

**ELECTRICITY CGRF**  
(Under The Electricity Act, 2003)  
**ANDAMAN & NICOBAR ISLANDS**  
**SRI VIJAYA PURAM**

\*\*\*\*\*

**Before:**

Shri. R. Ravichandar, Chairman.  
Smt. Biji Thomas, Independent Member (JERC Nominated).

**In the matter of:**

Smti. Pooja Kumari, W/o Chandan Panjiyara, R/o Bathubasti, Sri Vijaya Puram.

.....Complainant

**Versus**

The Electricity Department, A & N Administration, Sri Vijaya Puram.

.....Respondent

**Complaint No.** : ANI/C.G. No. 02/2025 dated 16/04/2025.  
**Complaint** : New Connection (Commercial)  
**Date of Hearing** : 29/04/2025  
**Date of Order** : 29/04/2025



**ORDER**

**Background**

The complainant Smti. Pooja Kumari, W/o Chandan Panjiyara, R/o Bathubasti, Sri Vijaya Puram, filed a complaint vide R.D. No. 1078 dated 15/04/2025 regarding New Connection (Commercial).

The complaint was registered as ANI/C.G. No. 02/2025 and forwarded on 17/04/2025 vide letter No. ANI/CGRF/10-389/709 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-III (HQ), Electricity Department for submitting reply/comments and attending the Hearing fixed on 29/04/2025 at 11:30 a.m. in the Hearing Hall of the Electricity (CGRF), A&N Islands, Horticulture Road, Haddo, Shri Vijaya Puram with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 29/04/2025 at 11.30 a.m.

The Assistant Engineer-III (HQ), Electricity Department vide his letter No. EL/AE/PP/1-12/2024/70 dated 22/04/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED) (the letter is kept in case file) (*Exbt. -1*).

**Hearing on 29/04/2025**

The Hearing was held on 29/04/2025 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Smti. Pooja Kumari, Complainant.
- (ii) Shri. Kundan Kumar, Asst. Complainant.
- (iii) Shri. Naveen Lall, AE-III, Elect. Dept.
- (iv) Shri. Dipak Kr. Singh, JE, Elect. Dept.

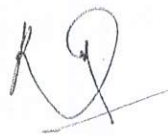
**Statement of the Complainant**

The complainant Smti. Pooja Kumari, W/o Chandan Panjiyara, R/o Bathubasti, Sri Vijaya Puram stated in her complaint letter dated 15.04.2025 that "With reference to the above Notice issued by the Junior Engineer, Prothrapur regarding the requirements for New Electricity Connection for (Three Phase Commercial Category) vide Application No. 27831 dated 18.02.2025 for my premises located at opposite Petrol Pump, Bhatu Basti, Sri Vijaya Puram.

This is to bring to your attention that my application no 27831 dated 18.02.2025 was kept on hold as per the Notice issued by the Junior Engineer, Prothrapur Site Office.

I would like to clarify that The Hon'ble Chairman that I have executed a lease agreement for ninety-nine years from the owner of the building Smti. Sheela Chakraborty constructed at Survey no. 463/2 area 0.0061 sq. mtrs situated at Prothrapur village opposite to Bhatubasti Petrol Pump. From the lease agreement, it is clear that the lease agreement is between the landlord and the tenant only restricted "the landlord agreed to let out the floor which is four stairs up the road and a room situated upon excess land." From the lease agreement it is evident that my lease agreement is restricted only to the portion which is four stairs up above the road and my portion of the building is far away from the existing High-tension line as mentioned in the Notice. The electric line may be in close vicinity of the second floor of the building, Hence the Notice is not applicable for my case and it is humbly requested that the process of electric connection for my application no. 27831 dated 18.02.2025 may be processed and electric connection may be provided for my leased-out premises for my livelihood.

Being aggrieved for getting electric connection from the Electricity Department, I approached the Hon'ble Forum CGRF for redressed of my complaint and the electricity department may be directed for release of electric connection in my premises. However, the electricity department may take up the matter with the owner of the land which may be in close vicinity of the second floor of the building."



The complainant enclosed photocopies of Notice dated 06.03.2025, online application no. 27831 dated 18/02/2025, Lease agreement dated 14.01.2025, Form-F and NOC dated 15.01.2025, which is kept in the case file (Exbt. -2).

