

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

Before:

Shri. Amarjeet Singh Saini, Chairman.
Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Shri. Uttam Das, R/o Manjery Village, Sri Vijaya Puram Tehsi, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 18/2026 dated 21/07/2026.
Complaint : New Electric Connection (Domestic)
Date of Hearing : 07/09/2026
Date of Order : 14/09/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 135 dated 21/07/2026 regarding New Electric Connection (Domestic).

The complaint was registered as ANI/C.G. No. 18/2026. However, the Forum could not process the case due to non-appointment of the Chairperson and Member (Distribution Licensee), and the grievance was accordingly kept in abeyance until the prescribed quorum was constituted. Subsequently, pursuant to the A&N Admn. Office Order No. 2200 dated 18/08/2026, the Chairperson and Member (Distribution Licensee) were appointed. Accordingly, the Chairperson, CGRF reported for duty on 24/08/2026. However, the Member (Distribution Licensee) has not yet reported for duty, as he has not been relieved off from his present place of posting till date.

Upon reporting for duty by the Chairman, the Forum decided to take up the grievance kept in abeyance for hearing and, accordingly, forwarded the grievance vide letter No. ANI/CGRF/10-459/107 dated 25/08/2026 to the Nodal Officer (CGRF), EE (SAD) and AE-IV, Elect. Dept., hereinafter the respondent for submitting all documents pertains to the complaint and for attending the Hearing fixed on 07/09/2026 at 11:30 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 aforesaid date, time and venue, which is kept in case file as **Exbt.-1**.

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The Assistant Engineer-IV, Electricity Department submitted his reply/para-wise comments vide letter No. EL/AE/CD/3-21/2026-27/433 dated 02/09/2026 alongwith enclosures, which was received by the Forum vide R.D No. 144 dated 03/09/2026, which is kept in case file as **Exbt.-2**).

Hearing on 07/09/2026

The Hearing was held on 07/09/2026 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Shri. Uttam Das, Complainant.
- (ii) Shri. J. Jayakumar, AE (W/Shop), NO(CGRF), Elect. Dept.
- (iii) Shri. P.N. Choudhary, AE-IV, Elect. Dept.

Statement of the Complainant

The complainant stated in his complaint letter dated 21/07/2026 that "an application bearing No. 18615 dated 17/11/2023 for providing connection for domestic use for the residential house standing on my land bearing Survey No. 80/P situated at Manjery village under Ferrargunj Tehsil, South Andaman District. Accordingly the Assistant Engineer, Electricity Department, Chouldari Sub-Division conveyed the approval for providing the electric connection vide letter bearing F.No. EL/SAD/AE-IV/2024-2025/433 dated 27/01/2025 and directed me to submit a security deposit for an amount of Rs 1404/- (Rupees One Thousand Four Hundred Four only) pledged in favour of Executive Engineer, (South Andaman Division), Electricity Department. But the same was not conveyed to me in time. Hence I verified the status of my application online in July, 2026 and came to the fact of the approval accorded by the competent authority. Accordingly I drawn a Demand Draft bearing Account No. 45368795017 dated 13/07/2026 for Rs. 1404/- (Rupees One Thousand Four Hundred Four only) pledged in favour of Executive Engineer, (South Andaman Division), Electricity Department and submitted the same to the Office of the Assistant Engineer, Electricity Department, Chouldari on 14/07/2026. But till date necessary electric connection has not been provided to my house despite fulfilling all codal formalities. I am enclosing herewith the copy of approval letter and the copy of Demand Draft for your kind perusal.

It is, therefore, requested that necessary order may kindly be passed to the Assistant Engineer, Electricity Department, Chouldari Sub-Division to provide electric connection for domestic use for my residential house please. For which I shall ever remain grateful to you".

The complainant enclosed photocopies of the representation submitted to AE(C/D) vide R.D. No. 1001 dated 14/07/2026, representation submitted to the JE (Manglutan) vide letter dated 13/07/2026 Aadhaar as ID Proof, AE-IV's approved Security Deposit vide letter dated 27/01/2025, SBI Ack Receipt for Security Deposit dated 13/07/2026, Declaration/Undertaking (Indemnity), Affidavit and Undertaking dated 16/11/2023.

