

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)-233-2014 dtd. 25/08/2014.

Mr. Rasiklal Ratanshi DedhiaComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman / Member Licensee

Quorum : Shri Sanjay S. Bansode

Member CPO

Shri Suresh M. Mohite

On behalf of the Complainant : 1. Shri Rasiklal Ratanshi Dedhia
2. Shri Nirav Dedhia

On behalf of the Respondent (1) : 1. Shri V.K. Chaube, Ag. AAM CC(G/N)
2. Shri Rajesh Mane, Sup.

Date of Hearing : 03/11/2014

Date of Order : 17/11/2014

Judgment by Shri. Sanjay S. Bansode, Chairman

Mr. Rasiklal Ratanshi Dedhia, 2, ground floor, 4, Gokul Niwas, Ranade Road, Dadar (W), Mumbai 400 028 has come before the Forum for Complaint regarding high bill pertaining to A/c no. 617-055-012*4.

Complainant has submitted in brief as under :

1.0 The complainant has approached to IGR Cell on 17/02/2014 against high bill pertaining to A/c no. 617-055-012*4. The complainant has approached to CGRF in schedule 'A' dtd. 19/08/2014 (received by CGRF on 19/08/2014) as no remedy is 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 Rasiklal Ratanshi Dedhia has come before the Forum regarding high bill complainant for the billing month April 2012 and May 2012 pertaining to a/c No. 617-055-012*4.

3.0 The electric supply was rendered to the complainant Shri Rasiklal Ratanshi Dedhia through meter numbers 481389 and L801156 on 30/09/1989. Later on electric supply has been given through meter No N023303 from 25/09/2003. This meter was registering proper consumption up to March 2012.

4.0 In the month of April 2012 and May 2012 energy meter has recorded consumption as 1100 & 1902 units respectively. The complainant has registered high bill complaint for the same on 04/06/2012. He had paid Rs 300/- as charges for official testing of meter on 29/08/2012 vide receipt No 4655.

5.0 The complainant's meter N023303 was tested on site on 30/10/2012 and found O.K. and meter accuracy results was within limit. The complainant was not satisfied with the results of meter testing. The meter N023303 was replaced by meter No. N102224 on 02/04/2013. The old meter N023303 was sent for Lab Testing. The meter N023303 was tested on 14/05/2013 and found correct in accuracy test and dial test. Thus the said meter was found correct in accuracy and not found defective.

6.0 In the month of July 2013 the complainant was billed for 3443 accumulated units from the date of installation of meter N102224. From April 2013 the complainant was billed on estimated units. The complainant was given slab benefit of Rs 41,086.89/- and refunded Rs 3196.35 towards Delay Payment Charges and Rs 11,555.89 towards interest charges for the period May 2013 to Feb 2014 by carrying out necessary debit/ credit and same is reflected in billing month April 2014. In addition to this, Delay Payment charges amounting to Rs 397.03 and interest on arrears amounting to Rs 3551.87 for the period Mar 2014 to Apr 2014 were also refunded and same is reflected in the billing month May 2014 to the complainant.

REASONS

9.0 We have heard Shri Rasiklal Ratanshi Dedhia and Shri Nirav Dedhia for the complainant and Shri V.K. Chaube, Ag. AAM CC(G/N) and Shri Rajesh Mane, Sup. for the Respondent BEST Undertaking. Perused documents placed before this Forum.

10.0 At the outset, this Forum finds the instant complaint under consideration totally devoid of any merit and liable to be dismissed *per se*.

