

**CONSUMER GRIEVANCE REDRESSAL FORUM**

**THE TATA POWER COMPANY LIMITED**

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Ref.CGRF/TPC/2013/

Date: 04/09/2013

**Case No.CG/9/2013**

**Date of Hearing: 19/08/2013**

**In the matter of Mr. Krishna D Kalambe V/s The Tata Power Co. Ltd**  
**Reg. Redressal of grievance by the Forum and passing of order**

This is with reference to the grievance dated nil in Schedule-A form received in CGRF office on 08/07/2013 and this office letter No.CGRF/TPC/2013 dated 14/08/2013 wherein CGRF (TPC) granted a personal hearing to Mr. Krishna D Kalambe (Consumer No.2252165) and representatives of TPC Limited on 19<sup>th</sup> August 2013 at 14.30 Hrs.

Mr. Krishna D Kalambe (Consumer No.2252165) is having single phase power supply with tariff category LTI –Residential load.

The following persons were present:

**CGRF Members:**

- 1) Mr. R V Hegdekar, Chairperson
- 2) Mr. Bhalchandra A. Naik, Member
- 3) Mr. Vrushal N. Pimple, Member

**On behalf of the Complainant:**

- 1) Mr. Vijay Kalambe (Mobile 9820472379)

**On behalf of The Tata Power Company Limited:**

- 1) Mr. Gaurav Gautam
- 2) Mr. Ismail N R

**Details of deliberations**

The representative of the consumer had complained about sudden hike in bill amount for the months of January 2013 & April 2013 (wrongly written as May 2013 in schedule A form & which was confirmed by the consumer during the hearing) in comparison with other months throughout the year. He further informed the Forum that the usage of electricity consumption were same throughout the year and therefore wanted the reason for such hike in bill amount for the said two months.

The nature of relief sought from the Forum was that the extra bill amount for January 2013 & April 2013 months be waived.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 27/07/2013. The relevant points reiterated by the representative of the Tata Power during the hearing are as follows:

1. The Consumer had applied for changeover and as a part of changeover, JMR was carried out on 24/03/2012 and changeover was completed. At the time of JMR, the R Infra meter vide meter no. 5033079 was replaced with Tata Power meter vide meter no. G1027670. The said process was carried out in the presence of Consumer representative.
2. The consumer logged a complaint on 07/1/2013 for high registration, stating that the Consumer had received exorbitant bill in the month of Jan-13. The said complaints were entertained and action was taken by Tata Power Co. The meter was checked at site on 29/01/2013 and found Ok. The data of the meter was downloaded and analyzed at our office. On analyzing the data, we didn't find any anomaly in the data. As a process, the technical team also checked whether there is any cross connection, but on inspections no cross connection was found at Consumer's meter. Further, also the downloaded meter data was checked with SAP readings and there was some minor mismatch was found and accordingly bills for the month of January-13 and December-12 were reversed as per the downloaded data fresh bills for Dec-12 and Jan-13 were issued to the Consumer. A letter to that respect was sent to Consumer vide letter dated 18/02/2013. Similar, complaints were made by the Consumer with respect to high and exorbitant bill thereafter on 07/02/2013.
3. Thereafter, the Consumer applied for meter testing in laboratory. The meter G1027670 was replaced with new meter N0041918 on 28/02/2013 for testing of meter no. G1027670 to be tested at Tata Power Laboratory. The meter was tested in meter testing laboratory in the presence of R Infra representatives on 15/03/2013. As per meter test report, the meter was found Ok in accuracy.
4. As the Consumer was not satisfied with the resolution provided by Tata Power Company, the Consumer filed a complaint before IGR Cell on 02/04/2013. The IGR cell after investigation sent a reply dated 25/05/2013 to Consumer informing him the action taken along with meter test report, meter replacement memo and connected load sheet. In the said reply, IGR cell informed that disputed meter was tested in the presence of R Infra representative and was found to be within accuracy limit. It was informed that the meter downloaded data has been analyzed and no abnormal events were found. The Consumption pattern of the consumer is found to be as per the actual connected load obtained from site. Thus, it was concluded by IGR that the Consumer has been billed as per actual consumption recorded by the meter.
5. During the pendency of IGR complaint the Consumer was in receipt of disconnection notice, but as informed by consumer that the Consumer had made average payment for the disputed period, the disconnection was kept on hold. Thereafter, the Consumer also received bill for the month of April -13, which was also exorbitant, according to Consumer and hence a complaint was raised by the Consumer. We replied to the Complaint of the Consumer, by our letter dated 13/05/2013 informing Consumer about following action, (a) we have checked the consumption pattern with that of the previous months, (b) we have checked the meter reading and are found Ok, (c) there was no anomaly in the downloaded data and (d) a request to the Consumer was made to kindly check the wiring for phase/ neutral tapping/ earth leakage.
6. Being aggrieved, the Consumer approached CGRF. In the complaint before CGRF, the Consumer had prayed for the waiver of extra bill amount for the month of Jan-13 and May-13. The complaint of the Consumer was entertained and resolved by the Company as mentioned hereinabove.