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Reply of the Respondent

The AE-IV submitted his reply on behalf of the respondent vide letter No. EL/AE/CD/3-12/2026-27/433 dated 02/09/2026 stated that: -

- “1. The complainant Shri Uttam Das, R/o Manjery Village applied for providing single phase Domestic connection in encroached piece of land bearing Sy no. 80/P along with the undertaking, affidavit & Declaration/Undertaking and ID Proof vide application no. 18615 dated 17/11/2023 (copy enclosed Annexure-I).
2. The A&N Administration vide circular bearing letter no. 4-3/21/2015-Power dated 9th October, 2023 issued direction to bring uniformity for issuance of electricity connection to the encroachers in conformity with the Judgment passed by Hon'ble Supreme Court and Calcutta High Court, as per point d (ii) the application shall provisionally be accepted and application shall be forwarded to the concerned revenue authority for confirmation whether the applicant is in settled possession or not. (copy of circular enclosed Annexure-II).
3. Accordingly the then Assistant Engineer, Chouldari Sub-Division, forwarded application bearing no. 18615 dated 17/11/2023 to the revenue authority to the Tehsildar, Ferrargunj, South Andaman vide letter no. EL/AE/CD/3-14/1175 dated 09/12/2023 to confirm the settled possession of the applicant with respect to Sy. No. 80/P (Copy of a letter Annexure-III).
4. The application was forwarded to JE (M/Tan) by the then AE-IV to inspect & report as the routine procedure.
5. The JE (M/Tan) vide his letter bearing no. EL/JE/MT/F-17/2024/310 dated 24/12/2024 requested the Range Officer, Garacharma to furnish the status report of land.
6. In response the Range officer Garacharma, furnished the status report vide his letter bearing no. RO/GC/G-2(A)/196 dated 18/01/2025, as per which the said piece of land is revenue land (Copy enclosed Annexure-IV).
7. Then the JE (M/Tan) furnished his inspection report stating that “Inspected the applicant's premises and found that the earthing and wiring is completed the applicant constructed a house which is in settled possession and feasible for electric connection under Domestic Single Phase. The Distance from the pole is 35 mtrs. The forest has given clearance that the land is not belong to forest and classified as revenue land. Forest report no. RO/GC/G-2(A)/1196 dated 08/01/2025 (Copy JE inspection report in online portal enclosed Annexure-V).
8. Based on the inspection report, the then AE (Chouldari) approved the inspection report and estimate submitted by JE (M/Tan) vide estimate no. EL/JE/MT/2025/9 dated 22/01/2025.
9. As per the new Connection portal, the application status verification mechanism transmits the SMS to the applicant's mobile number mentioned in the online application for approved estimate amount and SD amount. So, the applicant was well intimated about the approval by the online mechanism.
10. From the record it is evident that the said approval of the connection in encroached piece of land that too after issuance of Andaman & Nicobar Administration circular no. 4-3/21/2015-Power dated 9th October 2023 was due to overlooking and the site office was directed to hold the estimate in pending due to non-furnishing of settled possession by the Revenue Authority.
11. In past also, cases have come to the notice that Some persons made encroachment on some one's allotted land, and apply for connection creating

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adverse situation for the department. So, also to avoid the litigation of such type the estimate payment was kept pending by the JE (M/Tan).

12. But after lapse of considerable time from the date of approval of estimate, one fine day i.e. on 13/07/2026 (after six months), the applicant paid the SD amount by down loading the SD letter himself and submitted his letter dated 14/07/2026 to AE, Chouldari for providing connection (Copy enclosed Annexure-VI).

13. The said letter was marked to JE (M/Tan) for status report.

14. As per report of JE M/Tan, the codal formalities for providing the electric connection has not been completed by the applicant i.e. the estimate has not yet been paid/accepted by the department (Annexure-VII).

As the department has been directed to follow the procedure to bring, uniformity for issuance of electricity connection to the encroachment vide circular no. 4-3/21/2015-Power dated 09/10/2023, the revenue authority has not furnished the confirmation of settle possession of applicant in Sy. No. 80/P the site office did not accept the estimate charges. So, the codal formalities is not complete.

More over if the applicant produces the settle possession confirmation duly certified by the Revenue Authority, this office is ready to accept the estimate charges and provide electric connection else the SD amount deposited by the applicant will be refunded.

