

**MAHARASTRA STATE ELECTRICITY BOARD
KALYAN ZONE, KALYAN**

Phone 1) 2210707
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Ext-122.

Consumer Grievance
Forum, Behind Tejashri,
Janangir Meherwanji Road,
Kalyan. 421304

Kalyan

**IN THE MATTER OF GRIEVANCE NO.K/I/001/0002 OF M/S.AIM
EXHAUST SYSTEM VASAI OF 2004-2005 REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN, KALYAN
ZONE ABOUT THE INTERRUPTION OF ELECTRIC SUPPLY AND
DEMAND BY LICENSEE OF SERVICE CABLE CHARGES & SERVICE
CABLE.**

Malti A Modi

Aim Exhaust System, Gala No 3,4,5 & 6

Sheetal No 9, Navghar

Vasai (East), Dist Thane, 401210

Here in after

referred to

as "consumer"

Versus

Maharashtra State Electricity Board, through its

Deputy Executive Engineer, Deepshri Bldg

No19/3 & 4 MSEB Colony, Navghar (E),

Tal: Vasai, Dist: Thane, 401210

Here in after

referred to

as" licensee"

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory

Grievance No.K/I/001/0002

Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers confirmed on it by section 181 read with sub-section 5 to 7 of section 42 of the Indian Electricity Act, 2003.(36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee connected to their 415 V network. The consumer’s grievance for interruption of electric supply & fire in meter box was registered with forum on 3/1/2005. Subsequently the consumer, vide his rejoinder dt.18/1/05 addressed to Chairman of the licensee and copy to the forum, also raised the grievance of collecting service cable charges as well as service cable from him by the licensee before releasing supply to its two connections i.e. IP-22578 & IP-22579.The consumer No., Address of the consumer and other details are as follows: -
 - i) Mrs. Malti A.Modi & others, Unit no.3, 4,5 & 6, Sheetal Indl.EstateNo.9, Navghar, Vasai (E), Dist.Thane 401210
Consumer No. IP-22578/001610863937
 - ii) Mrs. Urmila I.Modi, Unit No.2 & 7,Sheetal Ind.Estate, No.9, Navghar, Vasai (E), Dist. Thane 401 210
Consumer No. IP-22579/01610863945.
- 3) The batch of papers containing above grievance of consumer was sent to the Nodal officer by the forum vide letter no.28 dt.11/1/05. The letter was replied by Nodal Officer vide letter No.SE/VC/Tech/766 dt.9 Feb.2005.

- 4) Both the parties were heard by all three members of the forum on 11/2/2005 & 24/2/2005. Shri Tayde, Nodal Officer with his team Shri Kajle, Shri Neklikar, represented the case for licensee. Shri Tushar Modi and Shri Ajay Modi represented the case for consumer. Shri Sachin Lele, Asstt. Manager, Customer Support, Datapro was present on 24/2/2005 to represent his say before the forum.
- 5) Grievance of the consumer was for explosion of meter box and interruption of supply occurred twice in his factory. One occasion occurred in his factory on consumer No.IP-22579 in Dec.2003. Second occasion occurred on consumer No. IP-22578 in Nov.2004.Shri Ajay Modi and Shri Tushar Modi, who represented the case for consumer, desired to know the cause of fire in meter and guarantee for new meter installed by the licensee about its quality of material and workmanship. The consumer has claimed compensation of Rs.1,23,000/- for replacement of electrical installation and notional compensation of Rs.10, 000/-
- 6) Shri Ajay Modi said that occurrences of fire in meter box twice in their factory have shaken their faith in quality and workmanship of licensee's metering equipment. They and their workers are mentally disturbed with occurrence of these incidents twice in the factory. Some workers have either left the job or are not prepared to work with them as they feel that their life is in danger. They also suffered financially for loss of production.
- 7) Shri Kajle of licensee expressed that consumer in his grievance has referred the case of burning of meter of consumer

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No.IP-22578. He said that the workers of consumer on dt.16/11/2004 in the morning, when the factory was opened after "Diwali" holiday, noticed the fact of burning of meter at above connection. Then they informed the matter to Jr.Engineer, Navghar Vasai Section. Licensee's staff visited the factory on 16/11/04, and they noticed the fact of burning of meter completely. They also noticed that there are no damages with the meter box. The meter was immediately replaced on 17/11/2004 as per instructions of C.E. of licensee.

