

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. B. Hema Raju, Secretary, M/s Island Bonafide Fisherman, Mohanpura Fish Market, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 01/2026 dated 16/04/2026.
Complaint : New Connection (Commercial)
Date of Hearing : 23/04/2026
Date of Order : 27/04/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 14 dated 16/04/2026 regarding New Service Connection (Commercial). Complainant enclosed photocopies of online application no. 28602 dated 24.03.2025, online application status, Complainant's letter dated 19.03.2025, Revenue Officer (PBMC)'s letter dated 29.09.2022, Complainant's letter dated 19.09.2022, Complainant's letter dated 30.09.2022, Bye-laws of SHG, Minutes of Meeting, PBMC's dated 22.09.2022 and Aadhaar card as ID proof, which is kept in the case file **(Exbt.-1)**.

The complaint was registered as ANI/C.G. No. 01/2026 and forwarded on 16/04/2026 vide letter No. ANI/CGRF/10-443/10 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 23/04/2026 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 23/04/2026 at 10.30 a.m.

The Respondent didn't file any reply but enclosed the AE-I(HQ)'s letter No. EL/AE/SD-I/HQ/25-6/2026/427 dated 17/04/2026, which was received by the Forum vide R.D. No. 23 dated 20/04/2026, which is kept in case file **(Exbt.-2)**.



Hearing on 23/04/2026

The Hearing was held on 23/04/2026 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. B. Hema Raju, Complainant.
- (ii) Shri. S. U. Maheswar Rao, Assist Complainant.
- (iii) Shri. Jaya Kumar, AE(W/Shop), NO(CGRF), Elect. Dept.
- (iv) Shri. A. Siddique, JE, Elect. Dept.

Statement of the Complainant

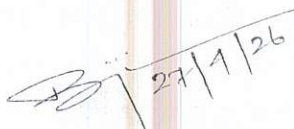
The complainant stated in his complaint letter dated 16.04.2026 that "an application dt. 19.03.2025 for providing electric connection in Temporary Fish market at Mohanpura near ACC Hotel addressed to the AE-I, Department of Electricity was prepared by the SHG enclosing supporting documents and PBMC letter No. PBMC/07/128/2020/RO/R-1001 dated 29.09.2022, which was not accepted for submission by AE-I stating that for new electric connection, application may be made through ONLINE. Copy of same is enclosed for ready reference.

Accordingly, application for fresh electric connection has been submitted ONLINE vide Application No.28602 dated 24.03.2025 (copy enclosed), wherein required documents uploaded. The said application is rejected with the remarks to (1) Submit No Objection Certificate from the SVPVC (PBMC), (2) Submit Allotment order copy received from SVPVC (PBMC), (3) Incomplete documents submitted. The screenshot of the application status rejection is also enclosed for reference please.

In this connection, I would like to invite your kind attention on the PBMC letter dt. 29.09.2022, wherein and where under it is clearly stated that the "Island Bonafide Fishermen Self Help Group are allowed to use the temporary fish market for wholesale purpose near ACC Hotel until alternative arrangement are made. Further, littering charges, water and electricity bills are to be paid by the Self Help Group".

There are about 18 left out senior Fishermen/Fish Vendors (Wholeseller) under "Island Bonafide Fishermen Self Help Group" who have not provided with the space in the Modern Fish Market at Mohanpura and the PBMC have provided shelter in the Temporary fish market for wholesale purpose until alternative arrangements are made. Question of providing allotment order of PBMC by the SHG does not arise. Due to non-availability of electric connection in the Temporary Fish Market the Fishers/ Vendors are facing very much hardships to stock/sell/market their fishes.

As such, it is humbly requested to kindly pass necessary directives/order to the Electricity Department to provide an electric connection for commercial purpose in the Temporary Fish Market at Mohanpura near ACC Hotel in accordance to the application being made to the Electricity Department by the SHG. Necessary orders in this regard be passed by the Forum for providing of electric connection as early, for which we shall remain grateful."