- 11.0 The complainant Shri Rasiklal Dehdia has come before the Forum regarding high bill complaint for the billing month April, 2012 and May 2012 pertaining to a/c no. 617-055-012*4. This Forum observes that the electric supply was rendered to the complainant Shri Rasiklal Dehdia through meter nos. 481389 and L801156 on 30/09/1989. Later on electric supply has been given through the meter no. N023303 since 25/09/2003. As per the complainant, this meter was registering the consumption properly up to the March 2012 after that meter had registered high consumption and the complainant filed the complaint with the Respondent BEST Undertaking on 04/06/2012 and paid the necessary charges towards the testing of the meter.
- 12.0 In counter, the Respondent BEST Undertaking submitted its written statement before this Forum stating that the meter no. N023303 was tested by the officials of the Respondent BEST Undertaking with the help of standard meter testing equipment and found that no error in the accuracy of the meter. Further, the same meter was sent for laboratory testing being the complainant was not satisfied with the site testing. The meter no. N023302 was tested in laboratory on 14/05/2013 and found that there is no error in accuracy test as well as the dial test and meter is correct.
- 13.0 Further, the Respondent BEST Undertaking brought to the notice to this Forum that due to delay in updation of new meter on the system, the complainant has been charged on average units since 02/04/2013 i.e. date of replacement of old meter no. N023303 up to July 2013. In the month of July 2013, the consumer was billed 3443 units which are registered on the new meter no. N102224 and the Respondent BEST Undertaking stated that the necessary slab benefit and the credit of the earlier charged average units have been given. Also the DP charges levied and interest thereon is credited.
- 14.0 On perusal of the documents submitted by the Respondent BEST Undertaking i.e. **Ledger Folio**, we find that the average consumption of the complainant is matching with the post replacement and earlier **old meters' consumption**. This Forum also finds that the consumption pattern of the complainant varies in certain months, which is high especially in November and April to June of every year of last four years.
- 15.0 This Forum further finds that as the complainant made much hue and cry about receiving the electricity bill on its higher side and complained about the meter being faulty one and charged him 5000-5500 units extra, this contention of the complainant is totally baseless, we observe the same from the Ledger Folio and allegation made by the complainant is false.
- 16.0 This Forum further finds that neither the Respondent BEST Undertaking replied to the earlier correspondence of the complainant nor the complainant paid the electricity consumption legitimate charges. Further we find that on submission of complaint in Annexure 'C' to the IGRC, the Respondent BEST Undertaking while replying Annexure 'C' informed details of debit / credit to the complainant along with the copy of test results which is in accordance with the law and informed that the meter under

consideration is in order and there is no relief for the same. The section 14.4 of MERC Regulation, 2005 is reproduced below.

14.4 Testing and Maintenance of Meter

14.4.1 *The Distribution Licensee shall be responsible for the periodic testing and maintenance of all consumer meters.*

14.4.2 *The consumer may, upon payment of such testing charges as may be approved by the Commission under Regulation 18, request the Distribution Licensee to test the accuracy of the meter.*

Provided that the consumer may require the Distribution Licensee to get the meter tested at such facility as may be approved by the Commission.

14.4.3

xxx	xxx	xxx
xxx	xxx	xxx
xxx	xxx	xxx
xxx	xxx	xxx
xxx	xxx	xxx
xxx	xxx	xxx

14.4.4 *In the event of the meter being tested and found to be beyond the limits of accuracy prescribed in the Indian Electricity Rules, 1956, till the regulations are specified by the Authority under Section 55 of the Act, the Distribution Licensee shall refund the testing charges paid by the consumer and adjust the amount of the bill in accordance with the results of the test as specified in Regulation 15.4.*

17.0 This Forum further finds that entire complaint, the complainant consumer has found to have made a wide allegation during the hearing against the Respondent BEST Undertaking that it has proceeded to manipulate the electricity bill for the month of May 2013, June 2013 and July 2013 in order to deceive by disgusting and concealing the incorrect reading. In this connection, this Forum observes that in the first instant the Respondent BEST Undertaking has been a Public Undertaking running on public funds. Besides it, it is having on its record about more than 9.5 lacs consumers like the present complainant. Besides it, the complainant could not show any enmity with the Respondent BEST Undertaking. The Forum thus finds that there is no any reason on the part of the Respondent BEST Undertaking, to single out the complainant from the said huge number of complainants in order to victimize him that too for the electricity bill only. We, thus find that this allegation is totally baseless and devoid of any merit.

18.0 In the aforesaid observation and submission before this Forum, having not been able to find any iota of merit in the contentions raised by the complainant, we proceed to dismiss the same.

19.0 Before we conclude, the delay in hearing is due to the non availability of the complainant for the reason of Diwali festival.

ORDER

1. The complaint No. N-G(N)-233-2014 stands dismissed.
2. Copies of this order be given to both the parties.

(Shri S.M. Mohite)
Member

(Shri Sanjay S. Bansode)
Chairman / Member Licensee