

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

Before:

Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Shri. A. Vijaya Kumar, R/o Near Ayush Hospital, Prem Nagar, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 52/2025 dated 20/03/2026
Complaint : New Connection (Commercial)
Date of Hearing : 30/03/2026
Date of Order : 31/03/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 1589 dated 20/03/2026 regarding New Service Connection (Commercial).

The complaint was registered as ANI/C.G. No. 52/2025 and forwarded on 20/03/2026 vide letter No. ANI/CGRF/10-439/1021 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-I(HQ), Electricity Department hereinafter the respondent for submitting reply/comments and for attending the Hearing fixed on 30/03/2026 at 10:30 a.m. in the Electricity CGRF Building at Horticulture Road, Haddo, Sri Vijaya Puram along with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 30/03/2026 at 10.30 a.m.

The Respondent, vide letter No. EL/AE(W/Shop)/2-16/2025-26/543 dated 24/03/2026, forwarded the AE-I (HQ)'s letter dated 23/03/2026 without submitting detailed para-wise comments, which was received in the Forum vide R.D. No. 1594 dated 24/03/2026.


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Hearing on 30/03/2026

The Hearing was held on 30/03/2026 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. A. Vijaya Kumar, Complainant.
- (ii) Shri. Jaya Kumar, AE(W/Shop), NO, Elect. Dept.
- (iii) Shri. Naveen Lall, AE-I, Elect. Dept.
- (iv) Shri. Anuj Kishen, JE, Prem Nagar Site Office, Elect. Dept.

Statement of the Complainant

The complainant stated in his complaint letter dated 20.03.2026 that "I, Mr. A. Vijaya Kumar, R/o Prem Nagar, Sri Vijaya Puram, respectfully submit the following for your kind consideration:

1. That I have applied for a new electricity connection for my premises through the online portal of the Electricity Department on the following occasions:
 - i) Application No. 30772 dated 14.06.2025 -rejected on 19.06.2025 with remarks to submit notarized NOC from all joint land owners.
 - ii) Application No. 40372 dated 20.02.2026-rejected on the same day with remarks to submit NOC from all joint land owners executed before Executive Magistrate/ Nodal Officer.
 - ii) Application No. 40529 dated 25.02.2026 - rejected on 27.02.2026 citing non-submission of NOC from one joint land owner (Shri Navin Kumar Mishra)
2. All the above applications were rejected without providing proper written deficiency notes and reasonable opportunity for rectification, which is contrary to Clause 5.35 of the JERC Electricity Supply Code, 2018, wherein it is clearly stipulated that deficiencies in application must be communicated through a written note for compliance.
3. As per Section 43 of the Electricity Act, 2003, the Distribution Licensee is under a statutory obligation to supply electricity to any owner or occupier of premises.
4. As per Clause 5.30(1), submission of registered sale deed or proof of ownership occupancy is sufficient, read as "Copy of the registered sale deed or lease deed or rent agreement and in the case of agricultural connections, a copy of khasra khatauni / khata nakal".
5. I have already submitted:
 - * Registered Sale Deed
 - * NOC from three co-owners
 - * Form-F (ROR), Aadhaar Card, PAN Card
 - * Online New Connection applications
6. The property is jointly owned by:
 1. Mrs. Indira Devi
 2. Mrs, G. Amrithavalli
 3. Mr. M.M. Mehul
 4. Mrs Nasreen Umar
7. I have legally purchased the share/property of Mrs. Indira Devi, and she has also provided her No Objection Certificate for obtaining electricity connection in my name.



8. Three out of four joint owners have already provided NOC, and only Mrs. Nasreen Umar has not submitted the same.

9. I respectfully submit that I have not purchased the entire property, but only the share of one co-owner, and therefore insisting upon NOC from all co-owners including those whose share I have not purchased, is unjustified and beyond the provisions of the Supply Code.

10. Denial of electricity violates my fundamental rights under Article 21 of the Constitution of India.

11. The Hon'ble Supreme Court in *Chameli Singh vs State of Uttar Pradesh (1996)* held that basic amenities like electricity are part of the right to life.

12. In *Isha Marbles vs Bihar State Electricity Board (1995)*, it was held that conditions beyond statutory provisions cannot be imposed.

13. In *Paschimanchal Vidyut Vitran Nigam Ltd. vs DVS Steels (2009)*, it was held that electricity supply cannot be denied arbitrarily.

14. Repeated rejection of my applications on the same grounds, despite submission of valid documents and NOCs from majority of co-owners, is arbitrary and against the spirit of consumer-friendly service envisaged under the Regulations.

In view of the above, I humbly request that:

- a) The rejection of my applications may kindly be reviewed and set aside;
- b) Necessary directions may be issued to the Electricity Department to process my application strictly in accordance with law;
- c) My request for new electricity connection may kindly be provided without insisting on NOC from all co-owners,
- e) Pass such other order(s) as deemed fit in the interest of justice.

