

**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:**

M/s Indus Tower Limited, R/o Aberdeen Bazar, Sri Vijaya Puram.

.....Complainant

**Versus**

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

.....Respondent

**Complaint No.** : ANI/C.G. No. 48/2025 dated 26/02/2026.  
**Complaint** : New Connection (Commercial 3 phase)  
**Date of Hearing** : 10/03/2026  
**Date of Order** : 13/03/2026



**ORDER**

**Background**

The complainant filed a complaint vide R.D. No. 1561 dated 26/02/2026 regarding New Service Connection (Commercial 3 phase). The complainant enclosed photocopies of letter to the AE-I, Elect. Dept., dated 17.02.2026, online application bearing no. 37756 dated 17.12.2025, Form F, Registered Compensation Agreement dated 10/12/2025, Affidavit for NOC, PAN Card, GST Registration Certificate and Aadhaar card, which is kept in the case file **(Exbt.-1)**.

The complaint was registered as ANI/C.G. No. 48/2025 and forwarded on 27/02/2026 vide letter No. ANI/CGRF/10-435/1005 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 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 10/03/2026 at 11.00 a.m.

The Respondent submitted reply/comments vide his letter No. EL/AE/SD-I/HQ/25-5/2026/271 dated 02/03/2026 with enclosures i.e. JE's letter dated 02/03/2026, Ombudsman Order dated 07.11.2025 (Smti. Savita Lall vs Elect. Dept), Online application bearing no. 37756 dated 17.12.2025, Complainant's letter dated 09/12/2025, Registered Affidavit for NOC, Form F,

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Registered Compensation Agreement, Dept. of Telecommunication letter dated 19/03/2021 and Aadhaar card, which is kept in the case file. **(Exbt.-2)**.

### **Hearing on 10/03/2026**

The Hearing was held on 10/03/2026 in the Hearing Hall, Electricity CGRF at 11:00 a.m. The following were present: -

- (i) Shri. Suraj Biswas, M/s Indus Towers Limited.
- (ii) Shri. K. Suresh Kumar, M/s Indus Towers Limited.
- (iii) Shri. Naveen Lall, AE-I (HQ), Elect. Dept.
- (iv) Shri. Sandeep Mukherjee, AE, NO, Elect. Dept.
- (v) Shri. A. Siddique, JE, Elect. Dept.

### **Statement of the Complainant**

The complainant stated in his complaint letter dated 26.02.2026 that *"We have a tower site at PHOENIXBAY-2 (MOHANPURA)\_RELOCATION under your jurisdiction. We have applied for a new power connection at our tower premises for 3 Phase / 6 KW Load (Application No. 37756).*

*During the inspection, the Junior Engineer raised a concern that the building is under construction (5th floor rooftop) and informed us that, as per ECBC norms, a permanent power connection cannot be provided to an under-construction building.*

*In this regard, we would like to inform you that there is an existing Indus tower site in a nearby building which is planned for relocation to the above-mentioned site. Hence, there will be no additional load on the existing transformer. Due to the urgent requirement of the EB connection for telecom services, we kindly request your intervention to process the application and provide the necessary estimation and approval at the earliest.*

*We assure you that the requested connection will be used strictly for tower purposes only, and no other load will be connected at the said premises. We also confirm that no land-related case is pending from our end.*

*Further, we had submitted a letter addressing this issue to the AE office; however, the copy was not accepted. Therefore, we request your necessary intervention and support in this matter. Your kind cooperation in this regard will be highly appreciated", which has been marked as Exbt.1.*

### **Reply of the Respondent**

The Respondent endorsed JE's letter dated 02/03/2026 as a reply/para-wise comments, which stated that *"this is to inform you that an online application was received for a commercial three-phase electric connection under application No. 37756 dated 17.12.2025 of Indus Towers Limited , Babu line.*

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An inspection was conducted on 27.02.2026 and it was observed that the building is still under construction, with on-going construction work at various levels, as detailed below:

1. Ground Floor: Under construction (wiring and earthing not started).
2. First Floor: Under construction (wiring and earthing not started)
3. Second Floor: Under construction (wiring and earthing not started).
4. Third Floor: Under construction (wiring and earthing not started).
5. Fourth Floor: Wiring and earthing completed.

The applicant has requested a commercial electric connection for communication tower at the top floor of the building, where wiring and earthing has been completed with a connected load of 6000 Watts. However, as the building is still under construction, it is not possible to determine the total connected load at this stage. This is crucial in assessing whether the building falls under the Energy Conservation Building Code (ECBC) or requires a dedicated transformer.

