

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-B-404-2020 dtd. 16/01/2020

Shri Fakhruddin A. RonakComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman / Member Licensee

Quorum : Shri K. Pavithran

Member

Dr. M.S. Kamath, Member CPO

On behalf of the Respondent : 1. Shri D.S. Bodke, AAM CC(B)
2. Shri S.V. Jadhav, Dy.Engr

On behalf of the Complainant : 1. Shri F.A. Ronak

Date of Hearing : 26/02/2020

Date of Order : 03/03/2020

Judgment

Shri Fakhruddin A. Ronak, 202/C, Basera Apt. 29, Hussain Patel Marg, Ekta Nagar, Wadi Bunder, Mazgaon, Mumbai - 400 010 has come before the Forum for dispute regarding high bill for the period 16/11/2018 to 17/12/2018 pertaining to a/c no. 866-595-045*0.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 12/04/2019 for dispute regarding high bill for the period 16/11/2018 to 17/12/2018 pertaining to a/c no. 866-595-045. The complainant has approached CGRF vide schedule 'A' dtd. 27/12/2019 (received by CGRF on 7.01.2020) as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee.

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

- 1.0 Meter No. G993810 of a/c no. 866-595-045 was replaced on 14.11.2018 under mass replacement (IPDS). The common notice in this regard was posted near meter board cabin of the premises. Moreover, all available consumers were orally informed on the same day. As per report of I.F. Section, initial reading of meter no. 1110311 was 'zero'. However, initial reading of Meter No. 1110311 was not available with Meter & Relays Dept.
- 2.0 The subsequent energy Consumption of above a/c 866-595-045 of the complainant was 508 units for the month of Dec. 2018 . (i.e. for period from 16.11.2018 to 17.12.2018). The consumption for the month of Nov.2018 was 141 units for period from 16.10.2018 to 16.11.2018.
- 3.0 On 01.02.2019, consumer Mr. F.A. Ronak filed his complaint regarding high billing (i.e. 508 Units) for the month of December 2018. In response to complaint, our Charge Engineer checked the newly installed meter no. 1110311 on 6.02.2019, which found ok with progressive reading. The consumer is having 1.5 tone 1 no. A/C, 1 ton 1 no, A/C, LED lights 6 nos, Fans 3 nos, Double door refrigerator 1 no and Consumer's sanctioned load is 4.360 kw.
- 4.0 At the time of checking the meter, consumer was satisfied with process of checking but expressed his protest against the consumption shown in his electricity bill for the month of December 2018 and therefore, he submitted another letter on same day i.e. on 6.02.2019, wherein he has mentioned that his average consumption is not more than 175 units per month and subsequently, he filed his grievance under Annexure 'C' dtd. 12.04.2019.
- 5.0 On receipt of grievance, 1st hearing was conducted on 31.05,2019 and 2nd hearing was conducted on 21.11.2019.
- 6.0 Considering all the grievances mentioned in complainants various applications and observing all the available records, submission is as follows :
 - i) In case of mass replacement of Electricity meters, individual notice is not served s per practice in vogue.
 - ii) As per report of IF section, initial reading of meter no. 1110311 was zero.

- iii) The initial reading of the said meter was not available with Meters & Relay Dept.
- iv) As per report of concerned section, the said meter was running properly & the readings were progressive.
- v) In view of above, prayer of the complainant should not be acceded.

