

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. Sudeep Rai Sharma, S/o Late Bhagat Singh, R/o Middle Point, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 51/2025 dated 19/03/2026.
Complaint : Installation of New Transformer
Date of Hearing : 02/04/2026
Date of Order : 09/04/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 1586 dated 19/03/2026 regarding Installation of New Transformer.

The complaint was registered as ANI/C.G. No. 51/2025 and forwarded on 20/03/2026 vide letter No. ANI/CGRF/10-438/1020 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-III, Electricity Department hereinafter the respondent for submitting reply/comments and for attending the Hearing fixed on 02/04/2026 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 02/04/2026 at 10.30 a.m.

The Respondent didn't file any reply but enclosed the AE-III(HQ)'s letter No. EL/AE/PP/1-12/2025-26/1381 dated 25/03/2026, which was received by the Forum vide R.D. No. 1600 dated 27/03/2026, which is kept in case file as **Exbt.-1.**

Hearing on 02/04/2026

The Hearing was held on 02/04/2026 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. Sudeep Rai Sharma, Complainant.
- (ii) Shri. J. Jaya Kumar, AE (Nodal Officer), Elect. Dept.
- (iii) Shri. Ramjan Ali, AE, Elect. Dept.
- (iv) Shri. R. Ramchandran, JE, Elect. Dept.

Statement of the Complainant

The complainant stated in his complaint letter dated 19.03.2026 that "I am the recorded tenant of the land bearing survey number 230 measuring an area of 0.4500 hectrs, situated at Prothrapur village Sri Vijaya Puram Tehsil.

Xerox copy of the Record of Holding Register dated 24th December, 2025 and Aadhar card of the recorded tenant of the landed property are annexed hereto and marked with the Annexure P-1.

Sir, I have constructed a RCC building on my landed property and that the said building has been completed in the year 2018. After completion of the RCC building on 12/11/2018 I had made a representation requesting the electricity department to provide electricity connection to my hotel M/s Dev Heritage situated at Prothrapur and in the said representation I have also stated that I will provide a dedicated transformer of capacity 630 KVA and also provide structures for installation of the transformer.

Xerox copy of the representation made by the Proprietor of Hotel Dev Heritage being the ref no DH/AE-ED/ 18-19/007 dated 12th November, 2018 to the Assistant Engineer, Electricity Department is annexed hereto and marked with the Annexure P-2.

Sir on 29/03/2019 the Assistant Engineer (PL) I/c has made a representation to the Executive Engineer (HQ) by stating an amount of Rs. 96,722/- (Rupees Ninety Six Thousand Seven Hundred Twenty two Only) and direction was passed stating that technical sanction be taken up and work maybe complied herewith by observing all the cordial formailites as per the rules and laws.

Xerox copy of the representation made by Assistant Engineer (PL) I/c to Executive Engineer (HQ) dated 29th March, 2019 is annexed hereto and marked with the Annexure P-3.

Sir, on 04/04/2019 the Executive Engineer has forwarded a representation to the Assistant Engineer by stating that in accordance with the administrative approval and sanction for installation of 630 KVA, 11/0.433 KV dedicated distribution transformer for Hotel Dev Heritage, Prothrapur has been granted and thus stated the estimate value was also evaluated and directed to complete the work in accordance with law.

Xerox copy of the representation made by Executive Engineer (HQ) dated 4th April 2019 is annexed hereto and marked with the Annexure P-4.



Sir, on 22nd April 2019 I have received a representation in the name and style as Dev Heritage mentioning the estimate of payment of Rs. 96,722/- (Rupees Ninety Six Thousand Seven Hundred Twenty two Only).

Xerox copy of the representation made by Assistant Engineer to M/S Hotel Dev Heritage, Prothrapur dated 22nd April 2019 is annexed hereto and marked with the Annexure P-5.

Sir, as soon as the said matter was communicated to me I have submitted the amount through challan no 06 being TR 6 : 10605350160 the dated: 23/04/2019 being an amount of Rs. 96,722 /- (Rupees Ninety Six Thousand Seven Hundred Twenty two Only) for installation of 630 KVA, 11/0.433 KV dedicated Distribution transformer for hotel M/S Dev Heritage, Prothrapur.

Xerox copy of the challan no 06 being TR 6: 10605350160 the dated: dated 23d April 2019 is annexed hereto and marked with the Annexure P-6.

Sir on 01/05/2019 even the executive engineer (HQ) has clearly mentioned that the firm has submitted the estimated charge for installation and has even directed to place the drawing and and putforth the requisition for materials.

