

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. M. P. Kamaraj, R/o Gurudwara Lane, Sri Vijaya Puram.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 47/2025 dated 26/02/2026.
Complaint : New Connection (Domestic)
Date of Hearing : 10/03/2026
Date of Order : 12/03/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 1562 dated 26/02/2026 regarding New Service Connection (Domestic). The complainant enclosed photocopies of letter to the AE-I, Elect. Dept. dated 03.03.2025, License issued on 06/07/1989, Ration Card, Sale Agreement, Death Certificate of Late Ambaya and Late M. Alagaiah, Deed of Indemnity and Affidavit dated 11.02.2026, which is kept in the case file **(Exbt.-1)**.

The complaint was registered as ANI/C.G. No. 47/2025 and forwarded on 26/02/2026 vide letter No. ANI/CGRF/10-434/1004 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 10/03/2026 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 10/03/2026 at 10.30 a.m.

The Respondent submitted reply/comments vide his letter No. EL/AE/SD-I/HQ/26-23/2026/263 dated 27/02/2026 with enclosures i.e. letter to the AE-I, Elect. Dept. dated 03.03.2025, License issued on 06/07/1989, Aadhaar Card as ID Proof, Sale Agreement, NOC dated 05/12/2013 issued by Chief Fire Officer, A&N Islands, Ration Card, LPG Gas

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Book, AE's letter dated 11/03/2025, Death Certificate of Late Ambaya and Late M. Alagaiah, which is kept in case file as **(Exbt.-2)**.

Hearing on 10/03/2026

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

- (i) Shri. M. P. Kamaraj, Complainant.
- (ii) Shri. Ramjan Ali, AE-III (HQ), Elect. Dept.
- (iii) Shri. Sandeep Mukherjee, AE, NO, Elect. Dept.
- (iv) Shri. A. Siddique, JE, Elect. Dept.

Statement of the Complainant

The complainant stated in his complaint letter dated 12.02.2026 that "This is to inform your goodself that the Applicant is residing in a landed property at village Gurudwara Lane, Sri Vijaya Puram in a RCC building standing thereon.

The landed property was initially purchased by the uncle of the Applicant namely Shri. M. Alagaiah from the original tenant. The original recorded tenant entered into a Sale Agreement with Shri. M. Alagaiah and before the execution of a registered Sale Deed the original recorded tenant.

That the physical possession of the said landed property along with a Semi-RCC House was handed over to the Applicant by his uncle during his lifetime. That after a small fire incident the Applicant got renovated and a double storied RCC House was constructed.

That the Applicant is residing at the said house for more than past 20 years and a domestic electric meter connection is required in the 1st Floor of his house for the same the applicant submitted an application on 03/03/2025 before the Asst. Engineer for the electric meter connection.

That inspite of a lapse of more than 10 months no reply has been furnished from the Asst. Engineer. Electricity Dept. nor have I been provided with the electric meter connection to till date.

That I have not made any application Petition before any court or any other authorities in these Islands for the purpose of obtaining electric meter connection nor the same is pending.

I, therefore request your goodself to direct the Electricity Dept. to provide me a domestic electric meter connection within a time bound period. I shall ever be grateful to you."

Reply of the Respondent

The Respondent submitted para-wise comments vide letter dated 27/02/2026, which was received by the Forum on 10/03/2026 stated that "the Forum's letter cited under reference. The comments from this office are submitted as under:

The applicant, Shri. M.P.Kamraj, R/o Gurudwara Lane, Aberdeen Bazar, Sri Vijaya Puram, had applied for issuance of a new domestic electric meter

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connection offline dated 03.03.2025 (Enclosure-I). The application was examined as per JERC Electricity Supply Code, 2018 Clause 5.30.

Upon detailed scrutiny of the document submitted by the applicant, it was observed that the land document titled "Licence to occupy land for house site" was not readable and therefore could not be considered for verification. Further, the documents furnished by the applicant were found to be insufficient and did not meet the prescribed criteria for proof of ownership/occupancy as stipulated under Clause 5.30 of the JERC Electricity Supply Code 2018.