REASONS

- 1.0 We have heard the argument of the complainant Shri. Fakhruddin A.Ronak and for the Respondent BEST Undertaking Shri D.S. Bodke, AAM CC(B) & Shri S.V. Jadhav, Dy.Engr. on 26/02/2020. Perused the documents filed by the Respondent BEST Undertaking and the documents filed by either party to the proceeding. Perused the consumption pattern filed by the respondent BEST Undertaking as same is the important document for deciding the merit of the case.
- 2.0 The complainant has vehemently submitted that he was out of India for about 5 months from 30th August 2018 till 28th January 2019 and thereafter returned back to India on 29th January 2019. As soon as he reached his home he found that BEST electricity bill had charged a unit consumption of 508 units in the bill which was dated 28/12/2018. After seeing this electricity bill having 508 units charged, he immediately rushed to BEST's complaint Department and lodged a formal complaint on 1st February 2019 and also he met Mr. Jadhav who is a deputy engineer working in the same department and narrated the situation of electricity bill received with 508 units. Complainant appreciated the courtesy and co-operation extended by the Deputy Engineer Mr. Jadhav who is working in the department and politely considering his complaint as a senior citizen's difficulties.
- 3.0 Complainant further submitted that based on his complaint, BEST had deputed another engineer Mr. Amol Dhoble on 6/2/2019 for inspection of meter and Mr. Amol Dhoble had tested the meter in front of him and observed that there was only about 89 units have consumed and he has been informed that the meter is working normally without any faults. Based on the test carried out by BEST he agreed that meter is working normal without any fault, however, he presumed that since new meter had been installed very recently there must be some initial reading and due to haste some manual error has been taken place while calculating the actual electricity consumption. Further he has submitted that only one refrigerator is kept working when he was out of home. Complainant further argued that at the time of replacement of old meter by new meter under the scheme of mass replacement of meter, he had not been informed about the replacement of old meter by new meter and therefore BEST is wholly responsible and he is not satisfied with the action of BEST. He further appreciated the courtesy extended by the Assistant Administrative Manager of IGR cell for doing a patiently hearing and attended his grievance in two different occasions as per his convenience. However he is not satisfied the remedy solution provided by the IGR cell and therefore he sought relief from the Forum for the refund of 500 units charged in excess in the electricity bill. The complainant further argued for, to revise the electricity bill based on average consumption.

- 4.0 Respondent BEST undertaking's representative submitted that during the mass replacement scheme under IPDS project of meter replacement work, the complainant's meter has been replaced on 14/11/2018. Electricity bill issued to the complainant consumer Shri. F.A. Ronak during the consumption period of 16/11/2018 to 17/11/2018 was 508 units for the month of December 2018 of Account No.866-595-045. In regard to this electricity bill with 508 units consumption, Shri. F.A. Ronak had filed a complaint stating that his consumption of electricity bill for the month of December 2018 is high. Based on this complaint Charge Engineer of the department had checked the newly installed meter having meter no. 1110311 on 6th February 2019 and found that meter is working with progressive reading and found no reason to suspect any abnormality in the meter and therefore meter is OK. Respondent BEST further submitted that consumer's sanctioned load is 4.36 KW and at the time of checking the meter at the site consumer had satisfied with the checking procedure, however, consumer is not agreed the consumption shown in the electricity bill having 508 unit billed to him during the month of December 2018. Respondent further submitted that in regard to the complainant's contention that there might be some initial reading in the newly installed meter which has also been erroneously considered for billing the energy consumed by him, the Respondent BEST Undertaking has enquired with Meters and Relays department for checking the initial reading but the same is not available with the department. As the meter is working correctly and readings are progressive there is no need to refund the excess units as claimed by the complainant.
- 5.0 Having regard to the above said submissions and deliberations, the Forum has carefully pursued the electricity consumption pattern of units consumed by the complainant consumer for the period from June 2018 to January 2020 having account number 866595045 and observed that electricity consumption recorded is from 52 units per month to 239 units per month except for the month of December 2018 when there was 508 units have been consumed. Forum has verified the consumer's contention that he was out of India during the period 30th August 2018 to 28th January 2019, for which complainant has submitted the relevant copy of passport and visa. Therefore complainant's contention that he was out of India during this period has no any argument and is satisfied and confirmed. Forum further asked the respondent BEST why consumer was not informed about the replacement of meter, in this regard, respondent has replied that the project of mass replacement of meters has been undertaken under IPDS project in identified certain class of old meters which are in service for a long period and have the tendency of deviating the accuracy of reading and therefore required to be replaced by new meters. Under the above project a common notice has been served to the effected building whenever the replacement of meter work is commenced and accordingly in the instant case a notice dated 3/11/2018 has been served and meter has been replaced on 14/11/2018. In this regard Forum has found in the record that a letter addressed to Basera, Ekta Nagar, Hussain Patel Marg, Mazgaon Tank with subject - replacement of electromechanical meter by electronic meter under the reference of having Ref. A/C No. 866595003 & All , Service No. 57474 dated 3/11/2018 has been signed by Deputy Engineer ,Customer Care (IF

A/B South) which is placed on page 47/C. The contents of the above letter is reproduced below.