- 8) There were conflicting arguments about the photographs taken by the consumer and licensee about differences in serial numbers of metering boxes.
- 9) Nodal officer also submitted office note dt.24/2/2005, of Dy.EE indicating the details of charges collected by them at the time of giving initial supply to following two connections. Charges paid by consumer on 4/1/01 for his connection No.IP 22578 were: -

Service connection	Rs.11, 000/-
Security deposit	Rs 15,000/-
Add sec dep.	Rs. 18,000/-
Meter cost	Rs. 2250/-
Misc.charges,	Rs 120/-

TOTAL:- Rs. 46,370/-

The charges collected as per firm quotation for consumer No.IP 22579 were: -

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Service conn.charges	Rs. 9500/-
Security deposit.	Rs.12000/-
Addl.sec.deposit	Rs.14400/
Meter cost	Rs. 2250/-
Misc.	<u>Rs . 120/-</u>

TOTAL:- Rs 38,270/-

- 10) On being asked by the forum of surge in voltage at the time of fire Shri Kajle replied in negative supporting his reply with the arguments that CTs of the meters were intact. He said that black spot above meter were only observed. Black spots on either side of the meter were also observed.
- 11) Shri Sachin Lele, Asstt.Manager, Customer Support of Datapro was asked by the forum to reply on the following points.
- i) What are the reasons of fire in the meter twice in the factory of Aim Exhaust one in Dec.2003 and another in Nov.2004?
 - ii) Whether the components used in the meter such as resistance, capacitors are conforming to any Indian Standard?
 - iii) Were such instance noticed in past by Datapro?
 - iv) What remedial steps were taken by Datapro?
 - v) What is failure percentage of the meter from the manufacturing lot?
 - vi) What are the tender conditions as regards technical specifications of the meter?
 - vii) Whether the meter conforms to any Indian standard?

- viii) Whether meter is having ISI mark?
 - ix) Whether test like type test, acceptance test, routine test are taken after manufacture of the meter?
 - x) What steps are proposed to be taken to avoid occurrence of such instance in future i.e. Is there any R&D going on to know the cause of the incident?
- 12) Replies given by Shri Lele, are as follows: -
- a) The reasons of fire in the meter could be on two grounds, voltage surge in the supply line or some one attempting to ignite fire near meter. Incidentally it is pointed out that Shri Kajle of licensee on being asked by forum has ruled out the possibility of voltage surge in the meeting held on 11/02/2005.
 - b) This data is not readily available.
 - c) Four instances were noticed by Datapro in past two at Malegaon and two in present case. Two cases of fire were noticed in 2003. Two cases of fire in the present case were noticed in 2003 & 2004 respectively as reported by MSEB.
 - d) No steps were taken.
 - e) Failure data from the manufacturing of meter is only 2%. We have manufactured 40000 meters & dispatched to Rajasthan, UP & Maharashtra. The failure data reported is 2% as stated above.
 - f) Tender conditions states that meter shall conform to IS 14697.
 - g) Meter conforms to IS 14697.

