

**BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
MADHYA GUJARAT VIJ CO LIMITED
CORPORATE OFFICE, 5TH FLOOR SP VIDYUT BHAVAN,
RACECOURSE, VADODARA 390 007**

Subject	Consumer Grievances Complaint No.MG-IV-128-2011.12
Complainant	Shri Bhardwaj Vice President of Jubilant Life Sciences at Block No.133, Village Samlaya, Tal: Savli, Dist : Vadodara.
Respondent	Shri VB Gandhi, D E of Baroda O&M Division of MGVCL.
Date of hearing	07.04.2012

QUORUM	NAME
Chairperson	Shri P J Patel, Gandhinagar
Independent Member	Shri M J Vaidya, Vadodara
Technical Member	Shri Y B Sukhadia, MGVCL

The complaint dated 09.03.12 regarding abnormal hike in energy bills.

Today on 07.04.12, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Bhardwaj, Vice President and Shri Manoj Shah, Dy Manager (Maint) of Jubilant Life Sciences appeared on behalf of M/s. Jubilant Life Sciences whereas Shri VB Gandhi D E of Baroda (O&M) Division appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

The brief details of the case are :

1. The complainant has HT consumer No.13231
2. The complaint was about the price hike of 0.59 Paise/Unit from Feb 2012, which industry can not sustain.

The complainant Shri Bhardwaj, Vice President and Shri Manoj Shah, Dy Manager (Maint) of Jubilant Life Sciences contended that up-till now they had faced hike of hardly 10 paise to 20 paise per unit but this time they have faced the price hike as high as 0.59 paise / unit which can not be absorbed by their life science unit. There is consumption of 550 units approximately for production of one unit of crop for animals hence they can not absorb such high energy cost and requested forum to do needful in the matter.

The Respondent Shri V B Gandhi Deputy Engineer of MGVCL contended that the price hike in the fuel is according to the Tariff Schedule for Consumers vide clause No.13 of General Conditions of HT tariff book w.e.f. 1.9.2011. The tariff booklets are available in MGVCL offices on payment of its charges and also available on its website www.mgvcl.com This tariff revision being approved by the Gujarat Electricity Regulatory Commission (GERC), Ahmedabad. The recent Fuel Price and Power

Purchase Adjustment Charges (FPPPA) was approved by GERC vide their letter dated 13.02.2012 and to recover balance 48 paise per unit from February 2012 (existing Fuel Surcharge is 109 paise per unit raised to 157 paise per unit). Accordingly, the MGVCL had issued a circular No.1769 dated 15.02.2012 to their offices to effect the recovery from February 2012 billing cycle from all categories of consumers excluding agriculture consumers. Therefore, the recovery and effect of fuel surcharge is as per rules. Actual recovery is Fuel Surcharge plus Electricity Duty over it but it is actually less than the consumer's calculation of 59 paise per unit.

The Forum Members present at the hearing considered contention of both the parties and perused the records. It is in accordance with the contention made by respondent Shri V B Gandhi Deputy Engineer of MGVCL.

In view of the above discussion, the Forum is of the opinion that the increase in Fuel Surcharge is in line with the FPPPA and payable by the consumers. To change tariff or to change tariff policy is not in the purview of the Forum.

ORDER

The Forum directs complainant Shri Bhardwaj Vice President of Jubilant Life Sciences that the price hike in fuel surcharge is found in order and payable by complainant.

(Y B Sukhadia)
Technical Member

(M J Vaidya)
Independent Member

(P J Patel)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Chapter-5, Clause No.13 of GERC Notification No.4 of 2005.

Procedure to make representations before Ombudsman***

1. Representation should be in writing duly signed by the complainant with his name and address.
2. Representation should be supported with affidavit.
3. True copy of order of Forum and original complaint made before Forum should be attached. Enclosed documents should be certified copies of the original documents.
4. The representation before Ombudsman should be submitted within 30 days from the date of order of Forum.
5. Copy of representation should be submitted at the office of Ombudsman. Copy of representation should be submitted to all respondents.
6. If the complainant is required to pay any amount according to the order of Forum, one-third of such amount should be deposited by complainant and proofs should be attached along with the representation.
7. The matter should not be pending before the competent Forum or any other court, tribunal, arbitrator or any other authority.
8. All representations should be with a sufficient cause, reasonable diligence causing the consumer prima facie loss and damages / inconvenience.
9. Representation may be submitted in English or Gujarati language

*** <http://www.gercin.org/docs/Cosumer%20Grievances/Procedure/Procedure.pdf>