

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

Before:

Shri. R. Ravichandar, Chairman.
Shri. Narayan Chandra Baroi, Member (Licensee).
Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Smti. Savita Lal, W/o Shri. Ritesh Lal, R/o Garacharma, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 61/2025 dated 18/03/2025.
Complaint : New Connection (Commercial)
Date of Hearing : 27/03/2025
Date of Order : 02/04/2025



ORDER

Background

The complainant Smti. Savita Lal, W/o Shri. Ritesh Lal, R/o Garacharma, Sri Vijaya Puram, filed a complaint vide R.D. No. 1033 dated 18/03/2025 regarding New Connection (Commercial).

The complaint was registered as ANI/C.G. No. 61/2025 and forwarded on 19/03/2025 vide letter No. ANI/CGRF/10-384/670 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-III, Electricity Department for submitting reply/comments and attending the Hearing fixed on 27/03/2025 at 10:30 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 27/03/2025 at 10.30 a.m.

The Assistant Engineer-III (HQ), Electricity Department vide his letter No. EL/AE/P/Pur/HQ/4-9/2025/1957 dated 24/03/2025 forwarded through AE(W/Shop) submitted reply/comments on behalf of the Licensee/Respondent (ED) (the letter is kept in case file) (**Exbt. -1**).

Hearing on 05/02/2025

The Hearing was held on 27/03/2025 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. J. Sudarsanan, Complainant Authorised.
- (ii) Shri. Ritesh Lal, Complainant Asst.
- (iii) Shri. Naveen Lall, AE, Elect. Dept.
- (iv) Ms. M. Panchavarnam, JE, Elect. Dept.
- (v) Shri. R. Raju, LMMR, Elect. Dept.

Statement of the Complainant

The complainant Smti. Savita Lal, W/o Shri. Ritesh Lal, R/o Garacharma, Sri Vijaya Puram stated in her complaint letter dated 18.03.2025 that "I, the undersigned applicant, would like to bring to your kind attention that I had applied for new electricity connection for commercial purpose for my property bearing survey No. 390/8, situated at Garacharma village, Sri Vijaya Puram, vide application No. 27572 dated 05.02.2025. I have enclosed copies of Right of record (ROR), Map, Aadhaar as ID proof and new connection application form as required by JERC regulation under clause 5.29 and 5.30 for a new connection at flag A. Following my application, the Junior engineer of the electricity department inspected the premises and submitted a report to Assistant engineer, who subsequently issued a reply letter NOEL-AE-B-PUR-HQ-2-11-2024-25-1874 dated 25/02/25. The response raises several concerns, which I would like to clarify as follows.

I had applied for the new Connection in my name and, while filling out the online application, found an option to mention a firm name. Since the premises rented out as a single room to M/s LLOYD AYYAPPA MARKETING, I provided the firm's name accordingly.

I require new electricity connection for a single completed room designated for commercial use. Due to financial constraints, the remaining Construction of the building has been temporarily halted. However, the room for which am seeking the connection is fully constructed, with wiring, earthing, and MCB, as per JERC Regulations. I enclosed photocopies of the wiring, earthing and MCB for ready reference at Flag 'B'.

The point raised by the AE, ED does not apply to my case/application and is also not applicable under Clause 5. 56 of JERC Regulation as I am applying for an individual commercial connection for a single room, not for a multi- consumer complex or an entire building connection.

Furthermore, Clause 5.35 of the JERC Regulation 2018 explicitly states that an individual owner/occupier has the right to apply for and receive a separate connection.

The point raised by the AE under Clause 5.56 is not mentioned in the said regulation, and the statement quoted is inaccurate, appearing to be misleading and causing unnecessary harassment. However I have provided land records proving my sole ownership of the building. Furthermore I fail to understand why repeated clarifications are being sought despite the submission of all required documents, resulting in undue mental distress.

The point raised by the AE is not applicable, as per the JE's inspection report dated 18/02/2025, the connected load for my single-room commercial space is only 2500W (2.5 kW). The requirement for a separate transformer for loads above 100 kVA is not applicable in my case, and therefore, the question of compliance at this stage does not arise.

