

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**THE TATA POWER COMPANY LIMITED**

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Ref.CGRF/TPC/2014/

Date: 27/11/2014

**Case No.CG/9/2014**  
**Date of Hearing: 24/11/2014**

**In the matter of Mr. Ashok Tandalekar, (Consumer No. 2451024) 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 submitted in Schedule-A form to CGRF received on 07/11/2014 and this office letter No.CGRF/TPC/2014/ dated 18/11/2014 wherein CGRF (TPC) granted a personal hearing to Mr. Ashok Tandalekar, (Consumer No. 2451024) and representatives of TPC Limited on 24<sup>th</sup> Nov' 2014 at 14:30 Hrs.

Mr. Ashok Tandalekar, (Consumer No. 2451024) is having single phase power supply with tariff category LTI – Residential load.

The following persons were present:

**CGRF Members:**

- 1) Mr. D N Singh, Chairperson
- 2) Mr. Bhalchandra A. Naik, Member

**On behalf of the Complainant:**

- 1) Mr. Ashok R Tandalekar

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

- 1) Mr. Gaurav Gautam
- 2) Mr. Devanjan Dey

**Details of deliberations**

Mr. Ashok Tandalekar the complainant informed that he changed over from Reliance to Tata Power in Feb 2014 and then for the month of April 2014 he received very high consumption bill. The complainant informed the forum that the average number of units consumed by him

was around 150 units per month which is evident from his past year consumption patterns, it had hardly gone above 200 units any time. Suddenly in the month of April 2014 it went up to 254 units, in the month of May 2014 it went to 425 units & in June it went further up to 482 units. This high billing was shocking for him. He was surprised when he received meter check report of the earlier meter (No. L0119599) as o.k. because after the replacement of old meter by new meter on 30.06.2014 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 April 2014 to part bill of July 2014 bills in tune with the pattern of consumption before April 2014 or after July 2014.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 18/11/2014. The relevant points reiterated by the representative of the Tata Power during the hearing are as follows:

1. The Consumer has raised a complaint of excess billing on 14/04/2014 for the month of April 2014. Based on the Complaint of Consumer the past consumption pattern was analysed and it is observed that the pattern of consumption shows no significant variation in comparison to the same period, previous year. In fact, it was also informed that ever since changeover the Consumer's consumption had a growth with an average of 23.3 % compared to Consumer's previous months consumption pattern which can be attributed to seasonal variation and partly due to life style changes. A letter dated 17th April 2014 was sent to Consumer.
2. Thereafter on 16/05/2014 for the monthly bill of May-14 and thereafter the Consumer made various complaints for high registration. Based on these complaints, the meter readings were checked and found to be in order. The meter data was downloaded through MRI and no abnormal events were found. Further the meter reading were checked and verified with the downloaded meter data and the same found to be in line with the consumption pattern of Consumer. The Consumer was informed that there is no error in the data of the meter and reading and billing thereby is based on the consumption by the Consumer.
3. Being aggrieved, the Consumer applied for meter testing of meter on 27/06/2014. As the Consumer applied for meter testing, on 30/06/2014, the meter was replaced with new meter. We wish to highlight that the meter was replaced with new meter as the Consumer had made a request for meter testing of the old meter and not because the meter was faulty as alleged by the Consumer. The Copy of meter replacement is annexed herewith as Annexure 2. Though in the meter testing request, the Consumer had shown inclination to witness the meter testing, but when the Consumer was called for meter testing through phone, the consumer asked us to test the meter in his absence. On 11th July 2014, the meter was tested in the laboratory in the presence of R Infra representative (the Consumer being a changeover Consumer) and was found OK in accuracy. The said report was shared with the Consumer on 16.07.2014.
4. On 19/07/2014, the Consumer again made a complaint of excessive billing for the month of June-14. As the Complaints of the Consumer was entertained and investigated in detail, we explained the Consumer that the alleged high registration is based on consumption and might be because of seasonal changes or change in life style. Being aggrieved the Consumer filed a Complaint before IGR. The IGR gave detailed hearing to the Consumer on 18/09/2014 and explained the action taken by Tata Power. Thereafter, on same day the IGR gave their reply to the Complaint of Consumer filed before IGR. In the said reply it was also informed to the Consumer that if the Consumer is aggrieved by the meter testing done by Tata Power and does not rely on the test report, then the Consumer is free to get it tested from any of the Govt. Accredited Labs to which the Consumer didn't responded till the period granted to Consumer.

