

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-252-2015 dtd. 12/03/2015.

Shri Mukund J. KajariaComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.S. Bansode, Member
2. Shri S.M. Mohite , Member

On behalf of the Complainant : 1. Shri Mukund Kajaria
2. Shri Narendra Kajaria

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

Date of Hearing : 20/04/2015

Date of Order : 07/05/2015

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Mukund Jamnadas Kajaria, A/23, Ground floor, German Darshan, Tulsiwadi , Sitaram Ghadigaonkar Marg, Tardeo, Mumbai - 400 034 has come before the Forum regarding high bill of his godown premises stating that premises is open to collect the material from it and rest of time it remains close pertaining to A/c.No.748-206-007*4.

Complainant has submitted in brief as under :

- 1.0 The complainant has approached to IGR Cell on 08/12/2014 for high bill of the godown premises stating that it is open to collect the material and rest of the time it remains close pertaining to A/c no. 748-206-007*4. The complainant has approached to CGRF in schedule 'A' dtd. 02/03/2015 (received by CGRF on 09/03/2015) as he was not satisfied by the remedy provided by the IGR Cell Distribution Licensee regarding his grievance.

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

- 2.0 The complainant Shri. Mukund Jamnadas Kajaria came before this Forum regarding high bill of his godown premises stating that premises is open to collect the material from it and rest of time it remains close pertaining to A/c.No.748-206-007*4. Electric supply has been given to the complainant premises under reference through meter No.J096439 from 09/04/2011. On 16/03/2012 consumer vide his letter complained for high bill. During the site inspection it was observed that meter No.J096439 was showing 'No Display'. Hence this meter was replaced by new meter No.A096967 on 05/07/2012.
- 3.0 During the period of 'No Display' of meter No.J096439, the complainant was sent electricity bills on estimated consumption. Hence amendment was carried out for the period 05/04/2012 to 05/07/2012 by considering average of 240 units as the base period from 29/11/2011 to 19/03/2012. After carrying necessary debit / credit amount of Rs. 385.33 it will be debited in his ensuing bill after Audit approval.
- 4.0 On 11/11/2014 meter No.A096967 was tested on Accucheck Machine at site in presence of consumer and it was found working within permissible limits of accuracy. But consumer was not satisfied with the Test Results. Hence it was replaced by meter No.A091915 on 05/01/2015 and meter No.A096967 was sent for official testing in laboratory.
- 5.0 On 28/12/2014 consumer Vide Annexure 'C' dated 08/12/2014/ the complainant has informed that from last year, he is getting high electricity bill. Further he informed that he is using electricity for godown premises. The godown being open to collect material from it and rest of time his godown remains close. He requested to check his meter and issue him correct electricity bill as per his usage, he is ready to pay the corrected bill and further requested not to disconnect his meter.
- 6.0 The complainant is not satisfied with unit consumption by meter No.A096967 same will be tested in laboratory and if found defective i.e. fast or slow, the necessary amendment will be done and if the meter under testing found working OK than full amount of the bill has to be paid by him. Meter No.A096967 was tested on 04/03/2015 and it was found to be working within permissible limits of accuracy i.e. -0.66 error.
- 7.0 While checking unit consumption of meter No.A096967 it was found that during the billing month of September 2012 to June 2013 consumer was billed on estimated basis, after that actual reading was obtained and accordingly system has credited

Rs.28,819.65 in the bill month of July 2013. However, delayed payment charges and interest on arrears were not taken into consideration and were being levied in the bill, resulting in high bill. Credit of delayed payment charges and interest on arrears is worked out to Rs.16,962/- (approximately) and will be given in due course.

- 8.0 The last payment made by the consumer was on 24/03/2014 amounting to Rs.7,000/- only. After that he has not made any payment. There is no disconnection of electricity for his godown premises and consumer is using the same. the month of February 2015 is Rs.86,023/-. Considering debit/credit amount and delayed payment & interest on arrears amount to be waived consumer has to pay Rs.69,446.33.as on February 2015.

