

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-E-338-2017 dtd. 23/10/2017

Shri Sahadev S Bamrah &
Shri Brijkishor ChouhanComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.V. Fulpagare, Member
2. Dr M.S. Kamath, Member, CPO

On behalf of the Complainant : 1. Shri Sahadev Singh

On behalf of the Respondent : 1. Shri A.V. Naik, DECC(E)
2. Smt P.V. Sutar, AAM CC(E)

Date of Hearing : 05/12/2017

Date of Order : 06/12/2017

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Sahadev S Bamrah & Shri Brijkishor Chouhan, Plot No 39/A Gr Floor Shed, Hay Bunder, Brick Bunder Sewree, Kalachowky, Mumbai 400 0033 has come before the Forum for dispute regarding high bill pertaining to A/c 768-611-001*7.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 23/08/2017 for dispute regarding high bill pertaining to A/c 768-611-001*7. The complainant has approached to CGRF in schedule 'A' dtd. NIL received by CGRF on 18/10/2017) 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 is given in the name of Shri Sahadev S. Bamrah and Brijkishor Chouhan's premises under reference for commercial purpose. Vide high bill complaint dtd. 07/12/2015 (ID 256104) meter no. M115968 EMCO make was tested on site and found that meter is having no display. Hence meter no. N115968 was replaced by meter no. N150936 on 27/01/2016. Meter no. N115968 was tested in laboratory on 31/05/2016 and found, "No Communication, No Display and No Output Pulse".
- 2.0 Vide complaint letter dtd. 24/06/2016, the complainant had launched high bill complaint. On 28/06/2016, meter no. N150936 was tested on site and found working properly. The complainant was not satisfied with the site test results of the meter. Hence, on 22/08/2016, meter no. N150936 was replaced by meter no. N164976. Meter no. N150936 was tested in laboratory on 08/05/2017 and found OK.
- 3.0 After study of billing data and load survey data downloaded at the time of meter testing of meter no. N150936, it was observed that the consumer was billed correctly.
- 4.0 Necessary dr/cr was carried out for amendment of meter no. N1159658 for the period 03/07/2015 to 27/01/2016. This has resulted in net credit of Rs. 1,35,432.40. Also DP charges and penalty interest amounting to Rs. 59,102.53 for the period December 2015 to July 2017 refunded. Thus total credit of Rs. 1,94,534.93 was given in the bill of month September 2017.
- 5.0 Hence, the complainant is requested to pay the balance amount of Rs. 1,72,248.00 as on October 2017.

REASONS

- 1.0 We have heard the complainant in person and for the Respondent BEST Undertaking Shri A.V. Naik, DECC(E) and Smt P.V. Sutar, AAM CC(E) at length. Perused papers.
- 2.0 After hearing the argument it reveals that the grievance of the complainant is in respect of consumption recorded by the meter no. N150936 for the month of March 2016 to July 2016. According to the complainant the units recorded for the above said report is very high as compared to earlier readings recorded by the meter no. N115968 and units recorded by replaced meter no. N164976. The Respondent BEST Undertaking has submitted that the complainant was using the electricity for commercial purpose and they have checked said meter on site as well as in lab and it was found OK, hence there is no merit in the grievance of the complainant.

- 3.0 The Respondent BEST Undertaking has further submitted that, they have obtained the Load Survey - Energy Report of meter no. N150936 for the relevant period from 24/04/2016 to 22/08/2016. After studying this report it was observed that units billed to the consumer are correct. We have cautiously gone through the documents, more particularly Annexure 'C' at pg. 45/C in which the complainant has only made complaint of high bill for the units recorded by meter no. N150936. The said Annexure is filed before IGRC on 23/08/2017. In order to substantiate the grievance of the complainant we have gone through the site test report which is at pg. 39/C as well as lab test report at pg. 41/C in which it is noticed that meter was OK.
- 4.0 It is pertinent to note that the complainant did not make any written application before the Respondent BEST Undertaking for testing the meter in his presence in government lab. In view of this conduct of the complainant, we do not find any grievance in his complaint of high bill for the period March 2016 to July 2016. We are saying so because in case of electricity used for commercial purpose the consumption depends upon the use of electricity by the consumer as per orders or work load with the consumer. Likewise in case of electricity used for commercial purpose it is not expected that there must be average consumption of electricity for each month as in case of residential.
- 5.0 In the instant case after going through the Load Survey - Energy Report it reveals that at lunch time there was no much consumption of electricity and consumption started since 7.30 a.m. onwards so the Load Survey - Energy Report normally goes to show that the electricity has been consumed through meter no. N150936.
- 6.0 The complainant has submitted that someone had stolen electricity from his meter and used, so there appears high consumption. The Load Survey - Energy Report negatives the case of complainant that there was theft of electricity by someone else through his meter. Even if we presume that someone would have been stolen the electricity through the meter of the complainant, in that case the Respondent BEST Undertaking could not be blame as it the responsibility of the complainant to put lock and meter must be kept in safe. As per Regulation 2.1 (t) "point of supply" means the point at outgoing terminals of Distribution Licensee's cutouts fixed in the premises of the consumer.
- 7.0 As per Regulation 9 in respect of wiring of consumer's premises the work of wiring at the premises of the consumer beyond the point of supply shall be carried out by the consumer and shall conform to the standards specified in the I.E. Rules 1956 until the introduction of any rules or regulations for the same under the provisions of the Act. In view of this regulation we do not find any substance in the contention of the complainant that there was theft of electricity from his meter.

8.0 Having regard to the above said reasons we do not find any merit in the complaint filed by the complainant. Thus the complaint deserves to be dismissed. In result we pass the following order.

ORDER

1. The complaint no. N-E-338-2017 dtd. 23/10/2017 stands dismissed.
2. Copies of this order be given to both the parties.

Sd/-
(Shri S.V. Fulpagare)
Member

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

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