

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-GN-283-2016 dtd. 08/01/2016.

Mr. Arun AuroraComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.Y. Gaikwad, Member
2. Shri S.M. Mohite, Member CPO

On behalf of the Complainant : 1. Shri Arun Aurora
2. Shri Varun Aurora

On behalf of the Respondent : 1. Shri P.P. Kulkarni, DECC(G/N)
2. Smt P.P. Kekane, AAM CC(G/N)
3. Shri M.S. Dadarkar, Sup (P)

Date of Hearing : 04/03/2016

Date of Order : 11/03/2016

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Arun Aurora, 236, Veer Savarkar Marg, Sidh Prasad Building, 1st floor, Dadar (W), Mumbai - 400 028 has come before the Forum regarding his dispute about high Bill raised due to charging accumulated 4102 units recorded by the meter number 0074088 in the month September 2011 and 857 wrongly charged units shown against meter number A161599 in the billing month of May 2012 pertaining to A/C 625-219-001*8.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 13/10/2014 for complaint regarding high Bill pertaining to A/c no. 625-219-001*8. The complainant has approached to CGRF in schedule 'A' dtd. 04/01/2016 (received by CGRF on 07/01/2016) as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee regarding his grievance.

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

- 2.0 The complainant Shri Arun Aurora came before the Forum regarding his dispute about high bill raised due to charging accumulated 4102 units recorded by the meter number 0074088 in the month September 2011 and 857 wrongly charged units shown against meter number A161599 in the billing month of May 2012 pertaining to A/C 625-219-001*8.
- 3.0 Electric supply was given to the premises under reference through meter number 0074088, 0016189 & A161599 in the name Shri Sant Ram Bisakhiram under A/C 625-219-001*8. Out of these three meters , two meters were used for residential lighting purpose and third one for water pump.
- 4.0 The complainant was correctly billed for meter number 0074088 up to 23-07-2010. This meter being a pointer type meter, the meter reader has brought inadvertently incorrect meter readings. Hence consumer was billed on average basis for the period August 2010 to August 2011. Due to this the consumer was under billed for 4102 units. Hence consumer was billed for 4102 units in billing month Sept 2011. After carrying out necessary debit credit for the period August 2010 to October 2014, credit of **Rs 32,724.24** was given towards slab benefit, **Rs 7,080.26** towards **Delay Payment Charges** and **Rs 31,525.32** towards **interest** after carrying necessary debit credit. Thus net credit of **Rs 71,329.82** was given to the consumer and same is reflected in billing month November 2014.
- 5.0 Meter number 0074088 was removed in August 2012 with final meter reading as 11694. But consumer was billed till September 2015. By considering final meter reading as 11694, the consumer was billed for 1023 units in Jun 2012 and 533 units in July 2012.
- 6.0 Meter number 016189 was replaced by meter number L113416 on 07/02/2013. The final meter reading recorded by meter 016189 was 5188. The consumer was billed for accumulated 627 units in the month March 2013. Slab benefit for the period January 2013 to March 2013 was adjusted in debit credit adjustment for the period April 2012 to April 2015.
- 7.0 Meter number L113416 was tested at site on 19/12/2014 and found working within permissible limits of accuracy. This meter was removed on 19/10/2015 for the reason combination of load / meters.
- 8.0 Meter number A161599 was recording nil consumption upto November 2011. Inadvertently from June 2011 to June 2012, meter reading was punched of meter number 0074088. Therefore the consumer was charged for 857 units in billing month of May 2012. The reading of meter number A161599 is set right as 1210 units in June 2012. The consumer was charged for 13 units in July 2012. The consumer was billed as per actual consumption upto 31/10/2013.

- 9.0 Meter no. A161599 was replaced by meter no. N115616 on 30/10/2013 and final meter reading recorded by meter no. A161599 was 3031 units. New meter N115616 was not updated for billing purpose hence consumer was billed for accumulated 738 units in billing month December 2013.
- 10.0 The necessary dr/cr was carried out for refunding wrongly charged units pertaining to meter no. 0074088 for giving slab benefit for meter no. L113416 and meter no. N115616 was carried out. This has resulted net debit of Rs. 15,140.59 and reflected in the billing month of November 2015. Further dr/cr was carried out for refunding DPC amounting to Rs. 2,196.26 and interest amounting to Rs. 25,693.20 for the period November 2014 to November 2015 and same will be reflected in ensuing bill of January 2016. The consumer is requested to pay the bill of Rs. 2,62,850.00 as on November 2015.