**Reply of the Respondent/Licensee (ED)**

The Assistant Engineer-III submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/PP/1-12/2024/70 dated 22/04/2025 stated that: -

*"The applicant Smti. Pooja Kumari, W/o Shri. Chandan Panjiyara R/o Opposite Petrol Pump, Bhatu Basti had applied for Three phase electric connection (Commercial) vide application No. 27831 dated 18.02.2025.*

*On inspection it was found that the building is constructed in close proximity to the existing 11 KV Prothrapur feeder. For safety reason this Site Office issued a Notice to the applicant vide letter F.No. EL/JE/ PP-1/2024-25/481 dated 06.03.2025.*

*As directed by the Forum the following documents are submitted:*

*1) Application no. 27831 dated 18.02.2025 2) Notice vide letter no. F.No. EL/JE/ PP-I/2024-25/481 dated 06.03.2025.*

*This is for your kind information please."*

The AE-III, Electricity Department enclosed photocopies of Notice dated 06.03.2025 and online application no. 27831 dated 18/02/2025, which is kept in the case file (Exbt. -3).

**Submission of the Complainant**

Smti. Pooja Kumari states that her legitimate application for electricity supply was unjustly stalled by the department based on an incorrect understanding of the site conditions. She maintains that her leased premises — occupying the first floor, safely distanced from the HT line — pose no risk or safety violation. She argues that the proximity issues pertain to the second-floor structure under construction, which is unrelated to her occupancy or lease rights. Thus, she prays before the Forum for immediate intervention to facilitate her electricity connection without delay, highlighting that delaying her connection adversely affects her ability to earn a livelihood.

**Submission of the Respondent (Licensee)**

The respondent, representing the Electricity Department, submits that upon conducting a site inspection following Smti. Pooja Kumari's application, significant concerns were raised due to the close proximity of the building



structure to an existing 11 KV HT line. In adherence to the CEA's mandatory safety regulations, the department issued a notice advising corrective measures to maintain the necessary safety clearance. The respondent clarifies that until all safety compliances are met, granting a new service connection could expose the department and the consumer to unacceptable risks. Therefore, the hold on the application was a precautionary and regulatory measure rather than a denial of service.

### **Forum's Observation**

The complainant, Smti. Pooja Kumari, W/o Shri Chandan Panjiyara, residing opposite Petrol Pump, Bhatu Basti, Sri Vijaya Puram, entered into a lease agreement dated 14th January 2025 with the property owner Smti. Sheela Chakraborty. The lease pertains to a portion of a building constructed at Survey No. 463/2, Prothrapur village. Pursuant to this agreement, the complainant applied for a new three-phase commercial electricity connection (Application No. 27831 dated 18.02.2025) for her leased premises.

However, following a site inspection, the Junior Engineer, Prothrapur Site Office, issued a notice holding the application in abeyance. The reason cited was that the building was constructed dangerously close to an existing 11 KV high-tension (HT) overhead line, violating safety norms prescribed under the CEA (Measures relating to Safety and Electric Supply) Regulations, 2023. As per regulations, a minimum horizontal clearance of 2 meters is mandated for lines of 11 KV to 33 KV, whereas in this case, the clearance was only about 1-meter. Forum noted that as per the regulations under section 63(3)(i), clearances from buildings of lines of voltage exceeding 650 V, "the horizontal clearance between the nearest conductor and any part of such building shall, on the basis of maximum deflection due to wind pressure, be not less than,- (i) for lines of voltage exceeding 650 V and up to and including 11 KV – 1.2 metre;". The notice issued by the respondent may be corrected accordingly and the same may be issued to the building owner.

The complainant, feeling aggrieved, approached to the Consumer Grievance Redressal Forum (CGRF) seeking redressal. The Forum, after visiting the site and examining the facts, made its observations and gave specific directions to resolve the matter, ensuring safety and service delivery.

The complainant, Smti. Pooja Kumari asserts that her application for a new three-phase commercial electricity connection was unjustly kept on hold by the Electricity Department despite her compliance with procedural requirements. She clarifies that she holds a valid 99-year lease for a specific portion of the building — notably, the area four stairs above the road level — and her occupied premises are sufficiently distant from the existing high-tension electric line cited in the notice.

Pooja Kumari emphasizes that the safety concern raised pertains to the second floor of the building, which is under construction and not connected with her leased premises. She argues that the notice issued is misdirected in her case, as her portion does not infringe upon the mandated safety clearances. In light of these circumstances, she earnestly requests the Forum to instruct the Electricity Department to proceed with the sanction and



The respondent, representing the Junior Engineer, Prothrapur Site Office, submits that upon receiving the application for a new service connection from Smti. Pooja Kumari, a site inspection was carried out. During the inspection, it was observed that the building was constructed within less than 1 meter of the existing overhead 11 KV Prothrapur feeder, thereby violating mandatory safety norms prescribed by the CEA Regulations, 2023.

