

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-F(N)-301-2016 dtd. 18/07/2016.

Smt. Prabhaben H. DoshiComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.Y. Gaikwad, Member
2. Shri S.M. Mohite, Member, CPO

On behalf of the Complainant : 1. Shri Narendra H. Doshi

On behalf of the Respondent : 1. Shri M.Y. Shethwala, supdt. CC(F/N)
2. Mrs. T.Y. Rege, AAO, CC(F/N)

Date of Hearing : 23/08/2016

Date of Order : 19/09/2016

Judgment by Shri. Vinayak G. Indrale, Chairman

Smt. Prabhaben H. Doshi, 12, Prabha Smruti, 461/C, Bhaudaji Road, Kings Circle, Mumbai - 400 019 has come before the Forum for High bill complaint pertaining to A/c no. 594-035-015*1.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 04/01/2016 for High bill complaint pertaining to A/c no. 594-035-015*1. The complainant has approached to CGRF in schedule 'A' dtd. 09/06/2016 (received by CGRF on 13/07/2016) as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee on her grievance.

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

- 2.0 The complainant Smt. Prabhaben Doshi came before the Forum regarding her grievances of high bill. Electric supply was given to the premises under reference in the name of Smt. Prabhaben Doshi through meter no. 0814440, a/c no. 594035015 for residential purpose.
- 3.0 In the month of November 2011, meter reader has brought meter reading as 5311 i.e. showing 223 units consumed in a single month which was higher than earlier monthly consumption. Hence the consumer was billed on estimated basis.
- 4.0 In the month of April 2012, the meter reader has brought the meter reading of meter no. 0814440 as 7225 units which was showing high monthly consumption compared to earlier month, hence the consumer was billed on monthly average basis and further investigation was carried out.
- 5.0 Meter no. 0814440 was 4 digit type meter. The meter reader has recorded actual consumption of the meter. At the time of investigation on 25/10/2012, the meter reading was recorded as 2859 units i.e. meter reading was crossed over '9999'.
- 6.0 The meter reader was getting correct meter reading which was on higher side than earlier months' reading on RAMCRAM machine. After ascertaining that meter 0814440 was correct in accuracy, the consumer was charged for accumulated / unbilled 4624 units consumed in the billing month January 2013. Even though the actual reading was 4522 units, in order to charge unbilled 4624 units, current meter reading was shown as 12864 units in the system.
- 7.0 During site visit on 23/04/2013, meter no. 0814440 was found correct in accuracy on site. Meter no. 0814440 was replaced by meter no. L116450 being 4 digit type. On 08/06/2013 meter no. 0814440 was tested in lab and found correct in accuracy.
- 8.0 The necessary dr/cr was carried out resulted in net credit of Rs. 1802.11, DP charges amounting to Rs. 880.58 pertaining to month February 2013 and penalty interest amounting to Rs. 144.75 pertaining to March 2013 was refunded in the billing month April 2013 and May 2013.
- 9.0 Revised dr/cr was carried out for giving slab benefit for the period 28/10/2011 to 03/05/2013 resulting in net credit of Rs. 6757.23 which was reflected in billing month December 2014. Earlier dr/cr which was appeared in the billing month of April 2013 and May 2013 reverted.

