

**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-IV-39-2024-25
Complainant	Sikandarali Bakarali Saiyed, Paanch Haatdi, OPP: Urdu School, Village : Khambhat, Tal: Khambhat, Dist: Anand
Respondent	Executive Engineer, MGVCL Khambhat Sub-Division
Date of hearing	29.01.2025 at MGVCL Corporate Office, Vadodara

QUORUM	NAME
Chairperson	Shri S P Trivedi, Vadodara
Technical Member	Shri P C Patel, ACE (RA&C) MGVCL Vadodara

The complaint dated 21.01.2025 regarding Permanent Disconnection of Ag connection of Hanifmiya Bakarali Pirzada, Conn No. 00901/60117/9.

1.0 On 29.01.2025, the case of the Complainant Grievance was heard before Consumer Grievance Redressal Forum wherein Shri Sikandarali Bakarali Saiyed and his son Shri Imran Sikandarali Saiyed appeared on behalf of the complainant whereas Shri Y.R. Patel, Executive Engineer, Khambhat Sub-Division and Shri G.S. Patel, Executive Engineer Petlad Division, appeared as respondent on behalf of MGVCL before the Forum. Both the parties were heard.

2.0 The brief history of the case is as under -

2.1 Agricultural vij connection consumer bearing No. 00901/60117/9 in the name of Hanifmiya Bakarali Pirjada was released on 05.03.1998 in the Revenue survey No.71 of village Neja, Khambhat, Dist: Anand.

2.2 There after in due course, the consumer Hanifmiya Bakarali Pirjada has expired.

3.0 The representative of the complainant contended that -

3.1 The electricity connection for Agricultural purpose bearing consumer No. 00901/60117/9 was released on 05.03.1998 in the name of Hanifmiya

Bakarali Pirjada in Revenue survey No.71 (New survey No.622) at village Neja, Khambhat, Dist: Anand, without obtaining their consent, being the co-owner of the said land.

3.2 Agricultural electricity connection was obtained by providing documents of the Revenue Survey No.72.

3.3 Agricultural electricity connection was released in Survey No.71 on the basis of wrong documents is illegal and needs to be disconnected.

3.4 CRC order of respondent MGVCL Anand (O&M) circle is illegal and hence it is to be cancelled.

4.0 The respondent contended that -

4.1 The Agricultural electricity connection No. 00901/60117/9 in the name of Hanifmiya Bakarali Pirjada was released on 05.03.1998 based on the land documents submitted along with the application at that time. The connection being very old, the original record / documents submitted for grant of connection is presently not traceable.

4.2 The complainant Sikandarali Bakarali Saiyed has made RTI on 18.06.2024 and sought details of documents of Consumer No. 00901/60117/9, date of release of connection and details of connection booked under Section 126 / 135 of Electricity Act, 2003. The information under RTI was provided on 1.07.2024.

4.3 The complainant had made application to Dy. Collector regarding ownership of the premises of existing where the electricity connection No.00901/60117/9 and with reference to the application, Khambhat Sub Division has asked documents regarding ownership of premises from the consumer on 7.08.2024 and from complainant on 14.08.2024.

4.4 Mirsabmiya Hanifmiya Pirjada has submitted following documents on 8.11.2024

(i) Tika map

(ii) 7 - 12, 8A and 6 (Hak Patrak)

(iii) Gram Panchayat Aakarni (Namuna Number 8)

4.5 Occupier of the premises of the Agricultural connection does not have NOC of co-owners.

4.6 The complainant had represented before CRC MGVL Circle Office, Anand in the matter on 12.11.2024 and CRC has heard the matter on 20.12.2024 and vide order dated 23.12.2024 ordered that the application of the complainant for disconnection of Agricultural connection cannot be granted and directed MGVL Khambat Sub Division to transfer the Agricultural connection in the name of the legal successor of Hanifmiya Bakarali Pirjada

4.7 The electricity bills are regularly paid against connection No. 00901/60117/9 and there is no outstanding dues of MGVL and hence connection cannot be disconnected.

4.8 Khambat Sub Division has issued Notice on 8.01.2025 to the successors of Hanifmiya Bakarali Pirjada for change of name in the Agricultural electricity connection No. 00901/60117/9.

4.9 Meanwhile, on 6.01.2025, the complainant has submitted an application to Khambat Sub Division requesting not to carry out change of name of Agricultural connection.

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 Agricultural electricity connection No. 00901/60117/9 in the name of Hanifmiya Bakarali Pirjada was released on 05.03.1998 in village Neja, of Khambhat in Anand District. Shri Hanifmiya Bakarali Pirjada has expired ever since.

5.2 There is no outstanding dues of MGVL against the Agricultural electricity connection No. 00901/60117/9.

5.3 The respondent has issued notice on 8.01.2025 to the legal successor of Hanifmiya Bakarali Pirjada for change of name of the Agricultural electricity connection No. 00901/60117/9.

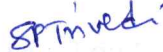
ORDER

6.0 The Forum has come to the conclusion that

6.1 The request of complainant Sikandarali Bakarali Saiyed for disconnection of the said connection in the name of Hanifmiya Bakarali Pirjada was not considered by the Respondent MGVCL is in order.

6.2 Khambhat Sub Division shall process the change of name application of Agricultural electricity connection No. 00901/60117/9 to the legal successor of Hanifmiya Bakarali Pirjada in accordance with Clause 4.70 of GERC Supply Code - 2015.


(P C Patel)
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, Ground Floor & First Floor, CMIS Building Telephone Exchange, Bimanagar, Jeevandham Road, Ahmedabad 380015, 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