

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-FN-342-2017 dtd. 22/11/2017

Shri Selvaraj KandaswamiComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Dr. M.S. Kamath, Member, CPO

On behalf of the Respondent : 1. Shri G.S. Dadial, Supdt. DECC(F/N)
2. Shri D.K. Lambate, AAM CC(F/N)
2. Smt. T.Y. Rege, AAO CC(F/N)

On behalf of the Complainant : 1. Shri Selvaraj Kandaswami

Date of Hearing : 10/01/2018

Date of Order : 12/01/2018

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Selvaraj Kandaswami, Room no. A-205, Indira Nagar, Hemant Manjarekar Road, Sion Koliwada, Sion, Mumbai - 400 037 has come before the Forum for dispute regarding high bill pertaining to A/c 789-267-805.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 13/04/2017 for dispute regarding high bill pertaining to A/c 789-267-805. The complainant has approached to CGRF in schedule 'A' dtd. 17/11/2017 (received by CGRF on 17/11/2017) as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee on his grievance.

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

- 1.0 The electric supply was given to the complainant's premises under reference through meter number A091941 (EMCO make) for residential purpose. Vide system generated " Nil Consumption " memo, complainant number 14233296 dated 13/05/2013 and directives from the Management , on 20/05/2013, meter number A091941 was replaced by meter number A124218 for the reason of " No Display" without inspection.
- 2.0 ID 2029555 dated 08/12/2014 had generated against high bill complainant for 1800 units charged in the billing month November 2014. After scrutiny of records , it was observed that , the consumer was billed on estimated meter reading for the months June 2014 to October 2014(5 months). In November 2014 the meter reader has brought correct meter reading as 5394 units on 14/11/2014. The consumer was billed for 1800 units by giving slab benefits by the system. During site inspection on 16/12/2014, meter number A124218 found working properly.
- 3.0 ID No 2112021 dated 29/01/2015 was generated for high bill complaint for 3563 units charged in the bill of January 2015. During the site inspection on 05/02/2015, meter number A124218 found defective. Hence on 20/03/2015 meter number A124218 was replaced by meter number C143989. Meter number A124218 tested in a laboratory on 17/06/2015 and RTC found defective (Failure).
- 4.0 Necessary debit / credit were carried out for giving slab benefit for the period 25/05/2013 (Installation of meter) to 20/03/2015 (Removal of meter) resulting in net credit of RS 19,554.66/-. Also Delay Payment charges for the period January 2015 to July 2015 amounting to Rs 1405.77/- and interest for the period January 2015 to July 2015 amounting to Rs 2982.67 was refunded . Same was reflected in bill month October 2015.
- 5.0 Also Delay Payment charges and interest amounting to Rs 2575.08/- for the period August 2015 to October 2015 was refunded and same was reflected in bill month February 2016.
- 6.0 The site testing of present meter number C143989 was carried out on 08/12/2016 and 13/12/2017 and found working properly. The consumption pattern is consistent with seasonal variation . Thus grievance of complaint consumer is redressed.

REASONS

- 1.0 We have heard argument of the complainant in person and for the Respondent BEST Undertaking Shri G.S. Dadiyal, Supdt. DECC(F/N), Shri D.K. Lambate, AAM CC(F/N) and Smt. T.Y. Rege, AAO CC(F/N). We have perused the documents filed by either party

to the proceedings. Perused the written statement filed by the Respondent BEST Undertaking along with documents marked as Exhibit 'A' to 'G'.

- 2.0 The complainant has submitted that in the month of November 2014, he has received electricity bill of 1800 units which was high bill and likewise in the month of January 2015 he received electricity bill for unit 3563 which is very excessive and these units consumed has been shown due to faulty meters. The Respondent BEST Undertaking has submitted that for the month of June 2014 to October 2014 they have issued estimated bill for five months and when the meter reader brought correct reading of 5394 on 14/11/2014. The system re-billed by giving slab benefit of six months totaling to 1800 units. According to the Respondent BEST Undertaking the meter no. A124218 was tested on site and found working properly. The said report is at Exhibit 'B'.
- 3.0 It is the submission of the Respondent BEST Undertaking that on 29/01/2015, the complainant complained about high bill with reading 6792 showing units consumed 3563. Due to this complaint, they replaced the meter no. A124218 by meter no. C143989 on 20/03/2015. The said meter was tested in laboratory and found to be working properly but with RTC defective. The said test report is at Exhibit 'C'.
- 4.0 The Respondent BEST Undertaking has submitted that as the meter was found working properly they have given slab benefit for the period from 20/05/2013 to 10/04/2015 by dividing 3563 units for the period 20/05/2013 to 10/04/2015 and carved out units consumed per month as 346 units. Thus according to the Respondent BEST Undertaking they have carved out dr/cr note by giving slab benefit as well as they have given benefit of DPC and interest and thus given total credit of Rs. 23,941.11 + Rs. 2,575.08 as exemption of DPC and interest.
- 5.0 We have cautiously gone through the consumption pattern of the complainant since 2010 till the dispute and it appears that the complainant has consumed electricity in between 570 units to 321 units per month. Considering the past consumption of the complainant we do not find any grievance of high bill as the Respondent BEST Undertaking has carved out average monthly consumption of 346 units. It appears that the Respondent BEST Undertaking has charged electricity bill on estimated average bill for some period, they do not verified the reading due to close of meter box and therefore the complainant tempted to say that he had paid bill regularly for consumption of lower units and when asked for payment of 346 units, he is saying that it is high bill. After going through the payment pattern made by the complainant, it appears that he was not regular in payment of electricity bill and therefore adding DPC and interest the amount increased upto Rs. 45,290.00 as on 24/11/2017.
- 6.0 It reveals that the Respondent BEST Undertaking has given credit of electricity bill paid by the complainant for bill issued on estimated average bill. Likewise, the electricity bill for 1800 units the credit has been given while carving out the average bill of 346 units per month. Thus, considering all these aspects really we do not find any grievance in the complaint of high bill.
- 7.0 The complainant has submitted that his financial condition is not sound and therefore not in a position to pay all electricity dues at once. Considering the financial condition of the complainant we think it just and proper to give installment to the complainant to pay the electricity bills. We think it just and proper to direct the Respondent BEST Undertaking not to levy DPC and interest on arrears of Rs. 45,290.00 otherwise the complainant would not be in a position to pay the arrears. In result we

partly allow the complaint by giving suitable installments for repayment of electricity dues. In result we pass the following order.

ORDER

1. The complaint no. N-FN-342-2017 dtd. 22/11/2017 stands partly allowed.
2. The complainant is directed to pay arrears of electricity bill of Rs. 45,290.00 in 12 equal monthly installments commencing from February 2018.
3. The complainant is directed to pay regular monthly electricity bill along with installment.
4. The Respondent BEST Undertaking is directed not to levy DPC and interest on arrears of Rs. 45,290.00.
5. The Respondent BEST Undertaking is directed to make compliance of this order within two months from the date of receipt of the order.
6. Copies of this order be given to both the parties.

Sd/-
(Dr. M.S. Kamath)
Member

Sd/-
(Shri V.G. Indrale)
Chairman