Since my connected load is only 2.5 kW, the ECBC compliance requirement and Clause 5.12 of JERC Regulation 2018 do not apply to my application at this stage. I will ensure compliance if and when my building's total connected load exceeds 50 KW in the future.

The point raised by the JE under Clause 5.57(3) of the JERC Regulation is not applicable in my case, as I have applied for an individual electricity connection for a single-room commercial space, not for an entire building or multi consumer complex at this stage. However even as per Clause 5.57(3), the consumer is granted the right to avail of Connection for a portion of the building.

I agree the point raised by the AE that all newly constructed or altered commercial buildings with a connected load of 50kW or above must comply with the mandatory requirements of the A&N Islands Energy Conservation Building Code, as notified on 22.08.2019 in the A&N Gazette. However, this requirement is not applicable in my case, as I have applied for a single-room connection with an estimated connected load of about 2500W, as per the JE's inspection report dated 18/02/2025.

The point raised by the AE is not applicable in my case as the connected load for my commercial space is only 2500W (2.5 kw) as per JE's inspection report dated 18/02/2025. Since this is well below the 50kW threshold, the Energy Conservation Building Code (ECBC) compliance does not apply at this stage.

Previously construction was ongoing, but it has now been halted due to financial constraints. At present I am only seeking an electricity connection for a fully constructed single room designated for commercial use. If in the future, the entire building is completed and requires upgrade in electrical infrastructure, I will duly inform your office for necessary compliance as per JERC Regulations. However,



at this stage, the question of determining the entire building's connected load and applicability of the ECBC code does not arise.

I have completed only one room and require an electricity connection exclusively for this commercial space. I fail to understand why the department is insisting on the completion of the entire building before granting a connection, especially since I am not in a position to complete Construction due to personal reasons and financial constraints. If and when the remaining construction is completed in the future, I will duly inform the department accordingly.

As per Clause 5.56 under JERC Regulation 2018 explicitly states that an individual owner/occupier has the right to apply for and receive a separate connection. Furthermore, Clause 5.35 of the JERC Regulation 2018, an individual owner/occupier has the right to apply for and receive a separate electricity connection. Therefore, keeping my application on hold until the entire building is completed is not only unjustified but also against the provisions of the JERC Regulation 2018. I have submitted all required documents for obtaining a new Connection for Commercial purposes. Additionally, I have completed the earthing, wiring, and installation of ELCB/MCB as per regulatory standards. I strongly feel that the department deliberately delaying my electricity connection using various unjustified methods, which has caused unnecessary mental harassment.

My temporary connection was already disconnected by myself due to financial crises and not in a position to completed the entire building structure at this stage.

In light of the above clarifications, I humbly request the Forum to intervene and direct the Electricity Department to process and approve my application for a new electricity connection for commercial purposes as per JERC Regulations. The Department's decision to withhold my application until full building completion is unfair, legally untenable, and causing undue hardship.

I assure you that once the entire building construction is complete, I will apply for multiple connections with all necessary approvals, as required by the department.

However, as per Clause 5.56, 5. 52, 612 etc of JERC Regulation 2018, my present application should be treated as an individual connection for a single commercial space and should not be denied on the grounds of pending construction work for the rest of the building. The AE's reference Clause 5.12, 5.56 and 5.57 (3) of the JERC Regulation as grounds for denying the electricity connection is not applicable at this stage, as the construction of the building has been halted due to financial Constraints. Furthermore, the Forum has previously issued multiple directives in similar Cases involving single connection within



building complex/flat vide Order dated 24/12/2023 and 30/11/2015, which I have enclosed for your kind perusal at Flag 'C'.

Additionally, I have taken a loan of Rs. 61,33,000/- from Punjab National Bank, which is under EMI repayment, for the construction of the said portion of the building at Flag 'D'. If the connection is not provided at the earliest, I may face difficulty in paying my loan EMI on time, potentially leading to default. Considering this situation, I request the Forum to process my new connection on humanitarian grounds and approve it at the earliest.

Further, I hereby authorize my husband, Shri Ritesh Lal, whose Aadhaar ID proof is enclosed at Flag 'E', to appear before your Hon'ble Forum for the hearing and submission until the case is disposed of."

