

CGRF formed under the provision of IE Act 2003, sub clause 42(5) as well
Notification No.2/2019 of GERC (CGRF & Ombudsman)

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

Complaint No.	MG-II-28-2024-25
Complainant	Shri Narendrabhai Khimjibhai Dholu, C/o Patel Saw Mill, Pansora Bhalej Road, At : Pansora, Tal: Umreth, Dist: Anand
Respondent	Shri S S Gandhi, Executive Engineer, Anand Division & Shri A.A. Qureshi Deputy Engineer and Shri H.N, Chavda Dy.S.A of Bhalej Sub-Division of MGVL.
Date of hearing	24.09.2024 & 08.10.2024 both at MGVL Corporate Office, Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Technical Member	Shri V N Rathva, I/c (RA&C) MGVL Vadodara

The complaint dated 11.09.2024 regarding change of name.

1.0 First date of Hearing of the case was given as date 24.09.2024. On the said date, the Complainant could not remain present. Shri S.S. Gandhi (E.E., Anand Division), Shri A.A. Qureshi Deputy Engineer and Shri H.N, Chavda Dy.S.A of Bhalej Sub-Division appeared as Respondent on behalf of MGVL before the Forum. They made their representation to the Forum. As the Complainant was not present, second date of Hearing was given as date 08.10.24. As the representation by the Respondent was already done, they did not remain present on date 08.10.24. The Complainant's Grievance was heard on date 08.10.24 before Consumer Grievance Redressal Forum wherein Shri Chandubhai Shankarbhai Patel (representative), appeared on behalf of complainant.

2.0 The brief history of the case is as under -

2.1 The Complainant had applied online (Application No. 442351) for Change of Name of Consumer No.1961202716 (Load: 40.5 KW, LTMD Tariff) located at Village: Panesara from existing Name Harishbhai Manibhai Patel to Dholu Narendrabhai Khimjibhai on dated 28.03.2024. He paid the Registration charges Rs. 472 and Rs. 300 Agreement Fee (Total Rs. 772) on the Portal on same date.



2.2 During the approval process, MGVCCL Office noted that name of the Applicant Shri Dholu Narendrabhai Khimjibhai is not mentioned in the land ownership document like 7/12 or Akarni Patrak furnished with the application. Hence, the Application for change of Name was cancelled and the Applicant (complainant) was informed by Deputy Engineer Bhalej Sub-Division, MGVCCL vide Letter No.1999 Dtd. 28.05.24.

2.3 Aggrieved by the cancellation of the application, the complainant made an application dtd. 23.07.24 to CGRF. The complaint was heard at CRC , Anand Circle on date 20.08.24. The CRC passed an order dtd. 09.09.24 sating that Deputy Engineer Bhalej is instructed to obtain documentary evidence as per rules of Madhya Gujarat Vij Co Limited regarding name change and complete further procedure, and also to report on the steps taken.

2.4 With reference to the CRC Order Dtd. 09.09.24, the Deputy Engineer Bhalej informed the complainant Shri Dholu Narendrabhai Khimjibhai vide Letter No. Bhalej/Tech/ 4025 Dtd. 19.09.24 to submit registered Lease Deed and to submit Annexure VI as per Technical Circular No. 57. It was further added in the letter that, after submission of the said documents, the proposal shall be submitted to Division Office for approval.

2.5 The complainant did not furnish the registered lease deed and made Application to CGRF, Vadodara for giving justice in the matter.

3.0 The representative of the complainant contended that -

3.1 They applied online for Change of Name of Consumer No.1961202716 located at Panesara on dated 28.03.2024. The change of name was applied due to illness of the land owner and other administrative reasons. They also paid the Registration charges Rs. 472 and Rs. 300 Agreement Fee (Total Rs. 772) on the Portal on same date.

3.2 With reference to the application, D.E. Bhalej Sub-Division informed the applicant vide letter No.Bhalej/Tech/3088 Dtd. 31.07.24 that Ownership document does not mention his name (name of the Complainant) and hence change of name cannot be done.



3.3 The complainant further contended that he represented that the application is done based on rent agreement and NOC of the owner and hence the question of his ownership does not arise. Further, only 2500 Sqm of the total land is made NA and taken on rent. As he did not get any reply in time limit, he made written Grievance application to CGRF.

3.4 The Grievance application was heard at C.R.C. Anand on date 20.08.24. He further represented that he asked copy of Circular that says that rent agreement must only be a registered one with the Registrar, but till date he did not receive the copy.

3.5 Against this CRC order, complainant had approached C G R F MGVCL Corporate office, Vadodara vide their application dated 11.09.2024.

3.6 He further contended that he has submitted notarized undertaking as per Chief Engineer, MGVCL letter No.MGVCL/RA&C/HT/55 Dtd. 10.01.2015 which clear states that the land owner is responsible for any unpaid dues of this connection.

3.7 A-1 Form (Item Sr.no. 4) mentions only Lease Deed and registered Sale Deed is mentioned. In online application folder also, for change of name at para 3(b) notarized lease deed of minimum 2 years is mentioned.