As per Energy Conservation Building Code (ECBC) and JERC(Electricity Supply Code) Regulation 2018 Clause 5.12, 5.56:

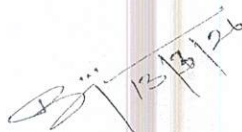
- If the total connected load is 50 kW or above, the building will be subject to ECBC provisions.
- If the total connected load exceeds 80 kW, a dedicated transformer will be required.
- In case of multi-consumer complexes, such as Group Housing, etc., the new connection sought shall preferably be provided at single point with single meter on LT if load is up to 100 kVA and on HT if load exceeds 100 kVA. A new connection will not be granted until the entire electrical infrastructure is completed. The Licensee shall ensure energization of new connection only after physically verifying the entire internal electrical infrastructure and connection only after physically verifying the entire internal electrical infrastructure and fulfillment of Regulation 5.35.

Further, attention is invited to the Ombudsman Order dated 07/11/ 2025 (copy enclosed) in Appeal No 244/2025 in the matter of Smti Savita Lall vs Executive Engineer (HQ), wherein following has been directed:

Quote

7. Permanent electricity supply shall be release only upon production of a partial completion / occupancy certificate from the competent local authority.
8. In the absence of such certificate, the Respondent shall grant a temporary connection under Clatuse 5.60, subject to:
  - i. The appellatnt furnishing an undertaking to comply with all statutory requirements;
  - ii. Execution of an indemnity bond as prescribed; and
  - iii. Strict adherence to safety standards

Unquote

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*Additionally, the applicant may be requested to submit the Municipal Council- approved building plan to verify whether the approval was granted before or after the amendment of the PBMC Bye-laws concerning ECBC codes and rules, as per the Gazette Notification dated 11.02.2021.*

*This is submitted for your kind information and necessary action”, which has been marked as Exbt.-2.*

**Submission of the Complainant**

The complainant submitted that they are in the process of establishing a telecom tower at PHOENIXBAY-2 (Mohanpura) Relocation within the jurisdiction of the respondent. For this purpose, they applied for new electricity connection (3-phase) with a load of 6 kW through online Application No. 37756 dated 17.12.2025. He further submitted that the relocation is being undertaken due to operational requirements and therefore the release of electricity connection at the new site is urgent to ensure continuity of telecom services. The complainant emphasized that since the tower load is only 6 kW, it would not significantly affect the existing electrical infrastructure or transformer capacity in the locality. They also stated that there would be no additional burden on the existing distribution transformer.

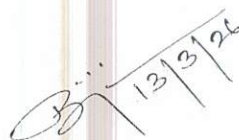
The complainant further clarified that the proposed electricity connection will be used exclusively for the operation of the telecom tower equipment, including antenna systems and related communication infrastructure, and that no other load will be connected through the requested connection. The complainant also submitted that the installation works relating to the tower infrastructure, including wiring, earthing, lightning arrester and other safety mechanisms, have already been completed at the rooftop level where the tower is to be installed.

It was stated that during the site inspection conducted by the respondent, an objection was raised stating that the building where the tower is proposed to be installed is still under construction and therefore a permanent electricity connection cannot be provided as per the provisions of the Energy Conservation Building Code (ECBC).

The complainant therefore requested the Forum to intervene in the matter and direct the respondent to process their application and release the electricity connection at the earliest in order to facilitate uninterrupted telecom services for the public.

**Submission of the Respondent**

The respondent submitted that an online application for a commercial three-phase electricity connection bearing Application No. 37756 dated 17.12.2025 was received from Indus Towers Limited, Babu Line, Sri Vijaya Puram.



Following receipt of the application, the concerned officials conducted a site inspection on 27.02.2026 to examine the feasibility of providing the requested electricity connection. During the inspection it was observed that the building in question was still under construction, and construction work was ongoing at multiple levels.

The respondent submitted that although the complainant had requested an electricity connection for a telecom tower to be installed on the rooftop of the building with a connected load of 6000 Watts, the building as a whole is incomplete and therefore the total connected load of the building cannot presently be determined. The respondent further explained that assessment of the total connected load is necessary to determine the applicability of the Energy Conservation Building Code (ECBC) provisions as well as the requirement for a dedicated transformer.

The respondent also drew attention to the Order dated 07.11.2025 passed by the Electricity Ombudsman in Appeal No. 244/2025 in the matter of Smti Savita Lall vs Executive Engineer (HQ). In that order, it was directed that permanent electricity supply shall be released only upon production of a partial completion/occupancy certificate from the competent local authority.