Submitted for kind appraisal of the Ld CGRF please".

The respondent enclosed photocopies of annexure from I to VII as stated in his letter dated 02/09/2026.

Submission of the Complainant

During the hearing, the complainant reiterated the facts stated in his complaint letter dated 21/07/2026. He submitted that he had been residing at the premises for approximately ten years and had applied for a new domestic electricity connection vide online Application No. 18615 dated 17/11/2023. He further submitted that he had deposited the security deposit of Rs. 1,404/- on 13/07/2026, but the electricity connection had not yet been released till date and accordingly, requested to the Forum to direct the Respondent to release the electricity connection at the earliest.

Submission of the Respondent

The Assistant Engineer-IV submitted on behalf of the respondent that the reply/para-wise comments dated 02/09/2026 may be treated as the Respondent's submission. He further stated that the estimate charges payable for release of the electricity connection had not yet been furnished to the complainant. Further he submitted that the application pertains to an encroached piece of land and in accordance with the A&N Administration Circular dated 09/10/2023, the matter was referred to the concerned Revenue Authority for confirmation of settled possession, which is still awaited despite the lapse of more than 2½ years. In the meantime, the Forest Department has reported that the land is not forest land and is classified as revenue land.

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Forum's Observation

The complaint pertains to a new electricity connection applied for vide Online Application No. 18615 dated 17/11/2023 in respect of the complainant's premises situated on encroached land bearing Survey No. 80/P at Manjery Village, South Andaman. The application was scrutinized by the Respondent and forwarded to the Forest Department for forest clearance vide letter No. EL/JE/MT/F-17/2024 dated 24/12/2024. Forest clearance was subsequently received vide letter No. RO/CG/G-2(A)/1196 dated 08/01/2025. Thereafter, estimate charges of Rs. 1,353/- were approved by the concerned AE(M/tan) on 27/01/2025. A Security Deposit letter was generated online and downloaded by the complainant, who deposited Rs. 1,401/- at the State Bank of India through Fixed Deposit on 13/07/2026. However, the connection was not released on the ground that confirmation of settled possession had not been received, as required under the **A&N Admn.'s Circular No. 4-3/21/2015-Power dated 09/10/2023**.

The Forum noted the Respondent's para-wise comments dated 02/09/2026, which were based upon the inspection report of the JE(M/Tan) vide letter No. EL/JE/MT/2025/9 dated 22/01/2025. It was submitted that the then Assistant Engineer had approved the estimate charges. The AE(M/Tan) further submitted that the said approval had inadvertently been accorded without ensuring confirmation of **settled possession** from the Revenue Authority, as required under the aforesaid Circular, and that the Site Office was subsequently directed to keep the estimate pending until confirmation of settled possession from the competent Revenue Authority.

The Forum observes that, in the JE's inspection report dated 18/01/2025, the following remarks were recorded: **"Inspected the applicant premises and found that the earthing and wiring is completed. The applicant constructed a house which is in a settled position and feasible for electric connection under domestic single phase. The distance from the pole is 35 mtrs. The Forest has given the clearance that the land is not belong to forest and classified as revenue land. Forest Report No. RO/GC/G-2(A)/1196 dated 08/01/2025"**, which is kept in the case file.

The Forum further notes the letter of the JE(M/Tan)'s vide No. EL/JE/MT/F-23/2026-27/205 dated 02/09/2026, wherein it was submitted that the applicant had constructed a house and that the **premises were found in settled possession**. It was further reported that earthing and wiring had been completed and that the premises were technically feasible for providing a domestic single-phase connection. The distance from the pole was stated to be approximately 35 metres. The JE also confirmed that the Forest Department had issued a clearance report indicating that the land was not forest land and was classified as revenue land. Thus, the Forum observes that the only material ground presently relied upon by the Respondent for withholding the electricity connection is the absence of confirmation from the concerned Revenue Authority regarding **settled possession** of the premises.