The complainant enclosed photocopies of Inspection report dated 25.02.2025, online application no. 27572 dated 05.02.2025, Form-F, Receipt for Land revenue, building photos and Aadhaar card as ID proof, 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/P/Pur/HQ/4-9/2025/1957 dated 24/03/2025 stated that: -

"Sir, This has a reference to Letter No.ANI/CGRF/10-384/670 Dt.19.03.2025 on the above mentioned subject vide which it was requested to furnish para wise comments w.r.t the submissions made in the petition by the complainant along the all the documents pertaining to new connection (Commercial) in respect of Smti. Savita Lal, W/o Shri Ritesh Lal.

As desired, kindly find attached following documents pertaining to new connection (Commercial) in respect of Smti. Savita Lal:

1. Online Application No.27572 Dt.05.02.2025 (along with its enclosure attached by applicant) (Enclosure-I).
2. JE (Prothrapur) inspection report letter No. EL/JE/PP-1/2-3/2024-25/463 Dt. 18.02.2025(Enclosure-II).
3. AE-III deficiency report to applicant vide letter No, EL/AE/P/Pur/HQ/2-11/2024-25/1874 Dt.25.02.2025(Enclosure-III).
4. Applicant reply letter Dt.04.03.2025(Enclosure-IV).
5. JE (Prothrapur) inspection report letter No. EL/JE/PP-1/2-3/2024-25/480 Dt. 05.03.2025(Enclosure-V).
6. AE-III deficiency note to applicant vide letter No. EL/AE/P/Pur/HQ/2-11/2024-25/1918Dt.08.03.2025 (Enclosure-VI).



7. JE (Prothrapur) letter no. EL/JE/PP-I/1-20/2024-25/490 dated 21.03.2025(Enclosure-VII).
8. JE (Prothrapur) Inspection report EL/JE/PP-I/2-3/2024-25/492 dated 22.03.2025(Enclosure-VIII).

Further, as directed point wise reply to the applicant complaint letter No. Nil dt.18.03.2025 is attached at Annexure A.

Additionally, it is to submit that applicant's contention to furnish the relevant occupancy permit from concerned authority i.e. SVP MC is beyond comprehension. The building complex has been constructed in a contiguous land which is evident from RoR and as defined under relevant ECBC rules & codes framed under Energy Conservation Act 2001, it is essential that all such buildings intended for commercial purpose must comply to the mandatory requirement promoting energy conservation. As far as the sanction of approval w.r.t the instant application is concerned which has been requested for small portion of the building cannot be admitted on ground of reduced load because the applicability of the rules takes into consideration the entire load of the building and cannot be disintegrated or split into fragments.

Furthermore, it is pertinent to mention that in the past fortnight communication by the applicant, the building was said to be under construction but currently it has stated to be in halt condition in the pretext of some financial constraint. Besides, the provisions under relevant section of JERC (Electricity Supply code) Regulations 2018, clarifies the position for not considering the admissibility of application which has been referred in the para wise comments and communicated to the applicant.

ECBC code & Rules confers the power to authorities having jurisdictions for enforcement of provisions to ensure that the obligations set for the buildings intended for commercial purposes are regulated at design stage and the occupancy permit, necessary approval or clearance from the SVP MC is essential to verify that the building is constructed in conformity with all standard requirements as set forth under the said code & rules. Regardless of the fact that applicant applies for individual connection or multiple connection, ECBC compliance taking into consideration the entire electrical load of the building complex is mandatory prior to release of service connection to the premises. The orders issued by CGRF as referred to by the applicant are related to other cases of different nature and the instant matter cannot be reviewed by giving similar proposition as the standpoints apparently vary.

Thus, in view of the above-submitted facts, the processing of the application for a commercial building is subject to compliance with all referred prerequisites, which cannot be subverted for convenience or at discretion or on humanitarian ground as requested by the applicant.



Hence, CGRF is requested to review the case in light of the relevant provisions as given under JERC (Electricity Supply Code) Regulations 2018, ECBC Rules & Code 2019, Municipal Bye laws and other relevant regulations prior making necessary decision in the matter please.