- h) We do not have ISI mark to our meters.
 - i) We carry out 100% acceptance & the routine test in our factory before dispatch of lot of meters. Shri Lele has given a letter to this effect. Type test of our meters has been carried by ERDA lab in Baroda.
 - j) No R & D is going on for this purpose.
- 13) The points to be decided by the forum were: -
- i) The reason and causes of burning of the meter & remedial steps.
 - ii) Compensation to be granted to the consumer.
 - iii) The decision on refund of service cable cost paid to the licensee.
- 14) The findings of the forum are as follows:
- i) The reasons of fire in the meter could be on two grounds voltage surge in supply line or some one attempted to fire near the meter. As replied by Shri Lele of Datapro, the possibility of voltage surge is ruled out, as CTs connected to the meter were intact. The possibility of some one attempted to ignite fire also ruled out, as there is no evidence either direct or circumstantial on this point. The conflicting argument about different serial number of meter box on photographs taken by the consumer & licensee has been ignored, as it has no bearing on the incident of fire of meter. Licensee also has not changed the meter box. Hence the reason of fire could be attributed to manufacturing defect in some of the components of the meter.

The forum also noticed that the meter does not have **ISI** mark. The manufacturer claims that meter conforms to IS:14697. They also claimed that they carry out 100% acceptance and routine test in their factory before dispatch of meter. Forum is of the opinion that licensee shall either procure ISI marked meters or shall insist type test as per IS: 14697 before finalizing purchase order. Licensee as per IS: 14697 shall also insist routine test certificate of each and every meter before accepting meter at their store. For this purpose, if necessary, licensee shall train suitable staff and create the facility at their testing laboratory to do routine test of meters as per IS: 14697. This chain of procedure if adopted, it is felt, will ensure quality of material as well as workmanship of the meters.

ii) The forum cannot accept the compensation claim of the consumer of Rs. 123,000/- for replacement of wiring because wiring replaced by the consumer pertains to his electrical installation after **point of supply** and this wiring has been replaced by the consumer on the advice of their licensed electrical contractor and expert in the electrical field that the wirings have outlived their life for further use and it is only in their interest to replace wiring for future safety. The wiring beyond point of supply was not damaged by the fire. Forum, however, grant the prayer of the consumer of notional compensation of Rs.10, 000/ to be paid by the licensee, to the consumer. This prayer of the consumer has been granted, as

their workers have been mentally disturbed with the occurrence of fire twice in the factory.

iii) The request of consumer of refund of service cable cost does not arise, as the consumer has not paid service cable cost as is clear from Para 9 above. Letter submitted by licensee on 24/2/2005 to the forum was shown to Shri Ajay Modi, which is self-explanatory, on the point mentioned above. He agreed with the submission made by the licensee and agreed to withdraw this point of refund of cost of service cable to him.

- 15) After careful consideration of the entire episode as narrated above all the members of the forum have unanimously decided to pass the order attached.

O-R-D-E-R

- 1) The reason of fire could be attributed to some manufacturing defect or fault in some of the components of the meter.
- 2) The licensee shall either procure ***ISI mark*** meters or shall have to ensure that meters procured by them conform to IS: 14697. The licensee shall train suitable staff and create the facility at their testing laboratory to do routine test of meters as per IS: 14697.
- 3) Licensee shall pay Rs.10, 000/ (Rs.Ten thousand only) as notional compensation within 60 days from the date of this order.
- 4) No order is passed about refund of service cable cost, as the licensee has not collected this cost.

- 5) Consumer can file appeal against this decision with the Ombudsman at the following address.

The Ombudsman,
Maharashtra Electricity Regulatory Commission,
606-608, Keshava Building, Bandra Kurla Complex,
Mumbai 400 051.

Appeal can be filed within 60 days from the date of this order.

- 6) Consumer, as per section 142 of Indian Electricity Act 2003, can also approach Maharashtra Electricity Regulatory Commission at above address, for non compliance, part compliance or delay in compliance of this decision issued under "MAHARASHTRA ELECTRICITY REGULATORY COMMISSION (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2003", by the licensee.

Date 25/02/2005.

(Shri V.M.Bhatkar)
Member Secretary
C.G.R.F.Kalyan

(Sau.V.V.Kelkar)
Member
C.G.R.F.Kalyan

(Shri I.Q.Najam)
Chair person
C.G.R.F. Kalyan