REASONS

- 10.0 We have heard the argument of Shri Narendra H. Doshi, son of the complainant and for the Respondent BEST Undertaking Shri M.Y. Shethwala, supdt. CC(F/N) and Mrs. T.Y. Rege, AAO, CC(F/N). Perused the documents submitted by the complainant along with Annexure 'A' and written statement filed by the Respondent BEST Undertaking alongwith documents marked at Exhibit 'A' to 'F'.
- 11.0 We have cautiously gone through the documents filed by the complainant and submission made by him in respect of recording the units of 4624 for the month of January 2013. The grievance of the complainant is that, how the BEST Undertaking has charged bill for the units of 4624 in the month of January 2013. The complainant has also given chart of units recorded for the month of June 2012 to January 2013, July 2013 to January 2014 and July 2014 to January 2015. The representative of the Respondent BEST Undertaking has submitted that they have resolved all the dispute regarding charging of bill for the units 4624 and they have given the slab benefit for entire period and in all given the credit of Rs. 9545.00 and same has been reflected in the bills issued to the complainant. We have gone through the Meter Ledger Folio Exhibit 'A' and it appears that for the period April 2012 to January 2013, the Respondent BEST Undertaking charged average bill and as per unit recorded by RAMCRAM, they have charged bill for 4624 after deducting the units charged on average basis. The uncharged units comes to $7745 - 3121 = 4624$ units. The Respondent BEST Undertaking has given slab benefit of unit 4624.
- 12.0 We have gone through Meter Ledger Folio Exhibit 'A' filed by the Respondent BEST Undertaking to show the consumption recorded by the meter no. 0814440 since April 2011 to April 2013. It appears that the above said meter has been replaced by meter no. L116450 and now the complainant did not dispute the reading recorded by newly installed meter. The contention of the Respondent BEST Undertaking is that in April 2012 the meter reader brought the reading 7625 which was high as compared to previous consumption pattern, so they suspected that meter may be defective and therefore in order to avoid harassment to the consumer till the time meter is tested for accuracy, the consumer was charged on average basis manually by the department which resulted into charging the bill for units 4624. We have gone through the Exhibit 'A' Meter Ledger Folio in which units '0' has been shown for the month of October, November and December 2012. It appears that the Respondent BEST Undertaking has charged average units by suspecting that the meter may be defective hence they tested the meter and when it was found OK, they rectified the reading and charged correct bill by giving slab benefits which has resulted into net credit of Rs. 9554.00 to the complainant. In view of this aspect really we do not find any grievance in the complaint as the consumption recorded by the newly installed meter appears to be same as compared to earlier bill for disputed period by old meter.
- 13.0 We have gone through the test report Exhibit 'C' which is in respect of meter no. 0814440. It appears that there is delay in lab test of the said meter which resulted into doubt in the mind of the complainant about the units recorded by the same

meter. Had, it been the fact that if the meter would have been tested earlier, the complainant might have not filed the complaint and must have satisfied with the test report. The test report Exhibit 'C' goes to show that the meter was sent to lab on 22/04/2013 and same has been tested on 06/06/2013. In remark column it has been mentioned that above meter found correct in accuracy test and dial test. In view of this test report, the contention of the complainant that the earlier meter was defective could not be sustainable.

- 14.0 It appears that meter no. 0814440 was four digit type meter. It being the four digit meter, after crossing the reading 9999 has again started recording the reading from 0001. This might be one of the reasons for the complainant suspecting that the reading recorded by the meter no. 0814440 was high and not correct.
- 15.0 The complainant has submitted that he is senior citizen and since 2013 he is approaching IGRC but could not get solved his problem regarding high bill and so prayed to resolve the dispute sympathetically. It appears that the complainant has paid electricity dues as per bill for every month and there are no arrears. He has submitted that after verifying the reading recorded by the disputed meter he may be given credit of the wrong units charged by the meter no. 0814440. After considering the Meter Ledger Folio and units consumed by replaced meter which is not disputed by the complainant, we do not find any substance in high bill complaint made by the complainant. On the contrary it appears that there is inordinate delay on the part of the complainant in approaching IGRC on 04/01/2016 and making the grievance of high bill for the period 2013 and 2012. Really in view of Regulation 6.6 of MERC (CGRF & EO), Regulation, 2006, the Forum shall not admit any grievance unless it is filed within two years from the date of which cause of action has arisen. In the instant case the complainant suspect high bill in the month of January 2013 and approached IGRC in the month of January 2016 and finally approached the Forum on 09/06/2016. The record goes to show that the complainant approached Customer Care Dept. of Respondent BEST Undertaking but he did not get proper advice for approaching this Forum. The complainant has every right to approach this Forum even if IGR Cell did not resolve his grievance within two months.
- 16.0 Before parting to pass the final order, we wish to mention that in number of cases which came before us, we have observed that no proper guidance has been solicited to the consumer by IGR Cell and thereby consumer has been harassed and tempted to file the complaint again before IGR Cell. It is expected from IGR Cell that they should give proper advice to the consumer to approach this Forum, even if they did not pass any order about the grievance made by the consumer. It appears that consumer was under wrong impression that unless IGR Cell pass the order about grievance, he cannot approach to this Forum. We think it to suggest that Chief Engineer Customer Care dept. shall issue directions to all Customer Care wards to give proper attention to the grievance of consumer as well as give advice and thereby no inconvenience would be caused to the consumer.

16.1 Having regard to the above said reasons, this Forum finds that the test report manifests that meter provided to the consumer has been working accurately and therefore no question arises of its recording erratic reading. Thus we do not find any substance in the grievance raised by the complainant. In result we pass the following order.

ORDER

1. The complaint no. **N-F(N)-301-2016** dtd. **18/07/2016** stands dismissed.
2. Copies of this order be given to both the parties.
3. The copy of the order be sent the Chief Engineer Customer Care for information and needful action.

(Shri S.Y. Gaikwad)
Member

(Shri S.M. Mohite)
Member

(Shri V.G. Indrale)
Chairman