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The Forum further observes that, under the procedure prescribed in the **JERC (Electricity Supply Code) Regulations, 2018**, an application for new electricity connection is required to be processed by the Licensee through the concerned office, followed by inspection of the applicant's premises by the concerned technical officer. **Clause 5.40** provides for inspection of the premises, while **Clause 5.46** specifically stipulates that where no defect is found on inspection, the Licensee shall sanction the load and issue the demand note in writing within the prescribed timeline. **Clause 5.47** further provides that the demand note shall contain the details of the works, applicable charges and the amount of security deposit, and **Clause 5.48** requires the applicant to make payment within 15 days of receipt of the demand note. Further, **Clause 5.49** provides that the demand note, once made for an applicant, shall remain valid for two months. **Clause 5.52** prescribes the overall timeline for releasing a new electricity connection.

In the present case, the inspection was conducted by the concerned JE(M/tan), who reported that the premises were in **settled possession**, that a house had been constructed, earthing and wiring had been completed, and that the connection was technically feasible. On the basis of the said inspection, the concerned AE-IV approved the estimate charges of Rs. 1,353/- on 27/01/2025. Thereafter, the Security Deposit was generated through the online system and the complainant deposited Rs. 1,401/- on 13/07/2026. However, the application was subsequently kept in abeyance on the ground that confirmation of settled possession from the Revenue Authority was required under the A&N Admn.'s Circular dated 09/10/2023.

The Forum is of the considered view that such subsequent withholding of the application, after completion of the technical inspection and approval of the estimate, requires careful examination in the light of the statutory procedure and timelines prescribed under **Clauses 5.46 to 5.52 of the JERC (Electricity Supply Code) Regulations, 2018**. The Electricity Supply Code contemplates a time-bound process from inspection, sanction of load and issuance of the demand note to payment of applicable charges and eventual energization. In particular, **Clause 5.46** requires the Licensee to issue the demand note within the prescribed period after a defect-free inspection, **Clause 5.48** prescribes the consequence of non-payment within 15 days, and **Clause 5.49** provides that the demand note, once issued, shall remain valid for two months. The Forum notes that the prescribed sequence was not followed in the present case. Further, there is **no provision in the said procedure permitting an otherwise processed application to remain indefinitely pending after the Licensee has itself completed the technical processing and raised the applicable charges, except where a specific statutory, regulatory or competent-authority impediment exists.**

The Forum is of the view that, in order to maintain proper sequence and transparency in the processing of new electricity connection applications, the procedure prescribed under **Clauses 5.46, 5.47 and 5.48 read with Clause 5.52 of the JERC (Electricity Supply Code) Regulations, 2018** should be strictly followed. The Forum suggests that after approval of the estimate, the payment receipt details should be duly verified and uploaded in the system by

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the concerned Junior Engineer before generation of the Security Deposit letter, which should thereafter be generated only upon confirmation of payment of the estimate charges. Such sequential processing would ensure proper correlation between the estimate, payment, security deposit and subsequent release of the electricity connection, thereby preventing the recurrence of similar procedural lapses. **However, this sequence shall not apply to Government Quarters and connections released under the PMAY Scheme.**

The Forum noted that the Respondent has relied upon the A&N Admn.'s **Circular No. 4-3/21/2015-Power dated 09/10/2023**, which provides a procedure for processing applications for electricity connections in encroached areas. The Forum takes note of the requirement under the said circular for provisional acceptance of the application and reference to the concerned Revenue Authority for confirmation regarding settled possession. The Forum further noted that the aforesaid **Circular** itself clarifies at **point no. (e)** read as **"The grant of this electricity connection shall not confer any right, and title and interest on the land in question and this electric connection would automatically stand withdrawn/disconnected in the event of true owner recovering the possession of the land by due process of law"**.

The Forum further takes note that the aforesaid **A&N Admn.'s Circular dated 09/10/2023** was earlier considered by an **earlier three-member Bench of this Forum**, wherein it was observed that the procedure prescribed therein was not provided under the JERC (Electricity Supply Code) Regulations, 2018. It was also noted that the Hon'ble Supreme Court judgment/order relied upon for issuance of the Circular was confined to the facts of that particular case and could not, by itself, form the basis for a general procedure. Accordingly, the said **Circular** was **quashed** by the said Bench vide **Forum's Orders dated 05/12/2023 in complaint No. 303 (Smti. Gita Rani Mahato-Vs-Electricity Department) and Order dated 06/12/2023 in complaint No. 302 (Shri. Bahalane Tiru-Vs-Electricity Department), as well as in other connected cases**, with a specific direction that the Respondent may approach the Commission for incorporation of such procedure in the applicable Regulations, if considered necessary, and implement the same thereafter in accordance with the Regulations.

