



Consumer Grievance Redressal Forum, Kalyan Zone

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No.EE/CGRF/Kalyan Zone/

Date of Grievance : 08/12/2015

Date of Order : 01/11/2017

Total days : 1087

**IN THE MATTER CASE OF GRIEVANCE NO. K/E/968/1174/2015-16 IN  
RESPECT OF ARCHIES ENTERISES, GALA NO. 1, J.P.COLACO IND.  
EST, WALIV, VASAI ( E ) DIST. PALGHAR, PIN CODE NO. 401 208  
REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM  
KALYAN ZONE, KALYAN REGARDING REFUND OF P.F.PENALTY.**

Archies Enterprises,  
Gala No.1, J.P. Colaco Ind Est,  
Waliv, Vasai (E),  
Dist. Palghar,  
Pin Code-401 208  
(Consumer No.002170184028)

... (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 8/12/2015, 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.

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/405 dated 14/12/2015.

In response to it, the Officers of Licensee appeared and filed reply on 16/3/2016 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 October 2013 to September 2015 which comes to Rs.116950.39 and loss of PF incentives Rs.12050=00. The penalty was charged due to faulty Genus Meter which was wrongly calculating PF due to wrong software.

5] Licensee in its reply dated 16/3/2016 stated that Meter No. 06266757 installed to consumer in the month of August 2013 for the period from October 2013 to February 2014 reading was taken manually hence no issue of wrong P.F. From March 2014 to August 2014 reading was taken by MRI and for power factor calculation RKvAh Lag + RKvAh Lead readings were considered before generation of bill due to Genus meter old software. The old software was adding RKvAh Lag and RKvAh lead for RKvAh reading which ultimately calculating wrong/low P.F. Hence detailed sheet of refund was prepared for amount of Rs.6574=63 during the period from March 2014 to August 2014.

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 October 2013 to September 2015. Whereas MRI report of the said meter generated through 'GENUS –URJA Software ver. 1.0.22' is produced for the period from 1/7/2015 to 1/11/2015 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 that in the month of March 2014 there is sudden increase in RKvAh reading i.e. from 8817 to

15965=51 which is clearly abnormal rise and it is due to addition of RKvAh lag + RKvAh lead reading. Again in the month of August 2014 billing RKvAh reading is reduced to 13731. In the month of August 2014 RKvAh reading is 15484=96 which is MRI RKvAh Lag reading. Therefore, P.F. calculated was lower than actual. In the month of July 2014 Licensee corrected the RKvAh Lag reading to '13731' which was actual RKvAh Lag reading. Hence, when MRI data during the period from 1/7/2015 to 1/11/2015 compared with I.T. data the reading of RKvAh Lag was matching in both the reports.

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,C1 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 was not matching prior to July 2014. But thereafter correcting the RKvAh Lag reading in the month of July 2014 both reports are matching. So there was no issue involved as-far-as 'Lag RKvAh' reading is concerned. In this particular case 'Lag RKvAh' reading dated 2/7/2014 was '13731'. 'Lag RKvAh' reading dated 1/11/2015 was '52087=34' in both reports. 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 after July 2014.

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 was the issue of wrong programming in this particular

meter, which was corrected in July 2014 and after that there was no issue of wrong P.F.

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

Hence the order.

### **ORDER**

- 1] Grievance application of the consumer is hereby partly allowed.
- 2] Licensee is directed to refund amount of Rs.6574=63 to the consumer if not refunded the same from the period March 2014 to August 2014. Also to calculate interest as per RBI rate vide Section 62(6) of Electricity Act, 2003 till actual refund date and same be adjusted in next ensuing bill.
- 3] Compliance be reported within a period of two months from the date of receipt of this order

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.