

		Date	Month	Year
1	Date of Receipt	20	01	2021
2	Date of Registration	27	01	2021
3	Decided on	24	03	2021
4	Duration of proceeding	56 days		
5	Delay, if any.	No		

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. 22799528

Grievance No.S-D-421-2021dtd. 27/01/2021

Shri Vijay Sohanlal SharmaComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Coram : Shri S.A. Quazi, Chairman

Member

1. Shri R.B. Patil, Member

On behalf of the Respondent : 1.Shri M.P. Rananaware

On behalf of the Complainant : 1. Smt. Purnima V. Sharma

Date of Hearing : 09/03/2021

Date of Order : 24/03/2021

Judgment

- 1.0 The complainant has filed this complaint before this Forum being aggrieved by the decision taken by Internal Grievance Rederssal Cell (IGRC) of the Respondent in respect of his complaint about high bill for the month of August, September and October 2020.
- 2.0 The case of the complainant may be summarized as under :
- a) The complainant is having consumer a/c no. 461-327-001 and he was supplied with the electricity through meter no. H110487 (old) and D195016 (new).
 - b) According to the complainant, the bills for the months of March, April, May and June 2020 were for 350 units each but bills for 3 months from August, September and October 2020 are in respect of consumption of 771, 726 and 718 units respectively. This shows that the Respondent had issued bill of Rs. 7,350.00 for August 2020, Rs. 6860.08 for September 2020 and Rs. 6,755.50 for October 2020. The complainant had been complaining to the Respondent in this regard. As the high bills were not acceptable to the complainant paid some amount under protest during this period.
 - c) The Respondent replaced the old meter bearing no. H110487 and installed new meter no. D195016. In the course of hearing of the submissions of parties, the representative of the complainant has submitted that after change of the meter, the bills were not so much high as compared to the bills of August, September and October 2020. The complainant is not satisfied with the testing report of the old meter conducted by the Respondent. In such circumstances the complainant has requested to reduce the bills for the aforesaid 3 months.
 - d) The complainant had approached to IGRC and put up the aforesaid grievance to them. However, the IGRC has not decided the matter correctly. Being aggrieved thereby, the complainant approached this Forum with the aforesaid submissions.
- 3.0 The Respondent has filed reply and opposed the contentions raised in the complaint submitted before this Forum. Their case may be stated as under :
- a) In their reply, the Respondent has pleaded that due to Corona / COVID-19 pandemic, the meter reading activity for all the consumers was suspended as per directives of MERC to all the Distribution Licensees. As per these directives, the consumers were to be billed on estimated basis and accordingly it was done in the month of March, April, May and June 2020. The estimated units were on lower side for residential consumers as the bill units considered for estimation were of March 2020 when the consumption is generally on the lower side. As regards the bills of the complainant for April to June

2020, it is submitted that it was billed on 350 estimated units for each of the month of April, May and June 2020 i.e. in all 1050 units for 3 months.

- b) However, after obtaining actual meter reading in the billing month of July 2020, it was observed that actual consumption was 1745 units for the billing month of April, May and June 2020 against the estimated units of 1050. The complainant was under billed by 695 units during the aforesaid 3 months of April, May and June for the aforesaid reason that the bills were on estimation before the actual reading was taken. These under billed 695 units shown in the actual reading were divided between 3 months so as to charge for 531, 645 and 569 units for April, May and June 2020 respectively as actual consumption. The adjustment of these 695 under billed units is done after giving slab benefit for each estimated month. The adjustment amount of Rs. 7,842.18 is debited in the billing month of July 2020 to be paid in August 2020.
- c) As regards, the consumer's complaint of high consumption in the billing month of August, September and October 2020, the meter no. H110487 was replaced by new meter no. D195016 on 09/10/2020. The old meter was tested in the laboratory of the Respondent and in the test it was found to be within the permissible limits of accuracy. The Respondent has produced copy of the report of the test with the reply vide Exhibit-7.
- d) By complaint to IGRC in Annexure 'C' dtd. 15/12/2020, the complainant expressed his grievance regarding high consumption in the billing month of August, September and October 2020. Further, it is mentioned that from the month of April 2020, the bill amount has risen. According to the Respondent, the letter dtd. 14/01/2021 was sent to the consumer and the aforesaid facts were informed to him.
- e) According to the Respondent in the aforesaid circumstances, the grievance of the consumer before this Forum has no merits and it is required to be dismissed.

