

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-GS-349-2018 dtd. 31/01/2018

Mr. Sayyed Mohammad JafarComplainant

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 Respondent :
1. Shri B.K. Shelke, DCECC(G/S)
2. Shri N.L. Watt, AAM CC(G/S)
3. Smt. Sneha Ojale

On behalf of the Complainant : 1. Shri Sayyed Kayam Abbas

Date of Hearing : 21/03/2018

Date of Order : 23/03/2018

Judgment by Shri. Vinayak G. Indrale, Chairman

Mr. Sayyed Mohammad Jafar, Room no. 118, Ground floor, Ambedkar Nagar Zopadpatti, Dr. A.B. Road, Worli, Mumbai - 400 018 has come before the Forum for dispute regarding high bill amounting to Rs. 1,74,140.00 in the month of November 2016 pertaining to a/c no. 749-125-131*7.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 27/07/2017 for dispute regarding high bill amounting to Rs. 1,74,140.00 in the month of November 2016 pertaining to a/c no. 749-125-131*7. The complainant has approached to CGRF in schedule 'A' dtd. NIL received by CGRF on 25/01/2018 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 Shri. Sayyed Mohammad Jafar came before the Forum regarding his dispute about high bill pertaining to a/c 749-125-131*7 amounting to Rs 1,74,140/- in the month of November 2016.
- 2.0 The electric supply is given to the complainant's premises under reference through meter number E005693. The meter reader could not take the reading of this meter for the reason obstruction / awkward position since May 2014. The complainant was served 38 A notice on 21/10/2014 for the reason meter inaccessible meters for reading and maintenance of meter reading. The complainant was billed on estimate reading upto November 2016.
- 3.0 Inspection was carried out on 20/07/2016 . During site inspection it was observed that, meter E005693 is installed at left side corner of the meter cabin. This meter is required to be shifted at some other place so that meter reading can be taken. Also maintenance of meter cabin is required. It is further observed that correct meter reading recorded by meter E005693 was 49040 units and the complainant was billed up to 38366 units on estimated basis by the system. Since the meter reader was unable to take meter reading, 38 A notice was served to the consumer for maintenance of meter cabin.
- 4.0 In November 2016, the reader has brought meter reading as 49805 units and the complainant was billed for 14796 units amounting to Rs 1,74,140/- after giving slab benefit of 12 months instead of 31 month by the system. Hence necessary debit credit was carried out for giving slab benefit for 31 months resulting in net credit of Rs 17,729 and same was reflected in bill of the month February 2017. Also delay payment charges and interest on arrears levied in bills for the period December 2015 to February 2015 amounting to Rs 5480.91 also refunded. Same was reflected in billing month May 2017.
- 5.0 In January 2017 low bill complaint was auto triggered through the system. The meter E005693 was checked by accucheck machine on 01/02/2017 & 17/02/2017 and found working within permissible limits of accuracy. On 26/05/2017 meter E005693 (old conventional type) was replaced by meter number B168017. Meter B168017 is installed at readable position of meter reading.
- 6.0 As the complainant consumer was not satisfied with the accu-check test results of meter E 005693 was tested in laboratory on 27/07/2017 and found correct in accuracy and dial test.
- 7.0 The complainant consumer is not regular in making full payments and since November 2016, the interval / span of payment is more than 5 months. As on February 2018, the

bill amount raised to Rs 1,89,148.07 by accumulating energy charges and delay payment charges and interest . The complainant is liable to pay the same.

REASONS

- 1.0 We have heard arguments of the complainant in person and for the Respondent BEST Undertaking Shri B.k. Shelke, DCECC(G/S); Shri. N.L. Watti, AAM CC(G/S) and Smt. Sneha Ojale. Perused the documents filed by either parties to the proceedings. The Respondent BEST Undertaking has filed written submission along with the documents marked as Exhibit 'A' to 'L' annexed with Scheduled 'A'.
- 2.0 The complainant has submitted that in the month of November 2016 the Respondent BEST Undertaking has issued electricity bill of Rs. 1,74,140.00 to him and same is very very high as per his electricity consumption and therefore he approached the IGRC and then to this Forum. He has further submitted that meter no. E005693 was not recording the correct units and although it was tested on site as well as in lab, he has not been convinced with those test reports. The Respondent BEST Undertaking has submitted that the complainant has taken electricity for commercial purpose and the meter which was affixed was not as assessable and therefore since May 2014 they have issued average bill and when on 01/11/2016, the concerned clerk of the Respondent BEST Undertaking has brought correct reading they have claimed the correct billing of Rs. 1,74,140.00.
- 3.0 The Respondent BEST Undertaking has submitted that the meter was tested on spot with accu-check and there was no defect in it and accuracy found within permissible limit but the consumer did not sign as he was busy in electrical activity. The said site testing report is at Exhibit 'F'. Exhibit 'G' is the lab test report in which it has been observed that the above meter found correct in accuracy test and dial test. In view of both these test reports, the Respondent BEST Undertaking has submitted that there is no substance in the complaint of the complainant regarding high bill.
- 4.0 While arguing the matter, the complainant has submitted that site test report as well as lab test report is not correct. The complainant has shown readiness to get the meter test in NABL accredited lab and he is ready to pay the requisite charges.
- 5.0 Having regard to the above said controversy really we do not find any substance in the complaint of high bill, considering the use of electricity for commercial purpose. But the complainant insisted for testing the meter no. E005693 in NABL accredited lab and readiness to pay the charges and therefore we think it just and proper to give directions to the Respondent BEST Undertaking to test the above said meter in NABL accredited lab. This is with a view to remove doubt from the mind of the complainant that meter no. E 005693 was not recording the correct units. Thus the complaint deserves to be partly allowed as under.

ORDER

1. The complaint no. N-GS-349-2018 dtd. 31/01/2018 stands partly allowed.
2. The complainant is at liberty to get the meter no. E 005693 tested in NABL accredited lab i.e. IDEMI in his presence on the payment of requisite charges within one month from the date of receipt of this order. In that case the Respondent BEST Undertaking is under obligation to revise electricity bill if any, on the basis of test report of meter no. E005693.
3. The Respondent BEST Undertaking is directed to comply with the order within two months from date of receipt of this order.
4. 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