

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-E-353-2018 dtd. 13/04/2018

Mr. Bharat Laxman DeshmukhComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.V. Fulpagare, Member
2. Dr M.S. Kamath, Member, CPO

On behalf of the Respondent : 1. Shri S.S. Neglur, Supdt. CC(E)
2. Smt. P.V. Sutar AAM, CC(E)

On behalf of the Complainant : 1. Shri Bharat Laxman Deshmukh

Date of Hearing : 05/06/2018

Date of Order : 06/06/2018

Judgment by Shri. Vinayak G. Indrale, Chairman

Mr. Bharat Laxman Deshmukh, 12-2-2 floor-Ground, 4, BMC Chawl, Bapurao Jagtap Marg, Jacob Circle, Mumbai - 400 011 has come before the Forum for dispute regarding high electricity bill pertaining to a/c no. 688-187-040.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 21/12/2017 dispute regarding high electricity bill pertaining to a/c no. 688-187-040. The complainant has approached to CGRF in schedule 'A' dtd. 04/04/2018 received by CGRF on 12/04/2018 as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee on his grievance.

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

- 1.0 The complainant, Bharat Laxman Deshmukh came before forum regarding charging of accumulated 3013 units in the billing month December 2015.
- 2.0 Electric supply was given to the complainant's premises under reference through meter number C146738 from 11/04/2015 in name of Nilofar Abdul Gani Shaikh , A/c 688-187-032. The consumer was billed as per meter reading upto August 2015. In the month of October 2015, the meter reader has brought current meter reading as 2677. Since this reading was higher than previous meter reading, the consumer was billed for 100 units on an average basis in the month September 2015 & October 2015.
- 3.0 This electricity bill has transferred in the name of complainant from November 2015 vide his application for change of name dated 06/10/2015 and new a/c no 688-187-040 has given. In the month of November 2015, the meter reader has brought current meter reading as 3087. Since this reading was higher than earlier meter reader, the consumer was billed for 100 units on estimated basis.
- 4.0 Hence, inspection was carried out on 15/12/2015 and it was observed that meter was working properly and meter reading observed progressive compared to meter reading brought in November 2015. The complainant was billed for accumulated 3492 units in December 2015. In the subsequent months i.e. January 2016 & February 2016, the consumer was billed for 314 units and 233 units respectively.
- 5.0 On 11/06/2016, the complainant had lodged high bill complaint. Meter C146738 was tested on site and found working. As the complainant was not satisfied with the testing results of the meter, on 15/06/2015, meter C146738 was replaced by meter number B165328. Old meter C146738 was tested in laboratory and working properly.
- 6.0 On further scrutiny it was observed that , the complainant was billed accumulated units 3492 units in December 2015. Necessary debit / credit was carried out for giving slab benefit resulting in net credit amounting to Rs 18,418.14/- and same was reflected in bill for the month July 2017. As complainant was not satisfied with this remedy, revised debit credit was carried out for the period 07/04/2015 to 09/06/2016 resulting in net credit of Rs 34,262.14/- and same was reflected in October 2017 and credit given bill for July was reverted. Thus complainant's grievance is redressed.

REASONS

- 1.0 We have heard arguments of the complainant in person and for the Respondent BEST Undertaking Shri S.S. Neglur, Supdt. CC(E) and Smt. P.V. Sutar AAM, CC(E). Perused the documents filed by either parties to the proceedings. The Respondent BEST Undertaking has filed the written statement along with the documents marked at Exhibit 'A' to 'D'.
- 2.0 After hearing the oral submission of the complainant and the Respondent BEST Undertaking, it is crystal clear that the dispute in this case is in respect of electricity bill issued to the complainant for the month of December 2015 for Rs. 45,397.45 for accumulated units of 3013. According to the complainant considering his electricity equipments, this is very high bill and he is not in a position to pay such electricity dues.
- 3.0 The Respondent BEST Undertaking has submitted that in the November 2015, Meter reader brought meter reading as 3087 units which were again on higher side as compared to earlier consumption so the consumer was billed for 100 units on estimated basis. It is submitted that for two months meter reading was on higher side and therefore the Respondent BEST Undertaking has tested the meter on site as well as in lab which was found OK. The Respondent BEST Undertaking has filed test report, placed at pg. 15/C and site inspection report placed at 59/C to 63/C.
- 4.0 Thus considering the test reports in which the meter was found OK, really we do not find any much weight in the grievance of the complainant. The complainant has not made any request to test the meter in accredited lab.
- 5.0 We have cautiously gone through the record and after perusal of Meter Ledger Folio placed at pg. 47/C, the units consumed in November 2015 are shown as 100 and for the month of December 2015 units consumed are 3013 and for further months units consumed are in between 52-231. Thus, it appears that the consumption pattern is different in every month, probably it is because of consumption of electricity by the complainant. The complainant has submitted that he has received a letter dtd. 03/10/2017 at pg. 7/c in which amount of Rs. 34,262 is credited in his account for slab benefit for the period from 07/04/2015 to 09/06/2016, but the said amount does not depict in the electricity bill issued to him. In order to ascertain this we have gone through written submission filed by the Respondent BEST Undertaking at para 4 and we think it just and proper to reproduce the said para as under :