Given the violation, the respondent issued a formal notice directing the applicant to rectify the issue by ensuring the required clearance. The respondent clarifies that without meeting the necessary safety standards, providing a new electricity connection could pose serious safety hazards, and therefore, the application was placed on hold in accordance with the JERC (Electricity Supply Code) Regulations, 2018. Furthermore, the respondent submits copies of the application, inspection report, and the copy of notice issued to the complainant for their consideration.

The Forum carefully reviewed the submissions made by both the complainant and the respondent and conducted an independent site visit on 28-04-2025. During the inspection, the Forum found that the complainant, Smti. Pooja Kumari was in possession of land operating from the first floor of the building, which appeared to be at a safe distance from the HT line in question.

It was also noted that the second floor of the building, which was still under construction, indeed had a clearance issue with the 11 KV HT line, thereby potentially violating safety norms. However, the complainant's current premises (first floor) did not pose an immediate safety threat.

Hence, the Forum concluded that while the second-floor construction must be addressed, it would be unjust to withhold the complainant's electricity connection for her safe and existing leased premises. The responsibility of rectifying safety issues concerning the second floor lies with the building owner, and the complainant's legitimate request for electricity connection should not be obstructed. The Forum also directed to the respondent to explore the possibility of converting the existing bare conductor line to ABC or covered conductor in any new schemes of the Central Aided Project to avert any threat to human life and property.

**Hence,**

**It is Ordered:**

After detailed deliberations, submissions, site inspection and documents produced before the Forum, and based on the observation so reached, the following Order is passed: -

1. The Case is closed with specific directions to the complainant and the Respondent/Licensee (ED).



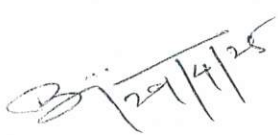
2. The Respondent/Licensee (ED) is directed to immediately process the new electricity connection for Application No. 27831 dated 18.02.2025 and provide the new service connection after observing all codal formalities. The electricity connection for the complainant shall not be withheld due to issues pertaining to other parts of the building.
3. The Respondent/Licensee (ED) shall issue a fresh notice to the building owner Smti. Sheela Chakraborty regarding the violation of clearance norms on the second floor.
4. The Respondent/Licensee (ED) must obtain an undertaking from the complainant confirming her occupancy is restricted to the first floor.
5. The Respondent/Licensee (ED) shall have a liberty to disconnect the supply, if the consumer unauthorizedly to extend the supply to the second-floor construction without any proper intimation to the department.
6. The building owner shall be directed to either modify or remove the construction near the HT line to ensure regulatory compliance. The respondent should notify the building owner that no new connections for the second floor will be processed until safety clearance is ensured. The complainant and building owner must be made aware that any electrical accidents arising from future non-compliance will be their sole responsibility.
7. The Forum directs the respondent to explore the possibility of converting the existing bare conductor line to ABC or covered conductor in any new schemes of the Central Aided Projects to avert any threat to human life and property.
8. The Complainant is advised instructed to install Earth Leakage Protective Device (ELPD) in the wiring to prevent any leakage and fire hazards and safety of equipment's in the premises.
9. The Respondent/Licensee (ED) is directed to submit **compliance report within 15 days** from the date of receipt of this order as per JERC Regulation No. 31/2024.
10. As per JERC Regulation No. 31/2024 under Chapter-III of 30, non-compliance of the Forum Order shall be treated as violation of the Regulations of the Commission and accordingly liable for action under Section 142 of the Electricity Act 2003.
11. The complainant shall not be harassed overtly or covertly in any manner whatsoever in future for exercising his right by availing the redressal within his jurisdiction.

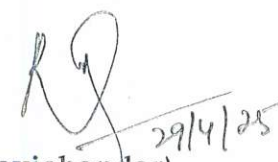


"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3<sup>rd</sup> Floor, Udyog Vihar, Phase, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684709, E-mail: ombudsman.jercuts@gov.in **within one month from the date of receipt of this order**".

**[Annexure - IV Appeal Form can be collected from the office of the Forum on any of the working days].**

A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer-III, Assistant Engineer (IT), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).

  
(Biji Thomas)  
Independent Member  
Electricity CGRF

  
(R. Ravichandar)  
Chairman  
Electricity CGRF

TKK