

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

---

**Office:** Distribution Customer Services  
1<sup>st</sup> Floor, Dharavi Receiving Station  
Near Shalimar Industrial Estate  
Matunga, Mumbai 400 019  
Phone: 67172710 Fax: 67172730  
e-mail: [grievance.cell@tatapower.com](mailto:grievance.cell@tatapower.com)

Ref.CGRF/TPC/2012/ 43

Date: 08.08.2012

**Case No.CG/8/2012**  
**Date of Hearing: 01.08.2012**

**In the matter of Dr. Sanjeevkumar N Jotangia 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 15.06.2012 and this office letter No.CGRF/TPC/2012 dated 09.07.2012 wherein CGRF (TPC) granted a personal hearing to Dr. Sanjeevkumar N Jotangia (Consumer No.2067329) and representatives of TPC Limited on 17<sup>th</sup> July 2012 at 14.30 Hrs. The hearing was rescheduled to 19<sup>th</sup> July 2012 at 14.30 Hrs & again rescheduled on 01.08.2012 at 14.30 Hrs. due to non availability of representative of Tata Power in the first instance and that of the complainant in the second instance on account of ill health in both the cases.

Dr. Sanjeevkumar N Jotangia (Consumer No. 2067329) is having single phase power supply with tariff category LT-I –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) Dr. Sanjeevkumar N Jotangia (Mobile 9702081829)

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

- 1) Mr. M.D.Salvi
- 2) Mr. Uttam Jain

**Details of deliberations**

Dr. Sanjeevkumar N Jotangia, the complainant informed the Forum that he had shifted to Tata Power connection on 10.12.2010. From the date of changeover connection to the billing month of December 2011 he had no complaint as the bills were charged for the electricity consumed which were for average of 264 units per month. However he was

shocked when he received the bill for January 2012 (from 25.12.2011 to 24.01.2012) on 6.2.2012 which was charged for 845 units. Vide letter dated 16.02.2012 it was intimated to Tata Power that he complained on 6.2.2012 (on the same day of receipt of the bill), 7.2.2012 and 10.2.2012 on Tata Power Toll free number. In the same letter he requested Tata Power to change the meter immediately. On 9.2.2012 a person from Tata Power came along with another person to check the meter. He told that there was some problem with wiring and another team would come to sort out the problem. The complainant added that he received the written reply of Tata Power dated 26<sup>th</sup> March 2012 on 29<sup>th</sup> March 2012 i.e. forty days after his written complaint of 16.02.2012. Few days later after the first visit, another person from Tata Power on checking wiring and meter said that the wiring was o.k. & the earlier person's finding was wrong. The problem was high registration due to resistance - a software problem showing faulty reading of high consumption. He verbally assured that after reporting it to his seniors he would get the meter changed in 3-4 days time. The complainant stated that due to winter season he had not used AC & use of fans was also less. There were no new appliances purchased and there was no get-together function in the house. Wiring was of good quality. After receiving the Jan'12 bill & complaining thereafter, he was even more careful about use of electricity but he received further shock when he received Feb'12 bill which was charged even more to the tune of 1151 units. No action was taken by Tata Power between two exorbitant bills. He has paid the amount as per his average consumption. He added that there are only two possibilities; either the meter is faulty or tampered with. In any of the possibilities right from the beginning he was of the opinion to change the meter as also assured by the second person from Tata Power who visited. He was extremely hurt when he received the Disconnection Notice even though his grievance was not satisfactorily resolved. He trusted the persons coming from Tata Power and expected Tata Power to account for the statements made by their employees. He further stressed that the meter was not checked in the months of January and February 2012. It was taken for inspection & checking after he received the March 2012 bill which showed regular consumption of 245 units. He has a strong reason to believe that the meter was tampered within a period of two months that elapsed from his complaint to the resolution provided by IGR Cell. He is speculating that officials from Tata Power having access to the meter could have rectified the faulty meter anytime after he lodged a protest and then taken the repaired meter for checking. He requested the Forum that his plea for complete waiver of the overcharged amount of Jan'12 & Feb'12 bills be accepted by charging him according to his average consumption for these two months and he should not be charged for the electricity that was never consumed by him.

The Tata Power had sent a written reply to the Forum as well as to the complainant vide letter dated 03.07.2012. The complainant informed during the hearing that he has not received the said reply given by Tata Power. The copy of the Tata Power's reply was handed over to the complainant during the hearing & he was asked whether he requires time to study & send the rejoinder. He read the report during the hearing and said that he was not satisfied by the reply given by Tata Power as it was silent about statements made by the representatives of Tata Power who visited his premises. He also expected prompt response caring for consumer grievance. The relevant points reiterated by the representative of the Tata Power are as follows:

1. The Consumer had applied for changeover and as a part of changeover, JMR was carried out on 10/12/2010 and changeover was completed. At the time of JMR, the meter was also replaced and meter (make- L&T) vide meter no. 01469882 was installed at the premises of the Consumer. The said process was carried out in the presence of Consumer representative.