As directed by the forum, the following documents are submitted regarding compliance of ECBC Code issued by the Electricity department and few relevant pages of the A&N Islands Energy Conservation Building code notified on dated 22.08.2019 in A&N gazette:

1. EE. (NRSE) Letter No. F.No. EL/NRSETECH/7-5/ECBC/22/17 dated 06.01.2022. (Enclosure-IX)
2. AE (Planning) Letter No. F.No. EL/PL/1-38/2022/430 dated 24.01.2022. (Enclosure-X)
3. EE(NRSE) Letter no. F. No. EL/NRSE/TECH/7-5/ ECBC/22/196 dated 19.02.2022. (Enclosure-XI)
4. ECBC Gazette Notification Page No. 28,29,30,31,36,37. (Enclosure-XII)
5. F.NO. EL/PL/1-10(f)/2025/6211 dated 25.02.2025 (Enclosure-XIII)
6. F. No.EE/HQ/Tech/19C/2025/2464 dated 06.03.2025 (Enclosure-XIV)

In the instant matter, the applicant i.e., Smti Savita Lall is a government servant and establishment namely M/s LLOYD AYYAPPA MARKETING as indicated appears to be an entity owned by a separate proprietor. So the fact as stated herein that the firm is a legal tenant or occupier of the commercial space could not be corroborated in reference of the documents attached with the application.

It is evident from the report of the Junior Engineer that the premises for which an electric connection has been sought is an under-construction building intended to be used for commercial purpose with incomplete electrical installations, wiring and earthing provisions except for a little space at the first floor of the subject building. The deficiencies have been clarified to the applicant in detail while examining the merit of the request which is also illustrated in the relevant para wise comments. Moreover, the procedural requirement cannot be lapsed on grounds of financial constraint ie. gain or loss of an individual who happens to be Government servant in the case.

By virtue of obtaining individual connection for the completed portion as cited in the instant application, building would come under the category of multi consumer complex and release of connection to such premises is subject to the provisions as given under section 5.56 of the JERC (Electricity Supply code) Regulations, 2018.

The applicant is attempting to mislead the CGRF with contradictory statements. In para 1, the applicant acknowledged that the premises are rented out, yet now claims that the connection is for an individual commercial connection and not For a multi- consumer complex, asserting that Clause 5.56



does not apply to their case. This contradicts the earlier assertion, as it is evident from the applicant's own statement that the building is used for rental purposes, making it a clear case of a multi-consumer complex.

The provision enables individual owner or occupier for applying for individual connection but in your case, the entire premises is held under single ownership and so sanction of connection is subject to fulfillment of criteria if considered to be treated as multi consumer complex.

Furthermore, Clause 5.35 of the JERC Regulations, 2018 has been misquoted and does not provide any provision granting an individual owner or occupier the right to apply for and obtain a separate connection in an under construction building without completion of entire electrical infrastructure.

Clause 5.35 "For all application forms pertaining to release of supply of new connections, the Licensee shall verify the application form along with enclosed documents and if found deficient, shall issue a written note on the spot regarding shortcomings in the application form. If the application form is complete the Licensee shall acknowledge its receipt on the spot. In case the application is submitted online, the Licensee shall issue a written note regarding shortcomings in the application within 3 working days from the date of submission of application".

This has been misunderstood by the applicant as it appears since the quoted para intended to the fact that provisions of the clause 5.56 in view of the instant case.

It may be perused that instead of opting for a temporary connection for an under-construction building, seeking permanent connection for a meager load (2.5kW) by somehow making small closed structure in the big building complex is an attempt to take advantage citing provisions though not relevant may render unauthorized access of electricity for the uncompleted portion of the building. Considering the size of the building with massive 45 columns as per the J.E. Prothrapur-I Inspection report no. EL/JE/PP-/2-3/2024-25/492 dated 22.03.2025 it is evident that the load of the said building can be ascertained only when the building is completed in all respect and entire electrical infrastructure is taken into consideration.

