

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
SRI VIJAYA PURAM

Before:

Shri. R. Ravichandar, Chairman.
Smt. Biji Thomas, Independent Member.

In the matter of:

Smti. Sabreena Prem, W/o Shri. R. Prem Kumar, R/o Junglighat, Sri Vijaya Puram, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 44/2024 dated 04/12/2024.
Complaint : Providing New Connection (Commercial)
Date of Hearing : 12/12/2024
Date of Order : 17/12/2024



ORDER

Background

The complainant Smti. Sabreena Prem, W/o Shri. R. Prem Kumar, R/o Junglighat, Sri Vijaya Puram, South Andaman, filed a complaint vide R.D. No. 906 dated 04/12/2024 regarding new electricity connection (Commercial).

The complaint was registered as ANI/C.G. No. 44/2024 and forwarded on 04/12/2024 vide letter No. ANI/CGRF/10-367/567 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-I(HQ), Electricity Department for submitting reply/comments and attending the Hearing fixed on 12/12/2024 at 10:30 a.m. in the Hearing Hall 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 12/12/2024 at 10.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2024/626 dated 09/12/2024 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 909 dated 10/12/2024 (the letter is kept in case file) (*Exbt. -1*).

Hearing on 12/12/2024

The Hearing was held on 12/12/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Smti. Sabreena Prem, Complainant.
- (ii) Shri. Naveen Lall, AE-I(HQ), Elect. Dept.
- (iii) Shri. Anuj Kishen, JE, Elect. Dept.
- (iv) Shri. Mohd. Shiraz, Telephone Attendant, Elect. Dept.

Statement of the Complainant

The complainant Smti. Sabreena Prem, W/o Shri. R. Prem Kumar, R/o Junglighat, Sri Vijaya Puram, South Andaman stated in her complaint letter dated 04.12.2024 that *"With due respect I Smti. Sabreena Prem, W/o R. Prem Kumar R/o Junglighat, Sri Vijaya Puram a power of attorney holder of the property bearing Sy. No 874/5 Junglighat, Sri Vijaya Puram Tehsil, South Andaman District.*

That the electric meter connection is already installed in my recorded landed property bearing Sy. No. 874/5 but due to non-payment of the tenant the electric meter has been disconnected. The recorded tenant of the land property is living at aboard so the recorded tenant cannot take necessary action, being myself a power of attorney holder of the said property gave application on 05.11.2024 (Copy enclosed) & application no. 25944 dated 21.11.2024 & dated (Copy enclosed) regarding the said re connection of electric meter to the concerned Junior Engineer, Electricity Department, Junglighat Circle, Sri Vijaya Puram, till date my application is keep on pending without a valid reason even all the due against the electric meter is paid and no step has been taken against my application regarding re connection of electric meter. Therefore, it is kindly requested to your goodself to provide reconnection for which I shall always be obliged to you."

The complainant enclosed photocopies of power of attorney dated 24.09.2024, online application form bearing No. 25538 & 25944 dated 05/11/2024 & 21/11/2024 respectively and Aadhaar Card as ID proof, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-I (HQ) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/SD-I/HQ/25-3/2024/830 dated 06/12/2024 stated that: -

1. The applicant Smti Shaheeda Mushtaq applied for getting Commercial single phase electric connection vide application No. 25538 dated 05.11.2024 which was rejected by the remark of the Junior Engineer(P/Nagar) site office that " the earthing not completed. During inspection applicant was not present and party

on behalf of applicant submitted that applicant (Smti. Shaheeda Mushtaq) is presently outside India at Country of Bahrain. Further party present during inspection stated that the applicant has issued power of attorney on her name which was not enclosed in online application. The power of attorney was presented during inspection which was not registered in India and same was signed by Embassy of India at Bahrain". Enclosure. 1.

2. Again online application No. 25944 dated 21.11.2024 received for providing commercial single phase electric connection. Enclosure 2.

3. The Junior Engineer submitted his report vide letter No. EL/JE/PN/1-24-25/576 dated 06.12.2024 which is enclosed and self explanatory. Enclosure 3.

As directed by the Forum the following documents are submitted please.

1. Online application No. 25538 dated 05.11.2024.
2. Online application Rejected remarks on 19.1.2024.
3. Online application No. 25944 dated 21,11,2024.
4. The Junior Engineer (P/Nagar) site office report letter No. EL/JE/PN/1-24-25/576 dated 06.12.2024."

The AE-I(HQ), Electricity Department enclosed photocopies of complainant's online application form bearing No. 25538 & 25944 dated 05/11/2024 & 21/11/2024 respectively, Form F, Aadhaar card and photos of the premises, which is kept in the case file **(Exbt. -3)**.

Submission of the Complainant

Smti. Sabreena Prem, holding power of attorney for her sister, Smti. Shaheeda Mushtaq, applied for a commercial electric connection for the property at Junglighat. She highlighted that an existing meter was disconnected due to a tenant's default. Although she cleared all dues and provided required documents, including a notarized power of attorney from Bahrain, the electricity department failed to act on her application. She alleged unwarranted delays and sought reconnection at the earliest.

