

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. 22799528

Grievance No N-GS-396-2019 dtd. 14/10/2019

Smt. Ranjanben Prabhulal Seth
Goodluck Plastics

.....Complainant

V/S

B.E.S.&T. Undertaking

.....Respondent no

Present

Chairman

Quorum :

Shri V. G. Indrale, Chairman

Member

1. Shri K. Pavithran, Member
2. Dr. M.S. Kamath, Member CPO

On behalf of the Respondent no : 1. Shri Narayan Wattti, AAM(G/S)

On behalf of the Complainant : 1. Shri C.P. Seth

Date of Hearing : 26/11/2019

Date of Order : 29/11/2019

Judgment by Shri. Vinayak G. Indrale, Chairman

Smt. Ranjanben Prabhulal Seth, Goodluck Plastics, 302-A, 3rd floor, Dhanraj Industrial Estate, Sitaram Jadhav Marg, Lower Parel, Mumbai - 400 013 has come before the Forum for dispute regarding high bill in the month of May 2019 & June 2019 pertaining to a/c no. 677-043-625*6.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell dated 23/07/2019 received on 23/07/2019 for dispute regarding high bill in the month of May 2019 & June 2019 pertaining to a/c no. 677-043-625*6. The complainant has approached to CGRF in schedule 'A' dtd. NIL received by CGRF on 11/10/2019 as complainant was not satisfied by the remedy provided by the IGR Cell.

**Respondent, BEST Undertaking in its written statement
in brief submitted as under :**

- 1.0 Smt. Ranjanben P. Seth, Proprietor Goodluck Plastic come before the Forum regarding her dispute about high bill in the month May 2019 and June 2019 pertaining to a/c no. 677-043-625*6. She further stated that she used to give her premises on rent basis. Her premises was vacated by old tenant on 22/03/2019. New tenant has taken over the possession from 01/04/2019.
- 2.0 Electric supply was given to the premises under reference through meter no. M171938. The Undertaking has received complaint letters on 29/03/2019 and 15/05/2019 stating that meter no. M171938 found display defective. Hence, meter no. M171938 was replaced by meter no. M190652 on 03/06/2019.
- 3.0 Old meter M171938 tested in laboratory on 03/06/2019 and found terminal block burnt. Hence meter could not be tested.
- 4.0 Meter Reader could not read the meter having no. M171938 as No Electricity / No Display and hence consumer was billed as per average meter consumption in May 2019 and June 2019. The complainant has filed complaint for high bill.
- 5.0 After receiving the complaint from consumer, it was observed that excess average units were charged in May 2019 and June 2019. Necessary dr/cr was carried out resulting in net credit of Rs. 13,698.32 and same was reflected in the bill of September 2019. The consumer is liable to pay the electricity bill.

REASONS

- 1.0 We have heard argument of the representative of the complainant and for the Respondent BEST Undertaking Shri Narayan Watt, AAM(G/S). Perused the documents filed by either parties to the proceeding. Perused the written submission filed by the complainant along with the document exhibit as 'A' to 'M'.
- 2.0 The complainant has vehemently submitted that for the month of May and June 2019, the complainant has received excess bill due to defective meter and therefore he prayed to correct the bill. The Respondent BEST Undertaking has submitted that the meter was defective as its terminal was burnt and it was tested in lab and found be to be defective. According to the Respondent BEST Undertaking they have taken twelve months' average on the basis of units recorded by new meter and given benefit to the complainant and corrected amount of Rs. 13,698.32 in the electricity bill for the month of September 2019.

- 3.0 Having regard to the above said submissions, we asked the Respondent BEST Undertaking as to how and in what way they have carved out the average bill for two months. The Respondent BEST Undertaking has submitted that they have carved out the average bill on the basis of units recorded by new meter as per Regulation 15.4.1 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005. In result we pass the following order.
- 4.0 The Regulation 15.4.1 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 does not allow distribution licensee to draw amendment bill on the basis of new meter reading. So action of Respondent BEST Undertaking is not as per regulation 15.4.1. Thus we direct Respondent BEST Undertaking to make amendment for two months as per Regulation 15.4.1. In result we pass the following order.
- 5.0 The complaint stands allowed partly as under.

ORDER

- 1.0 The grievance no. N-GS-396-2019 dtd. 14/10/2019 stands partly allowed.
- 2.0 The Respondent BEST Undertaking is hereby directed to issue revise bill to the complainant by taking average of twelve months for earlier period of defective meter and issue the bill. The excess amount paid by the complainant, if any be refunded to him in ensuing electricity bill.
- 3.0 The Respondent BEST Undertaking is directed to comply the order within one month from the date of receipt of the order and report the compliance within 15 days therefrom.
- 4.0 Copies of this order be given to the concerned parties.

sd/-
(Shri K. Pavithran)
Member

sd/-
(Dr. M.S. Kamath)
Member

sd/-
(Shri V.G. Indrale)
Chairman