

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/2013/

Date: 26.03.2013

Case No.CG/1/2013

Date of Hearing: 07.03.2013

In the matter of Ms. Mamata Dhar 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 on 11.02.2013 and this office letter No.CGRF/TPC/2013 dated 12.02.2013 wherein CGRF (TPC) granted a personal hearing to Ms. Mamata Dhar (Consumer No.2121781) and representatives of TPC Limited on 7th March 2013 at 14.30 Hrs.

Ms. Mamata Dhar (Consumer No.2121781) is having single 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) Ms. Mamata Dhar (Mobile 9869317534)
- 2) Mr. Ashok Kumar Sarkar (Mobile 9869317534)

On behalf of The Tata Power Company Limited:

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

Details of deliberations

Mr. Ashok Kumar Sarkar, the representative of the complainant informed that after the changeover from Reliance Infra to The Tata Power Company Ltd., the maximum units consumed before June 2012 were not more than around 500 units per month. After that from July 2012 to till October 2012 it has shot up to around 900 units per month which was not consumed by them. After change of meter on 04.09.2012, the consumption has again come down to less than 500 units per month which is normal & which is as per the consumption. He requested the Forum to instruct The Tata Power Company Ltd to revise the bills for the months of July 2012 to October 2012 accordingly.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 26/02/2013. 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 10/03/2011 and changeover was completed. At the time of JMR, the R Infra meter vide meter no. 4937100 was replaced with Tata Power meter vide meter no. L0013227. The said process was carried out in the presence of Consumer representative.
2. The consumer lodged a complaint on 25/07/2012 for high registration, stating that they had received exorbitant bill for the month of July 2012. The said complaint was entertained and immediate action was taken by Tata Power Co. The meter was checked at site and 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 meter was checked by the representative at site and the data was analyzed by the Engineer at office and was found OK. 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. Also, downloaded meter data was checked with SAP readings and the same were found OK. We also found that there was no fault in the meter or in the readings.
3. Thereafter, on 01/09/2012, the Consumer applied for meter testing at the meter testing laboratory. The meter vide meter no. L0013227 was replaced with new meter vide meter no. N0025889 on 04/09/2012, for testing the meter at Laboratory. The meter was tested in meter testing laboratory in the presence of R Infra representatives on 05/10/2012, 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 05/10/2012. The IGR cell gave a hearing to the Consumer and tried to resolve the issue. Also the connected load from site was taken on 27/11/2012. After detail hearing, the IGR cell sent a reply dated 07/12/2012 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 was also found to be in order. It was informed that meter downloaded readings and billing readings are cross checked and found to be in order and 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 there is no anomaly in the meters or the reading therein or any fault on our side. This may have due to the consumption at Consumer's end and there are many factors that may lead to high consumption. We want to highlight one fact that the consumer is challenging high consumption from June-12 to December-12, and the disputed meter was replaced on 04/09/2012. Thus, there is no fault in the meter as the alleged exorbitant consumption is also for the period beyond meter replacement i.e.

from 04/09/2012. Thus, there is no fault in meter or in the bills and the bills are prepared as per the consumption of the Consumer.

7. 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.

Forum observed that:

1) As per Load Survey Report submitted on the day of hearing to CGRF, by The Tata Power Co. Ltd, for Meter No.L0013227 of Consumer No.2121781 the sum total of consumption in kWh (based on sum total of half-hourly consumption) for the period 22/08/2012 to 04/09/2012 is 212.86 units whereas in bill No. 7103303323 dated 26/09/2012 the consumed units for the same period is mentioned as 438 units

Tata Power was requested to explain and give reasons for the discrepancy pointed above.

Tata Power had referred the data file of meter no L0013227 to L&T (manufacturer of the meter) for analyzing the discrepancy.

L&T MPS section intimated as follows:-

- a. The meter Energy recording (i.e. Cumulative KWH) is correct.
- b. The Load survey data down loaded from the meter seems to have problem. This is an additional feature provided in the 1-Ph meters, we have received few complaints recently in its recording. Our design team is working on the solution which will be implemented in the new supplies.
- c. This does not have any effect on Cumulative KWH registration as both are separate registers.

2) CGRF noted the reply given by Tata Power based on L&T's above mentioned report. Though L&T accepted the mismatch, it stated that it had no effect on actual monthly consumption recorded by the said meter which is justified in the meter testing report dated 05/10/2012 available on record. (The laboratory test was carried out in presence of representatives of The Tata Power Company Limited, R Infra and the consumer who had also signed on the report).

3) After replacement of meter on 04/09/2012, the consumption recorded by the new meter also was as high as 753 units for 17 days (05/09/2012 to 21/09/2012) and 1250 units for next one month (22/09/2012 to 21/10/2012). It shows that 2 different meters (No: L0013227 & N0025889) have recorded high consumption. The same new meter (N0025889) has recorded lesser consumption also after 21/10/2012 which is indicative of actual consumption by the consumer.

4) 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. He was also told that if the meter tested proves to be defective at NABL approved laboratory, he would be refunded the meter testing fees paid by him along with the due credit, if any, to be paid by Tata Power.

5) 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.

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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 accepted the argument that the licensee of power cannot exercise control on consumption of power by the consumer.

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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 20th January 2005

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

It is worth while mentioning Regulation 17 of the CEA (Installation and Operation of Meters), Regulations 2006 as under:-

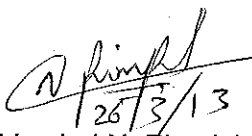
"Quality assurance of meters.-

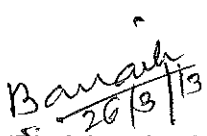
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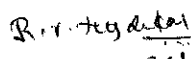
(2) The licensee shall set up appropriate number of accredited testing laboratories or utilize the services of other accredited testing laboratories. The licensee shall take immediate action to get the accreditation of their existing meter testing laboratories from NABL, if not already done."

Tata Power in this regard is advised to do the needful.

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.


26/3/13
(Vrushal N. Pimple)
Member


26/3/13
(Bhalchandra A. Naik)
Member


26/3/13
(R V Hegdekar)
Chairperson

To

1) Mrs. Mamata Dhar, B/304, Lennie CHS Ltd., 4th Cross Road, 4 Bunglows, Plot No. 90, Near Lokhandwala Complex, Andheri (West), Mumbai 400058

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

Copy to:

- 3) Mr. V. H. Wagle, Dy. Gen. Manager (Regulations), Tata Power Co Ltd., Mumbai
- 4) Mr. Gautam Gaurav, Nodal Officer, Tata Power Co. Ltd., Mumbai