Xerox copy of the representation made by Executive Engineer (HQ) dated 01 May 2019 is annexed hereto and marked with the Annexure P-7.

Sir I would like to mention that even in well advance I had paid the security deposit for electricity connection to get acknowledge in passbook receipt but still the electricity department is sitting tight over the said matter.

Xerox copy, of the passbook in respect as security deposit dated 13th June 2025 is annexed hereto and marked with the Annexure P-8.

Sir, I would like to emphasis that even Sri Vijaya Puram Municipal Council has also issued NOC to my Hotel Dev Heritage stating that my hotel exist from 2012 and the said hotel does not come under the ambit of ECBC norms.

Xerox copy of the certificate of NOC for ECBE dated 27 February 2026 is annexed hereto and marked with the Annexure P-9.

Sir, I would like to mention that I am regularly paying the electric consumer charges as commercial (Pvt) (3 ph) before the electricity department.

Xerox copy of the electricity bill dated 19th August 2025, 6th January 2026 and 18th March 2026 is annexed hereto and marked with the Annexure P-10 (Collectively).

Sir, since 2018 I have applied for electricity connection and as of till date my request is unattended for not providing an electricity connection on my landed property being the name and style as Hotel Dev Heritage and the best reason is known only to the electricity department instead of fulfilling all the cordial requirements.



Sir, I would like to mention that in following month there is a wedding ceremony for my daughter and if the said electricity connection is not been provided then I would be highly prejudiced and thus I request your goodself to kindly appoint and inspect and provide the electricity connection immediately as earliest as possible.

Sir, If within one week the electricity connection is not granted then I will not have any option rather to redress my grievances before the competent forum which is Hon'ble High Court for grant of electricity and harassment.

Sir, since 2018 my building has been completed and since then I have been placing representation but still due to non availability of electricity connection I have not been able to run my hotel and due to which I have suffered great financial loss as I could not run my hotel business due to the malafide conduct of the electricity department and adding to it from 2018 till date I have suffered an exorbitantly impairment for which I would like to claim from the rightful owner of the competent authority as a matter of reimbursement/compensation.

Sir, due to the malafide conduct for not providing me the electricity connection which is my legal right to receive an electricity connection has been infringed since 2018 even after knowingly that electricity comes under the ambit of essential amenities still the electricity connection is not provided and I have suffered mental harassment and damage to my property after being the rightful owner of the property for which I have to redress my grievances before the Hon'ble High Court."

The complainant enclosed photocopies of Aadhaar Card, Form-F, MAP, Receipt for Land Revenue, Complainant's letter dated 12.11.2018, AE(Pl)'s letter dated 29.03.2019, AE(P/Pur)'s Note dated 12.02.2019, EE(HQ)'s letter dated 04.04.2025, AE(P/Pur)'s letter dated 22.04.2019 with enclosures, EE(HQ)'s letter dated 01.05.2019, Challan No. 10605350160 dated 23.04.2019, AE(P/Pur)'s letter dated 13.06.2025, Municipal Council's letter dated 27/02/2026, Electricity bill for the month of 07/2025 bearing consumer No. J4/1633, Electricity bill paid receipt 16.01.2026 and 18.03.2026, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent

The Respondent didn't submit any para-wise comments, except for the reply from the concerned division submitted letter dated 27/03/2026 alongwith its enclosures, which is kept in the case file. **(Exbt.-1)**.

Submission of the Complainant

The complainant stated that he is the recorded tenant of the land and had constructed a hotel building, which was completed in the year 2018. He submitted that immediately after completion of the building, he had applied for an electricity connection and had fulfilled all necessary requirements,



including payment of installation charges and security deposit. He further stated that he had undertaken to provide a dedicated transformer and had complied with all procedural formalities as required by the respondent; however, despite compliance, the respondent failed to provide the electricity connection.

The complainant further emphasized that due to the non-provision of electricity, he has been unable to operate his hotel business since 2018, resulting in substantial financial loss and hardship. He submitted that he has obtained all necessary approvals, including the requisite No Objection Certificate (NOC) from the Municipal Council, and has been regularly following up with the Electricity Department for release of connection.

The complainant also stated during the hearing that the then concerned Site Office Junior Engineer, Shri Rajan, allegedly demanded an amount of Rs. 5,00,000/- (Rupees Five Lakhs only) from him to handover to Smti. Madhuri Shukla, EE(HQ) for processing of the said connection. The complainant stated that he did not comply with such demand and continued to pursue his application through official channels.

