

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)-243-2014 dtd. 02/12/2014.

Smt. Prema L. KaraniComplainant

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. Mr. Jeeghar Karani

On behalf of the Respondent : 1. Shri M.M. Bhonsle, DECC(F/N)
2. Smt. T.Y. Rege, AAO

Date of Hearing : 13/01/2015

Date of Order : 22/01/2015

Judgment by Shri. Vinayak G. Indrale, Chairman

Smt. Prema L. Karani, 4, 1st floor, Laxmi Nivas, Abhinandanswami Jain Mandir Marg, Road No. 25, Jain Society, Sion (W), Mumbai - 400 022 has come before the Forum for High Bill complaint pertaining to A/c no. 606-362-001*6.

Complainant has submitted in brief as under :

1.0 The complainant has approached to IGR Cell on 14/11/2014 for high bill complaint pertaining to A/c no. 606-362-001*6.. The complainant has approached to CGRF in schedule 'A' dtd. NIL (received by CGRF on 28/11/2014) as he was not satisfied by the remedy provided by the IGRC.

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

- 2.0 Initially the Electric supply is given to the complainant premises under reference in the Shri Jighar L. Karani through meter number U085416 and G800919, a/c no. 606-362-001 . Inadvertently, from August, 2011, the consumer is being billed only on meter No.U085416. The other meter is being continuously shown 'N' code i.e. meter not found on site.
- 3.0 Two months before the billing of meter No.G800919 was stopped, the reading folio appears to have been updated by another meter No.B022000, manually by over-writing. The meter No.B022000 was suddenly brought as extra meter by MRBC in January, 2013 and was having reading as 56682. However, the meter was found idle without any outgoing connection.
- 4.0 In the month of Nov 2013 , the complainant was billed for 3749 units recorded by the meter . The complainant has raised complaint of high bill. In his complaint he stated that , he has been wrongfully billed in the month of November, 2013 against a meter which according to him was never attributed to him. . He further stated that prior to August, 2011, he was having two meters viz.U085416 and G800929. He had the changes in the wiring for combination of both the meters as per the letter from the BES&T to make a combination since both the meters were of same residential tariff. Therefore charging of accumulated bill in the month of October and November, 2013 for the period from 23-9-2011 to 18-11-2013 is not acceptable to him and requested to withdraw the claim of 3749 units completely.
- 5.0 On going through our records, the Undertaking have observed that even though, his case was under consideration for combination of meter, there is no concrete evidence found in our records to prove that combination was done. He also could not produce any documentary evidence to conclude the same.
- 6.0 The complainant has been given credit of Rs 20,135.06 towards slab benefit given for accumulated units. However the same is not audited due to the objection taken by the consumer.

REASONS

- 7.0 We have heard Mr. Jeeghar Karani for the complainant and for the Respondent BEST Undertaking Shri M.M. Bhonsle, DECC(F/N) and Smt. T.Y. Rege, AAO. Perused documents placed before us.

- 8.0 We have perused the documents filed by the complainant as well as the say filed by the Respondent BEST Undertaking. It is admitted fact that two meters i.e. U085416 and G800919 were provided to the consumers by the Respondent BEST Undertaking and he was using electric supply through both these meters. The contention of the complainant that in the month of August 2011, there was combination of load and meter and thereby electric supply from meter no. G800919 has been transferred to meter no. U085416. The Respondent BEST Undertaking submitted that there was a proposal of combination of both the meters as per policy of the BEST Undertaking for convenience of the consumer as well as BEST Undertaking.
- 9.0 The complainant has submitted that in his presence the load was combined by removing the electric supply from one meter and thereafter in subsequent period for about 29 months the meter reading on meter no. G800919 has continuously shown as 'Zero' then how come in the month of November 2013, the Respondent BEST Undertaking has detected the reading of 4149 units. So, for that he is not entitled to pay any electricity charges for these units. We have gone through the record more particularly electricity consumption units since before clubbing of the meters as well as after combining the same and found that there is no much difference in the consumption of the electricity e.g. (i) in the months of September 2011, 2012 & 2013, the consumption recorded was 415, 542 and 593 units respectively (ii) in the months of October 2011, 2012 & 2013 the consumption recorded was 328, 418 & 493 units respectively. During the hearing the Respondent BEST Undertaking submitted that the meter no. G800919 was replaced by the meter no. B022000 but the record of the same was not available with them and as per MR Folio the meter no. shown B022000 (manually corrected as per usual practice) i.e. new meter was corrected in the Meter Reading Folio and it seems that same was not updated in the legacy data. In routine course, if the meter was replaced then certainly there must be some document in that regard and some entry must be made in the system. Thus it appears that it was for the Respondent BEST Undertaking to timely update the record regarding replacement of the meter.
- 10.0 On perusal of the documents i.e. consumption pattern submitted by the Respondent BEST Undertaking, this Forum observes that for the meter no. G800919 it shows 'meter not on board' for a period of 29 months. Further even if this Forum agrees the view of the Respondent BEST Undertaking that the same meter was installed over there, we do not find any progressive reading of the installed meter as an extra meter as per the system of the Respondent BEST Undertaking.
- 11.0 In view of these entries in billing ledger, the grievance of the complainant that he is not responsible for payment of the electricity charges for so called replaced meter appears to be probable.
- 12.0 The complainant has submitted that from time to time he has filed application for claiming the electricity charges on meter no. G800919 and on his application concerned Meter Inspector visited the place and found that there is no electricity connection to the said meter no. G800919. The Respondent BEST Undertaking agrees

that the said meter was idle. Considering all these documents, more particular meter consumption ledger, it is crystal clear that consumer is not at all responsible for the alleged electricity consumption units which are shown on meter no. G800919. It appears that the possibility cannot be ruled out that someone ought to have been unauthorizedly used the said meter during the period for units 4249. For that the complainant cannot be held responsible.

- 13.0 For the above stated reasons and considering the fact that there is no record for replacement of meter as well as there is no difference in consumption of electricity units consumed by the consumer before and after combination, the complainant cannot be held responsible to pay the electricity charges for 4249 units i.e. billed after August 2011 from the reading 52433 as claimed by the Respondent BEST Undertaking in the bill for the month of October 2013. In view of this, the Forum finds that the Respondent BEST Undertaking is not entitled to claim the electricity charges for 4249 units from the complainant as claimed through bill for the month of October 2013. Thus the complaint deserves to be allowed. In this circumstances no order as to cost.

ORDER

1. The complaint No. N-F(N)-243-2014 dtd. 18/11/2014 stands allowed.
2. The Respondent BEST Undertaking is directed to delete the electricity charges for 4249 units which were charged from initial reading 52433 of October 2013 along with DP charges and interest levied.
3. The Respondent BEST Undertaking is directed to comply the order within 30 days from the date of this order and submit the compliance within 60 days.
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