

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
B.E.S. & T. UNDERTAKING

(Constituted under section 42(5) of Electricity Act 2003)

Ground Floor, Multistoried Annex Building,
BEST's Colaba Depot
Colaba, Mumbai – 400 001

Telephone No. 22853561

Representation No. N-G(S)-49-08 dt . 12/3/2008

New Era Mercantile Pvt. Ltd Complainant

V/S

B.E.S. & T. Undertaking Respondent

Present

Quorum
1. Shri. M.P. Bhave, Chairman
2. Shri. S. P. Goswami, Member
3. Smt. Vanmala Manjure, Member

Complainant
1. Shri. J.V. Hattangadi
2. Shri. Santosh Mhatre

On behalf of the Respondent 1. Shri. Mangesh Kharote AE(EA)

Date of Hearing: 04/4/2008

Judgment by Shri. M.P. Bhave, Chairman

M/s. New Era Mercantile Pvt. Ltd the complainant has come before the Forum for redressal of grievances as regards high bill on Meter No. P991248 of A/c No. 200-009-879.

Brief history of the case

1. M/s. New Era Mercantile Pvt. Ltd., 2A, 1st Floor, Industry Manor, Bldg No 442, A Marathe Marg, Prabhadevi, Mumbai-400 025, has approached licensee i.e. BEST undertaking on 21/09/2007 in Annexure 'C' Format regarding his grievances pertaining to high bill on Meter No.P991248 of A/c No.200-009-879. Unsatisfied by the reply of licensee the consumer approached CGR Forum in schedule 'A' Format on 12/03/2008.

Consumer in his application and during hearing stated the following

1. He has received bill for the month of July-2007 dtd. 21/08/2007. He was surprised on seeing the bill. For the concerned period bill shows that he has consumed 6958 units. However, the average consumption for the period June-2007 to Feb-2007 comes to 3176 units. Apparently, there has been some discrepancy in reading the meter by BEST Inspector as by no stretch of imagination it is possible for them to consume nearly 100% more units than the average of 3176 units. Apparently, two things are possible: (I) Either the meter is running very fast and therefore, needs to be checked by BEST or (II) There has been an apparent error while taking down the reading by BEST. He has therefore, requested to send him corrected bill immediately to avoid disconnection.
2. There is a possibility of jumping of reading in the case of electronic meter.
3. BEST has not pointed out the defect in the capacitor in time. He could know the high consumption only when they received the electricity bill for month June-2007 in August 2007.
4. It is the social obligation on part of BEST to educate and inform the consumer in time regarding defect in the capacitors.
5. He cannot believe that there can be a 100% rise in consumption due to defective capacitor.
6. He has agreed that there was a defect in the capacitor and the same was replaced after getting intimation from BEST.
7. He does not dispute the site test results of Energy Meter submitted by BEST.
8. BEST has not satisfactorily answered as to why the RKVAH Units have remained unchanged even though the capacitor was found defective.

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

1. The meter No.P991248 is existing for the consumer at above address since 30/12/1999 with C2 tariff. From consumption pattern, it is seen that consumer's monthly consumption was in the range of 4000 to 6000 upto Sept-2006 and 3000 to 3600 since Oct-06 to May-07. During June-07, July-07 & Aug-07 the

consumption recorded by Meter No.P991248 was 6958, 7379 & 6858 Kwh units respectively.

2. Vide letter dtd. 30.08.2007 consumer M/s. New Era Mercantile Pvt Ltd., had complained about excess billing for the period 1.6.07 to 1.07.07 on Meter No. P991248. The said meter was tested at site on 1.09.07 and was found working within permissible limits of accuracy. However, the observations made at the time of testing revealed that capacitor was drawing unbalanced current i.e. 22.45 amps, 32.16 amps & 0.53 amps on 'R' , 'Y' & 'B' phases respectively, implying that capacitor was defective. Hence, the said meter was tested by switching out the capacitor installation and was found working within permissible limits of accuracy.
3. Accordingly, consumer was informed vide letter dtd. 4.09.07 about the observation made at the site and was advised to pay attention to capacitors by ensuring that they are of adequate size and are maintained properly.
4. Subsequently, detailed reply to consumer's complaint dtd. 20.09.07 in Annexure 'C' was sent on 10.10.07 explaining to him about the defective capacitor installation in services being the possible reason for rise in consumption.
5. The consumer has not submitted his complaint in schedule 'A' in para wise format. However, our comments with regards to various points raised by the consumer in his letters dtd. 30.08.07, 20.09.07 & complaint in schedule 'A' dtd. 5.03.08 are as follows:
 - 5.1. Meter No P991248 installed at above address was tested by us at normal load on 1.09.07 the result of the test are as follows:

Load	% Error	
	With Capacitor 'ON'	With Capacitor 'OFF'
10.36 KW	2.39%	1.86%

- 5.2. Further it was also observed that at no load condition and only capacitor 'ON', the current drawn by capacitor on R & Y phase was 22.45 Amps and 32.16 Amps respectively whereas on 'B' phase it was 0.53 Amps implying that the capacitor units on 'B' phase had become defective.
- 5.3 It is our experience that if the consumer draws lower power with a defective capacitor in service, meter records higher kwh units.
- 5.4 This issue was also taken up with the meter manufacturer, M/s. ABB Ltd. In reply, they have stated that in case a capacitor installation on one phase becomes defective, it develops some resistance and behaves like a load by drawing good amount of active current which results in rise in

kwh registration. This issue was also deliberated earlier in detail by our senior Management and it was decided to treat meters as "correct". If they are found working within permissible limits of accuracy when capacitor is in 'OFF' condition.

- 5.5 It is to be re-iterated that the meter is found working within limits of accuracy during site testing on 1.09.07 in both the conditions viz capacitor 'ON' and 'OFF' condition.
6. BEST has issued bills based on the actual consumption recorded by meter No P991248 which was found working within permissible limits of accuracy during site testing on 1.09.07 with both conditions viz capacitor 'ON' position as well as in 'OFF' position.
7. The meter has recorded higher consumption during the period from 1.06.07 to 1.09.07. After 1.09.07 i.e. presumably after the consumer rectified the defect in the capacitor, the meter has regained the earlier average consumption which is about 3000 units per month. This clearly proves that the meter is registering correct consumption.
8. The capacitor bank is consumer's installation and as such, the responsibility of ensuring its healthiness by carrying out periodic maintenance lies with him.
9. In view of the above, the bills issued by the BEST are to be treated as accurate since they are based on the actual consumption recorded by Meter No. P991248 which was found working within permissible limits of accuracy during site testing on 1.09.07.
10. BEST is now sending the bills to the consumer every month.
11. There is no human error in meter reading as the same is taken by meter reading instrument directly.

Observations

1. The consumer has agreed that the capacitor installed at their installation was defective and they have replaced the same. After replacement of defective capacitor unit the consumption is normal.
2. Consumer has not disputed the accuracy of Energy Meter. However, they have pointed out that there was a delay in sending the bills by BEST.
3. Capacitor is installed by the consumer at his installation. It is the responsibility of the consumer to ensure the healthiness of the same by carrying out periodic maintenance.
4. In view of above observations consumer cannot be given any concession in the electricity bills for the disputed period.

ORDER

1. The consumer is directed to treat the electricity bills of the disputed period as correct and pay the same.
2. BEST is directed to waive the D.P. Charges payable by the consumer if any for the disputed period.
3. Copies be given to both the parties.

(Shri. M. P. Bhave)
Chairman

(Shri. S. P. Goswami)
Member

(Smt. Vanmala Manjure)
Member