

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:

Shri. Balsubbramani, R/o Garacharma, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 08/2025 dated 19/05/2025
Complaint : New Connection (Domestic)
Date of Hearing : 30/05/2025
Date of Order : 02/06/2025



ORDER

Background

The complainant Shri. Balsubbramani, R/o Garacharma, Sri Vijaya Puram, filed a complaint vide R.D. No. 1134 dated 19/05/2025 regarding New Connection (Domestic).

The complaint was registered as ANI/C.G. No. 08/2025 and forwarded on 19/05/2025 vide letter No. ANI/CGRF/10-395/737 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 30/05/2025 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 30/05/2025 at 11.30 a.m.

The Assistant Engineer-III (HQ), Electricity Department vide his letter No. EL/AE/PP/1-12/2025/199 dated 24/05/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED) (the letter is kept in case file) (*Exhibit-1*).

Hearing on 30/05/2025

The Hearing was held on 30/05/2025 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Shri. Balsubbramani, Complainant.
- (ii) Shri. K. Murugan, Asst. Complainant.
- (iii) Shri. J. Jaya Kumar, AE(W/Shop), NO, Elect. Dept.
- (iv) Shri. Naveen Lall, AE-III, Elect. Dept.

Statement of the Complainant

The complainant Shri. Balsubbramani, R/o Garacharma, Sri Vijaya Puram stated in his complaint letter dated 19.05.2025 that "I had applied for electricity connection via my application No. 24165 dated 27-08-2024 and application No. 27181 dated 16-01-2025 but till now I did not receive any connection. I submitted all the documents but of no use. My house is situated at Garacharma, newly constructed house. Being aggrieved for getting electric connection from electricity department, I approached the Hon'ble Forum CGRF for redressal of my complaint at the earliest please."

The complainant enclosed photocopies of Online application no. 27181 dated 16.01.2025, Tehsildar's letter dated 07.02.2025, Letter to the Tehsildar dated 31.01.2025, AE(III)'s letter to the complainant dated 03.01.2025, Affidavit, Undertaking, Declaration/Undertaking dated 16.01.2025, Ration card 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/PP/1-12/2025/199 dated 24/05/2025 stated that: -

"Sir, this has a reference to the CGRF Complaint mentioned under reference, it is to intimate that the applicant had submitted online application vide N.24165 dated 27.08.2024 (Enclosure-1) was earlier disposed off with the remark "Rejected with the remark that incorrect affidavit applied and submit the ration card or election card along with Aadhaar card" (Enclosure-1). And also, in Hon'ble High Court order WPA/615/1625 dated 12.12.2024 (Enclosure-)

wherein it is directed to consider and dispose off the petitioner's application in accordance with the law.

Accordingly, this office vide L.No.EL/AE/PP/4-9/2024-25/1625 dated 03.01.2025 (Enclosure-IV) intimation given to applicant and requested to again apply for new connection. Consequent to the above, the applicant re-applied for new encroachment connection vide online application No.27181 dated 16.01.2025 (Enclosure-V) and the same was forwarded to Tehsildar, Sri Vijaya Puram vide L.No.EL/AE/PP/4-9/23-24/1762 dated 31.01.2025 (Enclosure-VI) for confirming the status of settled possession in accordance with Administration Circular dated 09.10.2023 (Enclosure-VII). The Tehsildar, Sri Vijaya Puram has submitted his report vide L.No. G-27/TPB/2025/386 dated 07.02.2025(Enclosure-VIII) and in which no settled possession report was submitted by the Tehsildar.

AND WHEREAS, in the recent Order dated 07.02.2025 passed by the Hon'ble Consumer Grievances Redressal Forum (CGRF), Sri Vijaya Puram, in Serial No.2, directed the following to the complainant (applicant) which is reproduced below:

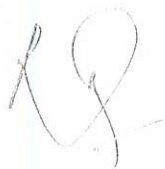
"The complainant must provide a No Objection Certificate (NOC) from the original landowner (i.e., revenue department) or proper land records as acceptable proof of Ownership or occupancy of premises to be submitted along with the application for a new electricity service connection".

However, the applicant have liberty to submit a No Objection Certificate (NOC) from the original landowner (Revenue Department) or proper land records as acceptable proof of ownership or occupancy. Upon submission of such documentation, the application will be processed in accordance with:

1. Clause 5.30 of the JERC Regulation, 2018
2. A&N Administration Circular dated 09.10.2023.

These regulation have been uniformly applied in granting new electricity connection to the general public, including encroachers, by the Electricity Department."

The AE-III, Electricity Department enclosed photocopies of Agreement dated 28.12.2018, Online application no. 28776 dated 31.03.2025 and application no. 24165 dated 27.08.2024, Application status, Hon'ble High court order dated 2.12.2024, Admn. Circular dated 09.10.2023, Tehsildar's letter dated 07.02.2025, Letter to the Tehsildar dated 31.01.2025, AE(III)'s



letter to the complainant dated 03.01.2025, Affidavit, Undertaking, Declaration/Undertaking dated 16.01.2025, Ration card and Aadhaar card, which is kept in the case file (Exbt. -3).

Submission of the Complainant

The complainant stated that he had constructed a new house at Garacharma with the intent to make it habitable and secure for his family. Recognizing electricity as a basic necessity, he submitted multiple applications for a new connection. He contends that he has made sincere efforts to comply with all procedures, even following the department's direction to reapply. Despite that, no substantial progress was made. He felt that his application was caught in bureaucratic red tape. He believes that in the absence of large-scale regularization or alternative arrangements, poor and marginalized individuals like him are left without basic amenities.