REASONS

- 7.0 We have heard the complainant in person and for the Respondent BEST Undertaking Shri P.P. Kulkarni, DECC(G/N), Smt P.P. Kekane, AAM CC(G/N) and Shri M.S. Dadarkar, Sup (P). Perused plethora of documents placed before this Forum by either party through the proceeding.
- 8.0 We have cautiously gone through the grievance of the complainant as alleged in the complaint. The first grievance of the complainant is in respect of charging bill of 4102 units on meter no. 0074088 in the month of September 2011, the second grievance of the complainant is in respect of charging the bill for units 627 on meter no. L113416 in the month of March 2013, the third grievance of the complainant is in respect of charging 857 units on meter no. 161599 in the month of May 2012, the fourth grievance is in respect of charging of 32 units on meter no, N115616 for broken period till replacement of meter no. A161599 and the fifth grievance of the complainant is in respect of 738 units charged to meter no. N115616 in the month of December 2013.
- 9.0 The contention of BEST Undertaking is that the meter no. 0074088 was wrongly billed for the period from August 2010 to August 2011 and therefore the meter is correctly charged as per actual reading in the month of September 2011 resulting in accumulation of 4102 units. So according to the Respondent BEST Undertaking, necessary slab benefit for accumulated units has been given and credit adjustment of Rs. 71,329.82 has been given to the complainant which has been effected in the bill for the month of November 2014.
- 10.0 As regards, grievance of the complainant regarding charging of bill for 638 units, the Respondent BEST Undertaking has submitted that the meter no. 0074088 was correctly bill up to May 2012 showing reading 10138. Final reading of meter is considered as 11694. Thus chargeable units as per final reading are 1556. The complainant was billed for 533 units in July 2012 and therefore remaining 1023 units have been charged in the combined cr/dr adjustment for all three meters for the period April 2012 to April 2015. So considering the date of meter removal in August 2012 bill is amended for June 2012 to August 2012 for 638 units.

- 11.0 As regards grievance of the complainant regarding charging of 336 units, it is the contention of the Respondent BEST Undertaking that the meter no. 0016189 was charged till reading 4852 in the month of January 2013 and replaced by meter no. L113416 on 07/02/2013 and therefore they have charged bill for 336 units for broken period till replacement. After replacement of new meter L113416 and by giving necessary slab benefits they have correctly charged the bill.
- 12.0 As regards grievance of the complainant in respect of charging bill for the period of December 2011 to June 2012 for meter no. A161599, reading of meter no. 0074088 was wrongly shown against the meter no. A161599. Thus readings were wrongly punched but units were not charged as per reading which resulted into charging of bill for 857 units wrongly in the month of May 2012. For that they have given cr/dr adjustment for the period April 2012 to April 2015.
- 13.0 As regards, the grievance of the complainant regarding charging of 32 units for the meter no. 161599, their contention is that the said meter is correctly charged for 2999 reading. Thus for broken period till replacement of meter no. A161599 by new meter no. N115616 uncharged units of 32 have been charged in next bill. According to the Respondent BEST Undertaking after replacement of new meter no. N115616, accumulated units of 738 are charged to meter no. N115616 in the month of December 2013 and for that slab benefit is given.
- 14.0 The Respondent BEST Undertaking has submitted that in all they have given credit of Rs. 71,329.82 in view of giving slab benefit as well as they have given credit of Rs. 2,196.26 of DPC and Rs. 25,693.20 of IOA due to wrong billing for the period from November 2014 to November 2015. The net credit of Rs. 27,889.46 for DPC and IOA will be effected in subsequent bill after approval of Audit. The Respondent BEST Undertaking has vehemently submitted that the complainant was most irregular in payment of monthly electricity bills and therefore there is huge increase of DPC and interest on the accumulated arrears of electricity bills. The Respondent BEST Undertaking has filed the statement of payment history by the complainant and it appears that in between the period from 08/02/2010 to 02/02/2016 he has paid electricity charges for 18 times against 64 to 65 monthly bills. In view of this conduct on the part of the complainant, he is liable to pay DPC and interest on the accumulated arrears of electricity charges. This resulted in huge accumulation of arrears of electricity charges.
- 15.0 The complainant has vehemently submitted that his average bill for three meters never exceeds 500 units per month and therefore the dr/cr note passed by the Respondent BEST Undertaking is not correct. The complainant himself has placed on records of list of equipments installed in his house and same is placed at pg. 10 & 11. We have carefully gone through the list of appliances installed by the complainant in his house and it appears that he has installed two bath geysers, microwave, oven, mixer and air-conditioner of 1.5 ton. So considering these appliances, in any case it could be held that electricity charged by the Respondent BEST Undertaking is correct.