Submission of the Respondent (Licensee)

The Electricity department clarified that the first application for a new connection was rejected due to incomplete earthing and the absence of the applicant, who resides in Bahrain. The power of attorney submitted was not registered in India, raising procedural concerns. The second application was also delayed due to objections over property ownership, and the Junior Engineer reported pending technical formalities. The department maintained that actions taken were based on standard procedures.



Forum's Observation

The dispute arose when Smti. Sabreena Prem, acting as the power of attorney holder for her sister's property, applied for a commercial electric connection. The application was initially rejected due to incomplete earthing and procedural issues with the power of attorney. Subsequently, objections about property ownership were raised. Despite clearing dues and addressing the earthing concerns, the complainant faced delays in receiving the connection. The forum intervened to resolve the matter after inspecting the premises and reviewing all submissions.

The complainant, Smti. Sabreena Prem, the sister of Smti. Shaheeda Mushtaq, and power of attorney holder of the property bearing Survey No. 874/5 in Junglighat, Sri Vijaya Puram, applied for a commercial electric connection. She stated that the property owned by Smti. Shaheeda Mushtaq, presently resides abroad had an electric meter connection earlier, which was disconnected due to non-payment by a tenant. Despite clearing all outstanding dues and applying for a reconnection (Application No. 25944 dated 21.11.2024), no action has been taken by the electricity department. Sabreena Prem alleged that her application is being unnecessarily delayed despite fulfilling all requirements.

The respondent, the electricity department, explained that the initial application (No. 25538, dated 05.11.2024) was rejected due to incomplete earthing at the premises and the absence of the applicant during inspection. It was also noted that the applicant, Smti. Shaheeda Mushtaq, resides in Bahrain, and the power of attorney submitted during inspection was not registered in India but was attested by the Indian Embassy in Bahrain. A subsequent application (No. 25944, dated 21.11.2024) was filed. However, an objection regarding ownership of the property was raised by a third party, and the Junior Engineer provided a report indicating pending formalities.

The forum noted that the complainant applied for a new commercial electric connection for the premises and provided all necessary documents, including a power of attorney. The department denied the connection, citing incomplete earthing and objections about ownership. However, the forum observed during its inspection that the earthing was completed, and the objection raised by the third party lacked sufficient evidence. The forum found no valid reason to deny the connection and highlighted the delay caused by the electricity department.

The Forum is of the opinion that the respondent must provide the requested electric connection immediately without delay. Any deficiency or additional technical requirement as per the codal formalities must be communicated to the complainant in writing instead of rejecting the application. The application for new connection must be processed as per the JERC supply code regulations within the specific timelines. The objection documents received and submitted by the respondent were not substantiated and cannot be used as grounds to deny the connection. The respondent must ensure timely action in accordance with the forum's directions.



Hence,

It is Ordered:

After detailed deliberations, submissions, site inspection and documents produced before the Forum, and based on the observation so reached, the following Order is passed: -

1. The Case is closed with specific directions to the complainant and the Respondent/Licensee (ED).
2. The Respondent/Licensee (ED) must ensure that the authenticity of the original applicant applied through online may be confirmed accordingly and the new electric connection is to be provided within the timelines promptly, observing all codal formalities as per the supply code regulations of JERC.
3. Any deficiency or additional technical requirements as per the codal formalities must be communicated in writing to the complainant instead of rejecting the application.
4. The objections raised by a third-party regarding ownership have not submitted any substantiated documents and cannot be used as grounds to deny the connection.
5. The Department must adhere to comply while the release of new service connection strictly follow the JERC supply code regulations 2018 and time lines prescribed in the standard of performance regulations 2024.
6. The electricity connection is being provided to the consumer; however, it is subject to disconnection at any time in the future, as per the directions of any court order, if issued.
7. The Complainant is instructed to install Earth Leakage Protective Device (ELPD) in the wiring to prevent any leakage and fire hazards and safety of equipment's in the premises.
8. The Respondent/Licensee (ED) is directed to comply the **JERC Regulation No. 23/2018 under Section 5.135, 5.136 & 5.137** against **'Interest on Security Deposit and Review of Security Deposit'**.
9. 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. 23/2018 under Section 5.35**.

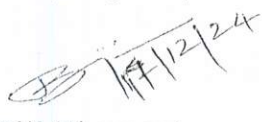


10. The Respondent/Licensee (ED) is directed to follow the **JERC Regulation No. 23/2018 (ESC) and No. 06/2009 (SOP)** for providing new connection as per norms/guidelines.
11. The Respondent/Licensee (ED) is directed to submit **compliance report within 15 days** from the date of receipt of this order as per JERC Regulation No. 31/2024.
12. 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.
13. 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, 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 (Licensee/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).


(Biji Thomas)
Independent Member
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

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