

**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-GN-331-2017 dtd. 14/09/2017**

Mr. Suresh B. Jadhav .....Complainant

V/S

B.E.S.&T. Undertaking .....Respondent

**Present**

**Chairman**

Quorum : Shri V. G. Indrale, Chairman

**Member**

1. Shri S.V. Fulpagare, Member

On behalf of the Complainant : 1. Shri Nasir Khan

On behalf of the Respondent : 1. Shri K.A. Kulkarni, Supd. CC (G/N)  
2. Smt. P.S. Kekane, AAM, CC (G/N)

Date of Hearing : 01/11/2017

Date of Order : 06/11/2017

**Judgment by Shri. Vinayak G. Indrale, Chairman**

Mr. Suresh B. Jadhav, 207, Kuchi Kurve Nagar, 60 ft. Road, Dharavi, Mumbai - 400 017 has come before the Forum for dispute regarding high bill amounting to Rs. 1,19,660.00 in the billing month of August 2015 pertaining to a/c no. 798-723-109\*4.

**Complainant has submitted in brief as under :**

The complainant has approached to IGR Cell on 22/03/2017 dispute regarding high bill amounting to Rs. 1,19,660.00 in the billing month of August 2015 pertaining to a/c no. 798-723-109\*4. The complainant has approached to CGRF in schedule 'A' dtd. 07/09/2017 (received by CGRF on 12/09/2017) as the complainant was not satisfied by the remedy provided by the IGR Cell of Distribution Licensee.

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

- 2.0 The complainant Shri Suresh B Jadhav came before the Forum regarding his dispute about high bill in the month August 2015 amounting to Rs 1,19,660/- for 10,288 units consumed.
- 3.0 Electric supply was given to the complainant's premises through meter number C977707 for residential purpose under A/C 798-723-109\*4. This meter had recorded steady consumption of around 225 units per month from 06/12/1997 ( Date of Installation ) up to April 2015. Meter no C977707 had recorded reading as 33575 in April 2015 and 34052 in June 2015( combine for May / June 2015 due to system problem) and consumer was billed accordingly.
- 4.0 In the month July 2015 , the meter had recorded meter reading as 44294 and as meter reading recorded was abnormal, the consumer was billed for estimated average consumption of 242 units . In August 2015 , the meter reader has brought progressive meter reading as 44582 units. Hence consumer was billed for 10288 units in August 2015.
- 5.0 On 18/11/2015, the meter number C977707 was tested on site and found working within permissible limits of accuracy. As per consumer request, on 18/01/2016, meter number C977707 was replaced by meter number B151747 for Official Testing of meter. On 17/05/2016 meter number C977707 tested in laboratory and found working within permissible limits of accuracy.
- 6.0 Necessary debit / credit was carried out resulting in net credit of Rs 2,694.74/- towards slab benefit for the period June 2015 to August 2015 and Rs 37,130.34/- towards refund of Delay payment charges / interest for the period September 2015 to March 2017. Same was reflected in electricity bill of April 2017.

**REASONS**

- 7.0 We have heard the arguments of Shri Nasir Khan, representative of the complainant and for the Respondent BEST Undertaking Shri K.A. Kulkarni, Supd. CC (G/N) and Smt. P.S. Kekane, AAM, CC (G/N). Perused the documents filed by either parties to the proceedings. The Respondent BEST Undertaking has filed written submission annexed with documents marked at Exhibit 'A' to 'H'.