Accordingly the applicant was duly intimated vide this office letter no. EL/AE/SD- I/HQ/26-23/2025/21 dated 11.03.2025 (Enclosure-II), informing him to apply afresh through the prescribed online portal (andssw1.and.nic.in/EMCOSP) with clear, readable and valid ownership/occupancy documents in accordance with the provisions of the JERC Electricity Supply Code 2018, Clause 5.30.

For providing electric connection, the relevant provision of JERC Regulation 2018, Clause 5.30 is reproduced below for ready reference:

QUOTE

5.30 Any of the following documents shall be considered as acceptable proof of ownership or occupancy of premises:

- 1) Copy of the registered sale deed or lease deed or rent agreement and in the case of agricultural connections, a copy of khasra/ khatauni/ khatanakal;
- 2) Registered General Power of Attorney;
- 3) Municipal/ Panchayat tax receipt or Demand notice or any other related document;
- 4) Letter of allotment;
- 5) Copy of the house registration issued by the Panchayat/ownership certificate issued by Revenue Authorities;
- 6) Any other ownership related document issued by local Government Authority.
- 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.

UNQUOTE”

The documents submitted by the applicant in his application were: -

1. Applicant's letter dated 03/03/2025.
2. Copy of Aadhaar Card of the applicant.
3. Copy of license of the land.
4. Copy of the sale agreement.
5. Copy of the LPG Gas Book.
6. Letter from Copy of the Chief Fire Officer regarding the fire accident.
7. Copy of Ration Card.
8. Copy of Death Certificate of Late Shri. Ambaya”.

Submission of the Complainant

The complainant submitted before the Forum that he is a resident of Gurudwara Lane, Sri Vijaya Puram and the said occupied property was acquired by his uncle through an Agreement for Sale from the original owner Smti. Rosila Mary on 01/11/1995. He stated that although a sale deed was

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not executed, the physical possession of the property was handed over to Late M. Alagaiah pursuant to the agreement. He states during his lifetime, his uncle handed over possession of the said property to the complainant. The complainant further submitted that his uncle was unmarried and had no legal heirs, and therefore the complainant became the next legal heir and continued to occupy the premises. He further stated that the house initially existed as a semi-RCC structure, but after a fire incident he renovated the premises and constructed a double-storied RCC building. He has been residing in the premises for the past twenty years.

For the purpose of obtaining electricity supply to the first floor of the building, the complainant applied offline for a domestic electricity meter connection on 03.03.2025. However, despite the lapse of more than ten months, the respondent did not provide the electricity connection. The complainant also stated that he had submitted documents such as his ration card, indemnity bond and affidavit for obtaining new connection, which has been marked as Exhibit-1.

Submission of the Respondent

The respondent submitted that the complainant had applied offline on 03.03.2025 for issuance of a new domestic electricity meter connection. The application was examined in accordance with the provisions of Clause 5.30 of the JERC Electricity Supply Code Regulations, 2018, which prescribes the documents that can be accepted as proof of ownership or occupancy of the premises.

During scrutiny of the documents submitted by the complainant, it was observed that the document titled "Licence to Occupy Land for House Site" was not readable and therefore could not be considered for verification. The other documents submitted were also found to be insufficient and did not meet the prescribed criteria for establishing ownership or occupancy as required under the said regulations. Accordingly, the complainant was informed through letter dated 11.03.2025 issued by the office of the respondent, requesting him to submit a fresh application through the prescribed online portal along with clear, readable and valid ownership or occupancy documents. The respondent submitted that since the complainant did not furnish valid documents as required under the regulations, the electricity connection could not be processed.

Forum's Observation

The Forum observes that the present complainant pertains to the non-provision of a domestic electricity connection to the complainant's 1st floor of his residential premises situated at Gurudwara Lane, Aberdeen Bazar, Sri Vijaya Puram, which he applied on 03/03/2025 through offline. According to the complainant despite waiting for more than 10 months respondent didn't communicate the deficiencies of the application nor provided the supply. However, the Forum observed that the respondent had issued a deficiencies

letter to the complainant dated 11/03/2025 but there is no proof that the same was acknowledged by the complainant.

