

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
PORT BLAIR

Before:

Shri. R. Ravichandar, Chairman.
Shri. Narayan Chandra Baroi, Member (Licensee).
Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Smti. Y. Dilleswari, W/o Late Y. Srinivasa Rao, R/o Lillypur, Haddo, Port Blair,
South Andaman. (Mob. 9933298830)

.....Complainant

Versus

The Electricity Department, A & N Administration, Port Blair.

.....Respondent

Complaint No. : ANI/CGRF/326/24-25/03 dated 02/05/2024
Complaint : Providing New Connection (Domestic)
Date of Hearing : 09/05/2024
Date of Order : 16/05/2024



ORDER

Background

The complainant Smti. Y. Dilleswari, W/o Late Y. Srinivasa Rao, R/o Lillypur, Haddo, Port Blair, South Andaman, filed a complaint vide R.D. No. 541 dated 02/05/2024 regarding new electricity connection (Domestic).

The complaint was registered as Case No. 326 and forwarded on 02/05/2024 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer (SD-I), Electricity Department for submitting reply/comments and attending the Hearing fixed on 09/05/2024 at 11:00 a.m. in the Hearing Hall in the Office of the Electricity (CGRF), A&N Islands, Horticulture Road, Haddo, Port Blair with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 09/05/2024 at 11.00 a.m.

The Assistant Engineer (W/shop), Electricity Department vide his letter No. EL/AE(W/shop)/2-16/2023-24/418 dated 04/05/2024 submitted reply/comments on behalf of the Licensee/Respondent (ED), which is kept in case file (**Exbt. -1**).

Hearing on 09/05/2024

The Hearing was held on 09/05/2024 in the Hearing Hall, Electricity CGRF at 11:00 a.m. The following were present: -

- (i) Shri. Naveen Lall, AE(SD)-I, Elect. Dept.
- (ii) Shri. Suresh Kumar, NO, AE (W/shop).
- (iii) Shri. Rakesh Singh, JE (Haddo), Elect. Dept.
- (iv) Smti. Y. Dilleswari, Complainant.
- (v) Smti. Y. Lavanya, Asst. Complainant.
- (vi) Smti. Y. Kalyani, Asst. Complainant.

Statement of the Complainant

The complainant Smti. Y. Dilleswari, W/o Late Y. Srinivasa Rao, R/o Lillypur, Haddo, Port Blair, South Andaman stated in her complaint letter dated 02/05/2024 that *"My respectful request pertains to the need for a new electric meter connection for my rental property situated in Lillypur, Port Blair, located within the same premises where I currently reside.*

Sir, I, Smti Y. Dilleswari, W/o Late Y. Srinivasa Rao, presently residing in Lillypur, Haddo village, Port Blair, I hold an electric meter connection under consumer account number A/437, originally registered in my late husband's name. As a widow living alone after my two daughters got married, I am reliant on rental income as my primary source of sustenance in my elderly years. Recognizing this, I recently undertook the construction of a new dwelling on the first floor of my existing residence to facilitate rental opportunities.

Sir, in relation to this matter, I submitted an online application on 08-02-2024 with application number 20343, for a new electric meter connection for my newly constructed property. Along with this application, I provided various documents including the agreement of sale for the land, a land map, my current electricity bill (A/437), property tax certificate from the Port Blair Municipal Council, water tax certificate from the Port Blair Municipal Council, my late husband's death certificate and a family member certificate issued by the office of the Tehsildar Port Blair.

Regrettably, the application was rejected by the Electricity Department, citing the need for submission of Land Record Form-F. However, I wish to clarify that although the land was purchased by my late husband in 1991 under an agreement of sale with Survey No. 21, Block No. 5(B), it was not officially registered in his name nor recorded in the Land Records due to unforeseen circumstances. Nonetheless, the Tehsildar, Port Blair has surveyed the land and issued a land map under Survey No. 21, Block No. 5(B). Furthermore, despite the lack of official land records detailing the property's ownership, I have been faithfully fulfilling all tax obligations related to my current residence. Hence, I regularly pay property taxes and water taxes, as evidenced by the registered property ID and citizen ID provided in my application. Additionally, I am already a registered consumer under the Electricity Department bearing Consumer No. A/437 and have been consistently paying the electric bills for my current residing house. In light of these circumstances, I kindly request the intervention of the Consumer Grievance Redressal Forum to reconsider my application for a

new electric meter connection. The income generated from renting out this property is crucial for my financial stability and well-being in my elderly years. I trust in your commitment to ensuring fair and just resolutions to consumer grievances and I am hopeful that you will assist me in resolving this matter expediently”.

The complainant enclosed photocopies of online application No. 20343 dated 08/02/2024, Agreement of sale of land, Land map, Electricity e-bill of A/c no. A/437, Property tax certificate of Port Blair Municipal Council, Water tax certificate of Port Blair Municipal Council, Death certificate of her late husband, Family member certificate, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer (W/shop), submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE(W/shop)/2-16/2023-24/418 dated 04/05/2024 wherein forwarded the reply of AE(HQ)-I, Electricity Department vide letter No. EL/AE/SD-I/HQ/25-3/2024/04 dated 03/05/2024 stated that: -

1. The applicant, Smti Y. Dilleswari, W/o Late Y. Srinivasa Rao, applied for domestic single-phase electric connection vide application number 20343, dated 08-02-2024, with the following documents.
 - a. Agreement of sale.
 - b. Aadhaar of the applicant.
2. The online application was rejected with the remarks to submit the land record (Form-F) for obtaining electric connection.
3. For obtaining electric connection in online portal, application for electric connection has two steps to be followed by the applicant.
 - a. Fill online application form.
 - b. Upload scanned copy of supporting documents as displayed on the screen.
 - i) Record of right/form F (if own building legal hire joint property).
 - ii) Rent lease agreement (in case of rented leased accommodation).
 - iii) NOC from owner (in case of rented leased accommodation).
 - iv) Affidavit for obtaining electric connection (in case of encroached land. Tribal council certificate in case of tribal area).
 - v) Quarter allotment order (in case of government quarter).
 - vi) Copy of Aadhaar card/ photo ID address proof.