Submission of the Respondent (Licensee)

The department's representative clarified that the Electricity Department is bound by regulations and administrative circulars. In this specific case, the applicant had encroached on government land, which disqualifies him from obtaining a service connection without a valid No Objection Certificate. The official emphasized that providing electricity to encroached land without proper verification would set a wrong precedent and violate the integrity of administrative protocols. They further asserted that such procedures are not discriminatory but are essential to uphold legal compliance and resource accountability.

Forum's Observation

The case pertains to a grievance raised by a consumer regarding the non-issuance of an electricity service connection for a newly constructed house situated at Garacharma. The complainant submitted two online applications for a new electricity connection – Application No. 24165 dated 27-08-2024 and Application No. 27181 dated 16-01-2025. Despite submitting all required documents as claimed by the complainant, no electricity connection was granted by the Electricity Department.

The first application (No. 24165) was rejected due to submission of an incorrect affidavit and non-submission of valid identity and occupancy



documents such as a ration card, election card, or Aadhaar card. The Hon'ble High Court in Order WPA/615/1625 dated 12.12.2024 directed the Electricity Department to consider and dispose of the application in accordance with the law.

Following this, the complainant reapplied for an encroachment electricity connection via Application No. 27181 dated 16-01-2025. This was forwarded to the Tehsildar, Sri Vijaya Puram for verification of settled possession as per the A&N Administration Circular dated 09.10.2023. However, the Tehsildar did not issue a settled possession report and reportedly denied recommending electric service connection on encroached land.

The complainant, a resident of Garacharma, expressed grievance over the inordinate delay and ultimate denial of electricity connection to his newly constructed residence. He submitted two applications – the first in August 2024 and the second in January 2025 – through the designated online portal. The complainant didn't provide the valuable documents required for getting a new service connection as per regulation hence, the Forum directs the complainant must furnish a No Objection Certificate from the owner of the premises (Revenue Department) or proper land records as acceptable proof of ownership or occupancy of premises to be submitted along with the application to obtain a new service connection.

The Assistant Engineer, representing the respondent, stated that the complainant's initial application (No. 24165) was duly processed and subsequently rejected due to submission of an incorrect affidavit and failure to furnish identity and address proof like a ration card, election card, or Aadhaar card.

The Forum observed that following a direction from the Hon'ble High Court, the respondent issued an official letter dated 03.01.2025 to the complainant stating that as per the direction of Hon'ble high court to dispose the application in accordance with law. Therefore, the application will be disposed in accordance with the JERC supply code 2018 regulation and A&N administration circular dated 9/10/2023. Accordingly, the complainant reapplied through Application No. 27181 for an encroachment-based connection. This application was forwarded to the Tehsildar of Sri Vijaya



Puram to verify settled possession under administrative guidelines issued on 09.10.2023.

The Tehsildar, however, did not issue a positive report and denied confirming settled possession on encroached land. Furthermore, the CGRF in its recent order had mandated submission of a No Objection Certificate (NOC) from the revenue department as a precondition for processing such connections. In absence of this, the respondent could not proceed with the connection.

The CGRF carefully reviewed all submissions made by both parties and considered the administrative and legal framework governing the issuance of service connections, especially in cases involving encroached land. It was noted that:

The complainant admitted occupying the encroached land. His initial application was rightfully rejected due to incomplete and incorrect documentation. The subsequent application for encroachment connection was processed by the respondent, and a report was solicited from the Tehsildar, Sri Vijaya Puram. The Tehsildar did not issue a settled possession report and explicitly instructed against granting connections to encroached lands. The respondent acted in accordance with the JERC regulations and administrative guidelines. The complainant failed to provide a No Objection Certificate from the landowner (i.e., the Revenue Department), which is a mandatory requirement under the prevailing rules. Hence, the forum found no merit in the complaint and concluded that the respondent acted within the legal framework.

Hence,

It is Ordered:

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

1. The Case is closed without any merit due to non-compliance with statutory and administrative requirements by the complainant and with specific directions to the complainant and the Respondent.



2. The Complainant is directed to obtain a valid No Objection Certificate (NOC) from the original landowner, i.e., the Revenue Department or proper land records as acceptable proof of ownership or occupancy of premises is to be submitted along with the application to obtain a new service connection.
3. The Respondent must process new service connection application to encroached land only after obtaining valid NOC from the original landowner (Revenue Department). The respondent is directed to ensure all technical and codal formalities which are to be observed as per JERC Regulation, 2018 before providing the new service connection.
4. The Complainant may reapply only after fulfilling all required documentation and ownership/occupancy criteria.
5. The Respondent is directed to submit **compliance report within 15 days** from the date of receipt of this order as per JERC Regulation No. 31/2024.
6. 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.
7. 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.

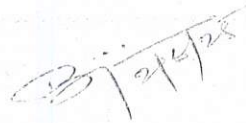
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog 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].

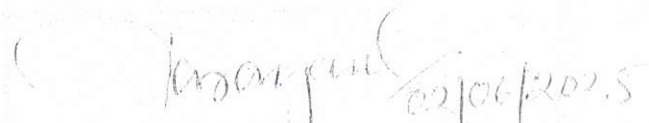
A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer-III, Assistant Engineer (IT), Electricity Department.



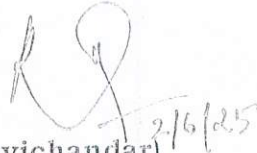
Complainant and the Electricity Ombudsman, JERC for the State of Goa &
UTs, Gurugram, (Haryana).

 2/6/25

(Biji Thomas)
Independent Member
Electricity CGRF

 02/06/2025

(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF

 2/6/25

(R. Ravichandar)
Chairman
Electricity CGRF

THH