The **present Bench of the Forum** is of the view that verification regarding **settled possession or status of the land** may be necessary where land in question and the Respondent may accordingly refer the matter to the competent Revenue Authority for future any litigation. However, such reference should not result in keeping the application pending for a long period. The application for a new electricity connection is required to be processed within the period prescribed under the **Electricity Act, 2003 and the JERC (Electricity Supply Code) Regulations, 2018**, including the prescribed period of **one month** for release of a new connection, subject to fulfilment of the applicable requirements. If no response is received from the competent Revenue Authority within the prescribed period, and the applicant has not been evicted or restrained from occupation by a competent authority or court, the Respondent shall be at liberty to take an appropriate decision on the

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application in accordance with the Electricity Act, 2003 and the applicable JERC Regulations.

The Forum is not called upon in the present proceedings to adjudicate upon the **ownership, title or legality of the complainant's possession over the land**. The issue before the Forum is whether the pendency of verification by the Revenue Authority, by itself, can justify keeping the process for release of electricity connection indefinitely in abeyance. The Forum is of the considered view that such pendency, by itself, cannot justify indefinite withholding of the application, and the Respondent is required to take a decision within the applicable statutory and regulatory framework.

The Forum finds that the Respondent's submission is that confirmation regarding **settled possession** from the concerned Revenue Authority is still awaited. However, the record establishes that the Complainant's application has remained pending for more than **2½ years, since 17.11.2023**. The Respondent had approached the concerned Revenue Authority vide letter No. **EL/AE/CD/3-14/2023/1175 dated 09.12.2023** seeking confirmation regarding settled possession. However, the concerned Revenue Authority has **remained silent on the said request for more than 2½ years**, and no response has been received till the date of hearing. The Respondent has also not placed before the Forum subsequent order of a competent court restraining or prohibiting release of electricity connection to the complainant's premises.

The Forum further notes that the application was originally submitted on 17/11/2023, Forest clearance was obtained on 08/01/2025, and the estimate was approved on 27/01/2025. Despite completion of these stages, the connection has not been released and the application has effectively remained pending for more than 2½ years from the date of its original submission, primarily on account of the requirement of confirmation/NOC from the Revenue Authority. The Respondent is, therefore, required to complete the pending formalities and take a reasoned decision within the prescribed statutory and regulatory framework, rather than keeping the application open-endedly pending.

The Forum further notes that the competent Revenue Authority has not furnished confirmation regarding settled possession for more than 2½ years, during which period the complainant has continued to reside in the premises without eviction. The Forum also notes that there is no order of any competent court restraining or prohibiting the release of electricity connection in the present case.

The Forum is of the considered view that the requirement of verification regarding **settled possession** by the concerned Revenue Authority is required to be complied with in accordance with the applicable **Circular**. However, such verification cannot be permitted to operate as an indefinite impediment to the release of electricity supply, particularly when the technical feasibility of the connection has already been established and the applicant is found to be in physical occupation of the premises. The physical occupation of the premises was also verified during the Forum's site inspection conducted on

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08/09/2026. The same is further supported by the JE's inspection report dated 18/01/2025 wherein it was reported that the complainant is in **settled possession** of the premises.

The Forum is of the view that, as a matter of settled legal principle, electricity is a **basic amenity** which cannot ordinarily be denied to an occupant merely on account of a dispute relating to the land, as held by the **Hon'ble Supreme Court in Dilip (Dead) through LRs. v. Satish & Others, Criminal Appeal No. 810 of 2022, decided on 13.05.2022**, has categorically observed:

"It is now well settled proposition of law that electricity is a basic amenity of which a person cannot be deprived. Electricity cannot be declined to a tenant on the ground of failure/refusal of the landlord to issue no objection certificate. All that the electricity supply authority is required to examine is whether the applicant for electricity connection is in occupation of the premises in question."

