

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. Gangamma Narisipilli, W/o Late N. R. Naidu, R/o Buniyadabad, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 40/2025 dated 19/01/2026.
Complaint : New Service Connection (Domestic)
Date of Hearing : 27/01/2026
Date of Order : 30/01/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 1523 dated 19/01/2026 regarding New Service Connection (Domestic).

The complaint was registered as ANI/C.G. No. 40/2025 and forwarded on 19/01/2026 vide letter No. ANI/CGRF/10-427/971 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 27/01/2026 at 11:00 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 27/01/2026 at 11.00 a.m.

The Respondent vide his letter No. EL/AE(W/Shop)/2-16/24-25/481 dated 22/01/2026 with enclosures submitted reply / comments, which was received by the Forum vide R.D No. 1536 dated 23/01/2026 (the letter is kept in case file)(**Exbt.-1**).

Hearing on 27/01/2026

The Hearing was held on 27/01/2026 in the Hearing Hall, Electricity CGRF at 11:00 a.m. The following were present: -

- (i) Smti. Gangamma, Complainant.
- (ii) Shri. N. Prasad, Asst. Complainant.
- (iii) Shri. J. Jayakumar, AE (W/Shop), NO, Elect. Dept.
- (iv) Shri. Naveen Lall, AE-I (HQ), Elect. Dept.
- (v) Smti. J. Anushiya, JE(Haddo), Elect. Dept.

Statement of the Complainant

The complainant stated in her complaint letter dated 19.01.2026 that *"Respected Sir, I most respectfully submit that I had applied for a new domestic electricity connection through the online portal of the Electricity Department vide Application No. 28525 dated 21/03/2025 (Copy enclosed) for my dwelling house, where I am residing along with my family members under settled possession on encroached land.*

Electricity being an essential and basic service, prolonged denial of supply has caused severe hardship, adversely affecting the health, safety, dignity and day-to-day living conditions of my family. Absence of electricity has particularly affected lighting, drinking water arrangements, cooking, and safety during night hours.

Despite the lapse of more than nine (9) months from the date of submission of the application, the electricity connection has not been released till date. As per the online portal of the Electricity Department, the status of my application presently shows "Processing Action: Accepted on 22/10/2025" (Copy Enclosed), However, even after acceptance of the application, no further action has been taken by the Department, nor has any written communication received till date. This clearly establishes that the application is complete in all respects and that the delay is solely attributable to inaction on the part of the Department.

The inordinate delay in disposal of my application is arbitrary, unjustified and contrary to the provisions of the Electricity Supply Code, 2018, which mandates timely processing of applications for new connections.

I respectfully invite the kind attention of this Hon'ble Forum to Regulation 5.30 of the Electricity Supply Code, 2018, particularly Sl. No. 7 and Sl. No. 8, which categorically provide as under:

(7) An applicant who is not an owner but an occupier of the premises shall, along with any one of the documents listed at (1) to (6) above, also furnish a No Objection Certificate from owner of the premises:



Provided that where an applicant, who is lawful occupier of the premises, is a tenant or a leaseholder and is unable to produce the No Objection Certificate from owner for obtaining a connection, a separate Indemnity Bond shall be executed in favour of the Distribution Licensee in the form prescribed by the Distribution Licensee.

(8) For bonafide consumers residing in JJ clusters or in other areas with no specific municipal address, the Licensee may accept either ration card or electoral identity card mandatorily having the same address as a proof of occupancy of the premises only for the purpose of releasing electricity connection and not for any other purpose:

Provided further that the electricity bill shall be only for electricity supply to the premises occupied by the consumer and shall not be treated as having rights or title over the premises.

From the above statutory provisions, it is clear that electricity connection shall not be denied merely on the ground that the applicant does not possess ownership or title documents. In cases of encroachment or unauthorized occupation, submission of identity proof address proof and an indemnity bond is sufficient, and insistence on ownership documents is not contemplated under the Regulations.

Any insistence on production of ownership documents or denial of electricity connection on that ground would be ultra vires the Electricity Supply Code, 2018, and violative of the principles laid down by regulatory authorities and courts that electricity is a basic amenity and cannot be denied merely due to land title disputes.

In this regard, I respectfully submit that I have fully complied with the requirements prescribed under Clause 5.30 at SI. No. 7 & 8 of the Electricity Supply Code 2018 submitting the following documents along with my online application:

- Copy of Online Application No. 28525 dated 21/03/2025*
- Identity Proof: Aadhaar Card bearing No. 8241 7427 4333*
- Address Proof: Ration Card bearing No. 353000142815*
- Duly executed Affidavit / Deed of Indemnity in favour of the Distribution Licensee.*

Therefore, there exists no legal, technical or procedural impediment whatsoever for release of the electricity connection in my favour. The continued non-action on my application amounts to deficiency in service and is in clear violation of the regulatory framework.