As submitted earlier, declaring a load of 2.5 kW for such a massive structure (45 columns) is an attempt to evade compliance with ECBC Rules and JERC Regulations. The total load of the building is estimated at the design stage as prerequisite criteria under the ECBC rules & codes as far as commercial category of buildings are concerned and thereafter the applicability of section 5.12 of JERC (Electricity supply code) Regulations, 2018 can be reviewed & assessed.



If the applicant prefers to avail connection for a portion of it in terms of the provisions under section 5.57 (3) of JERC (Electricity Supply code) Regulations, 2018, then the criteria as referred to in for multi-consumers complexes needs to be observed which has been contradicted by the applicant at para 3 of his submissions.

The Clause 5.57(3) must be read in conjunction with Clause 5.56, which clearly states that "new connection will not be granted until the entire electrical Infrastructure is completed. The Clause is interpreted as if the builder/developer / society / consumer desires to avail connection for a portion of it, the connection shall be provided treating it as multi- consumer complex only if the entire electrical infrastructure is completed.

A&N Administration issued gazette notification for implementation & enforcement of A&N Islands ECBC Rules & Codes. 2019 on dated 22 08.2019 which amply states that it is the responsibility of the owner of the commercial building as per applicability to comply with the mandatory requirements of the design and to ensure that all energy conservation measures have been installed & inspected and they meet the provisions of the code & rules. After completion of the code compliant building or part thereof, occupancy permit, necessary approval or clearance from the SVPMC having jurisdiction has to be obtained by the owner. The authority concerned to ensure its implementation & enforcement for urban area lies within the jurisdiction of concerned to ensure its implementation & enforcement for urban area lies within the jurisdiction of Sri Vijaya Puram Municipal Council in terms of the amended PBMC Bye-laws incorporating ECBC codes and rules, as per the Gazette Notification dated 11.02.2021. Therefore, submission of building occupancy permit issued from appropriate authority i.e. SVPMC w.r.t building plan & ECBC compliance is imperative for consideration of application by Electricity approval & Department. (Latest instruction issued by Electricity Department in the matter is enclosed for reference).

However, even after repeated communication, the applicant has not produced the necessary occupancy permit accorded by SVPMC to ensure that the building has been constructed in accordance with the approved design & comply with ECBC requirement without deviation.

The load estimation of the electrical infrastructure has to be done at the design stage upon which the building is examined for ECBC compliance and hence such consideration must not be evaded in the pretext of reduced load capacity as claimed by the applicant. The applicant has been asked to Furnish the occupancy permit from the concerned authority i.e. SVPMC to confirm that the subject commercial building has constructed as per approved design to prevent any subsequent deviation or violation in terms of ECBC codes or rules.



It is clarified that processing of application to provide electric connection for the commercial building complex constructed in a contiguous land & held under single ownership is subject to review under ECBC code & Rule, 2019 notified in A&N Gazette and hence cannot be subverted for convenience or at the discretion by any means.

It is denied that the department is deliberately delaying electric connection. The applicant is requested to ensure compliance of ECBC Rule and JERC Regulation 2018 for obtaining electricity connection.

1. As earlier stated Clause 5.56, clearly states that "new connection will not be granted until the entire electrical Infrastructure is completed.

2. Moreover, in your submission your good self at para 2 has submitted that you are not a multi-consumer complex. Such being a case there is no where mentioned at Clause 5.56 or any other clause in JERC regulation 2018 for providing electric connection to the individual owner/ occupier until entire electrical infrastructure is completed.

3. Furthermore, Clause 5.35 of the JERC Regulations, 2018 has been misquoted and does not provide any provision granting an individual owner or occupier the right to apply for and obtain a separate connection in an under construction building without completion of entire electrical infrastructure.

Clause 5.35 "For all application forms pertaining to release of supply of new connections, the Licensee shall verify the application form along with enclosed documents and if found deficient, shall issue a written note on the spot regarding shortcomings in the application form. If the application form is complete the Licensee shall acknowledge its receipt on the spot. In case the application is submitted online, the Licensee shall issue a written note regarding shortcomings in the application within 3 working days from the date of submission of application".

4. Your good self has submitted that you have submitted all the documents, whereas the clarification sought by this office vide letter dated 25.02.2025 and 05.03.2025 is still awaited and it is to mention that the processing of application for commercial connection is subject to compliance of all referred pre-requisite which cannot be subverted for convenience or at the discretion by any means.