2. The customer lodged a complaint of high registration, stating that they had received exorbitant bill for the month of January 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 analyzed and no anomaly was found in the data. Thus, the meter was checked by the engineer at site and the same was found OK. On similar complaint by the Consumer, the technical team also checked whether there is any cross connection, but on inspections no cross connection was found at Consumer's meter. Similar complaint was made by the Consumer through its letter dated 16/02/2012, but as all the necessary action was taken in the presence of Consumer/ consumer representative and there was no fault in the meter or in the readings, thus the letter of Consumer was not replied. We strongly deny the allegations made by the Consumer that we replied to his letter dated 16/02/2012 only on 26/03/2012. Thereafter, in the month of March 2012, the consumer made complaint for excessive bills for the month of February 2012. Though, the complaint was for similar nature, we once again studied the data taken from the meter, wherein no abnormal event was found. We also checked the meter reading and found them OK. As the Complaints were logged by consumer on same issue, as a process on 26/03/2012, the Senior Manager, Customer Relations a letter to consumer asserting the action taken by the Company and informed consumer that the Consumption recorded in the Consumer's meter is in order.
3. As the Consumer was not satisfied with the resolution provided by Tata Power Company, the Consumer filed a complaint before IGR Cell on 06/04/2012.
4. The Consumer also requested and thereby applied for meter testing of meter no. 1469882 on 08/05/2012. The meter no. 1469882 was removed from site for testing and new meter vide meter no. L0064178 was installed at site. The meter no. 1469882 was jointly tested with R Infra representative in Tata power Co. lab on 18/05/2012. The said meter was found to be within accuracy limit.
5. As the Consumer filed a complaint before IGR cell, the IGR cell gave a hearing to the Consumer and tried to resolve the issue. After detail hearing, the IGR cell sent a reply dated 29/05/2012 to Consumer informing him the action taken to resolve his complaint. In the said reply, IGR cell informed that disputed meter was tested 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 the consumption pattern of the Consumer was as per the actual connected load obtained from site and the meter downloaded readings and billing readings are cross checked and found to be in order.
6. Being aggrieved, the Consumer approached CGRF, the complaint before CGRF, the Consumer had prayed for the same relief and same facts were mentioned. Each and every complaint of the Consumer was entertained and resolved by the Company as mentioned hereinabove. We strongly deny each and every contention mentioned in the complaints, with respect to action taken by us on the Complaints lodged by the Consumer.
7. We reiterate that we have examined the MRI meter reading and cross checked with SAP reading and found them in order. The 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.

Forum observed that:

The meter was not tested during the disputed billing months (Jan'12 & Feb'12). Had it been tested then, Load survey data could have been available for analysis & fault finding would have been easier as Load survey data of only 35 days prior to the date of testing can be made available as claimed by Tata Power.

In view of the above, Tata Power is advised to retrieve and then preserve the Load survey data necessary for analysing & fault finding in case of high consumption grievances which will be useful in future.

The testing report also mentioned under observations of Meter Data: "False top cover events observed" which supplements the speculation made by the complainant much earlier. However Tata Power informed that there was no evidence of physical tampering and it has no impact on energy consumption recorded by the meter.

The complainant had written in the letter dated 6th April, 2012 addressed to IGR cell about the conversation between Tata Power's employees who visited the site and the complainant. This letter was also submitted as an attachment to CGRF. Tata Power did not respond to this in their reply.

It is true that the consumption for Jan.2012 (845 units) & Feb. 2012(1151 units) recorded is very high as compared to average monthly consumption (264 units) recorded earlier. But, since the meter was in order, it has to be treated as the consumption of electricity used by the consumer.

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.

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.

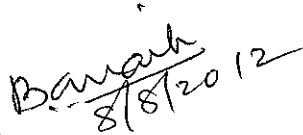
Orders of the Forum are required to be complied within 15 days of the receipt. The payment of the bills shall be as per the clause 15.5 of MERC (Electricity Supply Code & Other Conditions of Supply) Regulations, 2005 vide notification dated 20<sup>th</sup> January 2005

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

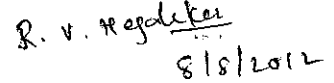
If Consumer is not satisfied with the decision of the Forum, he may make a representation to the Electricity Ombudsman in Schedule B form within sixty (60) days from the date of this order. Contact details of the Electricity Ombudsman appointed or designated by MERC under Regulation 10 is "Electricity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



(R V Hegdekar)  
Chairperson

To

1) Dr. Sanjeevkumar N Jotangia, G-329, E-2 Highway  
Park CHS Ltd, Western Express Highway Road,  
Thakur Complex, Opp. Mahindra & Mahindra,  
Kandivali (East), Mumbai 400101

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. M.D.Salvi, Chief Manager (Commercial), Tata Power Co. Ltd., Mumbai
- 5) Mr. Gautam Gaurav, Nodal Officer, Tata Power Co. Ltd., Mumbai