

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)-246-2015 dtd. 27/01/2015.

Shri Schubert Leon D'souzaComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Quorum : Shri V. G. Indrale, Chairman

Member

1. Shri S.S. Bansode, Member
2. Shri S.M. Mohite , Member

On behalf of the Complainant :
1. Mr. Yatin Patil
2. Mr. Ganesh Kaskar

On behalf of the Respondent :
1. Shri S.M. Deshmukh, Supdt. CC(GN)
2. Shri N.L. Watti, AAM CC(GN)

Date of Hearing : 12/03/2015

Date of Order : 17/03/2015

Judgment by Shri. Vinayak G. Indrale, Chairman

Shri Ganesh Kaskar residing at 401, Mondesir, Plot no. 89, Ranade Road, Shivaji Park, Dadar, Mumbai - 400 028 has come before the Forum for not to transfer electricity bill in his name without recovering outstanding of earlier consumer Shri Schubert Leon D'souza pertaining to A/c no.623-665-035*4.

Complainant has submitted in brief as under :

The complainant has approached to IGR Cell on 13/11/2014 for not to transfer electricity bill in his name without recovering outstanding of earlier consumer Shri Schubert Leon D'souza pertaining to A/c no.623-665-035*4. The complainant has approached to CGRF in schedule 'A' dtd. 21/01/2015 (received by CGRF on 23/01/2015).

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

- 2.0 The electric supply was rendered to Shri. Schubert Leon D'souza through A/c no. 623-665-035*4 and meter no.N094529 on 01.05.2010 for Residential purpose. This meter no. N094529 was registering proper consumption upto March 2013.
- 3.0 The complainant registered high bill complaint on 28.05.2013 as Meter No.N094529 registered more consumption. On 28.08.2013 meter no.N094529 was tested & found OK.
- 4.0 Consumer again registered high bill complaint on 10.12.2013 vide ID1633531. Hence the said meter no.N094529 was again tested on 11.12.2013 and found RTC fault & showing erratic Reading. Therefore meter no.N094529 was replaced by new meter no.N117061 on 20.12.2013.
- 5.0 Debit /credit was preferred resulting in net credit of Rs. 50,601.59 for period 12.03.2013 to 11.11.2013 and same was reflected in the billing for month of July 2014.
- 6.0 The official testing of meter no.N094529 was carried out on 29.01.2014 in presence of consumers representative and meter was found correct in accuracy & dial test, RTC defective (Time & Date wrong). Also meter was referred to manufacturer.
- 7.0 Revised Debit /credit is preferred for period March 2013 to January 2014 considering official testing report of meter no.N094529 as RTC was defective. This proposal is under process.

REASONS

- 8.0 We have heard Mr. Yatin Patil and Mr. Ganesh Kaskar for the complainant and for the Respondent BEST Undertaking Shri S.M. Deshmukh, Supdt. CC(GN) and Shri N.L. Watti, AAM at length. Perused documents filed by both the parties.

- 9.0 It is the grievance of the complainant consumer that, he is using the electricity for the residence and therefore reading of 11520 units as shown for the month of April 2013 and units 28230 shown for the month of November 2013 are excessive and therefore the electricity bill issued on the basis of the said units is illegal and liable to be set aside. The complainant has placed on record electricity bill for the month of July 2014 and it appears that said bill is issued for the amount of Rs. 5,12,890.00 which includes previous arrears of Rs. 5,48,327.63 + the electricity charges for the month of June 2014. The Respondent BEST Undertaking has submitted that, the meter no. N094529 is installed in the premises and after testing it was found OK. The Respondent BEST Undertaking has further submitted that on the complaint of high bill they replaced the old meter no. N094529 and affixed new meter no. N117061. It is the contention of the Respondent BEST Undertaking that they have tested the said meter and found remark as *“above meter found correct in accuracy and dial test. RTC defective. Time and date wrong.”* In view of the said remark, the Respondent BEST Undertaking referred the said meter to the manufacturer for testing the same. The test report is at Appendix-I. Appendix-J is the test analysis sent by the manufacturer i.e. EMCO Ltd.
- 10.0 The Forum thinks it just and proper to reproduce the analysis in the said report sent by EMCO Ltd. *“as per our design specification meter voltage and current register are defined to read and store up to rated voltage and currents as per applicable specifications/IS. If the applied voltage is more than given thresholds, the values are either recorded as “Zero” or abruptly high. In this case the limit for phase current is 150% of I max and voltage is -40% to 20% of V_{ref}. Such distortion on values are also possible if the meter is subjected to Electro Static Discharge through external means. However, in such cases if the effect is temporary the same cannot be established.”* After going through the said report, it is specifically mentioned that the accuracy of the meter cannot be detected.
- 11.0 Having regards to the report sent by the manufacturer, it appears that the Respondent BEST Undertaking has also satisfied with the grievance of the complainant regarding excessive units to the tune of 11520 and 28230. The Forum has gone through the Ledger Folio where units are shown for the said meter. After considering the Appendix-F, Appendix-K, it appears that the Respondent BEST Undertaking’s concerned authority has shown the debit / credit bills after specifying the excess bill. Appendix -K goes to show that concerned officer has given the credit of Rs. 4,90,198.54 by charging average bill for 417 units instead of 11520 and 28230 units. However, the said Appendix-K and Annexure ‘C’ has not been approved by the Audit Department and they have given only the credit of Rs. 50,601.59. The Respondent BEST Undertaking is also unable to explain as to on what basis they have given the credit of Rs. 50,601.59.
- 12.0 Having regards to the above said reasons, the Forum finds the substances in the grievance of the complainant regarding excessive and high bill for the month of November 2013 showing consumed units as 28230 and 11520 for April 2013. It appears that there is no grievance except April 2013 and November 2013. This Forum finds

that this is the case of jumping of meter for only two months i.e. April and November 2013 as for rest of the months meter reading is shown in the range of 270 units to 500 units. This Forum comes to conclusion that , the consumer charged abnormal/ erratic units for two months only.

- 13.0 This Forum observes that, after going through the Appendix -K that the Respondent BEST Undertaking's concerned authority has shown average bill of 417 units during the period of jumping of the meter, thus this Forum finds it just and proper to direct the Respondent BEST Undertaking to charge the bill for 417 units for the month of April 2013 as well as for the month of November 2013 instead of charging the bill for 11520 units and 28230 units and issue a revised bill after deducting DP and interest charge to the consumer.
- 14.0 In result, we pass the following order.

ORDER

1. The complaint No. N-G(N)-246-2014 dtd. 27/01/2015 stands allowed.
2. The Respondent BEST Undertaking is hereby directed to charge the consumer for 417 units for the month of April 2013 and November 2013 instead of 11520 units and 28230 units respectively and issue a revised bill after deducting DP and interest charges.
3. The Respondent BEST Undertaking is directed to comply with the above said direction within a one month from the date of receipt of this order.
4. Copies of this order be given to both the parties.

(Shri S.M. Mohite)
Member

(Shri S.S. Bansode)
Member

(Shri V.G. Indrale)
Chairman