Enclosures:

1. Registered Sale Deed
2. NOC from three co-owners
3. Form-F (ROR)
4. Aadhaar Card
5. PAN Card
6. Copies of Online applications
7. Copies of Online application rejected status reports

I shall be highly obliged for your kind intervention and early redressal."

The complainant enclosed photocopies of online application no. 30772 dated 14.06.2025, application no. 40372 dated 20.02.2026 and application no. 40529 dated 25.02.2026, application status, Form F, Sale agreement dated 12.12.2023, NOC, Affidavit dated 09.02.2026, affidavit dated 23.02.2026, PAN and Aadhaar card as ID proof, which is kept in the case file **(Exbt. -1)**.

Reply of the Respondent

The Respondent didn't submitted any para-wise comments but enclosed the AE-I(HQ)'s letter dated 23/03/2026 alongwith photocopies of online application no. 30772 dated 14.06.2025, application status, Form F, Sale



agreement dated 12.12.2023, NOC and Adhaar card, which is kept in the case file. **(Exbt.-2)**.

Submission of the Complainant

The complainant submitted that he had applied multiple times for a new electricity connection, but all his applications were rejected on grounds relating to submission of No Objection Certificates (NOCs) from joint landowners. He further contended that the rejections were arbitrary and not in compliance with Clause 5.35 of the JERC Electricity Supply Code, 2018, as no proper deficiency notes were provided nor reasonable opportunity given to rectify the defects.

The complainant emphasized that as per Clause 5.30 of the JERC Regulations, submission of ownership or occupancy proof such as a registered sale deed is sufficient, and additional conditions like mandatory NOCs from all co-owners are not prescribed. He further submitted that he had already provided Registered Sale Deed, NOCs of four co-owners out of five, Form-F (ROR), Aadhaar Card and PAN Card for getting new connection as per regulation. He clarified that he had purchased only the share of Smti. Indira Devi i.e. 64 sq.mtrs land out of 2100 sq.mtrs of jointly landed property and not the entire property, and therefore insisting on NOCs from all co-owners, including those whose shares he had not purchased, was unjustified.

Accordingly, he prayed the Forum to provide electricity connection without insisting on NOCs from all co-owners.

Submission of the Respondent

The respondent submitted that the complainant had applied for a commercial single-phase connection for the premises at Junglighat. However, the complainant's initial application dated 14.06.2025 could not be processed due to incomplete documentation, particularly non-submission of required NOCs from all joint landowners.

The Respondent further stated that, as per the available land records, the property is jointly owned by Smti. Indira Devi, Shri Navin Kumar Mishra, Smti. G. Amrithavalli, Shri M.M. Mehul, and Smti. Nasreen Umar. It was submitted that the Complainant had furnished NOCs from four (04) joint landowners; however, the NOC from Shri Navin Kumar Mishra had not been submitted.

Additionally, the Respondent pointed out that the NOC submitted by Smti. Indira Devi, whose share of land was purchased by the Complainant, was not notarized nor executed before an Executive Magistrate, and therefore was not considered valid by the department.



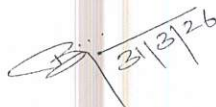
In view of the above, the Respondent justified that the application of the Complainant was rejected due to non-compliance with procedural requirements and submission of incomplete documentation as per departmental practice.

Forum's Observation

The Forum observes that the present case arises out of repeated rejection of applications submitted by the Complainant seeking a new commercial electricity connection for premises situated at Junglighat, Sri Vijaya Puram. The records reveal that the Complainant initially applied for a new electricity connection through the online portal on 14.06.2025 vide Application No. 30772, which was rejected on 19.06.2025 on the ground of non-submission of Notarized No Objection Certificates (NOCs) from all joint landowners, either executed before an Executive Magistrate or Notary Public. Subsequently, the Complainant submitted a second application on 20.02.2026 vide Application No. 40372, which was rejected on the same day on similar grounds. A third application dated 25.02.2026 vide Application No. 40529 was also rejected on 27.02.2026 citing non-submission of NOC from one of the joint landowners, namely Shri Navin Kumar Mishra, along with the condition that the NOC must be executed before an Executive Magistrate or Notary Public.

The Forum further observes that the subject land measuring 2100 sq. mtrs., as recorded in Form-F (Record of Rights), is a jointly owned property comprising five co-owners. The Complainant, Shri A. Vijaya Kumar, has purchased a portion measuring 64 sq. mtrs. out of the share of one co-owner, Smti. Indira Devi, through a Sale Agreement dated 12.12.2023, which was notarized on 20.12.2023. Although the said Sale Agreement is not a registered conveyance deed, the Forum notes that the Complainant has submitted supporting documents including Form-F (ROR), Identity Cards, and NOCs from four (04) out of five (05) co-owners. This reflects substantial consent from the majority of the joint landholders and establishes prima facie possession of the Complainant over the said portion of land.

