

		Date	Month	Year
1	Date of Receipt	17	06	2021
2	Date of Registration	24	06	2021
3	Decided on	11	11	2021
4	Duration of proceeding	140 days		
5	Delay, if any.	80 days		

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 S-D-434-2021 dtd. 24/06/2021

Shri Chandrajit JhaveriComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Coram : Shri S.A. Quazi, Chairman

Member

1. Smt. Anagha A. Acharekar, Independent Member
2. Shri S.S. Bansode, Technical Member

On behalf of the Complainant : 1. Absent

On behalf of the Respondent : 1. Shri M.P. Ranavare

Date of Hearing : 09/11/2021

Date of Order : 11/11/2021

Judgment

- 1.0 This complaint/application was received on 17/06/2021 and registered on 24/06/2021 in the office of the Forum. However, due to pandemic of Covid-19, lockdown was declared by the Government from 23/03/2021 onwards and it was extended from time to time and subsequently the guidelines were issued by MERC in that respect. The consumer was not ready for hearing through Video Conferencing. For these reasons, the matter could not be heard for long period. Now the lock down conditions have been relaxed to some extent. Therefore, the matter was fixed for hearing physically on 09/11/2021. Accordingly, the matter was heard on 09/11/2021 and was reserved for passing judgment. Hence, now the judgment is being given. For these reasons the matter could not be decided within the time prescribed by the MERC Regulations. Therefore, the delay of 80 days has occurred in deciding this complaint.
- 2.0 The complainant has grievance about high billing in respect of the electricity bills pertaining to the period from March 2020 to December 2020. The case may be stated as under :
- a) According to the complainant, the Respondent Undertaking had been giving bills for the period from March 2020 to December 2020 to the complainant including the period of April 2020 to June 2020 during which the bills were given without taking actual reading from the electric meter of the complainant. During the period from April 2020 to June 2020, the bills were given on estimation due to lock down implemented by the Government on account of epidemic of Covid-19. According to the complainant he should have been given rebate benefit for the period from March 2020 to December 2020 instead of April 2020 to June 2020 because he did not received physical bills during this period at his home.
- b) For aforesaid reasons, the complainant mentioned in his complaint that he wants to divide unit consumed as per the meter from March 2020 to December 2020 equally and slab benefit be given to him accordingly during this period. He has therefore requested to this Forum to give necessary directions in this regard to the Respondent Undertaking.
- 3.0 The Respondent has appeared before this Forum and has filed its reply and thereby it has opposed the aforesaid grievance of the complainant. The case be put forth by the Respondent in their reply and has submitted by their representative Shri M.P. Ranavare in his submission during the case of hearing before this Forum may be stated as under :
- a) According to the Respondent, the complainant is its consumer and having a/c no. 456-123-057. Due to Corona and Covid-19, the meter reading activity of all consumers was suspended as per the directives of Maharashtra Electricity Regulatory Commission

(MERC) and the consumers were billed on estimated basis. The estimated units were on lower side for residential consumers as the bill units considered were of March 2020 billing month when the consumption is generally on lower side.

- b) The complainant / consumer was billed on 283 estimated units for the month of April, May and June 2020 for each of the month i.e. total units of 849 for 3 months. However, after obtaining actual meter reading on 13/07/2020 in the billing month of July 2020 it was observed that actual consumption was 1209 units for the billing month of April, May and June 2020 against 849 estimated billed units. The consumer was under billed for 360 units. These 1209 units were divided for 3 months as 452, 385 & 372 for April, May and June 2020 respectively as actual consumption. The adjustment of these 360 under billed units is done after giving slab benefit for each estimated month. The adjustment amount of Rs. 3882.46 is debited in the billing month of July 2020.
- c) The complainant was aggrieved by the said demand and therefore he submitted grievance application to the IGRC under Annexure - C on 05/03/2021. The IGRC of the Respondent heard the parties and has given to the conclusion that the Respondent has not committed any error in billing the complainant in the aforesaid way and therefore his application to the IGRC was rejected.
- 4.0 The matter was fixed for hearing on 09/11/2021. The notices were served to the parties in advance. However, when the matter was called for hearing today at the scheduled time, the complainant was absent. The office put the email dtd. 08/11/2021 received by it from the complainant. The Forum has examined that email in which the complainant had made request for adjournment on account of his ill health. The Forum has rejected the said request for adjournment for the reasons mentioned in the Roznama proceeding and proceeded to hear the matter and thus we have heard the representative of the Respondent Undertaking.
- 5.0 Considering the pleadings and documents of the parties' and the submissions made by the representative of the Respondent Undertaking in the course of hearing the following **points arise for determination**, on which we record our findings as under, for the reasons to follow.

Sr. No.	Points for determination	Findings
1	Whether the complainant is entitled for the division of the units consumed during the month of March 2020 to December 2020 and then he is entitled for slab benefit for this period ?	Negative
2	What order should be passed ?	The complaint is dismissed.

6.0 We record our reasons for aforesaid findings as under :

- a) It may be noted that the Government had declared lock down from 23/03/2020 onwards. Therefore the normal activities of the offices, Government and private institutions etc. were restricted. In view of such lock down, the MERC had issued directions to all the Licensees for issuing the bill without taking actual readings of the meters from the consumers' premises from 23/03/2020. Then in July 2020, the actual reading was taken and as per the directions of MERC, the bills were given on estimation during the aforesaid period. After the lock down was relaxed in July 2020, the actual reading was taken. When this was done in the instant case, admittedly the complainant was billed on estimation for the billing month of April 2020 to June 2020 on estimation. It appears that the bills given on estimation for the month of April to June 2020 are on the estimated units of 283 each (total 849 units). Then on 13/07/2020, the meter reading was taken from the premises of the complainant and the reading was 12655 units. The last meter reading recorded on 14/03/2020 was 11045 units. Thus during the aforesaid 3 months period actually the units consumed were 1610. Considering this, the Respondent Undertaking appears to have divided the aforesaid 1610 units in 3 months consumed during April, May, June and July 2020. On such division, the Respondent Undertaking came to the conclusion that the 452 units were consumed in April, 385 in May, 372 in June and 401 in July. Accordingly, the Respondent has billed to the complainant and necessary slab benefit was also given.
- b) The complainant does not appear to have been satisfied with the aforesaid arrangement done by the Respondent Undertaking for him for the period from April to July 2020 and therefore he made grievance to the Respondent Undertaking as well as to this Forum. According to him, the units consumed from March to December 2020 should be divided in the months of March to June 2020 and then the slab benefit should have been given. We have examined the aforesaid contention of the complainant made in his complaint. We are convinced with the submission of the Respondent that the aforesaid demand of the complainant is not based on any law or regulation. Only the division of the units was to be made for the period when the actual reading was not taken during the lock down period. In July and thereafter, the actual reading was taken and therefore no such arrangement for division of the units was required to be done for giving slab benefit as claimed by the complainant. Hence, we find that the aforesaid request made by the complainant in the instant complaint is neither legal nor reasonable. Hence, we have recorded point (1) in negative. In view of point (1) in negative, the instant complaint is liable to be dismissed and we have answered point (2). In view of these findings, we pass the following order.

ORDER

- 1.0 The grievance no. S-D-434-2021 dtd. 24/06/2021 stands dismissed.
- 2.0 Copies of this order be given to all the concerned parties.

Sd/-
(Shri. S.S. Bansode)
Technical Member

sd/-
(Smt. Anagha A. Acharekar)
Independent Member

sd/-
(Shri S.A. Quazi)
Chairman