3.8 He further stated that the online application is made for change of Name with necessary documents as per circular and has also paid the estimate and hence Forum is requested to issue order to the Respondent to accept his application and carry out change of Name.

4.0 The respondent contended that -

4.1 The consumer Shri Harishbhai Manilal Patel L.S. No.571 at Panesara had applied for electrical connection of 40.5KW for the purpose of saw mill on date 16.05.2022. With the application, rent agreement of Ag land was submitted. After payment of the Estimate amount, the connection for saw mill with LTMD-L tariff was given to the consumer Shri Harishbhai Manilal Patel with consumer No.19612/02716/1.



4.2 Applicant Shri Narendra Khumji Dholu has taken Ag land of S.No.571 , Umreth on rent from Shri Harishbhai Manilal Patel on date 16.11.2021. And based on it, he applied for Change of Name on dated 28.03.2024 with **Notarized** lease agreement as a Supporting document. Land ownership document 7/12 of Survey No. 571 has name of Shri Harishbhai Manilal Patel only. Other submitted documents include Notarized NOC/Agreement on Rs. 300 stamp paper for change of name and GST registration.

4.3 Being LTMD Tariff consumer, the application was sent by the SDn Office to the Division Office for approval. Division Office pointed out that name of Shri Narendra Khimji Dholu (Applicant--hirer) is not found in 7/12 utara and Property Documents, and hence returned the file with query for compliance on dated 24.05.2024 which was informed to consumer through correspondence on dated 28.05.2024 and the application was cancelled by MGVCL Bhalej s/dn.

4.4 Thus this is the policy matter. The Applicant filed an application in CGRF on dated 23.07.2024 which was heard by the Circle Level Committee on dated 20.08.2024 and ordered "to take the necessary documents and take action as per the rules" vide Order No.ANC/Rev/CRC/3105 Dtd. 09.09.2024; In view of the said Order, MGVCL Bhalej s/dn office made correspondence with the Applicant to provide **Registered** Rent Agreement and to provide Annexure VI as per Technical Circular 57 vide Letter No.Bhalej/Tech/4025 Dtd. 19.09.24. **Registered** Rent Agreement is not submitted by Applicant.

5.0 The Forum Members present at the hearing considered contention of both the parties and perused the records and considering them in detail, findings are as under:

5.1 The connection for saw mill with LTMD-L tariff was given to the consumer Shri Harishbhai Manilal Patel with consumer No.19612/02716/1 at S.No.571, Umreth.

5.2 Applicant Shri Narendra Khimji Dholu applied for change of name from Harishbhai Manilal Patel to Narendra Khimji Dholu for Consumer No.19612/02716/1 at S.No.571 , Umreth, on date 28.03.24.



5.3 The Change of Name is requested citing ill health of the original consumer Harishbhai Manilal Patel. Name of the Applicant Shri Narendra Khimji Dholu is not mentioned in Land ownership document 7/12 of Survey No. 571. Name of only Shri Harishbhai Manilal Patel is mentioned. Other submitted documents include Notarized NOC/Agreement on Rs. 300 stamp paper for change of name and GST registration.

5.4 **Notarized** Rent agreement in the name of applicant Shri Narendra Khimji Dholu of Agricultural Land S.No. 571, Umreth is submitted as a Supporting document of land occupancy. However, as per GUVNL L.No. GUVNL/T-2/DE-2/Stamp Duty/629 Dtd/ 17.05.24, any Lease Deed of more than one year has to be compulsorily registered in accordance with Indian Registration Act-1908 Clause 17. Thus the Rent Agreement submitted by the Applicant, which is just notarized instead of a registered one, is not a valid document from legal aspect.

ORDER

6.0 The Forum has come to the conclusion that-

6.1 The Complainant Shri Narendra Khimji Dholu was given sufficient opportunity by the Respondent to submit appropriate document of ownership or lawful occupancy with reference to his application for change of Name from Harishbhai Manilal Patel to Narendra Khimji Dholu for Consumer No.19612/02716/1 at S.No.571, Umreth.

6.2 The Complainant has not submitted appropriate document of ownership or lawful occupancy.

6.3 The action of the cancellation of application by the Respondent MGVCL, due to non submission of the required document for change of Name from Harishbhai Manilal Patel to Narendra Khimji Dholu for Consumer No.19612/02716/1 at S.No.571 , Umreth is in order.



(V N Rathva)
I/c Technical Member

(S P Trivedi)
Chairperson

PS :

If the complainant is not satisfied with the order of this Forum, the complainant may approach Ombudsman only after payment of minimum 33% of the bill amount issued to the party in question.

The Office address of the Ombudsman is : The Staff Officer, Office of the Electricity Ombudsman, Gujarat Electricity Regulatory Commission, Barrack No.3, Polytechnic Compound, Ambawadi, Ahmedabad 380 015 in accordance with Clause No.3.19 (viii) of GERC Notification No.2 of 2019.

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.

