

CONSUMER GRIEVANCE REDRESSAL FORUM
THE TATA POWER COMPANY LIMITED

Office: Distribution Customer Services
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Phone: 67172710 Fax: 67172730
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Ref.CGRF/TPC/2013/38

Date: 02/09/2013

Case No.CG/8/2013
Date of Hearing: 08/08/2013

In the matter of Mr. Ramajayam S Pillai/Valli S Pillai 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 application in schedule A form received in CGRF office on 03/07/2013 and this office letter No.CGRF/TPC/2013 dated 05/08/2013 wherein CGRF (TPC) granted a personal hearing to Mr. Ramajayam S Pillai/Valli S Pillai (Consumer No.2174923) and representatives of TPC Limited on 8th August 2013 at 14.30 Hrs.

Mr. Ramajayam S Pillai/ Valli S Pillai (Consumer No.2174923) is having three 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. Ramajayam S Pillai (Mobile 9821257123)

On behalf of The Tata Power Company Limited:

- 1) Mr. Gaurav Gautam
- 2) Ms. Dhanashri Dabke

Details of deliberations

The consumer had complained that for past 8-10 months i.e. from May 2012 to Feb 2013 (up to the date of replacement of meter no.ST006660 with meter no.ST056694 on 11.02.2013) meter was jumping but after changing the meter on 11.02.2013, the meter reading is ok. But problem was with past 8-10 months reading which was in excess.

The nature of relief sought from the Forum was that the excess payment since May 2012 to Feb 2013 made should be refunded by Tata Power & credited to him.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 22/07/2013. 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 04/06/2011 and changeover was completed. At the time of JMR, the R Infra meter vide meter no. 7528217 was replaced with Tata Power meter vide meter no. ST006660. The said process was carried out in the presence of Consumer representative.
2. The consumer logged a complaint on 25/11/2012 for high registration, stating that they had received exorbitant bill since May 12. The said complaints were entertained and immediate action was taken by Tata Power Co. The meter was checked on 26/11/2012 and tested at site on 03/12/12 and was found within the accuracy level. Similar, complaints were made by the Consumer with respect to high and exorbitant bill thereafter on 15/12/2012 and 11/01/2013. Thereafter, 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. Thus, the complaints of the Consumer were entertained and action was taken by analyzing the data by the Engineer at office. 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 for the Oct-12 –Nov-12 periods, which was corrected by providing slab benefit to the Consumer. The credit of Rs. 353/- towards slab mismatch was passed on to the Consumer and thereafter it was informed to the Consumer through our letter dated 24/12/2012.
3. Thereafter, the Consumer applied for meter testing in laboratory. The meter ST006660 was replaced with new meter ST05694 on 11/02/2013 for testing of meter no. ST006660 to be tested at Tata Power Laboratory. The meter was tested in meter testing laboratory in the presence of R Infra representatives on 13/03/2013, in the presence of consumer. As per meter test report, the meter was found Ok in accuracy. The copy of said meter test report is annexed with the complaint.
4. As the Consumer was not satisfied with the resolution provided by Tata Power Company, the Consumer filed a complaint before IGR Cell on 14/03/2013. The IGR cell tried to resolve the issue. The IGR cell sent a reply dated 09/05/2013 to Consumer informing him the action taken to resolve his complaint. 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. Being aggrieved, the Consumer approached CGRF. In the complaint before CGRF, the Consumer had prayed for the same relief and same facts were mentioned. The complaint of the Consumer was entertained and resolved by the Company as mentioned hereinabove.
6. We reiterate that we have examined the meter downloaded reading and cross checked with SAP reading and found them in order. 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. This 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. As is evident from the consumption table provided.

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:

Meter No. ST006660 has even recorded the consumption which was accepted as normal by the consumer. Based on the available load survey report for the period of 23/10/2012 to 03/12/2012 submitted by Tata Power and connected load admitted by consumer during the hearing the consumption recorded is viable. Also as per the load survey details though intermittent a definite pattern of consumption was observed for repeated fixed period intervals.

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 20th 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, 6th Floor, Keshava Building, Bandra-Kurla Complex, Bandra (E), Mumbai-400 051. Tel: 022-26592965/26590339/30680528.

V. Pimple
2/9/13

(Vrushal N. Pimple)
Member

B. Naik
2/9/2013

(Bhalchandra A. Naik)
Member

R. V. Hegdekar
2/9/13

(R. V. Hegdekar)
Chairperson

To

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| 1) Mr. Ramajayam S Pillai/ Valli S Pillai,
304/Wing C, Velentine Apartment III CHS Ltd,
Goregaon Link Road, Gen A K Vaidya Marg,
Pimplipada Opp Jerry Verghese Compound,
Malad (E), Mumbai 4000 97. | 2) Mr. M. Shenbagam,
Gen. Manager (DCS),
Tata Power Co. Ltd.,
Mumbai 400019. |
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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