The complainant further expressed that a marriage function of his daughter is scheduled in this month, and in the absence of electricity connection, he would face serious difficulty and prejudice. He therefore prayed for immediate intervention of the Forum for expeditious release of electricity connection and appropriate relief.

Submission of the Respondent

The respondent submitted that the complainant initially applied for electricity connection on 12.11.2018 along with a request for installation of a 630 KVA dedicated transformer. They stated that an inspection conducted at that time revealed that the building was still under construction. Subsequently, an estimate was prepared and approved, and the complainant deposited the required amount.

The respondent further stated that in 2024, a fresh online application was received, and inspection at that stage revealed incomplete internal electrification work, which delayed further processing. He also stated that an existing connection in the name of M/s Mandeep Industries was present at the same premises and was later transferred to M/s Dev Heritage in 2025.

The respondent explained that delays occurred due to multiple factors, including incomplete site readiness, manpower constraints, operational priorities, and frequent transfers of staff. He also informed that a fact-finding committee was constituted, which recommended prioritizing the case. Based on this, work such as erection of HT poles and transformer structure had already commenced. The respondent stated that necessary approvals, including ECBC compliance, were being processed and that the work for providing the electricity connection was currently underway.


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Forum's Observation

The Forum has carefully examined the complaint, the reply submitted by the respondent, and the documents placed on record by both the parties. It is an admitted fact that the complainant had applied for electricity connection on 12.11.2018 for his establishment M/s Dev Heritage and had also undertaken to install a dedicated 630 KVA transformer. The respondent processed the request, granted approval from the Circle Office on 29/03/2019, which was duly deposited by the complainant for an amount of Rs. 96,722/- through Challan vide No. 06 dated 23.04.2019.

The Forum observes that the reasons cited by the respondent, such as incomplete internal electrification, operational constraints, limited manpower, and frequent official transfers, do not sufficiently justify the prolonged delay. ***There is no cogent material on record to establish that the respondent had consistently informed the complainant about deficiencies or taken timely steps to facilitate completion of requirements. The absence of continuous and documented communication from the respondent between 2019 to 2024 reflects lack of due diligence and administrative inefficiency.***

The Forum noted that the Respondent constituted a Fact Finding Committee vide AD(Admn.)'s Order No. 1064 dated 29/01/2026 to examine the reason for non-providing of electricity connection to Hotel "M/s Dev Heritage", Prothrapur wherein the said committee consisted solely of departmental officials, namely Assistant Engineers and three (3) Junior Engineers of the same department, ***without involving the complainant or any independent or external member. The Forum is of the considered view that such a committee, constituted exclusively with internal officers, lacks the element of transparency and impartiality expected in grievance redressal mechanisms.*** The manner in which the committee has examined the issue indicates that the exercise was primarily internal in nature and appears to have been undertaken to explain or justify the delay from the respondent perspective rather than to effectively redress the grievance of the complainant or to ensure expeditious release of electricity connection. The findings of the committee, which attribute delay to generalized factors such as operational constraints and manpower issues while ***ruling out individual responsibility***, further reinforce the perception that the report is more in the nature of a protective document for the respondent. ***The report does not adequately address the prolonged denial of service to the complainant, nor does it fix accountability for the delay.***

The Forum also takes note of the submission made by the complainant during the hearing alleging that the then concerned site office Junior Engineer, Shri Rajan, demanded an amount of Rs. 5,00,000/- in connection with processing of the electricity connection. While this Forum is not an investigative body to conclusively determine such allegations in the absence of detailed evidence, the seriousness of the allegation cannot be overlooked. Such

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allegations, if found true, strike at the core of transparency, accountability, and fair service delivery by a public utility.

The Forum further observes that under the **JERC (Electricity Supply Code) Regulation, 2018, Standards of Performance (SOP), and Electricity (Rights of Consumers) Rules, 2020 and amended on 22/02/2024**, the distribution licensee is under a statutory obligation to provide electricity connection within the prescribed time frame after completion of formalities and deposit of charges. While infrastructure-related works such as installation of a dedicated transformer may require additional time, such delay must remain within reasonable limits and cannot be indefinite. In the present case, the delay extending over several years is clearly excessive and in violation of the statutory provisions.

The Forum observes the contention of the respondent regarding incomplete internal wiring is not tenable to justify prolonged inaction. As per the Electricity Supply Code Regulation, 2018, it is the duty of the licensee to scrutinize applications within the stipulated time, communicate deficiencies in writing, and guide the applicant for compliance within a defined timeframe. In the present case, there is no evidence to show that such deficiency notices were issued in a timely and consistent manner. This omission amounts to violation of the procedural requirements under the Regulations and reflects deficiency in service on the part of the respondent.