The Forum further observes that **electricity is an essential amenity connected** with the right to shelter and dignified living. **The Hon'ble Supreme Court, in Chameli Singh & Others v. State of U.P. & Another, (1996)**, while explaining the scope of the right to shelter, held as under:

"Right to shelter, therefore, includes adequate living space, safe and decent structure, clean and decent surroundings, sufficient light, pure air and water, electricity, sanitation and other civic amenities like roads etc. so as to have easy access to his daily avocation."

The Hon'ble Chhattisgarh High Court, in **N.R. Sharma v. Chhattisgarh State Power Distribution Company Limited & Others, W.P.(C) Nos. 3340/2017, 3341/2017 & 3343/2017, decided on 02.01.2018**, relying upon the aforesaid judgment of the Hon'ble Supreme Court, further observed:

"Access to Electricity should be construed as a human right, of course, to the requirements to be satisfied under the Electricity laws. Denial of the same, upon even satisfying the requirements, would amount to violation of human rights."

Further, the aforesaid High Court also held that **Section 43 of the Electricity Act, 2003 is mandatory** in requiring supply to an owner or occupier of premises, subject to fulfilment of the applicable statutory requirements. In view of the above judicial principles, the Forum observes that while the Complainant is required to comply with the prescribed statutory and codal formalities, the request for a domestic electricity connection ought not to remain pending indefinitely merely because the concerned Revenue Authority has not responded to the Respondent's request for confirmation regarding settled possession, particularly when no order of a competent court restraining or prohibiting the release of the connection has been placed on record.

The Forum also takes note of the judgment dated **11/07/2025** passed by the Hon'ble High Court at Calcutta, Circuit Bench at Port Blair, in **WPA No. 216/2025, Krishnawathi vs. Union of India & Others**. In the said judgment, the Hon'ble Court, while considering the issue of electricity

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connection to an occupier of Government revenue land, specifically relied upon the **Full Bench judgment in Abhimanyu Mazumdar vs. The Superintending Engineer & Another**, wherein it was categorically held that an illegal occupier is also entitled to obtain an electricity connection. The Hon'ble Court further held that **Clause 5.30 of the JERC (Electricity Supply Code) Regulations, 2018** does not fetter the right of an occupant to seek electricity connection, and observed that an illegal occupier cannot be prevented from obtaining electricity merely on account of inability to produce the documents prescribed under the said clause. Accordingly, the Hon'ble Court set aside the rejection order and directed the Electricity Department to provide electricity connection subject to compliance with all formalities. The Hon'ble Court also made it clear that such electricity connection does not confer any right, title or interest over the Government land.

The Forum further takes note of the settled legal position that release of electricity supply to an occupier in settled physical possession is intended only to meet the basic requirement of electricity and shall not be construed as recognition, regularisation or conferment of any ownership, title or other right over the land or premises. In the present case, although the premises are situated on encroached land, the complainant is found to be in physical occupation of the premises. The same was identified during the site inspection conducted by the JE on 18/01/2025 and by the Forum on 08/09/2026. During the Forum's inspection, the complainant was found residing in the premises and electrical wiring and appliances were also found therein.

The Forum also takes note that the Respondent itself has stated that approval of the estimate was inadvertently accorded without ensuring confirmation of settled possession from the Revenue Authority. The Forum is of the view that any procedural omission at the level of the Licensee in processing the application cannot, by itself, be allowed to operate indefinitely to the detriment of the applicant, particularly when the applicant has acted upon the demand generated by the Licensee and has deposited the Security Deposit amount.

The Forum further observes that the documents produced by the complainant for obtaining a new electricity connection, namely **Affidavit, Undertaking/Declaration and Aadhaar Card**, may not by themselves satisfy the specific requirement of identity and ownership/occupancy documents under **Clause 5.27** and proof of occupancy prescribed under **Clause 5.30(8)** of the JERC (Electricity Supply Code) Regulations, 2018. The complainant is, therefore, required to submit the prescribed proof of occupancy, which may be verified and accepted by the Respondent in accordance with **Clause 5.30(8)**, which reads as follows:

"For bonafide consumers residing in JJ clusters or in other areas with no specific municipal address, the Licensee may accept either ration card or electoral identity card mandatorily having the same address as a proof of occupancy of the premises only for the purpose of releasing electricity connection and not for any other purpose."

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Provided further that the electricity bill shall be only for electricity supply to the premises occupied by the consumer and shall not be treated as having rights or title over the premises”.

