

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-267-2015 dtd. 07/08/2015.

Mr. Naziruddin M.D. GousComplainant

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 CPO

On behalf of the Complainant : 1. Shri Naziruddin M.D. Gous

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

Date of Hearing : 09/09/2015

Date of Order : 28/09/2015

Judgment by Shri. Vinayak G. Indrale, Chairman

Mr. Naziruddin M.D. Gous, 6, Ground flr., 50 B, Dhun Castle, Mirza Galib Marg, Nagpada, Mumbai Central, Mumbai - 400 008 has come before the Forum for high bill complaint for the month of November 2013 pertaining to a/c 541-209-017*0.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 20/04/2015 for high bill complaint for the month of November 2013 pertaining to a/c 541-209-017*0. The complainant has approached to CGRF in schedule 'A' dtd. 07/08/2015 (received by CGRF on 07/08/2015) 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 has come before the Forum regarding high bill complaint for the month Nov 2013 amounting to Rs 34,990/- for 2584 units recorded by the energy meter.
- 3.0 Site investigation was carried out on 02/12/2013 as meter reader has recorded high electrical consumption. During the investigation it was observed that display of meter No. M061518 found working properly. Hence bill of Dec 2013 was send to the complainant consumer by charging 2834 units.
- 4.0 Vide letter dated 20/01/2014 the consumer has complained against excess bill amount for the period 18/10/2013 to 18/12/2013 . Further he requested to depute staff to inspect the meter and to do needful by adjusting excess billing amount in future bills.
- 5.0 After receiving complaint from consumer, he was informed about meter already tested on 02/12/2013 and it was working O. K. The consumer was not satisfied by reply and requested to replace the meter. Hence, meter No M061518 was replaced by meter No. N119629 on 07/03/2014 and old meter was sent for laboratory testing.
- 6.0 Old meter No M061518 was found correct in accuracy and dial test during laboratory testing on 07/08/2014. The consumer was informed regarding the meter testing report vide letter dated 05/06/2015 in reply to Annexure 'C' dated 20/04/2015 .
- 7.0 Considering the delay in intimation of meter Test Report to the consumer, a proposal is put up to the Management's approval to waive delay payment charges and interest on arrears levied to the consumer from the date of dispute i. e January 2014 to July 2015 amounting to Rs 7,316.70.

REASONS

- 8.0 We have heard the arguments of the complainant in person and Shri S.S. Neglur, Ag. DECC(E) and Smt. P.V. Sutar, AAME for the Respondent BEST Undertaking.
- 9.0 The grievance of the complainant is in respect of charging units of 2834 for the period 18/10/2013 to 18/12/2013. It is the contention of the complainant that his average

consumption of electricity bill is not more than 250 units per month and so there was technical defect in meter which was shoot up and so incorrect reading was recorded.

- 10.0 It is the contention of the Respondent BEST Undertaking that on high bill complaint of the complainant, they have tested the meter on the spot as well as in lab and meter was found OK. The Respondent BEST Undertaking has placed on record both the test reports which are at Exhibit 11/C and 19/C. We have gone through the test report exhibit 11/C and in remark column it is observed that meter display found working OK, seal OK, CR brought, premises found locked. In test report at Exhibit 19/C in remark column, it is observed that meter found correct in accuracy and dial test. In view of this test report, the Respondent BEST Undertaking has submitted that there is no defect in the meter and so the complainant is liable to pay the electricity charges which he has consumed.
- 11.0 We have asked the Respondent BEST Undertaking to place on record CMRI (Computer Meter Reading Index) to know the exact consumption of units i.e. consumption for every 15 to 30 minutes during the period 18/10/2013 to 18/12/2013. The Respondent BEST Undertaking's officer has submitted that they are unable to produce the said CMRI reading as when the days are passed the earlier recording of CMRI vanishes due to subsequent recording of data. Considering this aspect, the Respondent BEST Undertaking is unable to produce the CMRI and so we have to rely upon the test report in which it is reported that meter was OK.
- 12.0 We have gone through the meter reading ledger folio for the period March 2011 to April 2015 and it appears that the units recorded therein are not in same range. The said meter reading ledger folios are at Exhibit 7/C and 9/C. The units recorded for the month of June 2015 are shown as 1747 i.e. highest reading regarding recording of units in between the period of January 2014 to July 2015. This shows that there was vast difference of recording of units in every month and probably it may be due to non-recording of the correct units consumed. Having regards to this aspect of the case the fact is that the connection was given for the industrial purpose, so possibility cannot be ruled out that the consumer, who had let out the premises to other person, ought to have consumed the electricity.
- 13.0 After going through the records, it reveals that even though the complainant has made the complaint in the month of January 2014, the meter was tested on 07/08/2014. This shows inordinate delay in testing the meter and thereby causing monetary loss to the consumer for DP and interest. After going through the submission of the Respondent BEST Undertaking they themselves have submitted that considering the delay in intimation of meter test report to the consumer, a proposal is put up for management's approval to waive DP and interest on arrears levied to the consumer from date of dispute i.e. January 2014 to July 2014 amounting to Rs. 7,316.70. In view of this submission of the Respondent BEST Undertaking has issued the bill of 2834 units for the period 18/10/2013 to 18/12/2013 charging amount of Rs. 34,990.00. The complainant has submitted that his financial condition is not so sound and therefore prayed to grant installment in payment of electricity charges and also prayed to waive

DP and interest. We do not find any reason for not to consider request of the complainant as the Respondent BEST Undertaking has caused inordinate delay in intimating the lab test report of the meter to the complainant.

- 14.0 Having regard to the above said reasons, the Forum comes to the conclusion that the complainant is entitle to pay the electricity charges as demanded by the Respondent BEST Undertaking in billing month December 2013 in two equal installments without charging DP and interest. In result we pass the following order.

ORDER

1. The complaint No. N-E-267-2015 dtd. 07/08/2015 stands partly allowed.
2. The complainant is directed to issue revised bill without levying DP & interest for the month of December 2013 to the complainant which is to be accepted in two equal monthly installments.
3. If the complainant fails to pay the electricity charges as stated above, then he is not entitled to get the benefit of waivel of DP and Interest.
4. The Respondent is hereby directed to comply with the order within one month from the date of receipt of the order and report the compliance to the Forum, thereon.
5. Copies of this order be given to both the parties.

(Shri S.S. Bansode)
Member

(Shri S.M. Mohite)
Member

(Shri V.G. Indrale)
Chairman