RELIEF SOUGHT



In view of the facts and circumstances stated above, I most respectfully pray that this Hon'ble Forum may be pleased to:

1. Direct the Electricity Department to release a new domestic electricity connection forthwith in my favour on the basis of documents already submitted vide Online Application No. 28525 dated 21/03/2025, without insisting upon any further or additional documents,
 2. Direct the Electricity Department to strictly adhere to the provisions and timelines prescribed under the Electricity Supply Code, 2018 while processing applications for new electricity connections, so as to prevent recurrence of such hardship to consumers in future,
 3. Pass any other order(s) or direction(s) as this Hon'ble Forum may deem fit and proper in the interest of justice, equity and fair play.
- I shall be highly grateful for the kind intervention and relief by this Hon'ble Forum.

The complainant enclosed photocopies of Online application no. 28525 dated 21/03/2025, Deed of Indemnity dated 10/03/2025, Application status, Ration card and Aadhaar card as ID proof, which is kept in the case file (Exbt. -2).

Reply of the Respondent

The Respondent submitted para-wise comments vide letter No. EL/AE(W/Shop)/2-16/24-25/481 dated 22/01/2026 stated that: -

"Sir, Kindly refer the Forum's letter under reference the comments submitting by this is as follows:

This has a reference to the CGRF letter no.ANI/CGRF/10-427/971 dated 19.01.2026 in the matter of Smti. Gangamma Narisipilli, W/o Late. N.R. Naidu, R/o Opp. Water Tank. Buniyadabad vide Complaint no. ANI/C.G. No. 40/2026 dated 19.01.2026 for providing New Electricity Connection (Domestic) on Govt. Encroached Revenue Land.

This is to bring to your kind notice that the applicant Smti. Ganagamma Narisipilli had initially applied for obtaining a new electric connection on encroached land vide Application No. 21888 dated 23.04.2024.

Thereafter, the applicant approached the Hon'ble High Court at Calcutta(Circuit Bench at Port Blair) by filing WPA/706/2024 seeking directions for release of electric connection. The Hon'ble High Court vide its order dated 08.01.2025, directed that, "if the petitioner would comply with conditions of the Supply Code 2018 applicable to his request then surely the application for supply of electricity would be considered favourable to the petitioner" and the same was communicated to the petitioner vide this office letter no. F.No. EL/AE/SD-I/HQ/28-16/2025/1008 dated 22.01.2025 (Enclosure-I)



In reference to the Hon'ble High Court Order dated 08.01.2025(Enclosure-II) in the matter of WPA/706/2024, wherein it has been directed that:

QUOTE

since the parties are ad idem on the issue that the compliance with 5.30 (7) (8) is mandatory and pre-requisite for supply of electricity, this Court disposes of the writ petition with liberty to the petitioner to comply with the requirement applicable to the petitioner under clause 5.30 of the Supply Code, 2018. If the petitioner submits the requisite proof of occupancy/identity, the indemnity having already been submitted, the authority should consider the application and take a final decision expeditiously within four weeks thereafter.

UNQUOTE

Upon scrutiny of the application in the light of the above directions, it was found that the applicant had not submitted the requisite documents as mandated under Clause 5.30 (7) & (8) of the JERC Electricity Supply Code, 2018, particularly proof of occupancy/identity such as Election Identity Card or Ration Card reflecting the same address. Accordingly, the application could not be considered further and stands treated as rejected due to non-compliance with the prescribed provisions.

Further, the Hon'ble Calcutta High Court, Circuit Bench at Port Blair, in WPA/194/2004, while pronouncing its judgment dated 21/03/2024 in the matter of (Santosh vs. The Superintending Engineer and Another) (Enclosure-II), has categorically emphasized the imperative necessity of obtaining a "No Objection Certificate" from the Revenue Authority, which is the sole custodian of all Government Revenue land within these Union Territory.

Subsequently, the applicant has reapplied for the same vide Application No. 28585 dated 21.03.2025. The said application is presently kept pending, as the case pertains to encroached revenue land, and the matter has been referred to the Tehsildar, Sri Vijaya Puram vide letter no. EL/AE/SD-I/HQ/58-3/2025/105 dated 07.04.2025 (Enclosure-IV) for obtaining the Settled Possession Report, as required under prevailing rules and instructions and whereas, the Tehsildar, Sri Vijaya Puram in response vide letter No G-27/TPB/2025/916 dated 11.04.2025 (Enclosure-V), the relevant extract of contents is reproduced here under :

QUOTE

"In this regard, it is to inform you that the revenue department under Andaman & Nicobar Islands Land Revenue and Land Reforms Regulation, 1966 strongly condemn any encroachment on government land and the granting of electrical connections to individual who claim ownership of such land. The electricity department shall be the sole responsible for providing electric connection to the encroacher upon encroachment land.