5. Being aggrieved by the reply of IGR, the Consumer filed a complaint before CGRF. We wish to submit that we have carried out all the necessary steps to explain and resolve to the complaint of consumer. Post IGR, the connected load of the Consumer premises was taken in the presence of Consumer. We wish to submit that for any Distribution licensee the Consumption of Consumer is captured through a meter and the Control of the Licensee is till the meter. Thus, if the meter is accurate, then the reading captured in the meter is as per Consumption made by the Consumer. We also submit that there may some external tapping or there may some issue with the internal wiring or some equipment at the Consumers premise beyond the meter to which we cannot have any control.

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:

Table showing consumption of electricity:

Reliance Meter		Tata Power Meter No: L0119599		Tata Power Meter No: L0162141	
Bill Month	Units Consumed	Bill Month	Units Consumed	Bill Month	Units Consumed
Mar 2013	110	Mar 2014 (24.02.14 to 09.03.14)	54		
Apr 2013	125	Apr 2014	254		
May 2013	147	May 2014	425		
June 2013	149	June 2014	482		
July 2013	142	July 2014 (10.06.14 to 30.06.14)	285	July 2014 (30.06.14 to 09.07.14)	34
Aug 2013	150			August 2014	123
Sept 2013	148			Sept 2014	139
Oct 2013	142			Oct 2014	134

The Forum has also noted the consumption pattern was on the lower side before and after the change of the said meter. Only during the disputed period it was high. The observations and the table given above clearly indicate that comparatively high consumption was recorded by the meter during the months of May 2014 and June 2014. Also it was noted that there is some continuous consumption throughout this period as evident from ½ hourly metered load data provided by Tata Power irrespective of time of the day.

Tata Power IGR had offered for testing of meter in NABL accredited laboratory, if he is not satisfied with the meter testing done at Tata Power test laboratory. As the complainant did not opt for the same and as this option was already provided by IGR the forum decided based on the test results and as per the provisions of the regulation to issue the order.

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

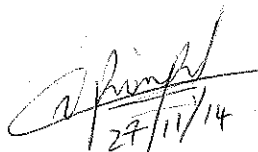
**Order from Forum:**

In view of the fact that the installed meter has been found to be running within the permissible limits, the complainant 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. 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.

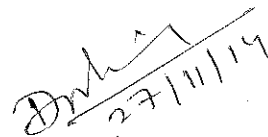
If Consumer is not satisfied with the decision of the Forum, he may make a representation to the Electricity Ombudsman in Schedule B form within sixty (60) days from the date of this order. Contact details of the Electricity Ombudsman appointed or designated by MERC under Regulation 10 is "Electricity 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



(D.N. Singh)  
Chairperson

To

1) Mr. Ashok R Tandalekar,  
Room No. - 013  
Haribhai Rathod chawl Azad Rd  
Malpa Dongri nr Sai Mandir  
Andheri (E) Mumbai 400069

2) Mr. M. Shenbagam,  
Gen. Manager (DCS),  
Tata Power Co. Ltd.,  
Mumbai 400 019.

Copy to:

- 1) Mr. Bhaskar Sarkar, Head -Business Strategy & Regulations, Tata Power Co Ltd., Mumbai
- 2) Mr. Gautam Gaurav, Nodal Officer, Tata Power Co. Ltd., Mumbai