

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)-255-2015 dtd. 31/03/2015.

Mrs. Noorsha Khatoon Firoz AnsariComplainant

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. Shri Sunil H. Pawar
2. Shri Firoz Ansari

On behalf of the Respondent : 1. Shri P.P. Kulkarni, DECC(G/N)
2. Shri G.D. Deshmukh, Supdt. CC(G/N)
3. Shri S.D. Chougule, SCC(G/N)
4. Shri N.L. Watti, AAMCC(G/N)

Date of Hearing : 05/05/2015

Date of Order : 25/05/2015

Judgment by Shri. Vinayak G. Indrale, Chairman

Mrs. Noorsha Khatoon Firoz Ansari, 11/A, Ground flr., Plot no. 144, Ashok Silk Mill Compound, Sant Rohidas Marg, Kala Killa, Dharavi, Mumbai - 400 017 has come before the Forum regarding high bill complaint regarding a/c no. 699-400-055*1.

Complainant has submitted in brief as under :

- 1.0 The complainant has approached to IGR Cell on 21/01/2015 for high bill complaint pertaining to A/c no. 699-400-055*1. The complainant has approached to CGRF in schedule 'A' dtd. 27/03/2015 (received by CGRF on 27/03/2015) as she was not satisfied by the remedy provided by the IGR Cell Distribution Licensee regarding his grievance.

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

- 2.0 The electric supply was rendered to Mrs. Nooresha Khatoon Firoz Ansari through meter no.L852483. On receipt of the complaint of fluctuation on 02/04/2012, it is found that out going terminal of the meter was burnt. Therefore the said meter no. L852483 was replaced by new meter no. N104834 on 02/04/2012. Again as per the complaint recorded by the complainant in Fuse Control her meter was checked which found to be burnt. Hence, the said meter no. N104834 was replaced by new meter no. M118663 on 18/04/2013.
- 3.0 As per the consumption pattern of meter no. M118663 it was observed that the complainant usage is on higher side and after investigation on 02/05/2014 it is observed that reading of meter no. M118663 found to be 106561 and also the meter found to be OK on test. Hence in June 2014 correct units were charged as per progressive reading of 118229.
- 4.0 As complainant was charged for 56864 units in June 2014, she registered a complaint for high bill on 08/08/2014. Again the matter was investigated and meter tested which found to be OK. However, complainant insisted for the replacement of the meter, hence meter no. M118663 was replaced by new meter no. N101771 on 19/09/2014 under OT. Meter no. M118663 was tested in the presence of Shri Firoz Ansari and found correct in accuracy and dial test.
- 5.0 It is further observed on site investigation that the complainant was using more load than sanctioned load unauthorizedly i.e. the sanctioned load as per our record is 4.52 kw while the complainant was using load more than 35.78 kw through meter no. N101771. Further as complainant is using the higher load, her tariff has to be changed from LT-II(a) to LT-II(b) as per the tariff schedule. Also the difference between the two tariffs i.e. from 30/01/2015 till date will be worked out and it will be effected in her regular bill.
- 6.0 As per the BEST Undertaking, the complainant is irregular in payment of electricity bills and many times cheques submitted by her were found to be dishonoured. Also she is not coming forward for regularising the load. Hence the complaint should be dismissed, pl.