The Forum also conducted a site inspection on 27.03.2026 at the Complainant's premises. During inspection, it was observed that the premises is being utilized for commercial activities under the name and style of ***M/s Reinspiration Motors Andaman***. It was further noted that the Complainant is presently enjoying electricity, where electrical equipment including two (02) Air Conditioners were found operational. Upon enquiry, the Complainant stated that the electricity supply is being extended from the nearby premises of ***Smti. Indira Devi, from whom he purchased the land, under Consumer No. B/2361, and that he has been utilizing the same since 2023***. The Forum considers this arrangement as unauthorized and contrary to the provisions of the Electricity Supply Code, as electricity

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connections are not permitted to be extended or shared without due authorization.

The Forum directs the Respondent to ensure that the existing electricity connection standing in the name of Smti. Indira Devi (Consumer No. B/2361), from which the Complainant is presently availing supply, is not misused for extension of supply to the Complainant's premises. Smti. Indira Devi shall be advised not to extend or share electricity supply to any other premises in violation of the Electricity Supply Code 2018.

The Forum further observes that the Respondent has rejected the Complainant's applications multiple times without providing adequate opportunity for rectification of deficiencies. **As per JERC Regulation No. 5.35, in case of online applications, deficiencies are required to be communicated within three (03) days, allowing reasonable time to the applicant to comply.** The failure of the Respondent to follow this procedure amounts to violation of the said Regulation. **The Forum directs the Respondent to strictly adhere to these provisions and not to repeat such lapses in future.**

The Forum also notes that the **Respondent insisted upon submission of NOCs duly notarized or executed before an Executive Magistrate.** However, upon perusal of the **Clause 5.30 of the JERC Electricity Supply Code Regulation, 2018**, the Forum finds that there is no specific provision mandating such notarization or execution. Therefore, imposing such a condition is beyond the scope of the existing regulations and is not legally sustainable. If considered necessary, **the Respondent may propose appropriate amendments through the Hon'ble Commission (JERC), but cannot enforce conditions not prescribed under the prevailing regulations.**

The Forum further observes that the subject landed property has not been mutated in favour of the Complainant till date in the revenue records, and the ownership continues to reflect joint holding as per Form-F (ROR). In the absence of mutation and clear demarcation of title, the possibility of future disputes among co-sharers cannot be ruled out.

In view of the above, the Forum considers it appropriate to safeguard the interest of the Respondent. Accordingly, the Forum directs that, at the time of processing the electricity connection, the Complainant shall submit an Indemnity Bond in favour of the Respondent, undertaking to indemnify against any future disputes, claims, or legal complications arising out of ownership, possession, or consent of co-sharers.

The Forum further clarifies that grant of electricity connection shall not confer any ownership rights upon the Complainant. In the event of any dispute

arising in future or any adverse claim established by any co-owner or competent authority, the Respondent shall be at liberty to take appropriate action, including disconnection of the electricity supply, in accordance with the provisions of the Electricity Supply Code Regulation, 2018 and applicable laws.

The Forum considers the view that the Complainant has substantially complied with the requirements by submitting majority NOCs, proof of possession, and other supporting documents. Denial of electricity connection solely on the ground of non-submission of a single NOC, despite majority consent, appears unreasonable, particularly when the premises is already in active commercial use and also enjoying electricity as on date.

Hence,

It is Ordered:

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

1. The Forum directs the complainant to submit a fresh application, either online or offline along with relevant documents.
2. The Forum directs the Respondent to accept the application and process the same by considering the documents submitted by the Complainant and to release the electricity connection after completion of all codal formalities.
3. The complainant shall execute an indemnity bond in favour of the respondent as per clause 5.30 (7) of JERC Electricity Supply Code 2018.
4. It is made clear that grant of electricity connection shall not confer any ownership rights upon the Complainant. In case of any dispute arising in future, the Respondent shall be at liberty to take appropriate action, including disconnection of supply, in accordance with applicable laws and regulations.
5. The Respondent shall not insist upon notarization or execution of NOCs before an Executive Magistrate, as the same is not mandated under the prevailing JERC Electricity Supply Code Regulation, 2018. However, if deemed necessary, the Respondent may propose appropriate amendments through the Hon'ble Commission (JERC).
6. The Forum directs the Respondent to take necessary steps to ensure that each consumer maintains an independent and authorized electricity connection. In case any unauthorized extension or misuse of electricity supply is noticed in future, the Respondent shall be at liberty to take appropriate action, including disconnection of supply as per JERC Regulation.
7. The complainant is advised to install an Earth Leakage Protective Device (ELPD) for safety purposes.

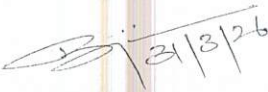

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8. The Respondent is hereby directed that no application for a new electricity connection, whether submitted online or offline, shall be rejected without first issuing a written deficiency notice clearly specifying the deficiencies and providing reasonable time for compliance, strictly in accordance with Clause 5.35 of the JERC Electricity Supply Code, 2018. ***In the instant case, the Forum has observed that the Complainant's applications were rejected multiple times without following the prescribed procedure, which is in violation of the said Regulations.*** The Respondent is, therefore, directed to strictly adhere to the provisions of the Regulations in all future cases.
9. 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.
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.
12. The Case is closed with specific directions to the Complainant and the Respondent.

"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 (Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer-I, 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

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AE (IT)