7. We reiterate that the downloaded data was analyzed and found to be Ok. The meter was already tested and the meter accuracy and recording was found to be ok. Thus from the above observation, there is no anomaly in the meters. Further to elaborate, the Consumer raised a complaint for high registration for the month of Jan-13, which was registered on meter no. 5033079. On the same meter the Feb-13 bill showed consumption of 278 units, which was accepted by the Consumer. Thereafter on 28/02/2013, the meter no. 5033079 was replaced with a new meter vide meter no. G1027670. Again, the Consumer was Ok with the readings for the month of Mar-13 and raised a Complaint for high registration for the month of April-13 and May-13. Thus, it is highly improbable that one meter which is allegedly faulty can register normal monthly consumption (acceptable to Consumer) after the month when the meter has registered high. Also, further the new replaced meter is initially registering acceptable consumption for a month and thereafter for two months registering high as alleged by Consumer and then again registering normal. This proves that the meters (old as well as new) are ok and well within the accuracy level. The High registration as alleged may have due to the consumption at Consumer's end and there are many factors that may lead to high consumption. Thus, there is no fault in meter or in the bills and the bills are prepared as per the consumption of the Consumer.
8. Thus we reiterate that the billing to the consumer is as per actual Consumption recorded by meter (accurate within the accuracy limit) and thus there is no case on merits and thus prayed that the complaint be dismissed with cost.

Based on documents submitted by The Tata Power Co. Ltd and the outcome of deliberations with the complainant & the representatives of Tata Power, the Forum observed that:

The old meter as well as the new meter had recorded the following monthly readings for the said Consumer:

| Sr. No. | Month  | Metered units | Meter Sr. No.       |
|---------|--------|---------------|---------------------|
| 1       | Dec-12 | 335           | G1027670            |
| 2       | Jan-13 | 788           | G1027670            |
| 3       | Feb-13 | 278           | G1027670            |
| 4       | Mar-13 | 185           | G1027670 / N0041918 |
| 5       | Apr-13 | 790           | N0041918            |
| 6       | May-13 | 296           | N0041918            |
| 7       | Jun-13 | 251           | N0041918            |

The old meter no. G1027670 was tested in presence of Rlnfra representative and was found OK in accuracy. From above table it is also evident that higher as well as lower values of consumption were recorded by both the meters.

Forum provided the information that the complainant may insist for testing the meter at any laboratory approved by NABL, if he is not satisfied with the meter testing done at Tata Power test laboratory. If the complainant agrees to this, then Forum would permit the testing of that meter at NABL approved laboratory. As the complainant did not opt for the testing of the meter

in NABL approved laboratory, Forum decided to issue the order based on the test results and as per the provisions of the regulation.

The Forum accepted the argument that the licensee of power cannot exercise control on consumption of power by the consumer.

Regulation 8.1 of the Electricity Supply Code Regulations, 2005 mandates that the Respondent shall not seek entry to the consumer's premises, beyond the point of supply (meter in this case).

In case the meter is found to be running within the permissible limits of error, it becomes obligatory for the consumer to make the payments by the due date, of the bills raised by the Tata Power Co. Ltd., on the basis of the actual readings recorded by the meter

#### Order from Forum:

In view of the fact that the installed meter has been found to be running within the permissible limits, the consumer is supposed to make the payment of the bills as raised by The Tata Power Co. Ltd.

Orders of the Forum are required to be complied within 15 days of the receipt of this order. The payment of the bills shall be as per the clause 15.5 of MERC (Electricity Supply Code & Other Conditions of Supply) Regulations, 2005 vide notification dated 20<sup>th</sup> January 2005.

The grievance of the complainant will stand closed at this stage.

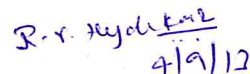
If Consumer is not satisfied with the decision of the Forum, he may make a representation to the Electricity Ombudsman in Schedule B form within sixty (60) days from the date of this order. Contact details of the Electricity Ombudsman appointed or designated by MERC under Regulation 10 is "Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606-608, 6<sup>th</sup> Floor, Keshava Building, Bandra-Kurla Complex, Bandra (E), Mumbai-400 051. Tel: 022-26592965/26590339/30680528.



(Vrushal N. Pimple)  
Member



(Bhalchandra A. Naik)  
Member



(R. V. Hegdekar)  
Chairperson

To

1) Mr. Krishna Daulati Kalambe,  
B 33 Plot No 505,  
Charkop (1) Abhinav CHS Ltd, Sector No 5  
RSC 45, Charkop BHD Apna Bazar,  
Kandivali (W), Mumbai 400 067

2) Mr. M. Shenbagam,  
Gen. Manager (DCS),  
Tata Power Co. Ltd.,  
Mumbai 400019.

Copy to:

- 3) Mr. V. H. Wagle, Dy. Gen. Manager (Regulations), Tata Power Co Ltd., Mumbai
- ✓ 4) Mr. Gaurav Gautam, Nodal Officer, Tata Power Co. Ltd., Mumbai