4. As per JERC Regulation No. 23/2018 under Section 5.30, any of the following documents shall be considered as acceptable proof of ownership or occupancy of premises.
- a. Copy of the register sale deed or lease deed or rent agreement and in the case of agricultural connections, a copy of Khasra/ Khatauni/ Khata nakal.
 - b. Registered general power of attorney.
 - c. Municipal/ Panchayat tax receipt or demand notice or any other related documents.
 - d. Letter of allotment.
 - e. Copy of the house registration certificate issued by the Panchayat/ Ownership certificate issued by revenue authorities.
 - f. Any other ownership related document issued by local government authority.
 - g. 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 NOC from owner of the premises.

The applicant has not submitted any of the document as per JERC Regulation No. 23-2018 under Section 5.30. Form F is required for confirming the owner of the land with whom the sale of agreement was executed”.

The Respondent/Licensee (ED) has enclosed the AE(SD)-I's letter No. EL/AE/SD-I/HQ/25-3/2024/04 dated 03/05/2024, Rejected online Application no. 20343 dated 08.02.2024, Aadhaar as ID proof, Agreement of sale, which is kept in the case file (**Exbt. -3**).

Submission of the Complainant

The complainant Smti. Y. Dilleswari stated that I had applied for new electric connection through online vide application No. 20343 dated 08/02/2024, which was rejected by the Electricity department, citing the need for submission of land record form-F. Further stated that she has one meter in ground floor and constructed a house on the first floor and requires a separate meter. Hence, she has requested the intervention of the Consumer Grievance Redressal Forum to re-consider her application for a new electric meter connection.

Submission of the Respondent (Licensee)

During the Hearing, Assistant Engineer (SD)-I, being Respondent, stated that the complainant could not produce any land documents and it may be encroached land, where connection was provided long back. He further stated



that as per the order of High court (larger bench), encroached land should be provided with only single (one no.) electric meter connection. Hence, cannot provide another connection to the complainant.

Forum's Observation

The Forum observed that the complainant requested for new service connection on the 1st floor of the existing building and the connection was issued earlier in her late husband's name Shri. Y. Srinivas Rao on the ground floor, which was given on rent. Presently, the complainant Smti. Y. Dilleswari is staying on the 1st floor of the building. There are no proper documents for the proof of ownership or occupancy of the building. The connection application was rejected by the respondent due to the above issue.

The Forum further observed that since the original connection was provided in the encroached land and in the name of Shri. Srinivasa Rao, the department is not able to provide another connection to the complainant. Forum visited the site on 09.05.2024 and confirmed that the connection provided to the ground floor was extended by the complainant, who has now shifted to first floor and ground floor room has been given on rent. Now they are facing difficulties to bifurcate the energy charges amongst themselves for both the houses and hence had applied for a new electricity connection.

The Forum noted that the complainant has failed to submit proper land documents while applying for a new electricity connection and presently supply is available in their premises hence, the forum decided to direct the complainant to submit suitable land occupancy or proof of ownership for getting another connection in the same premises.

Hence,

It is Ordered:

After detailed deliberations, submissions, site inspection, discussion, and on the observations so reached, the following is passed: -

1. The complainant is directed to provide suitable land occupancy or proof of ownership to get another electric connection in the same premises.
2. The Respondent/Licensee (ED) is directed to follow the **'Processing of Application Form'** after receiving the application for new connection as per **JERC Regulation No. 23/2028 under Section 5.35.**
3. The Respondent/Licensee (ED) is directed to follow the **JERC Regulation No. 23/2018 (ESC) and No. 06/2009 (SOP)** for providing new connection as per norms/guidelines.
4. The Respondent/Licensee(ED) is directed to conduct a drive to update the connected load of the consumer by giving a definite



time period for self disclosure by the consumer or to update the connected load by field staff on war foot basis, as the connected load are increased by many consumers without any information to the Licensee (ED), which also results on revenue loss to the Government in terms of collection as fixed charges, the same may be calculated on the basis of connected load.

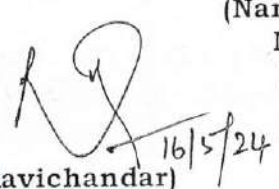
5. The Respondent/Licensee (ED) is directed to submit compliance report within 15 days from the date of issue of receipt of this order as per JERC Regulation No. 26/2019 under Clause 27(1).
6. As per JERC Regulation No. 26/2019 under Chapter-IV of 27, non-compliance of the Forum Order shall be treated as violation of the Regulations of JERC 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.

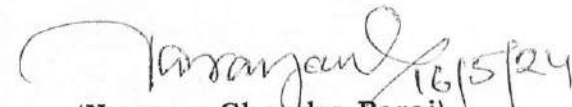
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Plot No. 55-56, Service Road, Udyog Vihar, Phase-IV, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684708, 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 this Forum in any of the working days].

A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer (SD-I), 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
x x x


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF