

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

Before:

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

In the review of CGRF order dated 06-02-2025

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

.....Appellant

Smti. T. Santamma, W/o Shri. T. Rama Rao, R/o Junglighat, Sri Vijaya Puram, South Andaman.

.....Respondent

Versus

Complaint No. : ANI/C.G. No. 55/2025 dated 29/01/2025.
Complaint : Re-Connection (Domestic)
Date of Hearing : 11/03/2025
Date of Review Order : 13/03/2025



ORDER

Background

The complainant Smti. T. Santamma, W/o Shri. T. Rama Rao, R/o Junglighat, Sri Vijaya Puram, South Andaman, filed a complaint vide R.D. No. 965 dated 29/01/2025 regarding New Connection (Domestic) or reconnection bearing Consumer No. F/4696.

The complaint was registered as ANI/C.G. No. 55/2025 and forwarded on 29/01/2025 vide letter No. ANI/CGRF/10-378/615 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-II, Electricity Department for submitting reply/comments and attending the Hearing fixed on 04/02/2025 at 11:30 a.m. The final order was issued vide Forum's order dated 06/02/2025. The appellant filed a review petition vide RD No. 1022 dated 03/03/2025, for which the Forum decided to conduct the hearing and a letter was forwarded on 05/03/2025 vide letter No. ANI/CGRF/10-378/659 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-II, Electricity Department for attending the Hearing fixed on 11/03/2025 at 12:00 p.m. in the Hearing Hall of the Electricity (CGRF), A&N Islands, Horticulture Road, Haddo, Sri Vijayapuram with relevant documents to depose before the

Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 11/03/2025 at 12.00 p.m.

Hearing on 11/03/2025

The Hearing was held on 11/03/2025 in the Hearing Hall, Electricity CGRF at 12:00 p.m. The following were present: -

- (i) Smti. T. Santamma, Respondent
- (ii) Shri. Deepak Mondal, AE-II, Elect. Dept.

Statement of the Appellant/Licensee (ED)

The Assistant Engineer-II submitted request for review petition on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/SD-II/1-29/2024-25/831 dated 28/02/2025 stated that: -

1. "That sir, the connection of the consumer No F1/4696 registered against Shri T Rama Rao was permanently disconnected when the consumer failed to clear his outstanding dues within the time given to him by the department. The Notice for payment was given to the consumer on 08.10.2024 after he failed to pay the bills for considerable period. He was given a period of one month to pay his outstanding bills, which he failed. As a result, the connection was permanently disconnected, and, his name was also dismantled in the software of Web Based Billing Software (WBBS) as the applicable rules.

2. And now, sir, as per the JERC's Regulations 9.13, the consumer has to apply a fresh and the connections shall be reconnected only after all the formalities as required in the case of a New Connections are complied with, by the consumer, including payment of pending dues, service line Charges, Security deposit etc. as applicable for that category of consumer.

2.1 That sir, here the consumer means Shri. T Rama Rao who alone can apply for reconnection following the JERC's regulations under Clause 9.13.

3. And if Shri. T Santamma, W/o Shri T Rama Rao applies for a fresh connection to the premises where she is residing shall have to fulfill the Codal formalities and requirement/ documents for a fresh connection for the consideration of the Electricity Department, (The Licensee).

4. But, here in this case, she is an Encroacher of the premises and does not have the Patta/ Land Record. However, if the definition of "Settled Possession" is referred to, the Andaman and Administration has issued a clear-cut direction to send the application of the encroachers intending to get electricity connection, to the Revenue department, for getting a confirmation that the encroacher is in "Settled Possession". The licensee (ED) is not authorized to decide whether an encroacher is in "Settled Possession" of a land piece. On receipt of the



confirmation from the Revenue Department the ED on the basis of other documents provided by the intending person will consider the fresh connection following JERC 's Regulations (From 5.24 to 5.30).

Hence Sir, it is earnestly requested that the Hon'ble CGRF may review its Order dated 06.02.2025 and this may be treated as a "Review Petition".

Submission of the Respondent

That the respondent Smt. T Santamma reiterated that she and her children had been staying at the said premises for last fifteen years and have been enjoying the connection sanctioned to Shri T Rama Rao and payments were made regularly without any pending dues until she left for mainland. She emphasized that she had approached the Electricity Department for a fresh connection with the necessary documents but was denied a connection arbitrarily. She further stated that the department had failed to provide any valid evidence regarding the disconnection of the previous connection. She urged the CGRF to ensure that her fundamental right to electricity was not denied on technical grounds.