“The BEST Undertaking, as policy has identified certain class of meters, which are in service for a long period. Such meter over the years may have a tendency to deviate from its key function i.e. accuracy of readings. It is hence proposed to replace such meters with new electronic meters. Therefore we take pleasure to inform you that BEST has taken up mass drive for replacement of electromechanical type of meters by new electronic meters. The replacement of electromechanical meter will be carried out in short period. We request you to extend your co-operation to our field staff who are entrusted with this task. In case of any further assistance in this matter, please feel free to contact to the undersigned on any working day on tel. no. 22799525.”

Forum further observed that during this period particularly on 3/11/2018 and the date of replacement of meter Complainant consumer was out of India. In regard to the contention of the complainant consumer that he has doubt about there must be some initial reading in the new meter which has not seen by the person due to haste and therefore erroneously calculated the units, Forum has verified the record maintained by the Respondent BEST and found that BEST has kept a record of all the meters replaced during that day ie on 14/11/2018 with various data statistics of account no., old meter no., old meter make, size, stencil date, final reading of existing meter, condition of existing meter, body seal, new meter no. make, size, stencil date, initial reading and body seal no. of new meter etc. Forum has carefully gone through this data statistics and found that, in the record, initial reading of new meter having no. 1110311 has been mentioned as ‘0’. Forum has also verified and cross checked the data of old meter number and new meter number with the record maintained by the BEST and with the complainant consumer’s electricity bill having a/c no.866595045 and found that old meter number mentioned is G993810 and new meter number mentioned in the record is 1110311 which exactly the same as the meter numbers printed in the electricity bill of the consumer and therefore Forum satisfied that there is proper record maintained by the respondent BEST and no manual error has been committed. Therefore forum has not seen any substance on the statement and doubt of the complainant consumer that there is error has taken place due to haste and there must be some initial reading considered by the BEST. Forum has also noticed that the meter has been tested in front of the complainant consumer on 06/02/19 which is acknowledged by the complainant consumer with his signature and the copy of the Work order for Site Investigation (Meter Testing) with complainant’s signature is placed at page 25/C. In this regard forum has further gone through the test report and observed that in the test report there is a mention of meter test result found ok, consumer satisfied with testing OK, result of site test is successful and consumer satisfied by the meter testing, however, bill and issue not solved. This test report is in the format with title mentioned as Work order for Site Investigation (Meter Testing) and has signed by Shri A.M. Dhoble for BEST Undertaking and also signed by the complainant consumer on 06/02/19.

6.0 It is the admitted true fact that the complainant consumer was out of India during the period, August 2018 to January 2019, particularly during the period when electricity

consumption of 508 units had been billed during 16/11/2018 and 17/12/2018. However considering the above held discussions and facts and circumstances that the meter has been tested and found that meter is working satisfactorily and there was also no any technical and calculation error has admitted by the respondent BEST, it can be very well held that electricity must have been consumed during that period. The possibility cannot be ruled out that somebody might have used the electricity as the meter cabin is existing in common area of the building. Having regard to the aspect of this case we do not find any substance in the contention of the complainant that high bill of 508 units issued to him is not correct and due to hasty an error has occurred. For the above reasons the complainant consumer is liable to pay the electricity charges consumed for the month of December 2018 i.e. the bill for the period 16/11/2018 to 17/11/2018 having consumption of 508 units and complainant consumer is not eligible for any refund of units as he asked before the forum.

- 7.0 Having regard to the above said discussions the Grievance deserves to be dismissed and in result we pass the following order.

ORDER

- 1.0 The grievance no. S-B-404-2020 dtd. 16/01/2020 stands dismissed.
- 2.0 Copies of this order be given to all the concerned parties.

sd/-
(Shri K. Pavithran)
Chairman / Member Licensee

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