



Consumer Grievance Redressal Forum, Kalyan Zone

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No.EE/CGRF/Kalyan Zone/

Date of Grievance : 02/09/2015

Date of Order : 01/11/2017

Total days : 804

**IN THE MATTER CASE OF GRIEVANCE NO. K/E/918/1122/2015-16 IN
RESPECT OF MANISH M. DEDHIA & KASHMIRA M. DEDHIA, GALA
NO. G/14, S.NO.84/1, MEGHDOOT EST SATIVLI RD, VASAI (E) DIST.
PALGHAR, PIN CODE NO. 401 208 REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
REGARDING REFUND OF AMOUNT.**

Manish M. Dedhia and Kashmira M. Dedhia,
Gala No. G/14, S. No.84/1,
Meghdoot Est, Sativli road,
Vasai (E), Dist. Palghar,
Pin Code-401 208
(Consumer No.002170187345)

... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
through its MSEDCL, Addl. Ex. Engineer,
Vasai Circle, Vasai (E), (Hereinafter referred as Licensee)

Appearance:- For Licensee :- Shri Ishwar Bharti-AEE-Vasai Rd. (E) S/dn.
For Consumer : Shri Harshad Sheth-Consumer's representative.

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary
and Mrs.S.A.Jamdar- Member (CPO)].

1] Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission. Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014'.

2] Consumer filed this grievance before the Forum on 2/9/2015, contending that the power factor penalty was wrongly charged due to faulty Genus Meter. Accordingly, it's refund, in addition, seeking incentives with interest demanded. All these contentions are based on the ground that meter of Genus company installed by Licensee is defective. Secondly consumer asked to refund TOD charges from July 2014 to April 2015 as benefit of TOD was not given for the said period.

3] On receiving the said grievance, it's copy along with accompaniments sent to the Nodal Officer vide this Forum's Ltr. No. EE/CGRF/Kalyan/268 dated 02/9/2015.

In response to it, the Officers of Licensee appeared and filed reply on 27/10/2015 and from time to time added explanations / points. Similarly, consumer too submitted rejoinders.

4] Consumer contended that power factor penalty due to faulty Genus meter was charged for period from June 2014 to June 2015 which comes to Rs.29,498=77 and loss of PF incentives Rs.27,300/-. The penalty was charged due to faulty Genus Meter which was wrongly calculating PF due to wrong software.

Consumer further contended TOD charges were not allowed from June 2014 to April 2015 as Rs. 29,776=45 and after that TOD is activated.

5] Licensee in it's reply dated 27/10/2015 stated that Meter No. 06268908 installed to consumer in the month of November 2013. From July 2014 to September 2014 reading was taken manually and from October 2014 to April 2015 meter reading was done through MRI reading and only lag (RKvAh) reading was taken for calculation of power factor (P.F.). As such P.F. is proper and it was below 0.90 hence P.F. penalty was levied in the bill after-said period.

Secondly, regarding TOD incentive is concerned, Licensee agreed and rectified their mistake and already credited the amount of Rs. 34616=70.

6] There were so many times hearing and correspondence done/made in respect of this case. The Forum has gone through all the record and facts produced on record during the hearing. Consumer mainly asking for MRI data of meter during the disputed period. As-far-as this case is concerned, the disputed period was shown from June 2014 to June 2015. Whereas MRI report of the said meter generated through ‘GENUS – URJA Software ver. 1.0.22’ is produced for the period from 14/5/2015 to 10/9/2015, which are kept on record. Licensee was not able to produce the data for whole disputed period. Instead of that, Licensee produced data from their IT department which shows the similar reading which appeared in energy bill. Forum observed that the readings in the report generated from ‘GENUS URJA’ Software and ‘IT’ data for that particular period are matching.

7] Now the main issue is for wrong calculation of ‘P.F.’ due to wrong software in the Genus meter. There were some cases in which the Genus company agreed their mistake. The report shows following observations:

Sample Meter Analysis Report

1	Customer Name	-
2	Meter Sr.No.	-
3	Meter Description	3 Phase 4 wire, 3*240,Cl 0.5 Cap 10 1/5 Amps LTCT static Watt hour meter.
4	Nature of fault reported	Low PF recorded.
5	Observation	We check this meter and found that PF Calculation program was wrongly programmed for Lag + Lead, so after calculating PF is showing low.
6	Result	We can program these meter for lag only calculation for rectification. Also MSEDCL may bill consumer accordingly.

From the above report, it is clear that PF calculation program was wrongly programmed for Lag + Lead RKvAh, so that final calculation shows low power factor. There was no issue for recording of ‘Lag RKvAh’ reading and lead RKvAh reading. Meter was correctly recording both lag and Lead RKvAh. The issue was due to wrong program, PF calculated was low in case of some meters.

Now the issue is whether this meter is also showing low Power Factor? For this the Forum has gone through all the readings available on record from ‘GENUS URJA’ Software as well as readings available in Licensee’s IT department. It is observed that the ‘Lag RKvAh’ counter reading from both the report is matching. So there was no issue involved as far as ‘Lag RKvAh’ reading is concerned. In this particular case ‘Lag RKvAh’ reading dated 1/6/2015 was ‘56818.12’ in both reports, which is at the end of this dispute and it is progressive reading from initial reading. The Forum has calculated the PF from the available reading on record by applying the formula.

$$\text{Avg. P.F.} = \frac{\text{Total (Kwh)}}{\text{Total (kvah)}}$$

$$\text{Where Total Kvah} = \sqrt{\sum(\text{Kwh})^2 + \sum(\text{Rkvah})^2}$$

The P.F. So calculated is matching with the PF shown in consumer’s statement.

As the ‘Lag RKvAh’ reading is progressive and it is matching with the MRI report hence the P.F. calculated is correct and there is no

issue of wrong calculation of P.F. The calculated P.F. considering ‘ Lag RKvAh’ is exactly matching with billed ‘P.F.’ Hence the Forum has opined that there is no issue of wrong programming in this particular meter.

8] Issue of TOD incentive is already agreed by the Licensee, hence there is no need to go in detail.

This matter could not decide within stipulated period because the parties to have produced some documents.

Hence the order.

ORDER

Grievance application of the consumer is hereby rejected.

Date: 01/11/2017.

(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

(A.P.Deshmukh)
Member Secretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan.

NOTE

a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or

c) delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at he following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.