

# CONSUMER GRIEVANCE REDRESSAL FORUM

THE TATA POWER COMPANY LIMITED

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Ref.CGRF/TPC/2012/

Date: 6.3.2012

Case No.CG/1/2012  
Date of Hearing: 23.02.2012

**In the matter of Mr. Jaykumar Jatashankar Mishra Vs The Tata Power Co. Ltd**  
**Reg. Redressal of grievance by the Forum and passing of order**

This is with reference to complaint to CGRF dated 21.01.2012 in Schedule-A form and this office letter No.CGRF/TPC/G-III/2012 dated 08.02.2012 wherein CGRF (TPC) granted a personal hearing to Mr. Ashil Mishra (Nominated Representative of Consumer No.2042599) and representatives of TPC Limited on 23<sup>rd</sup> February 2012 at 14.30 Hrs. Mr. J. J. Mishra (Consumer No. 2042599) is having 3 Phase power supply with tariff category LT-II (a) –Commercial 0-20 kW 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. Ashil Mishra (Mobile No. 9821669243)

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

- 1) Mr. Gautam Gaurav, Nodal Officer
- 2) Mr. Vipul Suthar
- 3) Mr. Devanjan Dey
- 4) Ms. Dhanashri Dabke

**Details of deliberations**

1) Mr. Ashil Mishra, the nominated representative of the complainant informed the Forum that after the change over from Reliance Energy to Tata Power on 10.5.2010, the

Reliance Energy meter No. 7836483 was replaced by Tata meter No. 05113363(Elster make)) The consumption in the month of November 2010 was 2651 units. He charged that Tata Power replaced this meter by another meter no. ST001816 (Secure make) on 17.11.2010, without any reason and thereafter it showed the consumption as 4671 units in December 2010. He complained to Tata Power on 4.3.2011 that the meter was fast. He was not satisfied with the replies received by him. He wanted to verify the correctness of the meter with the help of the parallel meter. Tata Power informed the consumer that they cannot join the parallel meter and asked him to do the testing in the laboratory to which the consumer agreed and requested Tata Power in writing on 17.5.2011 to test the meter.

Then Tata Power took the meter (No.ST001816) to Tata Power test laboratory for checking the meter & replaced the meter (No.ST001816) with Meter (No.ST002881) at site on 24.05.2011. The meter (No.ST001816) was tested in presence of the consumer on 14.06.2011. The consumer alleged that one Madam at Laboratory checked the meter for 45 minutes & told that the meter was faulty but another Madam who later tested for five minutes informed the consumer that the meter tested in laboratory was o.k. The consumer informed that he was not satisfied with them. The consumer was also not satisfied with the second meter (No.ST002881) installed on site & therefore approached IGR Cell, Tata Power on 12.08.2011.

IGR Cell informed the consumer on 13.12.2011 that (i) meter No.ST001816 installed for consumer service from November 2010 to May 2011 was tested at Tata Power Meter testing laboratory on 14.06.2011 and found ok in accuracy & (ii) meter No.ST002881 installed for consumer service from June 2011 to till that date was tested at consumer's premises on 01.12.2011 and found ok in accuracy. The consumer informed that he was not satisfied with the resolution of complaint by IGR Cell, Tata Power & had approached the CGRF, Forum.

In his application the consumer had asked for payments in instalments as relief sought and in the enclosure to the application he stated that he would not pay the interest on arrears from December 2010 to December 2011 as Tata Power was at fault for not resolving the matter for one year.

To confirm the nature of relief sought by the consumer in his application in schedule A form, the Forum asked him specifically what relief he expected to which he replied that the interest on arrears may please be waived.

- 2) The Tata Power had sent written reply to the Forum as well as to the complainant vide letter dated 4/2/2012 refuting all the allegations made by the complainant. The relevant points reiterated by Mr. Gautam Gaurav, the representative of the Tata Power are as follows:
  - a) The meter No. 05113363 was showing abnormal magnetic events and the same was required to be replaced which was informed to the consumer. The meter was replaced in the presence of the consumer representative on 17/11/2010 with meter No. ST001816. The meter replacement sheet dated 17/11/2010 was signed by the consumer. The sheet was produced as the proof.
  - b) The meter No.ST001816 was tested in the meter testing laboratory & was found accurate within the prescribed limits. He denied the charge that one of the lady employees in the meter testing laboratory had said that the meter was faulty. He submitted the test report dated 14/6/2011 which was signed by the

representatives of the Tata Power, R-Infra and the consumer. This report was submitted as the proof.

- c) The meter No. ST002881 installed on the consumer's premises was tested on the site on the request of the consumer on 1/12/2011. This was also found accurate within the prescribed limits. The report dated 1/12/2011 duly signed by the representatives of the Tata Power and the consumer was submitted as the proof.
- d) At every time the complaint was made it was attended by Tata Power. The meter data was down loaded through CMRI and that matched with the meter readings and no anomaly was found. The Tata Power Engineer visited the consumer's premises and found that the connected load (19.023kW) was more than the sanctioned load (11kW). The report dated 18/10/2011 showing the connected load and energy consumption as per the load and hours of use endorsed by the consumer was submitted as the proof. On calculating the energy supply on the basis of the connected load and the number of hours the appliances used it was found that the consumption of the units/month was almost equal to the consumption pattern of the consumer after December 2010.
- e) The consumer was not regular in making payments of energy bills even before and after the complaints. The arrears mentioned in the letter dated 4/2/2012 were Rs. 1,19,748/-
- f) Since the meter accuracy and downloaded data shows no anomaly or abnormality, the reading shown in the installed meters is as per the consumption and accordingly the bill was generated.
- g) Thus there is no case on merit and the complaint be dismissed with cost.

3) We have heard the representations of both, the representative of Complainant Mr. Jaykumar Jatashankar Mishra and Tata Power Company Ltd. regarding high billing for consumer no. 2042599 (Tata meter Nos. ST001816 and ST002881)

Based on the outcome of deliberations with the complainant and on the basis of documents submitted by The Tata Power Co, the Forum likes to place on record that the licensee of power cannot exercise control on consumption of power by the consumers.

In case the meter is found to be running within the permissible limits of error, it becomes obligatory for the complainant 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

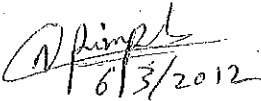
#### **Order from Forum:**

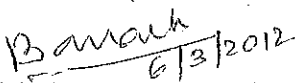
In view of the fact that the installed meters have been found to be running within the permissible limits, the complainant is supposed to make the payment of the bills as raised by The Tata Power Co. Ltd.

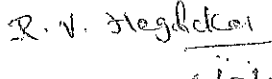
Orders of the Forum are required to be complied within 15 days of the receipt. The payment of the bills shall be as per the clause 15.5 of MERC (Electricity Supply Code & Other Conditions of Supply) Regulations, 2005 vide notification dated 20<sup>th</sup> January 2005

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

  
(R V Hegdekar)  
Chairperson

To

Mr. Jaykumar Jatashankar Mishra, 7/ 1<sup>st</sup> Floor, Jaycreation P V K Compound,  
Kherani Road, Kurla(W), Mumbai-400 072.

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

RVH:pr

CGRF-ORDER-2042599-JJM -06<sup>th</sup> 2012.