

CONSUMER GRIEVANCE REDRESSAL FORUM

THE TATA POWER COMPANY LIMITED

Office: Distribution Customer Services
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Phone: 67172710 Fax: 67172730
e-mail: grievance.cell@tatapower.com

Ref.CGRF/TPC/2014/

Date: 18.07.2014

Case No.CG/5/2014

Date of Hearing: 04.07.2014

**In the matter of Ms Laxmibai Jayantilal Kharvi. 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 15.05.2014 and this office letter No.CGRF/TPC/2014/50 dated 18.06.2014 wherein CGRF (TPC) granted a personal hearing to Ms Laxmibai Jayantilal Kharvi (Consumer No.2279019) and representatives of TPC Limited on 04th July 2014 at 14.30 Hrs.

Ms Laxmibai Jayantilal Kharvi. (Consumer No.2279019) 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 Tele conference)
- 3) Mr. Vrushal N. Pimple, Member

On behalf of the Complainant:

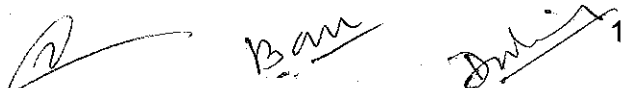
- 1) Mr. Shyamlal J (Mobile 9820736154)

On behalf of The Tata Power Company Limited:

- 1) Mr. Manish Varshneya

Details of deliberations

Mr. Shyamlal J, the representative of the complainant informed that there was a sudden hike in bills received in the month of June '2013 to Sept '2013. The consumer complained to Tata Power first on 24th May 2013 and subsequently requested for testing of meter on 23/07/2013. All the complaints were replied back by Tata Power. The consumer not satisfied with the replies given by Tata Power complained to IGR on 11/02/2014, Consumer further





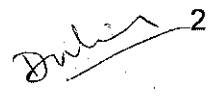
added that after replacement of old meter No. L0073363 with new meter No. G1078721 on 25/07/2013 his bills have got reduced. He stressed that the bills received by him for the period June 2013 to Sept 2013 should be revised and requested the Forum to instruct the Tata Power Company Ltd to revise the bills accordingly.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 28/05/2014. The relevant points reiterated by the representative of the Tata Power during the hearing are as follows:

1. The consumer logged a complaint for high registration on 24th May, 2013 for high registration. The said complaints were entertained and action was taken by Tata Power Co. The meter was checked at site and found Ok. 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. A letter dated was sent to Consumer informing the same.
2. Thereafter, the Consumer made complaints for high registration which were similar to the previous complaint of the Consumer. All the complaints raised by the Consumer were replied by us. As the process for high registration involves detailed investigation and the same was done in the case of present Consumer, the other complaints of Consumer were replied accordingly.
3. Thereafter, the Consumer requested for meter testing and submitted meter testing form on 23/07/2013. The meter vide meter no. L0073363 was replaced with new meter vide meter no. G1078721 on 25/07/2013 for testing the meter in the laboratory. The meter was tested on 14/08/2013 in Tata Power laboratory and the meter was found OK in accuracy.
4. The Consume again raised high registration complaint post meter test, where meter was found Ok in accuracy. The said complaint was also replied informing Consumer that the meter is OK in accuracy and all the process of high registration is done and no anomaly is found in the meter or meter data and the readings. Thus, the reading in the meter is based on Consumption of Consumer.
5. The Consumer was suggested to approach IGR for resolution of its complaint as the Consumer was aggrieved with the resolution provided by us. The Consumer being aggrieved filed the Complaint before IGR on 11/02/2014.
6. The IGR heard the complaint and after investigating the data have given its reply on 11/04/2014 informing the Consumer that basis complaint made towards excess billing by the consumer, following were the actions initiated by the officials of Tata Power in order to resolve the complaint.
 - Meter Readings were checked and found to be in order.
 - Meter Data was downloaded through MRI and no abnormal events were found.
 - Checked and verified meter readings with the downloaded meter data and the same found to be in line with your consumption pattern.
 - The meter was also tested for accuracy in our LAB on 14.08.2013 and found to be Ok.

It was thus informed that basis the above analysis, there is no anomaly in the meter and the consumption recorded by the meter appears to be in order and the Consumer have been billed accordingly.

7. Being aggrieved by the IGR, the Consumer approached CGRF. We reiterate the stand taken by us in our reply and reply filed by IGR. We reiterate that we have examined the MRI meter reading and cross checked with SAP reading and found them in order. The

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MRI data was analyzed and found to be Ok. The meters were 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.

8. Thus, 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:




On Consumer's complaint the meter was replaced on 25th July -13 for meter testing. The meter was tested in lab on 14th August'13 and found to be ok in accuracy.

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 disputed installed meter has been found to be running accurately within the permissible limits, the complainant is supposed to make the payment of the bills as raised by The Tata Power Co. Ltd.

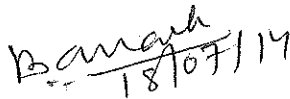
Orders of the Forum are required to be complied within 15 days of the receipt. The payment of the bills shall be as per the clause 15.5 of MERC (Electricity Supply Code & Other Conditions of Supply) Regulations, 2005 vide notification dated 20th January 2005

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

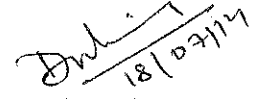
If Consumer is not satisfied with the decision of the Forum, he may make a representation to the Electricity Ombudsman in Schedule B form within sixty (60) days from the date of this order. Contact details of the Electricity Ombudsman appointed or designated by MERC under Regulation 10 is "Electricity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



(Bhalchandra A. Naik)
Member



(D.N. Singh)
Chairperson

To

1) Ms. Laxmibai Jayantilal Kharvi.,
FLT NO.-GROUP NO. 5A, 400/4645,
TAGOR NAGAR, WALMIK MANDIR,
VIKROLI (EAST),
Mumbai 400083

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

Copy to:

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