- 8.0 The representative of the complainant has vehemently submitted that electric supply was given to the complainant for the residential premises and so the electricity bill issued for the month of August 2015 for units of 10,228 is excessive and it was due to defect in meter bearing no. C977707. Against this, the Respondent BEST Undertaking has submitted that on receipt of the complaint of high bill they have tested the meter on spot as well as tested the meter in lab and meter was found correct in accuracy test as well as dial test. Both the test reports are at Exhibit 'E'. It appears that the Respondent BEST Undertaking has issued a letter to the complainant to remain present on 13/05/2016 at about 9.30 at Wadala office for testing the meter in his presence. In spite of issue of letter, the complainant remained absent and therefore the meter was tested in lab on 17/05/2016.
- 9.0 Having regard to the above said rival contention we have to see whether units recorded by the meter no. C977707 for the month of August 2015 as 10228 units were correct or whether it was due to any other fault. We have cautiously gone through the consumption recorded, Exhibit 'C' and Consumer Information System (CIS), Exhibit 'D' and it appears that units recorded by the said old meter prior to August 2015 as well as units recorded by the new replaced meter B151747 after January 2016 were in between minimum 99 units and maximum 564 units. Considering this record, it appears that there was no fault in the meter as it was tested on site as well as in the lab and meter was found correct in accuracy and dial test.
- 10.0 The Respondent BEST Undertaking has submitted that the electricity connection provided to the complainant was in Dharavi area where there was every possibility that electric supply must be given by the complainant to other residential or commercial use by taking unauthorized charges or someone had taken supply from the meter of the complainant and thereby the units recorded in the month of July to August 2015 were 10,228. The representative of the complainant has also fairly conceded that there was / is practice in Dharavi area to supply electricity by one consumer to other for residential or commercial use by taking unauthorized charges. Thus considering the fact that the meter was correct in accuracy test and dial test, we do not find any substance in the contention of the complainant that there was any fault in the meter while recording the units for the month of August 2015 only.
- 11.0 We have cautiously gone through the CIS and it appears that the complainant was most irregular in paying electricity charges and there by bill was increased by adding DPC and interest. The best reason known to the complainant, as to why he was not paying monthly bills regularly and paid it after 4 to 5 month's interval. In the instant case possibility cannot be ruled out that units recorded by old meter was due to consumption of electricity by other persons from the electric meter of the complainant. For that the complainant is responsible to pay the charges and he cannot avoid to pay the charges. It appears that considering the units recorded in the bill for the month of August 2015, the Respondent BEST Undertaking has given exemption of DPC and interest amount to the extent of Rs. 39,828.00 and credit of the said amount was given in the bill of March 2017. It appears that the electricity meter was removed by the Respondent BEST Undertaking for non-payment of electricity bill

in the month of April 2017. The total amount due on March 2017 comes to Rs. 1,33,011.00. The Respondent BEST Undertaking has already given exemption for DPC and interest so considering this aspect it would not be proper to direct the complainant or authorize the Respondent BEST Undertaking to charge DPC and interest on Rs. 1,33,011.00 as it will go on increasing the amount and there by the complainant would not be in a position to repay the amount. It is submitted that the complainant is not in a position to pay the electricity dues at one stroke due to his financial condition.

- 12.0 The representative of the complainant requested to grant the installment for repayment of electricity dues. So we are inclined to grant suitable installment to the complainant for payment of electricity dues of Rs. 1,33,011.00.
- 13.0 Having regard to the above said reasons we do not find grievance in the complaint as there was no defect in the meter which was found correct in accuracy test as well as dial test. As already discussed above, we think it just and proper to grant reasonable installment to the complainant for repayment of electricity dues. After depositing 50% of arrears, the Respondent BEST Undertaking is directed to supply electricity connection to the complainant.
- 14.0 In the aforesaid observation and discussion we pass the following order.

**ORDER**

1. The complaint no. N-GN-331-2017 dtd. 14/09/2017 stands partly allowed.
2. The Respondent BEST Undertaking has been directed to waive DPC and interest from April 2017 onwards.
3. The complainant is allowed to repay an amount of Rs. 1,33,011.00 within 12 equal monthly installments from the date of receipt of the order.
4. After depositing 50% of electricity dues, the Respondent BEST Undertaking is directed to restore the electric supply to the complainant forthwith and to recover the remaining 50% amount as stated above.
5. Compliance of this order be informed to the Forum within a period of one month there from.
6. Copies of this order be given to both the parties.

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

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