UNQUOTE



The communication exchanged by Tehsildar is silent on the Settled Possession.

AND WHEREAS, in the Order dated 07.02.2025 in the matter of Shri. Nagasundaram vide Complaint No ANI/C.G. No. 56/2025 dated 30.01.2025 and in few other cases 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 (ie, 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 regulations have been uniformly applied in granting new electricity connection to the general public, including encroachers, by the Electricity Department

It is submitted that further action on the application shall be taken only after receipt of the settled possession report from the Revenue Authority and fulfilment of all conditions stipulated under Clause 5.30 of JERC Regulation, 2018.

This is submitted for kind information and necessary consideration at your end."

The Respondent enclosed photocopies of AE-I (HQ)'s letter dated 22/01/2026, which is kept in the case file.

Submission of the Complainant

The complainant averred that she is a bona fide resident of the premises and has been occupying the dwelling continuously with her family. She emphasized that electricity is a basic civic necessity and that denial of the same had adversely affected the dignity and normal living conditions of her household.



She submitted that all procedural requirements under the Supply Code had been substantially complied with, including furnishing identity proof, address proof, and indemnity.

The complainant further stated that she was willing to abide by any reasonable conditions imposed by the Forum, including execution of undertakings, provided electricity supply was restored to her residence.

Submission of the Respondent

The respondent reiterated that the application involved occupation of government land and therefore required coordination with the Revenue Department. It was submitted that the respondent could not unilaterally regularize or legitimize encroachment by granting utility services.

The respondent stated that earlier judicial pronouncements and administrative circulars necessitated verification of settled possession and, where applicable, NOC from the Revenue Authority. Pending receipt of a clear report from the Tehsildar, the Department exercised caution in proceeding with the application.

The respondent also submitted that any electricity connection granted in such cases must be conditional and revocable, so as to safeguard government land interests and comply with statutory obligations.

Forum's Observation

The present complaint arises out of an application for grant of a new domestic electricity connection in respect of a residential dwelling situated on government revenue land under encroachment. The complainant submitted an online application bearing No. 28525 dated 21.03.2025 through the Electricity Department portal, seeking electricity supply for her dwelling house where she resides with her family members. Despite submission of the application and completion of formalities as claimed by the complainant, the electricity connection was not released.

The respondent attributed the delay to non-compliance with documentation requirements under sec 5.30 (7) & (8) of the JERC Electricity Supply Code, 2018, pendency of settled possession verification from the Revenue Authority, and absence of a No Objection Certificate (NOC) from the Revenue Department.

The Forum conducted a site inspection and examined the factual status of occupation, construction, wiring, and safety arrangements before adjudicating the dispute. The Forum also observed that the ration card submitted by the complainant was having the same name and address. The Forum further noted that the complainant was in settled possession of the



premises at present. The absence of electricity supply was causing genuine hardship, and the denial was not based on technical infeasibility but on documentation and inter-departmental correspondence.

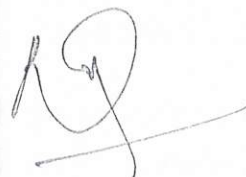
Considering the facts above the Forum takes a lenient view and directs the respondent to process the online application and to provide the electricity service connection till eviction by the competent authority. The Forum also observed that grant of electricity connection does not confer any ownership, property rights or title over the premises.

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.
2. The Forum directs the respondent to process the online application and to provide the electricity service connection till eviction by the competent authority.
3. The Respondent shall confirm that the supply provided to be used for the domestic purpose only.
4. Prior to release, the complainant shall submit a written undertaking/ affidavit to the respondent stating that the complainant shall not claim any ownership, tenancy, or possessory rights over the land on the basis of electricity supply.
5. The undertaking shall further state that, in the event of eviction or removal by competent authorities, the respondent shall have the liberty to disconnect the electricity supply.
6. The complainant is advice to install an Earth Leakage Protective Device (ELPD) in the wiring for safety purposes.
7. 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.




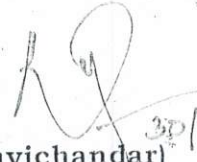
8. As per JERC Regulation No. 31/2024 under Chapter-III of 30, non-compliance of the Forum Order shall be treated as violation of the Regulations of the Commission and accordingly liable for action under Section 142 of the Electricity Act 2003.
9. The complainant shall not be harassed overtly or covertly 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 to be sent to the Superintending Engineer (Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer-I (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


(R. Ravichandar)
Chairman
Electricity CGRF

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