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CONSUMER GRIEVANCE REDRESSAL FORUM

THE TATA POWER COMPANY LIMITED

Office: Distribution Customer Services
1st Floor, Dharavi Receiving Station
Near Shalimar Industrial Estate
Matunga, Mumbai 400 019
Phone: 67172710 Fax: 67172730
e-mail: grievance.cell@tatapower.com

Ref.CGRF/TPC/2012/

Date: 21.6.2012

Case No.CG/4/2012

Date of Hearing: 30.05.2012

In the matter of Mr. Atul S Dalal Vs The Tata Power Co. Ltd
Reg. Redressal of grievance by the Forum and passing of order

This is with reference to the grievance dated 23.04.2012 submitted in Schedule-A form to CGRF and this office letter No.CGRF/TPC/2012 dated 18.05.2012 wherein CGRF (TPC) granted a personal hearing to Mr. Atul S Dalal (Consumer No.2121110) and representatives of TPC Limited on 30th May 2012 at 14.30 Hrs.

Mr. Atul S. Dalal (Consumer No. 2121110) is having a three phase power supply with tariff category LT-I –Residential load.

The following 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 Complainant:

- 1) Mr. Atul S. Dalal
- 2) Mrs. Nita Dalal

On behalf of The Tata Power Company Limited:

- 1) Mr. Gautam Gaurav, Nodal Officer
- 2) Mr. A. V. Potdar

Details of deliberations

- 1) Mr. Atul S. Dalal, the complainant and the registered consumer No. 2121110 appeared before the Forum in response to this office letter no. CGRF/TPC/2012 dated 18.05.2012.
- 2) The complainant informed the forum that average number of units consumed was 350 per month since 2003 up to September 2011. It had hardly gone above 550 units. Suddenly in the month of October 2011 it went up to 685 units. In the month of November 2011 it went to 1880 units & in December it went further up to 2207 units. This high billing was shocking for him. He was

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surprised when he received meter check report of the earlier meter (No. 7955137) as o.k. because after the replacement of old meter by new meter on 05.01.2012 the consumption recorded was less as expected by him from which he concluded that the reading shown by the old meter was faulty. He therefore requested the Forum to resolve the issue and give relief for October 2011 to December 2011 bills in tune with the pattern of consumption before October 2011.

- 3) The Tata Power had sent written reply to the Forum as well as to the complainant vide letter dated 07/05/2012. The relevant points reiterated by, the representative are as follows
- a) The Consumer made a Complaint for excess bill for the month of October 2011 on 27/10/2011 and requested for getting the meter checked. The meter was checked by the Engineer at site and the same was found OK. The Consumer again made similar complaint on 20/11/2011. This time meter data was downloaded and data was checked with readings in SAP system of Tata Power and the same was also found correct. A letter to that extent was also sent to the Consumer.
 - b) Thereafter, the Consumer aggrieved by the inflated bill also made a complaint informing us that it is his presumption that he is being billed for the neighbour premises and vice versa. This Complaint of the Consumer was also checked and there was no such anomaly at site
 - c) Thereafter, the Consumer applied for testing of meter at Laboratory by filling the meter testing form, wherein the Consumer mentioned his unwillingness to witness the testing. As requested the meter was removed from site on 05/01/2012, sent to laboratory for testing and new meter was installed at site. Then, the Consumer telephonically also informed Tata Power that the meter be tested in laboratory in his absence. The meter was tested on 17/01/2012 in the R Infra Laboratory as the meter belonged to R Infra. The Consumer again complained for excessive bill for the month of November-11, December 11, claiming meter to be faulty and requested Tata Power for checking meter reading. As per the testing report, sent by R Infra, the meter was found OK. The engineer of MMG team again checked reading in SAP, with downloaded data and the same was also found correct.
 - d) The Consumer was not satisfied with the meter testing report. It was the case of Consumer that he never received a bill above 500 units and thus the bills for the month of October, November and December-11 for 623 units, 1711 units and 2008 units respectively cannot be consumed. Consumer was ready to pay average bill. As the Consumer was aggrieved with this excessive bill and as the Complaint did not get resolved, the Consumer approached IGR on 21/01/2012 stating that he never received bill more than 550 units and suddenly he is being billed (inclusive of wheeling losses) for 685 units (October 11), 1880 units (November 11) and 2207 units (December 11). It was also the case of Consumer that after replacement of meter on 05/01/2012, the units for the period 05/01/2012 -21/01/2012 is 93 units. Thus, the Consumer is disputing the meter testing and the meter test report. In the complaint before IGR, the Consumer had also stated the Complaints with Complaint number, lodged by him and the action taken by the Tata Power Company.
 - e) The Complaint before IGR was entertained and a detailed investigation was done. The IGR team examined the meter reader's reading sheet, MRI meter reading and cross checked with SAP reading and found them in order. The MRI data was analyzed and found to be Ok. The meter was already jointly tested at R Infra lab and the meter accuracy and recording was found to be ok. Also, IGR had sent the MRI data to the manufacturer and the manufacturer after examining the data, had found no discrepancy in the meter. After a detailed hearing to Consumer, on 13/04/2012, IGR sent reply to the Consumer stating that the billing to the consumer is as per actual Consumption recorded by meter and thus the Consumer is requested to clear outstanding dues at the earliest.
 - f) Feeling aggrieved, the Consumer had filed the present complaint. In the complaint before CGRF, the Consumer had prayed for the same relief and same facts were mentioned. Each and every complaint of the Consumer was entertained and resolved by the Company as