Additionally, the respondent stated that the applicant may be required to produce the Municipal Council-approved building plan in order to verify whether the approval was granted before or after the amendment of the PBMC Bye-laws concerning ECBC provisions, as notified in the Gazette dated 11.02.2021.

The respondent therefore submitted that the application could not be processed for new connection at this stage due to the incomplete status of the building and the regulatory requirements mentioned above.

#### **Forum's Observation**

The Forum observes that the present complaint arises out of an application submitted by M/s Indus Towers Limited seeking a new commercial electricity connection (3-phase) with a sanctioned load of 6 kW for installation and operation of a telecom tower on the rooftop of the premises located at Babuline, Aberdeen Bazar, Sri Vijaya Puram under the jurisdiction of the respondent.

The Forum during the course of the proceedings, conducted a site visit on 05/03/2026 in order to ascertain the factual position of the installation. During the inspection it was observed that the telecom tower had already been erected on the rooftop of the building externally completed and the associated infrastructure including wiring, earthing, lightning arrester and other safety measures have reportedly been completed by the complainant.

The Forum observes that the respondent has raised concern that the building where the telecom tower is proposed to be installed is still under construction and therefore the total connected electrical load of the building

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cannot presently be determined. According to the respondent, determination of the total connected load is necessary to ascertain whether the building would fall within the ambit of the Energy Conservation Building Code (ECBC) provisions or whether a dedicated transformer may be required depending upon the overall load of the building.

The Forum carefully considered this content and observes that telecom towers (including mobile towers, monopoles, rooftop installations etc.) are essentially telecommunication infrastructure facilities intended for supporting antennas and telecom equipment. Such installations are not buildings in themselves but are utility structures used for communication purposes.

The Forum further observes that the Energy Conservation Building Code generally governs energy efficiency requirements applicable to buildings and building systems having connected load above prescribed thresholds. The Forum does not find any specific provision within the ECBC which directly regulates telecom tower installations or communication infrastructure structures. Telecom tower installations are normally governed by separate regulatory frameworks such as guidelines issued by the Department of Telecommunications, which include separate power supply arrangement battery backup/DG set, installation of separate 3 phase meter, applicable municipal bye-laws, structural safety standards, other telecommunication sector regulations etc.

The Forum is also mindful that telecommunication services constitute an essential public utility and that installation of telecom towers is necessary for ensuring uninterrupted mobile network connectivity and communication services for the public including emergency communication services. In this instant case, the electricity connection sought by the complainant is limited to a connected load of 6 kW exclusively for the operation of telecom tower equipment installed on the rooftop of the building. The electricity supply sought is not intended for residential or commercial occupation of the building structure but solely for operation of the telecom infrastructure.

Accordingly, the Forum is of the view that the reference placed by the respondent against the Electricity Ombudsman Order dated 07/11/2025 (Smti. Savita Lall Vs Electricity Department, ANI) relating to a multi-complex building may not be applicable to this instant case, as the nature, purpose and regulatory framework governing telecom tower installations are distinct from those applicable to building occupancy and habitation.

Considering that the electricity connection sought by the complainant is limited to a sanctioned load of 6 kW exclusively for the operation of telecom tower equipment, and further considering that the tower infrastructure has already been installed with necessary safety measures, the said electricity connection shall be strictly restricted for the operation of telecom tower equipment only. The complainant shall not extend, divert, or utilize the said electricity connection for any other purpose or for supplying electricity to any

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other portion of the building, without obtaining prior approval and necessary sanction from the respondent.

**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 release a separate 3-phase commercial electricity connection with a sanctioned load of 6 kW to the complainant for the operation of telecom tower equipment installed on the rooftop of the building, subject to completion of the prescribed codal formalities.
2. The Forum directs the complainant that the electricity connection released shall be restricted exclusively for the operation of telecom tower equipment, and the complainant shall not extend or utilize the said connection for any other purpose or for supplying electricity to other portions of the building without obtaining prior approval and necessary sanction from the respondent.
3. The complainant shall ensure compliance with all statutory requirements, safety norms, and technical standards prescribed by the respondent including proper wiring, earthing, lightning protection systems and electrical safety measures.
4. The complainant is advised to install and maintain an Earth Leakage Protective Device (ELPD) or equivalent protective equipment to ensure electrical safety and protection against electrical faults.
5. 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.
6. 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.
7. 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.
8. 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**, 3<sup>rd</sup> 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**

XMK