

CONSUMER GRIEVANCE REDRESSAL FORUM
THE TATA POWER COMPANY LIMITED

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Ref.CGRF/TPC/2015/

Date: 06/05/2015

Case No.CG/2/2015
Date of Hearing: 08/04/2015

In the matter of Ms. Premilaben T Nakum, (Consumer No. 2309277) 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 09/03/2015 and this office letter No.CGRF/TPC/2015/ dated 30/03/2015 wherein CGRF (TPC) granted a personal hearing to Ms. Premilaben T Nakum, (Consumer No. 2309277) and representatives of TPC Limited on 8th Apr' 2015 at 14:30 Hrs.

Ms. Premilaben T Nakum, (Consumer No. 2309277) 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. Vrushal N. Pimple, Member

On behalf of the Complainant:

- 1) Mr. Manish Nakum

On behalf of The Tata Power Company Limited:

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

Details of deliberations

Mr. Manish Nakum the representative of the complainant informed that for the month of June 2014 and July 2014 he received very high consumption bill. The complainant informed the forum that he was shocked due to huge amount of bills i.e. 775 units for June 2014 and 641 units for July 2014 bill whereas his average/normal bill units of Nov' 2013 to April' 2014 is 211 units. After his Complain, Tata Power have replaced the meter on 11.07.14. After replacement of the meter the average number of units consumed by him is coming around 215 units per month which is as per the earlier trend.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 20/03/2015. 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 11/06/2014. Based on the complaint, Tata Power acted upon it and initiated action on the complaint by downloading the meter data through MRI and thereafter analyzed wherein there were no abnormalities found in meter data. During further data analysis of the downloaded data from the meter, multiple events of earth load/ current reversal were recorded. Further the meter reading were checked and verified with the downloaded meter data and no mismatch could be found. However, as this process would have taken time, we sought time from Consumer through emails and thereafter after following all process informed consumer through our letter dated 26th June 2014, wherein it was requested to consumer to check the wiring-phase/ neutral tapping/ earth leakage.
2. Thereafter, the Consumer applied for meter testing for meter no. N0037207 on 09/07/2014 showing it interest to witness the testing of meter. The meter was removed from site, seized for testing on 11/07/2014 and replaced with a new meter vide meter no. L0180585. The meter was tested in Tata Power laboratory on 25/07/2014 in presence of Consumer's representative and witness by R Infra representative as the Consumer is a changeover consumer. It was found that the meter was found OK in accuracy with few observations. In the meter testing it was observed that there is drift in Real time Clock (RTC). Also it was observed that there were Earth load and reverse current events in the meter.
3. As the consumer was not satisfied, the consumer spoke to Head (CRC). The Head (CRC) also tried to explain all the above facts, however the Consumer was not satisfied and approached IGR vide IGR form dated 27/09/2014 with grievance of High billing. Vide email dated 20th October 2014, the consumer was informed about the hearing of the said complaint to be scheduled on 28th October 2014 at 1500 hrs.
4. The IGR in addition to above action, analyzed the load survey report and MRI data, sent a team to Consumer premises to check for any cross connection at consumer premises and also to check the connected load of the appliances including the wiring of premises. The team visited the premises of consumer and checked whether there is any cross connection. The team also checked the connected load of the premises. Both the activities were carried out in the presence of Consumer representative. The IGR also had a detailed analysis of load survey report. The Consumer though intimated in advance about the hearing, did not come for the hearing before IGR and showed her inability to attend through phone. On 29/10/2014, the IGR sent a reply to consumer informing the consumer that there is abnormality found in the case and hence the consumer was advised to make payment of outstanding dues.
5. Being aggrieved, the Consumer approached CGRF. We reiterate the action taken by Tata Power in resolving the complaint of Consumer. We also reiterate and rely on and reply sent by IGR. We

reiterate that the bills are raised as per consumption recorded by the meter. The above test and the downloaded data clarifies that there is no anomaly in the meter and the consumption recorded by the consumer meter appears to be in order and accordingly the consumer is billed based on the applicable tariff applicable to the category availed by the Consumer.

6. We wish to add certain important points pertaining to observation in the meter testing report as well as during the analysis of downloaded data which recorded multiple events of Earth Load/ Reverse currents and accordingly consumer was informed in IGR reply that the Consumer need to get the wiring of its premises checked with the help of Licensed Electrical Contractor. Further, we wish to once again clarify that the drift in RTC does not lead to change in recording of consumption and more towards high registration. Further, the Consumer is put to strict proof of the fact that the Consumer was out of station from 29th April 2014 to 13th May, 2014. Further, we deny that he Consumer didn't receive bill for the month of April 2014 and got a bill for two month in the month of May-14. We put to strict proof thereof. Further, assuming that the Consumer didn't receive bill from Tata Power for the month of April-14, however, the Consumer never made any complaint about the same with the Tata power through its call centre or through Customer care centre. Further as per regulations, if the Consumer doesn't get a bill for a particular month, that cannot itself be an excuse for the Consumer for not making payment of energy dues for that particular month.

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 Forum has noted that 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 clearly indicate that comparatively high consumption was recorded by the meter during the months of June 2014 and July 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.

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 same, 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

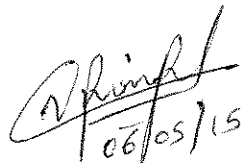
Order from Forum:

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 30 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 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.



(Vrushal N. Pimple)
Member



(D.N. Singh)
Chairperson

To

1) 1) Ms. Premilaben T Nakum,
Flat No. 03, SEJAL APRTA,
DATTA PADA CROSS ROAD NO 2,
OPP WELCOME HOTEL
BORIVLI (E), Mumbai-400066

2) Mr. Sunil Joglekar,
Head (DCS),
Tata Power Co. Ltd.,
Matunga (W),
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