REASONS

- 9.0 We have heard the arguments of the complainant in person and for the Respondent BEST Undertaking Shri S.S. Neglur DECC(F/S) and Shri P.V. Sutar AAM(E). Perused the documents filed by the complainant and the Respondent BEST Undertaking.
- 10.0 It is the grievance of the complainant that he is using the electricity for lightening of godown at German Darshan Building and therefore electricity bill of Rs. 73,810.00 issued by the Respondent BEST Undertaking is excessive, so he approached IGRC and thereafter to this Forum. We have gone through the meter ledger extract which is at pg. 13/C and it reveals that the said meter ledger folio is since May 2011 to February 2015. After perusal of the same, it appears that units recorded in the month of June 2014 to December 2014 are in between minimum 254 to maximum 388 units. The said meter ledger folio goes to show that for October 2012 to June 2013, the units recorded are in between minimum 291 to maximum 403 units. Thus according to the complainant the electricity bill issued by the Respondent BEST Undertaking is high.
- 11.0 However, after perusal of Annexure-C, it appears that on 08/12/2014, the complainant has made grievance of high bill only in respect of bill issued for the year 2013. Thus the complaint has no grievance in respect of units recorded through old meter no. J096439. It reveals that the meter no. J096439 was replaced with meter no. A096967 on 05/07/2012. The grievance of the complainant appears to be in respect of units recorded through meter no. A096967. It reveals that on 11/11/2014, the said meter was tested with the help of accu-check machine at site by the Respondent BEST Undertaking in presence of the consumer and it was found OK and within permissible limit. However, the complainant was not satisfied and therefore the said meter was tested on 04/03/2015 in the laboratory of the Respondent BEST Undertaking and it is noticed that error shown in the dial test 0.134 % and is within permissible limits. In remark column of test report the testing status is shown as defective because of battery defect. It is submitted that the said battery was defective and it was made only to see meter reading in case of off supply. However, considering the arguments advanced by the complainant that the meter be tested in his presence, the Forum has given directions to the Respondent BEST Undertaking to test the meter in presence of the complainant by informing to him the date on which the meter will be tested. The Respondent BEST Undertaking has submitted a letter dtd. 27/04/2015 that inspite of informing the date of testing, the complainant remained absent and therefore the

meter was not tested. The best reasons known to the complainant as to why he remained absent on the date given for testing the meter. Considering this aspect, it appears that there was no fault in the said meter A096967 and on the request of the complainant, the said meter was replaced with meter no. A091915 on 05/01/2015.

- 12.0 After going through the written statement filed by the Respondent BEST Undertaking, it appears that till the date of filing of complaint, the Respondent BEST Undertaking has not issued revised credit bill to the complainant by giving the credit of 851 units. It reveals after going through the ledger folio of meter reading that there was no display of reading for the month of June 2014 and May 2014. It further reveals that since 08/02/2013 to June 2014, the Respondent BEST Undertaking has charged average bill and yet has not issued revised bill. Due to not issuing the revised bill to the complainant as stated in para 2 and 3.3 of written statement possibility cannot be ruled out that DP charges and interest will be levied on the arrears of bill as per computerized statement. In view of this aspect this Forum needs to issue necessary directions to the Respondent BEST Undertaking to issue revised correct bill from reading 2 of July 2013 to reading 4791 of January 2015 i.e. for 4789 units during the period of 07/2013 to 01/2015 by waiving DP and interest within one month from date of receipt of the order. Having regard to this aspect of the case, the complaint deserves to be partly allowed. In result we pass the following order.

ORDER

1. The complaint No. N-E-252-2015 dtd. 12/03/2015 stands partly allowed.
2. The Respondent BEST Undertaking is directed to issue revised corrected bill from reading 2 of July 2013 to reading 4791 of January 2015 i.e. for 4789 units during the period of 07/2013 to 01/2015 by waiving DP and interest within one month from date of receipt of the order.
3. The Respondent BEST Undertaking is directed to make the compliance within 2 months from the date of receipt of this order.
4. Copies of this order be given to both the parties.

(Shri S.M. Mohite)
Member

(Shri S.S. Bansode)
Member

(Shri V.G. Indrale)
Chairman