“On scrutiny of the consumption pattern, it was observed that consumer was billed accumulated units in the month of December 2015. Hence, dr/cr was worked out for the period of 12/08/2015 to 10/12/2015. Credit of Rs. 18,418.14 was given in the bill for the month of July 2017. But consumer was not satisfied with the credit given in the bill. Hence, fresh dr/cr was worked out for the period from 07/04/2015 to 09/06/2016 and net credit of Rs. 34,262.14 was given in the bill for the month of

October 2017 and credit of Rs. 18,418.14 given in the month of July 2017 was reversed. Consumer was, therefore given additional credit of Rs. 15,844.00”

- 6.0 After perusal of the said para, the contention in the para certainly depicts that they have only given credit of Rs. 15,844.00 and not Rs. 34,262.14. It appears that the concern DECC has not taken little pain while drafting the written statement (para 4). It appears that in formal manner the concerned DECC has drafted the written statement without ascertaining the record and meaning of para no. 4, likewise the case in respect of letter dtd. 03/10/2017 issued by the Respondent BEST Undertaking to the complainant for giving the credit of Rs. 34,262.00 as slab benefit.
- 7.0 In order to ascertain the fact whether the Respondent BEST Undertaking has rightly given the credit of Rs. 34,262.00, we have cautiously gone through the record i.e. electricity for the month of July, October and November 2017 and satisfied that the Respondent BEST Undertaking has given credit of Rs. 34,262.00 to the complainant i.e. in the month of July, October and November 2017. It appears that the Respondent BEST Undertaking has prepared dr/cr and given the benefit by waiving DPC and interest to the complainant. But, the letter dtd. 03/10/2017 does not depict details of the amount of credit given to the complainant. It appears that the said letter is vague.
- 8.0 Thus, after going through the record it is crystal clear that the Respondent BEST Undertaking has charged the bill for accumulated units and given the slab benefit of whole period as well as given the benefit of DPC and interest. While hearing the arguments, we have asked the complainant, as to what profession he is doing ?, for which he replied that he is working as a caterer. In view of profession of the complainant the possibility could not be ruled out that he might have used electric oven of preparation of food and thereby there must be consumption of electricity showing irregular consumption. Thus we do not find any substance in the complaint.
- 9.0 The complainant has submitted that he is doing the business of caterer and unable to pay electricity dues at one stroke. He has requested to grant suitable monthly installments for payment of electricity dues. We have directed the Respondent BEST Undertaking to give statement showing electricity dues as on May 2018 and they have carved out the amount of Rs. 23,603.00 after deducting the interest and DPC i.e. Rs. 1,855.00 from total outstanding Rs. 25,458.00. Thus, we think it just and proper to allow the complainant to pay the electricity dues of Rs. 23,603.00 in 18 equal monthly installments along with current electricity bill. In result we pass the following order.

ORDER

- 1.0 The complaint no. N-E-353-2018 dtd. 13/04/2018 stands partly allowed.
- 2.0 The Respondent BEST Undertaking is hereby directed to allow the complainant to pay electricity dues of Rs. 23,603.00 in 18 equal monthly installments along with current ensuing electricity bill.

- 3.0 If the complainant commits default in payment of installment, then he is liable to pay DPC and interest from the date of default.
- 4.0 The Respondent BEST Undertaking is also directed to report the compliance within 15 days from the date of final payment of installments.
- 5.0 Copies of this order be given to three parties.

sd/-
(Shri S.V. Fulpagare)
Member

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

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