The complainant is, therefore, required to submit a **Ration Card or Electoral Identity Card** having the same address as proof of occupancy of the premises in accordance with **Clause 5.30(8)** for obtaining the new connection. Upon submission of the prescribed proof of occupancy and completion of all other applicable codal, technical and safety formalities, the Respondent shall process the application and release the electricity connection within the time limit prescribed under the applicable Regulations.

The release of electricity connection shall be **only for the purpose of electricity supply** and shall not be construed as recognition, regularisation or conferment of any ownership, title, interest or other proprietary right over the land or premises.

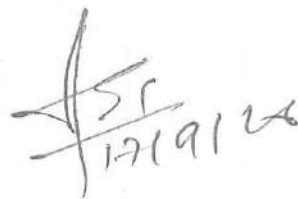
In view of the foregoing observations, the Forum considers it appropriate to balance the requirement of compliance with the applicable Revenue verification and other statutory safeguards with the complainant's legitimate requirement of basic electricity supply, without conferring or recognising any right, title or interest over the land or premises.

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 **Complaint/Case No. ANI/CG No. 18/2026** is hereby closed with specific directions to the Complainant and the Respondent.
2. The complainant shall submit a Ration Card or Electoral Identity Card having the same address as proof of occupancy, in accordance with Clause 5.30(8) of the JERC (Electricity Supply Code) Regulations, 2018, for obtaining the new electricity connection against Online Application No. 18615 dated 17/11/2023.
3. The Respondent shall accept the documents referred to at **Sl. No. 2** as proof of occupancy for the purpose of release of electricity connection in accordance with **Clause 5.30(8)** and, after completion of all codal, technical and safety formalities, process the application and release the new electricity connection within the prescribed timeline under the applicable JERC Regulations.



4. The Respondent shall issue a proper **demand note** to the complainant, specifying the estimate charges, the details of the works to be undertaken and all other applicable charges, in accordance with **Clauses 5.46 and 5.47** of the aforesaid Regulation, 2018, which was not followed in this instant case.
5. Upon submission of the required documents and payment of the applicable estimate charges and other lawful charges by the complainant, the Respondent shall **release the domestic electricity connection within the prescribed timeline under Clause 5.52 of the aforesaid Regulation, 2018**, subject to completion of all remaining codal, technical and safety formalities.
6. The Forum further directs the Respondent to ensure that the procedure prescribed under **Clauses 5.46, 5.47 and 5.48 read with Clause 5.52 of the JERC (Electricity Supply Code) Regulations, 2018** is strictly followed while processing new electricity connection applications. Wherever estimate charges are applicable, the payment made by the applicant shall first be duly verified and the payment receipt details shall be uploaded in the system by the concerned Junior Engineer before generation of the Security Deposit letter. The Respondent shall ensure such sequential processing to maintain proper correlation between the estimate, payment, Security Deposit and release of connection and to avoid recurrence of similar procedural lapses. This direction shall not apply to Government Quarters and connections under the PMAY Scheme. The necessary modifications in the software shall be carried out accordingly.
7. The release of electricity connection shall not confer or create any right, title, interest or equity in favour of the complainant or any other occupant over the premises and shall not be treated as regularisation or recognition of any encroachment or unauthorised occupation.
8. In the event of any order/direction of the competent authority for eviction, removal of encroachment, demolition or otherwise prohibiting the continuation of electricity supply to the premises, the Respondent shall be at liberty to take appropriate action, including disconnection of the electricity supply, in accordance with law.
9. The complainant shall ensure electrical safety at the premises and is advised to install an Earth Leakage Protective Device (ELPD) and comply with all applicable electrical safety requirements.
10. 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.

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11. 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**.
12. The Forum further directs that, if the Complainant or the Respondent is aggrieved by this Order or seeks recall/review thereof, such application may be made in accordance with **Clause 28 of the JERC (CGRF & Ombudsman) Regulations, 2024**, within the period prescribed therein i.e. 30 days, subject to the conditions and requirements stipulated under the said Regulation.
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.

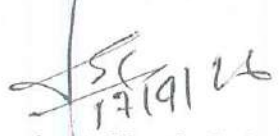
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog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


(Amarjeet Singh Saini)
Chairman
Electricity CGRF

XXX