We have gone through the chart of meter ledger folio placed on record by the Respondent BEST Undertaking and it appears that in summer season there is increase in units in the bill issued to the complainant. This shows that in summer season the complainant must have used air-conditioner which has resulted into high bill. It is submitted that at present the complainant has got installed only one meter and removed other two meters and at present there is no complaint of the complainant regarding high bill.

- 16.0 The Respondent BEST Undertaking has submitted that they have got tested the meter no. N115616 on site on 19/12/2014 and it was found OK. If the complainant had any grievance regarding the consumption of high units through the meters installed to his premises, he would have insisted the Respondent BEST Undertaking to get the meter tested. He has not done so and only filed the representations from time to time before the Customer Care Dept. that too without even making the payment of monthly electricity bills issued to him. The Respondent BEST Undertaking has placed on record the documents Exhibit 'B' showing last three years' consumption pattern of electricity consumed by the complainant by the meter no. 0074088 for the period from December 2008 to December 2010 and average consumption per month comes to 841 units. Considering Exhibit 'B', it appears that the Respondent BEST Undertaking has correctly charged electric bill and carved out dr/cr note. Exhibit 'C' is the document pertaining to the dr/cr adjustment carried out on computer and is shows that net credit amount of Rs. 71,329.82 has been given to the complainant. Exhibit 'D' is the meter folio showing consumption recorded by the meter no. 0074088 and meter no. N115616. Exhibit 'D' is the meter folio regarding recording the units on meter no. 0016189 and dr/cr note prepared by the Respondent BEST Undertaking. Exhibit 'F' is the meter folio of recording the units on meter no. A161599 for the period 2010 to 2012. Exhibit 'G' is the dr/cr note in respect of giving the credit on DPC and IOA. Thus considering all these documents and consumption of electricity has shown in the record since before 2011, it appears that the Respondent BEST Undertaking has correctly carved out the dr/cr note and given the benefit of near about Rs. 99,218.00. It appears that the complainant ought to have satisfied of the credit of near about Rs. 1,00,000/- given to him and must have paid the arrears, but he failed to pay the monthly electricity bills which resulted into the huge accumulation of arrears.
- 17.0 The complainant has submitted that in the bill for the month of November 2015 he has only consumed electricity of 370 units and therefore dr/cr note carved out by the Respondent BEST Undertaking is incorrect. On this point, we wish to observe that the complainant himself while arguing the matter submitted that at present his son is residing separate from him and this might be the reason of less consumption of electricity. From the electricity bill for the month of November 2015 in any case it could not be held that the electricity consumed by the complainant in between the period of 2011 to 2014 was on average of 400-500 units.
- 18.0 Having regard to the above said reason we do not find any substance in the complaint. Before parting to pass the final order, we think it just and proper to direct the Respondent BEST Undertaking go give credit of Rs. 27,889 to the complainant, if not

given and then issue a revise bill to him. It appears that account is still in the name of deceased father of the complainant and even the complainant did not apply for change of name before raising the dispute. It is expected from the complainant to opt for change of name at the earliest.

19.0 Due to administrative reason there is delay of 3 to 4 days in passing the order. In result, we pass the following order.

ORDER

1. The complaint no. N-GN-283-2016 dtd. 08/01/2016 stands dismissed.
2. Copies of this order be given to both the parties.

(Shri S.Y. Gaikwad)
Member

(Shri S.M. Mohite)
Member

(Shri V.G. Indrale)
Chairman