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mentioned hereinabove. We strongly deny each and every contention mentioned in the complaints, with respect to action taken by us on the Complaints lodged by the Consumer

- g) We reiterate that we have examined the meter reader's reading sheet, MRI meter reading and cross checked with SAP reading and found them in order. The MRI data was analyzed and found to be Ok. The meter was already jointly tested at R Infra lab and the meter accuracy and recording was found to be ok. Also, the IGR team had sent the MRI data to the manufacturer and the manufacturer after examining the data, had found no discrepancy in the meter.
- h) Thus, 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. Also, there is huge amount of arrears amounting to Rs. 31,954/- and thus the Consumer is requested to clear outstanding dues at the earliest

As per MERC (Electricity Supply Code & Other conditions of supply) Regulations, 2005, (Definitions), "Meter" means a set of integrating instruments used to measure and/or record and store the amount of electrical energy supplied or the quantity of electrical energy contained in the supply, in a given time, which include whole current meter and metering equipment, such as current transformer (CT), capacitor voltage transformer (CVT) or potential or voltage transformer (PT) with necessary wiring and accessories and also includes pre-payment meters;

As per regulation 14.4.1 of MERC (Electricity Supply Code & Other conditions of supply) Regulations, 2005 the Distribution Licensee shall be responsible for the periodic testing and maintenance of all consumer meters. It is the responsibility of the Distribution Licensee to install the meter correctly including its accessories. (CT, CVT etc.)

In the Observations/Memory data of Meter testing Report of Meter No.7955137, it is mentioned that: "CT open, CT short events and flat curve observed in downloaded data."

The Forum has also noted that the consumption after the change of the said meter had drastically come down.

Old Meter (No. 7955137)

| Billing Period | 19/9/2011 To 18/10/2011 | 19/10/2011 To 18/11/2011 | 19/11/2011 To 18/12/2011 | 19/12/2011 To 05/01/2012 |
|-----------------------|-------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Units consumed in KWh | 623 | 1711 | 2008 | 1066 (18 days) |

New Meter (No. 7925017)

| Billing Period | 06/01/2012 To 18/01/2012 | 19/01/2012 To 18/02/2012 | 19/02/2012 To 18/03/2012 | 19/03/2012 To 18/04/2012 |
|-----------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Units consumed in KWh | 78 (13 days) | 176 | 168 | 199 |

The above observations indicate that the consumer was not responsible for the high consumption which was recorded by the meter as CT open; CT short events were recorded in the meter testing report.

Therefore, the Tata Power is directed to work out the consumption of the electricity for the period of 19th Sept 2011 to 05th January 2012 for which the recorded consumption is high. The consumption to be charged shall be based on taking an average consumption of electricity in preceding 12 months and to amend the bill accordingly.

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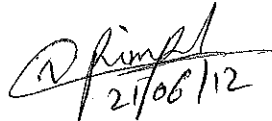
Order from Forum:

The Tata Power Company Ltd has been directed to prepare the amended electricity charges bill as observed above, and serve the same on the complainant within a period of fortnight in the light of the observation made. The complainant shall pay the said charges within a period of fortnight from the date of receiving such amended bill if these are not paid earlier.

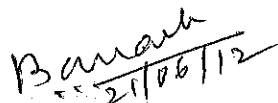
The Tata Power Company Ltd has been directed to report the compliance of this order, within a period of one month from the date of issue of this order.

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

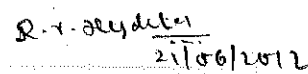
If Consumer is not satisfied with the decision of the Forum, she may make a representation to the Electricity Ombudsman in Schedule B form within sixty (60) days from the date of this order. Contact details of the Electricity Ombudsman appointed or designated by MERC under Regulation 10 is "Electricity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


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(Vrushal N. Pimple)
Member


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(Bhalchandra A. Naik)
Member


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(R V Hegdekar)
Chairperson

To

**Mr. Atul S Dalal, 303, Krishna-Kaveri CHS Ltd., Near Bhardawadi, Off S.V.Road, Andheri(E),
Mumbai 400058**

Copy to:

- 1) Mr. M. Shenbagam, Gen. Manager (DCS), Tata Power Co Ltd., Mumbai
- 2) Mr. V. H. Wagle, Dy. Gen. Manager (Regulations), Tata Power Co Ltd., Mumbai
- 3) Mr. Gautam Gaurav, Nodal Officer, Tata Power Co. Ltd., Mumbai