount of Rs. 2079.47.
2. Subsequently, a still higher bill was raised for an amount of Rs. 8,575.20 for the period 29/8/2006 to 30/10/2006 vide bill dt. 8/11/2006.
3. The old meter was replaced on 20.06.2006 by new meter No.C055189.The old meter was checked it in BEST laboratory on 26.07.2006 in presence of the consumer when it was found 0.16% fast as per the Indian Standard.
4. The consumer is a senior citizen and has visited BEST's office several times complaining high bill.
5. Best in response recalculated the bills and reduced the claim of Rs. 8096.18 to Rs. 1,838.47 in the consumers bill for February 2007. The details were worked out based on average consumption of 195 units per month calculated for base period 20/6/2006 to 10/10/2006 (112 days). Credit of Rs. 6,078.78 + delayed payment charges of Rs. 196.23 was given in the bill for February 2007 on the balance unpaid amount of Rs. 8,096.18, for the period from 28/2/2006 to 20/6/2006 i.e. four months. The consumer was billed an amount of Rs. 1,648,76 + current bill amount of Rs. 189.71 in the month of February 2007 after carrying out debit / credit adjustment and waiving the delayed payment charges.
6. The consumer approached IGR Cell vide annexure "C" dt. 10.09.2007 for high bill. In response, Supdt. Consumer (N) replied vide its letter ref. SCN/DyEGN/31/2007 dt. 1-10-2007.
7. Not satisfied with the reply, the Appellant approached Forum, vide his grievance in schedule `A' on 26th November 2007.

Consumer in his application and during hearing stated the following

1. The consumer stated that he has been using the electricity connection bearing consumer no. 609-201-031*6 for the last 50 years. The consumption of electricity is always less than 100 units per month. An application was made vide letter dated 01.06.06 for high bill complaint of Rs. 2056.86 for the month of April, 2006 on the basis of 743 units recorded on the meter no. AO-31399 during the period 28.02.06 to 28.04.06. This abnormal consumption may be due to theft of electricity and the same has been mentioned in the letter as stated above.
2. Consumer insisted that there is a theft of electricity from his meter and BEST shall investigate the same. The sub-engineer from BEST visited the site on 21.07.06 and it was confirmed by him that the supply through meter no. C-055189 is only to his residence and there is no interchange case observed. Accordingly, BEST informed him vide their letter dated 14.08.06.
3. The old meter bearing no. AO-31399 was officially tested in BEST laboratory on 26.07.06 in his presence when it was found + 3.16% fast. As per IS, plus or minus 3% is permissible and hence the said meter was found to be 0.16% fast. After replacement, the new meter bearing no. C-055189 was recording average consumption of 195 units per month. The old meter had recorded consumption of 2064 units for the period 28.02.06 to 20.06.06 i.e. four months which is too high as compared to old and new meter's consumption.
4. The consumer requested SSCN-II to resubmit the file to higher authorities and allow him to make the payment of current bills which are worked on the actual consumption.
5. He seeks relief from forum regarding the amount other than the actual consumption of electricity consumed by him for which has been protested, further also requested to allow him to live a peaceful life. He being a senior citizen, he has no stamina to run from Sion to Colaba in search of justice in the said alleged case of high bill / theft. Also refund any excess amount recovered from him.

BEST in its written statement and during hearing stated the following:

1. Smt. Jankibai P. Thakral is our registered consumer staying at the above address & using electric supply through meter no. C055189 for residential purpose against account No. 609-201-031. Shri P. T. Dodeja husband of consumer vide letter dtd. 1.6.2006 disputed high bill of Rs. 2056.86 for the month of April 2006 on the basis of 743 units recorded during the period 28.2.06 to 28.4.2006 and also pointed out that the above units have reflected due to theft of electricity from his meter.
2. The Consumers premises were investigated on 5/6/2006. The meter was tested by single phase accucheck meter on minimum load. The meter accuracy found +5.31% & on maximum load the meter suddenly stopped completely and again restarted after about 10 minutes. Subsequently, on consumers request the old meter no. A031399 was replaced by new meter no. C055189 on 20.6.2006. The old meter no. A031399 was officially tested in our laboratory in presence of Shri Dodeja when it was found 0.16% last, which is permissible as per Indian standard. Further the premises was visited by sub-engineer on 21.7.2006 and confirmed that the meter no. C055189 is only for consumer residence and there is no interchange case observed. New meter was showing average consumption of 195 units per month, however old meter had recorded consumption of 2064 units during the period from 28.2.2006 to 20.6.2006 i.e. for four months, which are too high as compared to old or new meter consumption.
3. The account was re-amended/re-calculated on the basis of new meters average consumption of 195 units per month and a credit of Rs. 6078.78 + D.P. charge of Rs. 196.23 was affected in consumer bill of Feb'07. Consumer was billed on amount of Rs. 1648.76 & current bill amount of Rs. 189.71 in the month of Feb'2007 for the period from 28.2.2006 to 20.6.2006 and Shri Dodeja was explained and was requested to make the payment of outstanding dues alongwith the current bill, further consumer vide letter dt. 12/4/2007 to G.M. requested to stop the theft of electricity in consumers meter and to send regular bill of actual consumption. Two notices were issued to the consumer for non-payment of outstanding dues.
4. The consumer made representation to the undertaking under Annexure "C" dt. 10/9/2007 for high bill / theft of electricity. The case was investigated thoroughly. Undertaking have made every efforts to redress complaints of Smt. Jankibai P. Thakral by replacing meter and checking the meter on number of occasions credit for high bill amount was given as a benefit of doubt although meter was found marginally fast. However, it seems that, Consumer has made up his mind not to pay the outstanding bill which is legitimate revenue of the BEST Undertaking.
5. BEST pleaded that, they have explained the facts in detail and the Hon'ble Forum is therefore requested to pass the order in favor of BEST Undertaking to recover the legitimate revenue of the Undertaking.

Observations

1. The consumer has complained about “high consumption”. It is perception of the consumer that this may be because of the theft. The Best after inspection is of the opinion that there may not be any theft.
2. The meter was tested in the laboratory and was found recording outside the tolerance limit specified.
3. The consumption during the disputed period is substantially higher than the consumption before and after disputed period.
4. The BEST has taken a decision to revise the billing based on average consumption.
5. Considering the details of the case and age of the consumer, this is a good decision.
6. However calculating the revised bill, we have to note two points. When a high bill complaint arises, consumption is higher than the previous consumption. The future pattern simply does not exist at that instance of time. Hence average consumption used for computing should be average of previous consumption (Even in a stopped meter case it is specified that average should be of previous period). It has been reported that average consumption for the period of one year up to 28.02.2006 is 88.30 per month. Therefore, for amendment consumption should be taken as 88 units per month.
7. The consumer has categorically stated that he has no complaint about billing from 03/08/2006. Therefore amendment must be for the period from 28-02-2006 to 29-08-2006.

ORDER

1. The BEST is directed to reconcile the account as stated below:
 - (i) The BEST is directed to consider the amendment period from 28.01.2006 to 29.08.2006.
 - (ii) The BEST is directed to consider the amendment based on average consumption of 88 units per month.
2. The BEST is directed to complete the process within 60 days time.
3. Copies to be given to both the parties.

(Smt. Vanmala Manjure)
Member

(Shri S .P.Goswmai)
Member

(Shri M. P. Bhave)
Chairman