

**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-G(N)-244-2014 dtd. 14/01/2015.**

Mr. Rammanohar Yadav .....Complainant

V/S

B.E.S.&T. Undertaking .....Respondent

**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. Shyam Yadav  
2. Mr. Samar Yadav

On behalf of the Respondent : 1. Shri P.P. Kulkarni, DECC(G/N)

Date of Hearing : 12/02/2015

Date of Order : 18/02/2015

**Judgment by Shri. Vinayak G. Indrale, Chairman**

Shri Rammanohar Yadav, 3, ground floor, Plot 286, Flour Mill, Swatantrya Veer Savarkar Marg, Catering College, Dadar (W), Mumbai - 400 028 has come before the Forum for high Bill complaint pertaining to A/c no.623-269-001\*1.

**Complainant has submitted in brief as under :**

1.0 The complainant has approached to IGR Cell on 10/11/2014 for high Bill complaint pertaining to A/c no.623-269-001\*1. The complainant has approached to CGRF in schedule 'A' dtd. 12/01/2015 (received by CGRF on 12/01/2015) 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 Electric Supply is rendered to the complainant's premises in the name , Shri Rammanohar Yadav for flour mill through meter Nos 0400989 and Meter Nos N067042. It is observed that meter Nos N067042 was registering the electrical consumption properly upto February 2012. In the month of March 2012, Meter Nos N067042 has recorded more consumption than previous average monthly consumption. Therefore the complainant has registered high bill complainant on 15/05/2012.
- 3.0 The complainant's Meter Nos N067042 was tested on site on 24/05/2012 for accuracy and found working within limits of accuracy. Again the complainant has registered high bill complaint on 03/06/2013 vide ID 1479426 and ID 1479436. Both the meters were tested on 04/07/2013. Meter no. 0400989 found working within permissible limits of accuracy and meter no. N067042 found "display defective". Therefore, meter no. N067042 was replaced by meter no. N115962 on 18/11/2013.
- 4.0 Necessary debit / credit was carried out for the period 10/05/2013 to 17/01/2014 for energy charges which was reflected in billing month October 2014. Also DP charges mounting to Rs. 28,588.90 and penalty interest amounting to Rs. 4,373.17 were also refunded to the complainant which was reflected in the billing month November 2014.

**REASONS**

- 6.0 We have heard Mr. Shyam Yadav and Shri Samar Yadav in person for the complainant and for the Respondent BEST Undertaking Shri P.P. Kulkarni, DECC(G/N). Perused documents placed on record by the complainant as well as by the Respondent BEST Undertaking before us.
- 7.0 It is admitted fact that electric supply was provided to the complainant's premises through meter no. N067042 and meter no. 00400989 for flour mill and commercial purpose. The complainant had registered high bill complaint on 15/05/2012 for meter no. 067042 and same meter was tested and found OK on 24/05/2012. The complainant again registered the complaint for both the meters on 03/04/2013 and 04/06/2013. Again both the meters were tested and found OK and noticed that the display of meter no. N067042 is defective. In view of this aspect the same meter i.e. N067042 was replaced by new meter no. N115962 on 18/11/2013.
- 8.0 Having regard to the above said facts, it appears that when there is no proper display there is defect in the meter. The Respondent BEST Undertaking has charged average bill for six months. This Forum observes that the action of the Respondent BEST

Undertaking of charging average bill for six months is not in accordance with the MERC (Electricity Supply Code and Other Conditions of Supply) Regulation, 2005. Here it is just and proper to reproduce the Regulation 15.4 Billing in the Event of Defective Meters.

15.4.1	xxx	xxx	xxx
	xxx	xxx	xxx
	xxx	xxx	xxx
	xxx	xxx	xxx
	xxx	xxx	xxx
	xxx	xxx	xxx

Provided further that, in case the meter has stopped recording, the consumer will be billed for the period for which the meter has stopped recording, up to a maximum period of three months, based on average meter consumption for twelve months immediately preceding three months prior to the month in which the bill is contemplated.

- 9.0 In view of the above said Regulation, the action of charging the bill for six months i.e. for the month of June 2013 to November 2013 by the Respondent BEST Undertaking is not warranted. Thus, it appears that considering the above said Regulation, it is obligatory on the part of the Respondent BEST Undertaking to charge three months average bill i.e. for the month from June 2013 to August 2013.
- 10.0 Having regard to the above said Regulation, the Forum finds substance in the grievance put forth by the consumer / complainant and it is obligatory on the part of the Respondent BEST Undertaking to issue revised fresh bill after deducting three months average bill and charges applied i.e. DP and interest. Hence the complaint deserves to be allowed. In result we pass the following order.

### ORDER

1. The complaint No. N-G(N))-244-2014 dtd. 13/01/2015 stand allowed.
2. The Respondent BEST Undertaking is hereby directed to revise the bill after deducting three months average bill from September 2013 to November 2013 with DP charges and interest levied and issue a fresh bill to the complainant within a period of one month from the date of passing this order and report the compliances of this order within a period of two months, there from.
3. 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