4.0 We have heard the submissions of the respective representatives of the complainant as well as the Respondent. In view of the above submissions of the parties and cases pleaded by them, the following **points arise for determination**, on which we record our findings as under, for the reasons to follow.

Sr. No.	Points for determination	Findings
1	Whether the billing for the month of August, September and October 2020 was proper ?	Affirmative.
2	What order should be passed ?	The complaint is dismissed as per the operative order being passed herein below.

5.0We record reasons for aforesaid findings as under :

- a) The submissions of the parties and documents on record show that there is no dispute that the bills given by the Respondent for the month of April, May and June 2020 were on estimation. In this regard, the Respondent's representative has placed reliance on the guidelines and directives issued by MERC. It is seen from the record that MERC has issued such directives which show that all Distribution Licensees were directed not to take actual readings but till further orders, the billing be done on estimation as per the earlier trend of consumption of electricity. Therefore, the contention of the Respondent appears to be true that bills for the month of April, May and June 2020 were given on estimation of 350 units per month. Therefore, it appears that the bills during these months were lesser than the actual consumption of the units which were noticed subsequently when actual reading was taken in the month of July 2020. When the reading was taken in the month of July 2020, the actual consumption shown for the month of April, May and June 2020 was for 1745 units. Therefore, the Respondent found on the basis of this actual reading that the billing on estimation for the aforesaid month of April, May and June 2020 was under billed by 695 units. These under billed 695 units were adjusted by the Respondent by dividing the same in 3 months i.e. April, May and June 2020. On doing so, they found that the bills for the month for April, May and June 2020 should be for consumption of 531 units, 645 units and 569 units respectively. On such billing, the Respondent made adjustment of amount of Rs. 7,842.18 and it is debited in the bill of July 2020. Therefore, the grievance of the complainant that the bills for the months of April, May and June were lesser than the bills of the subsequent months cannot be said to have merits because the bills given to the complainant for these months were on estimation and not on the basis of actual consumption.
- b) Still, taking into consideration, grievance of the complainant about high billing in the month of August, September and October 2020, the Respondent changed the old meter and installed the new meter no. D195016 on 09/10/2020. The old meter no. H110487 was tested by the Respondent in their laboratory. The Respondent has placed on record the test report. On perusal of this report, we found that no defect was found in the meter in the said testing. The copy of this test report is produced by the Respondent. On perusal of this, it is seen that the report is to the effect that the above meter is found correct in dial and accuracy test but RTC as defective. However, as the meter was found correct in the dial and accuracy test, we do not find that the meter was showing any wrong or exaggerated consumption during the aforesaid period of August, September and October 2020. Moreover, on perusal of the statement produced by the Respondent in respect of the consumption pattern, it is seen that the computer system of the Respondent records the consumption pattern in the statement form called as Transmission and Distribution Information Management System. It does not show any much variation in the consumption recorded during the period from April 2019 to February 2021. Therefore, we do not find any merit in the grievance of the

complaint that the meter was not showing correct and accurate consumption of units during the said billing period from August, September and October 2020.

- c) In view of the aforesaid observations, we find that the bills charged by the Respondent during the aforesaid period of August, September and October 2020 were not suffering from any defect. Hence, we have recorded negative findings on point (1). As a result of this, we hold that the complaint is liable to be dismissed and accordingly we have recorded our findings on point (2). Hence, we proceed to pass the following order.

ORDER

- 1.0 The grievance no. S-D-421-2021 dtd. 27/01/2021 stands dismissed.
- 2.0 Copies of this order be given to all the concerned parties.

Sd/-
(Shri. R.B Patil)
Member

Sd/-
(Shri S.A. Quazi)
Chairman