REASONS

- 2.0 We have heard the arguments of Shri Pawar, representative of the complainant and for the Respondent BEST Undertaking, Shri P.P. Kulkarni, DECC(G/N), Shri G.D. Deshmukh, Supdt. (Vigilance Dept.), Shri S.D. Chougule, SCC(G/N) and Shri N.L. Watti, AAMCC(G/N). We have perused the documents filed by the complainant along with Annexure - 'C' as well as by the Respondent BEST Undertaking which are marked as Appendix A to W.
- 3.0 It reveals from the xerox copy of test report filed by the complainant placed at pg. 14 and the copy of said test report placed on record at Appendix - 'O' by the Respondent BEST Undertaking that the grievance of the complainant is charging the debit note in respect of units recorded by the meter no. N118663, Shri Pawar has vehemently submitted that the test report must be in computerized form and same is in hand written form and therefore it cannot be accepted. However, Shri Pawar is unable to show any provision as to how it is obligatory on the part of the Respondent BEST Undertaking to issue computerized test report. This argument advanced by Shri Pawar in respect of computerized test report is not at all acceptable. Here, we wish to note that the said meter is tested in presence of the complainant as his signature appears on test report. Under such circumstances now the complainant cannot go back and say that the said report is not proper or faulty.
- 4.0 We have carefully gone through the grievance of the complainant and his first grievance that on pg. 151 the final reading of existing meter M118863 shown units as 158808 then how it has increased as 169941. On this point the representative of the Respondent BEST Undertaking has submitted that entry taken on 151 is in respect of recording the units in first week of September 2014 and the meter was actually removed on 18/09/2014 and therefore there is increase in the units by 11133 units. The Respondent BEST Undertaking has filed the WO for meter replacement and copy of the same was given to the representative of the complainant. Having regard to this aspect of the case, this Forum does not find any grievance in the complaint of the complainant regarding increase in unit as 11133.
- 5.0 The next grievance of the complainant is that how the Respondent BEST Undertaking has charged for units 56864 in the month of June 2014. It is the contention of the Respondent BEST Undertaking that the complainant has made complaint of high bill in the month of September 2013 and therefore since after September 2013 till the meter was tested the Respondent BEST Undertaking has charged average bill and when they found the meter was OK, they have charged the bill after going through actual units recorded by the said meter. The Respondent BEST Undertaking has filed download reading of the said meter for which copies are given to the complainant as initially he has filed application for adjourning as from the written statement there is no clarity for ascertaining the debit note. However, the Respondent BEST Undertaking has filed copies of this actually recorded meter reading and same is also reflected in the debit

note at Appendix - 'I' as well as in ledger of meter reading at Appendix 'H'. From this document, it is crystal clear that the complainant has used the electricity for the units consumed by him but in view of high bill complaint, the Respondent BEST Undertaking has charged minimum average bill and after ascertaining the fact that after testing the meter they found it OK, they have actually charged the units consumed by the complainant. It reveals that the complainant has taken electricity connection for industrial purpose and he is doing molding work of plastic and preparing covers of mobile. Considering the business of the complainant in any case it cannot be held that the units charged by the Respondent BEST Undertaking are not legal and proper. Having regard to this aspect of the case, this Forum does not find any grievance in the complaint regarding charging of bill for units 56864 in the month of June 2014. We have gone through the Appendix 'I' and it is clear as to how and in what way the Respondent BEST Undertaking have calculated the units and pass the debit note.

- 6.0 It appears from the record that the cheques towards the electricity charges given by the complainant to the Respondent BEST Undertaking have been dishonoured and thereby there is accumulation of electricity charges in the account of the complainant. The representative of the Respondent BEST Undertaking has submitted that the complainant is having habit of using excess load than that of sanctioned load and therefore causing loss to the Respondent BEST Undertaking as the electricity charges are to be levied on the basis of kw load supplied to the unit. Even, this would be the case, it is for the Respondent BEST Undertaking to take proper action against the complainant and give him excess supply of kw. It is further submitted that even though there is sanction of excess kw load, the complainant is not making any compliance and therefore excess load was not given. Having regard to the above said reasons, this Forum does not find any substance in the grievance of the complainant. It appears that the complainant without sanction load was / is utilizing the excess kw load for units only with a view to get less charges of electricity and to cause loss to the Respondent BEST Undertaking. Considering this conduct of the complainant, it is expected from him that he should make the compliance for getting extra sanction load. Thus the compliant deserves to be dismissed. In result, we pass the following order.

ORDER

1. The complaint No. N-G(N)-255-2015 dtd. 31/03/2015 stands dismissed.
2. 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