The Forum observed the land on which the house stands was earlier purchased by his uncle through an agreement with the original tenant/recorded occupant. However, the property was never formally transferred through a registered sale deed either in the name of his uncle or subsequently in his own name. Nevertheless, there is no document to prove the physical possession of the property if it was handed over to the complainant by his uncle during his lifetime.

The Forum observed that the respondent submitted a Certificate No. 4-1/2013-CFO(P-III)/3397 dated 05/12/2013 issued by Chief Fire Office, A&N Islands wherein it is acknowledged that a fire incident occurred on 14/11/2013 at the premises occupied by the Complainant. It is further understood that subsequent to the said fire incident, the Complainant renovated the premises and constructed a double-storied building, and is presently residing therein.

The Forum further observes that the Complainant has submitted documents such as Ration Card, LPG Gas Book, Aadhaar Card, etc., which establish prima facie that the Complainant has been in '**settled possession**' of the premises and also notes that electricity is an essential service, and therefore denial of electricity supply, particularly to a person in **settled possession**, requires due consideration in accordance with the provisions of the JERC Electricity Supply Code Regulations, 2018 and applicable law.

The Forum observes that the Complainant had submitted an offline application for a new electricity connection. However, it is also noted that the application was not submitted in the prescribed format, as required under Clause 5.38 of the JERC Electricity Supply Code Regulations, 2018 read as "**An application form shall be deemed to be received on the date of receipt of consumer's application in the prescribed format of the application form, complete in all respects and attached with all relevant documents**".

Further, the Complainant has not submitted the No Objection Certificate (NOC) from the owner of the premises. In such circumstances, the Complainant is required to submit an Indemnity Bond and Affidavit in terms of Clause 5.30(7) of the JERC Electricity Supply Code Regulations, 2018 read as "**(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".

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Upon submission of the prescribed application form along with the required Indemnity Bond, the Respondent shall process the application and release the electricity connection after completion of all codal formalities, in accordance with the provisions of the JERC Electricity Supply Code Regulations, 2018.

The Forum clarifies that the release of the electricity connection shall not confer any right, title, or equity upon the Complainant, if he/she is found to be a trespasser, encroacher, or unauthorized occupier, nor shall such connection be construed as recognition of ownership or legal title over the premises.

The Forum therefore considered it appropriate to balance the interests of both the administrative authorities and the complainant by allowing the electricity connection subject to certain safeguards and undertakings.

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 Forum directs the complainant to submit the prescribed application form for new connection along with an Indemnity Bond as required under **Clause 5.38 and 5.30(7) of the JERC Electricity Supply Code 2018**.
2. The Forum directs the Respondent to process the offline application dated 03/03/2025 submitted by the complainant, along with compliance of direction at Sl. No. **1** above, in accordance with **Clause 5.25, 5.35, 5.30(7) and 5.38 of JERC Electricity Supply Code 2018** and release a new domestic electricity connection.
3. The Forum directs the Respondent shall follow all codal formalities and procedures for release of electricity connection strictly in accordance with the provisions of the **JERC Electricity Supply Code Regulations 2018**.
4. The Forum directs the complainant that the **release of electricity connection will not confer any right, title or equity** in favour of the trespasser/encroacher/occupier to default the title of the lawful owner and shall not be treated as having rights or title over the premises.
5. In the event of any eviction order or action by the competent land or revenue authorities, the respondent shall be liberty to disconnect the electricity supply in accordance with law.

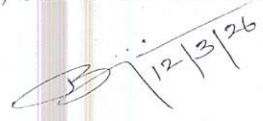
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6. The complainant is advised to install an Earth Leakage Protective Device (ELPD) in the premises to ensure electrical safety and prevent leakage.
7. The Respondent is directed to submit **compliance report within 15 days** from the date of receipt 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 disposed of 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(HQ), Assistant Engineer (IT), Electricity Department, Complainant and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).

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

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