The Forum further observes that the complainant has now substantially complied with the necessary requirements, including completion of internal wiring to a workable extent and submission of the requisite NOC from the Municipal Council vide letter dated 27.01.2026. The said NOC clarifies that the hotel has been in existence since 2012 and that ECBC norms are not applicable to the present case, as they were implemented only from February 2021. Therefore, continued insistence on such grounds by the respondent is unjustified and has resulted in undue hardship and harassment to the complainant.

The Forum is of the considered view that once substantial compliance is achieved, it becomes the bounden duty of the respondent to take expeditious steps for release of electricity supply in accordance with the applicable Regulations and SOP, which has not been done in the present case.

The Forum observes that the complainant's premises already had an electricity connection bearing Consumer No. J4/1633, originally in the name of M/s Mandeep Industries, which was subsequently transferred to M/s Dev Heritage in 2025. Additionally, the complainant submitted a fresh application for new connection on 04.01.2024 vide Application No. 19656, and deposited the requisite security amount of Rs. 83,100/- on 09.06.2025 vide AE(P/Pur)'s letter dated 13/06/2025. As per the applicable Regulations and SOP, the respondent was required to release the connection within the prescribed period, however, the same has not been done. No deficiency notice has been produced before the Forum to justify the delay.

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The Forum also notes that electricity is an essential service, and denial of the same for such a prolonged period has adversely affected the complainant's ability to operate his hotel business, resulting in financial loss and mental hardship.

The Forum further observes under **Section 43(3) of Electricity Act 2003 read as** "If a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default"; **and**

Clause 4(12) of Electricity (Right of Consumer) Rules, 2020 read as "If a distribution licensee fails to supply electricity within the period specified by the Commission, it shall be liable to a penalty as may be determined by the Commission, which shall not exceed one thousand rupees for each day of default.

In the present case, the complainant deposited the requisite security amount on 09.06.2025, and the respondent was under obligation to release the electricity connection within the prescribed time frame. However, the respondent failed to comply with the said statutory mandate without any justified reason. Considering the inordinate delay attributable to the respondent and the overall facts and circumstances of the case, the Forum, in the interest of justice, deems it appropriate to award compensation at the rate of **Rs. 500/- (Rupees Five Hundred only) per day**, being 50% of the permissible maximum amount, from **09.07.2025 (i.e., after expiry of the stipulated period)** till the day immediately preceding the actual release of electricity connection.

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 respondent to complete all pending formalities, including installation, erection, and commissioning of the dedicated 630 KVA transformer on priority, and to ensure compliance with all technical and statutory requirements. The electricity connection to M/s Dev Heritage shall be released **forthwith**, without any further delay from the date of issuance of this order.
2. The Forum directs the respondent to assess and pay compensation to the complainant for the delay in providing electricity connection, in accordance with **Section 43(3) of the Electricity Act, 2003** and **Clause 12 of the Electricity (Rights of Consumers) Rules, 2020**, which provide for compensation not exceeding Rs.1,000/- per day of default.


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In the present case, the Forum directs that compensation should be calculated at the rate of **Rs. 500/- (Rupees Five Hundred only) per day**, being 50% of the permissible maximum amount, from **09.07.2025 (i.e., after expiry of the prescribed period from the date of deposit of security amount on 09.06.2025)** till the day immediately preceding the actual release of electricity connection. The total admissible compensation should be **paid to the complainant or adjusted in future electricity bills**, as applicable, after release of the connection.

3. The Forum directs the respondent to strictly adhere to the timelines prescribed under the **JERC (Electricity Supply Code) Regulation, 2018 and Standard of Performance**. Any further delay shall attract additional compensation as per the Regulations.
4. The Forum suggests the respondent that in future, any committee constituted by the respondent for such matters should include either the complainant or an independent/external member to ensure transparency, fairness, and accountability.
5. The Forum directs the complainant shall ensure compliance with all safety requirements, including installation of appropriate protective devices such as an Earth Leakage Protective Device (ELPD), as per applicable safety standards.
6. The Forum also directs the respondent to review and address similar pending cases, if any, in a time-bound manner to avoid recurrence of such delays and consequential compensation liabilities.
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.
10. The Case is closed with specific directions to the Complainant and the Respondent.

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“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-III, Assistant Engineer (IT), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).



**(Biji Thomas)
Independent Member
Electricity CGRF**

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AS. (IT)