

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

Representation No S-A-377-2019 dtd. 05/04/2019

Shri Dharmendra K. BhatiaComplainant

V/S

B.E.S.&T. UndertakingRespondent

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 : 1. Shri N.V. Bhandari, DECC(A)
2. Shri P.W. Sawant, Supdt. CC(A)

On behalf of the Complainant : Shri Dharmendra K. Bhatia

Date of Hearing : 29/05/2019

Date of Order : 17/06/2019

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Dharmendra K. Bhatia, J-141, 14th floor, Maker Tower, J.D. Somani Marg, Cuffee Parade, Colaba, Mumbai - 400 005 has dispute regarding high bill for the month of May & June 2018 pertaining to a/c no. 220-358-095.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell dtd. NIL received on 28/12/2018 for dispute regarding high bill for the month of May & June 2018 pertaining to a/c no. 220-358-095. The complainant has approached to CGRF in schedule 'A' dtd. 28/03/2019 received by CGRF on 28/03/2019 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 Dharmendra K Bhatia came before the Forum regarding dispute of high bill for the month May 2018 and June 2018 pertaining to A/c No 220-358-095.
- 2.0 Earlier, the complainant was having electric supply through meter number **N107301** under A/c 220-358-095. This meter has recorded electricity consumption as **2249** units in the month May 2018 and **2191** units in the month June 2018. The complainant was billed accordingly.
- 3.0 On 28/06/2018, the undertaking has received complaint letter from complainant about high bill. On 29/06/2018, meter number **N107301** tested in presence of complainant on site and found O.K. As the complainant was not satisfied with the results of site testing of meter, meter number **N107301** was replaced by meter number **M182371** on 23/08/2018. The complainant was informed to witness the lab testing of meter at Meter Testing Laboratory, Wadala. The complainant did not present on schedule date for meter testing. In absence to the complainant, meter **N107301** tested in laboratory on 05/11/2018 and found correct in accuracy and dial test. Real time Clock (RTC) found defective. The copy of test report of meter number **N107301** was sent to the complainant.
- 4.0 On scrutiny of consumption pattern, it was observed that, there is sharp variation in the consumption pattern. Hence, the complaint was redressed by giving slab benefit for the period December 2017 to June 2018. Necessary, debit / credit were calculated and resulted in net credit of Rs 3782.56/- and same was reflected in electricity bill for the month January 2019.
- 5.0 From payment history, it was observed that, the complainant is not paying electricity bill regularly. After May 2018, he had paid bill in March 2019. Arrears amount amounts to Rs 65,100/- as on March 2019.

REASONS

- 1.0 We have heard the complainant in person and for the Respondent BEST Undertaking, Shri N.V. Bhandari, DECC(A), Shri P.W. Sawant, Supdt. CC(A). Perused the documents filed by either parties to the proceeding.
- 2.0 The complainant has vehemently submitted that the consumption recorded for the month of May and June 2018 is on very higher side and therefore he has made the

complaint of high bill. Against this, the Respondent BEST Undertaking has submitted that if we peruse the consumption pattern recorded for the month of May and June for the previous years i.e. for 2017, 2016, 2015 & 2014, it was always on higher side and therefore in any case it cannot be said that the consumption recorded in the month of disputed period of May and June 2018 is high.

- 3.0 Having regard to the above said submission of both the parties, we have cautiously gone through the consumption history, more particularly consumption recorded for the month May & June from January 2011 to March 2019 found on higher side. It appears that after receipt of the complaint, the Respondent BEST Undertaking has tested the meter on site and it was found OK and likewise they have tested the meter in lab and it was also found OK. The test report of meter no. N107301 is at Exhibit 'D'. Thus the Respondent BEST Undertaking has submitted that the meter was found OK and the complainant even after receipt of test report did not make any submission to test the meter at Accredited Lab and hence this conduct on the part of the complainant shows that he has accepted the test report.
- 4.0 After hearing argument on 29/05/2019, the Forum directed the Respondent BEST Undertaking and the complainant to place on record the correspondence done regarding disputing the test report till 10/06/2019. The complainant did not file any correspondence till 10/06/2019. But on 14/06/2019 he sent a copy email dtd. 27/11/2018 stating that he could not attend the testing of meter scheduled on 29/10/2018 and requested to arrange the testing of meter in his presence. The Respondent BEST Undertaking replied said email dtd. 27/11/2018 sent by the complainant through email on 28/11/2018 and informed the complainant that the meter was tested on 05/11/2018 ex-party and requested him to contact respective Customer Care Dept. It appears that the complainant did not contact respective Customer Care Dept. and directly filed Annexure 'C' on 28/12/2018 in which he did not even pray for testing of meter in Accredited Lab. From all these correspondence it is crystal clear that the complainant was not vigilant in testing the meter in his presence. It appears that on 29/06/2018, the meter was tested on site in his presence and the complainant was not satisfied with the site test report.
- 5.0 The Respondent BEST Undertaking has submitted report stating that they have scrapped the meter on 03/01/2019. According to the Respondent BEST Undertaking the complainant did not filed any objection about test report within stipulated time, therefore the meter being old of the year 2010, they have scrapped it. Under these circumstances the question of testing of meter in Accredited Lab does not arise. It appears that when the complainant came to know that meter is scrapped on 03/01/2019, after that he insisted to test it in Accredited Lab. Thus, the Forum has cautiously gone through the consumption history of the complainant for relevant period i.e. for the month of May-June which shows consistent high consumption for last 7-8 years, hence it appears that there is no need to test the said meter in lab, because on factual position it is cleared that the complainant utilizes more electricity in the month of May and June of every year that too more than sanctioned load.

- 6.0 We have cautiously gone through the record, more particularly Exhibit 'C' i.e. Ledger Folio of January 2011 to March 2019 and it appears that the bills for the month of May and June were always on higher side because of higher consumption due to summer season. If this would be the case, then in any case it cannot be held that the bill issued for the month of May and June 2018 were on higher side or there was any fault in the meter.
- 7.0 After going through the submission of the Respondent BEST Undertaking, it appears that they have given slab benefit of Rs. 3,241.64 to the complainant. We do not find any reason as to why the Respondent BEST Undertaking has given the slab benefit as they have charged electricity bill on the basis of actual units recorded by the meter. We have gone through the units recorded by the new meter no. M182371 and it appears that for the month of September, October and November 2018, the average unit consumption is in between 1100-1150. This also shows that there was no fault in the previous meter bearing no. N107301.
- 8.0 Having regard to the above said reasons, we do not find any merit in the complaint of high bill. It appears that the complainant was most irregular in paying electricity charges and therefore the amount was accumulated by adding delayed payment charges and interest. Thus the complaint deserves to be dismissed.
- 9.0 Before parting to pass the final order, we wish to observe that the Forum asked for some documentary evidence from both the parties for deciding the case at the time of hearing and therefore there is delay in deciding the complaint.
- 10.0 In result we pass the following order.

ORDER

- 1.0 The complaint no. S-A-377-2019 dtd. 05/04/2019 stands dismissed.
- 2.0 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