Hon'ble forum may take into cognizance that this statement is factually incorrect and may be construed as unfounded. Though, it was Suggested that as stipulated under section 5.60 of JERC regulation, 2018, temporary supply connection shall be given to an under construction building subject to fulfillment of all codal formalities which can suffice the power requirement for the construction purposes. However, no such request for temporary connection has been received from the applicant till date. Hence, the allegations of having temporary connection disconnected are false and misleading as reported by the Junior Engineer in her report letter no. EL/JE/PP-I/2-3/2024-25/492 dated 22.03.2025 stated that "The applicant has also made a submission in her clarification that 'My temporary connection was already disconnected by myself



due to financial crises and not in a position to completed the entire building structure at this stage': Which is false and misleading submission because as per this office record the applicant has not taken any temporary connection for the construction purpose of her building so the point submitted by her is a false and misleading statement".

The AE-III, Electricity Department enclosed photocopies of online application no. 27572 dated 05.02.2025, Form-F, Aadhaar card, Inspection report dated 18.02.2025 & 25.02.2025 and other official correspondences, which is kept in the case file **(Exbt. -3)**.

Submission of the Complainant

The complainant, represented by Shri J. Sudarsanan, presented their case before the Forum, asserting that their request for an electricity connection for a specific portion of the building was legitimate. They argued that the denial of the connection by the electricity department was unwarranted and in violation of regulatory provisions. The complainant emphasized that they were willing to comply with all technical and codal requirements and that the rejection based on the unfinished status of the entire building was not a justifiable reason for withholding the connection.

Submission of the Respondent

The respondent stated that the connection was denied because the application was filed under the name of Smti Savita Lal for a portion of a multi-complex building that was not yet fully completed. They reiterated that compliance with ECBC regulations was mandatory before a commercial connection could be granted. The respondent maintained that their actions were in line with regulatory requirements and that providing a connection without full compliance could lead to technical and regulatory complications.

Forum's Observation

The present case pertains to a commercial electricity connection requested for a small portion of a multi consumer complex building in the name of Smti Savita Lal. The complainant had applied for the connection, but the request was denied by the respondent on the grounds that the multi consumer complex building was not in a completed stage and that compliance with the Energy Conservation Building Code (ECBC) had not been met. This denial prompted the complainant to approach the Consumer Forum for redressal, citing that their request for connection was valid and should not have been denied on the stated grounds. The case was heard before the Forum, and both parties presented their statements and justifications.



The complainant, through their authorized representative Shri J. Sudarsanan, argued that they were entitled to receive an electricity connection for the specific portion of the multi consumer complex building in question. They contended that the electricity department unjustifiedly rejected their application by citing the incomplete status of the building and non-compliance with ECBC regulations. The representative emphasized that the complainant was only seeking a connection for a limited portion of the premises, not for the entire multi consumer complex structure, and that denial of the same was arbitrary and unjustified.

The electricity department, as the respondent, defended its decision by stating that since the building was a multi consumer complex structure and not in a completed stage, providing an electricity connection would not be appropriate at this juncture. Furthermore, the department highlighted that ECBC compliance had not been met, which was a mandatory requirement for commercial connections in multi consumer complex buildings. The respondent asserted that granting a connection without fulfilling the necessary regulatory requirements would set a precedent that could lead to further violations.

Further the Independent member opinion that In the present case, in my view, the consumer is entitled to receive an electricity connection as per Clause 5.57(3) of JERC Regulation No. 23/2018 (Electricity Supply Code) in his multi consumer complex. And as per Section 5.57 (3) read as "In case the original approved plan is for a multi-consumer complex, but the builder/developer / society / consumer desires to avail connection for a portion of it, the connection shall be provided treating it as multi-consumer complex".

Therefore, there is no requirement for the complainant consumer to apply through his occupier by submitting No Objection Certificate (NOC) and Rent Agreement. Doing so, can cause unnecessary complication as an when each tenant / occupier vacate the premises.