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Reply of the Respondent

The Respondent didn't submitted any para-wise comments but enclosed the AE-I(HQ)'s letter dated 17/04/2026 alongwith JE's letter dated 17/04/2026, AE(PBMC)'s letter dated 01/02/2017, Offline application dated 31/1/2017, Security Deposit of Old electric connection bearing A/c No. D2/5033, AE-I(HQ)'s letter dated 16/02/2017, EE(E&M), PBMC's letter dated 23/11/2020, Consumer Ledge old connection, Online application status, Online application vide no. 28602 dated 24/03/2025, Revenue Office, PBMC's letter dated 29/09/2022, MoM (PBMC)'s dated 22/09/2022, Complainant's letter dated 19/03/2025, Bye-laws of SHG and Aadhaar card, which is kept in the case file. (Exbt.-2).

Submission of the Complainant

The complainant submitted that the M/s Island Bonafide Fishermen Self Help Group had applied for an electricity connection at the Temporary Fish Market near ACC Hotel to support their fish trading activities. Initially, their offline application was not accepted, and they were instructed to apply online. Subsequently, they submitted an online application, which was rejected due to non-submission of certain documents, including a No Objection Certificate and allotment order from the Municipal Council.


The complainant emphasized that the Municipal Council had already granted permission to use the temporary market through a letter dated 29.09.2022 and that they were regularly paying utility charges on daily basis. They further stated that several fishermen were not accommodated in the Modern Fish Market and continue to operate from the temporary location.

Due to the lack of electricity, the fishermen are facing severe difficulties in storing and selling fish, which is affecting their livelihood. The complainant argued that the requirement for allotment documents is not applicable in their case, as their occupation is based on temporary permission. Accordingly, they requested the Forum to direct the respondent to provide the necessary connection at the earliest.

Submission of the Respondent

The respondent submitted that a site inspection was conducted confirming that an electricity connection was previously been provided at the Temporary Fish Market in 2017 under A/c No. D2/5033. This connection was later disconnected in 2020 following a request from the Municipal Council, SVPMC, which indicated that the market had been shifted to the Modern Fish Market.

The respondent further stated that a new electricity connection had already been provided at the Modern Fish Market under a separate account. Regarding the present request, the respondent maintained that as per standard procedure, submission of a valid allotment order and No Objection

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Certificate from the Municipal Council is mandatory for granting a new connection.

The respondent also informed that the online application submitted by the complainant was rejected due to non-compliance with these requirements and incomplete documentation. The respondent asserted that the same procedure is uniformly followed in all similar cases and sought appropriate directions from the Forum.

Forum's Observation

The Forum has carefully examined the pleadings, documents on record, and submissions made during the hearing. The present case pertains to a grievance raised by ***M/s Island Bonafide Fishermen Self Help Group (SHG)*** regarding non-provision of a commercial electricity connection for its Temporary Fish Market located near ACC Hotel, Mohanpura, Sri Vijaya Puram.

The Forum observes that the complainant initially submitted a offline application dated 19.03.2025, seeking a new electricity connection. However, the Respondent refused to accept the same, directing that such applications must be submitted exclusively through the online portal.

In this regard, the Forum notes that ***Clauses 5.24 and 5.25 of the JERC (Electricity Supply Code) Regulations, 2018*** explicitly provide that application forms for new connections shall be made available and accepted, including through offline mode. The refusal to accept the complainant's offline application is, therefore, in contravention of the aforesaid provisions and reflects negligence on the part of the Respondent.

Subsequently, in compliance with the Respondent's direction, the complainant submitted an online application bearing No. 28602 dated 24.03.2025 along with requisite documents. The said application was, however, rejected on the grounds of non-submission of (i) Submit No Objection Certificate (NOC) from SVP MC (PBMC), (ii) Submit allotment order copy received from SVP MC (PBMC), and (iii) Incomplete documents submitted.

The Forum further observes that ***Clause 5.38 of the JERC (Electricity Supply Code) Regulations, 2018*** mandates that where an application is found deficient, the Licensee shall intimate the shortcomings-within three (3) working days in case of online applications. In the present case, there is no evidence on record to establish that such deficiency communication was issued within the stipulated time. This constitutes a clear violation of the regulatory provisions. The Respondent is hereby cautioned to ensure strict compliance with the said requirement in future cases.