Submission of the Appellant (Licensee)

That the Appellant reiterated that it had followed the standard disconnection procedures as per the notification dated 23/9/1983 under the clause of 23 D of the Andaman Nicobar notification.

The Appellant maintained that while it was not authorized to determine "Settled Possession," it would abide by any confirmation received from the Revenue Department. It also clarified that its primary concern was to ensure compliance with JERC regulations, and that any fresh connection request must be processed following the proper formalities. The Appellant concluded by requesting the CGRF to consider these factors while reviewing its decision.

Forum's Observation

The case concerns a dispute regarding the disconnection and subsequent reconnection of electricity supply. The respondent Smti. T. Santamma, herein had an electricity connection in the name of her husband, Shri T. Rama Rao, which was disconnected by the appellant due to nonpayment of dues. Despite settling of all outstanding dues on 31-12-2024, the appellant directed her to apply for a new connection instead of receiving a reconnection. Subsequently she applied online for a new electricity connection, but her application was rejected by the appellant herein for not submitting the required documents. After several attempts to communicate with the electricity department, she approached the Consumer Forum for relief. The Forum



conducted hearing on 4-2-2025 and issued an order dated 6-2-2025 for reconnection.

Now the appellant submitted a review petition against the order issued by the Forum dated 06-02-2025. The Forum reviewed the submission of the appellant and statements made by them and observed that the notice issued by the department to the consumer dated 08-10-2024 under the clause of 23 (d) of the A&N notification dated 23rd September 1983 was not in par with the supply code regulations issued by the JERC. The appellant didn't provide any valid documents regarding request for disconnection from the consumer Shri. T. Rama Rao.

The Forum directs the appellant to reconnect the electricity connection at the respondent's residence immediately. The appellant has to ensure that the reconnection procedures must strictly adhere to the Supply Code Regulations 2018. The appellant is directed to modify its billing software and reconnection procedures may be in line with the latest supply code regulations. The notice issued by the appellant herein, vide notification dated 23-09-1983 is not in par with the latest supply code regulations. Forum directs the appellant herein to modify the above notification in line with the latest supply code regulations and modify the conditions of reconnection and permanent disconnection. If any consumer did not pay the bills on time the same may be adjusted against the security deposit collected from the consumer and the same may be recovered in the subsequent two bills of the consumer. The security deposit collected from the consumer may cover the estimated amount of bill corresponding to the billing cycle period plus one month. Subsequently, the security deposit shall be revised annually as per the procedure defined in Regulation 5.136 of this supply code 2018. The security deposit collected from the consumer is for the payment security of the department for the bills, generated against the consumer. The appellant didn't provide any valuable documents and reason to review the Forum's order.

The CGRF thoroughly examined the facts presented by both parties and identified key inconsistencies in the Electricity Department's actions. The Forum observed that the department had failed to provide any valid documentary proof regarding the permanent disconnection request made by Shri T Rama Rao.

Furthermore, the Forum noted that the disconnection notice issued on 08.10.2024 under Clause 23(d) of the Andaman & Nicobar Notification dated 23-09-1983 was not in compliance with the latest regulatory framework. Since the Supply Code Regulation 2018 had already been enacted, the Forum found it necessary to instruct the department to align its procedures with the updated regulations.



Considering these observations, the Forum concluded that respondent herein should be provided with an electricity reconnection upon fulfilling the codal formalities specified in the Supply Code Regulation 2018 and Forum directs the appellant to comply the order dated 6/2/2025 without any delay.

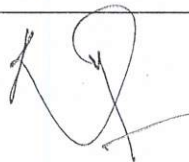
Hence,

It is Ordered:

1. In view of the above the appellant review petition is hereby dismissed being devoid of any merits.
2. The Forum order dated 06-02-2025 are upheld to the extent.
3. The Forum directs the appellant to modify its billing software and reconnection procedures may be in line with the latest supply code regulations 2018.
4. The Forum directs the appellant to modify the notification dated 23-09-1983 which is not in line with the latest supply code regulations 2018, especially the conditions of reconnection and permanent disconnection procedures.
5. 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.
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.

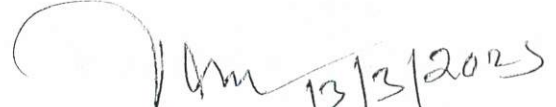
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog 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**".

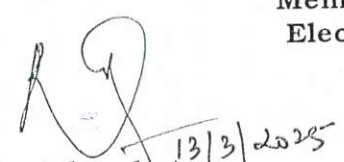
[Annexure – IV Appeal Form can be collected from the office of the Forum on any of the working days].



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


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

XXX

AE (IT)