During the hearing, the Chairman suggested the complainant to apply for a new connection using a Rent Agreement supported by an NOC from the landowner. The complainant complied with this direction.

The Forum carefully reviewed the regulations and applicable provisions under the Joint Electricity Regulatory Commission (JERC) regulations of 2018. As per Rule 5.57(3), when the original approved plan is for a multi-consumer complex, but an individual consumer seeks a connection for a specific portion, such a connection should be provided while treating it as a multi-consumer complex. Additionally, under Rule 5.56, if the connected load exceeds 100 kVA, the consumer is required to install a separate transformer of adequate capacity at their own cost. If the load is below 100 kVA, the department may

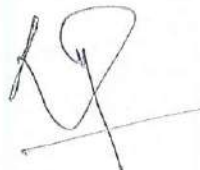


install a separate transformer upon the consumer's request, also at the consumer's expense.

The complainant Smti. Savita Lal has started construction of a multi consumer complex and due to financial constraints, she has completed a single room designated for commercial purpose and leased out to M/S Lloyd Ayyappa marketing and applied for a commercial connection in her name and the remaining construction of the building has been temporarily halted. Since the respondent has not provided the service connection as requested by the complainant, as per the supply code regulation 2018 under section 5.56 is in order.

The claim of the complainant can be met through supply code regulations 2018 under clause 5.57(3), as the complainant already stated that a lease agreement with M/S Lloyd Ayyappa Marketing has been executed and completed the wiring and earthing of the small portion of multi consumer complex and the present requirement of connected load is only 2.5 KW. Hence the compliance of ECBC insisted by the respondent is not arising at this stage. However if the connected load exceeds above 50 KW the complainant must comply the ECBC norms insisted by respondent to meet the energy conservation requirements. Thus, the Forum suggested to the complainant that if she can issue an NOC to M/s Lloyd Ayyappa Marketing, he can approach the respondent for getting a service connection in the completed portion of the multi consumer complex. Since it's a multi consumer complex and as per the supply code regulation 2018 under the section 5.57(1) the location for all the meters should be placed in one location which will arranged by the consumer in consultation with the respondent. The consumer shall provide suitable and adequate space for installation of the meter in such a manner that it is always accessible to the licensee or its representative. All the meters shall be fixed preferably on the ground floor/rising mains having proper air ventilation and adequate illumination as per the standards and codes specified.

Based on these observations, the Forum concluded that the complainant could issue a NOC to the lease holder, so that he can approach the respondent requesting for a service connection in the completed portion of the multi consumer complex. The consumer must ensure that no unauthorized extension, alterations or any additions load above the sanction load made without any prior information to the respondent, the respondent have the liberty to disconnect the supply.



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 Forum directs the respondent to provide service connection to the lease holder in the completed portion of the multi consumer complex if the original owner give NOC alongwith the lease agreement from the lease holder and after observing all the codal formalities as mentioned in the supply code regulation and SOP regulation, subject to technical feasibility.
3. The Forum directs both the complainant and the respondent regarding installation of meter in such a manner that it is always accessible to the respondent or its representatives.
4. The Forum directs the complainant to provide a suitable and adequate space for installation of the meters in consultation with the respondent and all the meters shall be fixed one place on ground floor/rising mains having proper air ventilation and adequate illumination.
5. The Forum directs the respondent to disconnect the supply if any unauthorized load alteration or extension is detected other than sanction load as per regulations.
6. The Forum advice the complainant/consumer to provide Earth Leakage Protective Device (ELPD) to avoid fire hazards, safety of equipment's and human beings.
7. 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.
8. 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.

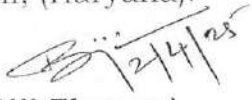


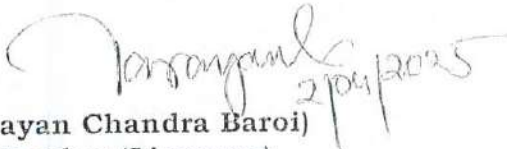
9. The complainant shall not be harassed overtly or covertly in any manner whatsoever in future for exercising his right by availing the redressal within his jurisdiction.

"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**, 3rd 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 (HQ), 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


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

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