The Forum also noted that the complainant has been permitted by the competent authority, namely Sri Vijaya Puram Municipal Council (PBMC), to utilize the Temporary Fish Market for wholesale fish trading activities until alternative arrangements are made. The letter dated 29.09.2022 issued by the Revenue Officer, SVP MC (PBMC) substantiates such permission and also

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imposes liability upon the SHG to bear electricity and allied charges. The occupation and use of the premises by the complainant were further verified by the Forum during site inspection on 22/04/2026.

The Forum takes cognizance of the fact that the said fishermen/vendors could not be accommodated in the Modern Fish Market and continue to operate from the temporary facility. The absence of electricity has caused significant hardship, adversely affecting their ability to store and sell fish, thereby directly impacting their livelihood.

The Respondent has insisted upon submission of an allotment order and NOC from SVPMC(PBMC) as mandatory prerequisites. However, in the present case, the occupation is based on temporary permission granted by a competent authority and not through formal allotment. Therefore, rigid insistence on an allotment order, without appreciating the nature of such occupation, is found to be unreasonable and contrary to the spirit of consumer facilitation envisaged under the regulatory framework.

The Forum is of the considered view that electricity is an essential service, particularly for livelihood activities such as fish trading. Denial of electricity connection on mere procedural grounds, without adopting a reasonable and facilitative approach, adversely affects the livelihood of the fishermen and defeats the objective of consumer-friendly service envisaged under the regulatory framework. Accordingly, the Forum holds that the respondent shall not insist upon submission of an allotment order where **lawful occupation is established through the Minutes of the Meeting (SVPMC)'s dated 22/09/2022 and further confirmed by the competent authority, SVPMC (PBMC) through his letter dated 29/09/2022.**

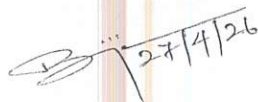
The respondent is, therefore, directed to process and release the electricity connection to the complainant after completion of all codal formalities. However, prior to release of the connection, the complainant shall execute an **Indemnity Bond in favour of the respondent**, indemnifying the Licensee against any legal dispute arising out of ownership, title, or occupation of the premises. This arrangement shall remain **valid until such time the fishermen are shifted to a permanent market or are otherwise directed to vacate the premises by the competent authority.**

It is, however, clarified that the grant of electricity connection shall be without prejudice to ownership rights and shall not confer any right, title, or equity in favour of the complainant or any occupier over the said premises.

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: -

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1. The Forum directs the complainant to submit a fresh application (online or offline) for a new electricity connection, in view of the earlier rejection by the respondent, along with all documents already submitted earlier and an Indemnity Bond, in accordance with the provisions of **Chapter 5 of the JERC Electricity Supply Code, 2018**, which recognizes the right of an occupier to seek electricity connection.
2. The Forum directs the complainant to execute an **Indemnity Bond** in favour of the respondent to safeguard against any legal dispute relating to land ownership, title, or occupation of the premises as per JERC Regulations.
3. The Forum directs the respondent to **reconsider the application afresh** in favour of **M/s Island Bonafide Fishermen Self Help Group** for the Temporary Fish Market and process the same in accordance with the applicable provisions of **Chapter 5 of the JERC Electricity Supply Code, 2018**.

The respondent shall **not insist on an allotment order** where lawful occupation is established through a competent authority SVPMC (PBMC), and shall release the electricity connection after completion of all codal formalities. This arrangement shall continue till such time the fishermen are shifted to a permanent market or vacate the premises as directed by the competent authority.
4. The Forum clarifies that the release of electricity connection shall be **without prejudice to ownership rights**, and shall not confer any **right, title, or equity** in favour of the complainant/occupier/trespasser/encroacher over the premises.
5. The Forum directs the respondent to strictly adhere to **Clause 5.35 of the JERC Electricity Supply Code, 2018** and ensure that no application for a new electricity connection is rejected without issuance of a **written deficiency note** within **3 working days** from the date of submission of an online application and also give a reasonable time for submission of deficient documents.
6. The Forum directs the respondent to ensure **acceptance of offline applications** in accordance with **Clause 5.24 and 5.25 of the JERC Electricity Supply Code, 2018**, and such refusal shall not be repeated in future.
7. The complainant shall ensure installation of an Earth Leakage Protective Device (ELPD) for safety purposes.
8. 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**.

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9. 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**.
10. 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.
11. 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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