

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:

Smti. Raj Devi, R/o Aberdeen Village, Sri Vijaya Puram Tehsil, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 04/2026 dated 04/05/2026.
Complaint : New Electric Connection (Domestic)
Date of Hearing : 09/09/2026
Date of Order : 17/09/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 39 dated 04/05/2026 regarding New Electric Connection (Domestic).

The complaint was registered as **ANI/C.G. No. 04/2026** and forwarded on 04/05/2026 vide letter No. ANI/CGRF/10-446/30 to the Nodal Officer (CGRF), Executive Engineer (HQ), and Assistant Engineer-I (HQ), Electricity Department, for submitting their reply/comments and attending the hearing fixed on 12/05/2026 at 10:30 a.m. in the Hearing Hall of the Electricity CGRF, A&N Islands, Horticulture Road, Haddo, Sri Vijaya Puram, along with relevant documents to depose before the Forum. A copy of the said letter was also endorsed to the complainant for attending the hearing.

However, the Forum could not proceed with the matter due to the non-provision of a Secretary and the continuing vacancies in the posts of Chairperson, Member (Distribution Licensee), and Member (Consumer/Prosumer) in CGRF, A&N Islands. Accordingly, the scheduled hearing was deferred, and it was intimated to the complainant and the respondent that the next date of hearing would be communicated separately upon restoration of the Forum's functional vide letter No. ANI/CGRF/10-446/37 dated 06/05/2026, which is kept in the case file as **Exbt.-1**.

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In the meantime, Nodal Officer (CGRF) vide letter No. EL/AE(W/shop)/2-16/2026-27/50 dated 12/05/2026 enclosed AE-I(HQ)'s letter No. EL/AE/SD-I/HQ/25-6/2026/524 dated 05/05/2026 regarding submitting his reply/comments on behalf of the Respondent, which was received by the Forum vide R.D No. 55 dated 14/05/2026, which is kept in the case file as **Exbt.-2**.

As the hearing could not be conducted on the scheduled date and time, the complainant approached the Hon'ble Electricity Ombudsman. A copy of the representation/appeal submitted before the Hon'ble Electricity Ombudsman was furnished to the Forum by the complainant for information vide Forum's R.D. No. 138 dated 24/07/2026, which is kept in the case file as **Exbt.-3**.

Pursuant to the aforesaid appeal, the Hon'ble Electricity Ombudsman admitted the matter and issued an admission notice by email dated 24/07/2026, which was received by the Forum vide R.D. No. 141 dated 27/07/2026, and the same is kept in the case file as **Exbt.-4**.

As per **A&N Admn.'s Office Order No. 2200 dated 18/08/2026**, the Chairperson and Member (Distribution Licensee) of the Electricity CGRF were appointed. Accordingly, the Chairperson reported for duty on 24/08/2026. However, the Member (Distribution Licensee) has not yet reported for duty, as he has not been formally relieved off from his present place of posting.

Following the appointment of the Chairperson and his assumption of office, the Hon'ble Electricity Ombudsman referred back to this Forum vide **Appeal No. 273 of 2026** for taking further necessary action and adjudicating the matter in accordance with the provisions of the **JERC (CGRF & Ombudsman) Regulations, 2024**, as recorded in the Ombudsman's Daily Order Sheet dated 20/08/2026. The complete scanned records of the representation were forwarded by email on 21/08/2026 and received by the Forum vide R.D. No. 208 dated 24/08/2026, which is kept in the case file as **Exbt.-5**.

In compliance with the directions contained in the Daily Order Sheet dated 20/08/2026, the Forum decided to take up the grievance for hearing, and accordingly the Forum informed to the complainant and the AE-I(HQ), Elect. Dept., vide letter No. ANI/CGRF/10-446/114 dated 28/08/2026 wherein directed to attend the hearing fixed on 09/09/2026 at 12:00 Hrs. at the Electricity CGRF Building, Horticulture Road, Haddo, Sri Vijaya Puram, along with relevant documents to depose before the Forum. A copy of the said letter was also endorsed to the Hon'ble Electricity Ombudsman, the Director (Power), the Executive Engineer (HQ), and the Nodal Officer (CGRF) for information. The said letter is kept in the case file as **Exbt.-6**.

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Hearing on 09/09/2026

The Hearing was held on 09/09/2026 in the Hearing Hall, Electricity CGRF at 12:00 a.m. The following were present: -

- (i) Smti. Raj Devi, Complainant.
- (ii) Shri. Amit Kumar Dass, Assist. Complainant.
- (iii) Shri. J. Jayakumar, AE (W/Shop), NO(CGRF), Elect. Dept.
- (iv) Shri. Naveen Lall, AE-I, Elect. Dept.

Statement of the Complainant

The complainant stated in her letter dated 04/05/2026 that "I Raj Devi R/o Aberdeen Bazaar, respectfully submit that I have applied twice vide application no, 41609 and 41610 dated 23/03/2026 for a new electricity connection to my residence, However, my applications were rejected with the remarks "to submit No Objection Certificate from all the joint owners executed either before the Executive Magistrate or Notary Public".

I humbly submit that I am seeking electricity supply only for domestic use and not claiming any ownership rights. Electricity is a basic essential service and denial on this ground is causing me great hardship. Despite my genuine need, I am unable to arrange such documents which is beyond my control.

I therefore request the Hon'ble CGRF to kindly direct the concerned authorities to grant electricity connection to my premises at the earliest".

The complainant enclosed photocopies of ROR, MAP, Existing Electricity Bill bearing Consumer No. D2/1199, Legal Heir Certificate dated 3/7/2013, Aadhaar Card as ID proof, Online Application Status dated 24/03/2026, Online Application Nos. 41609 and 41610 dated 23/03/2026.

Reply of the Respondent

The AE-I(HQ) submitted his reply on behalf of the respondent vide letter No. EL/AE/SD-I/HQ/25-6/2026/524 dated 05/05/2026 stated that "the applicant, Smti. Raj Devi, R/o Aberdeen Bazar, Sri Vijaya Puram, has applied for 2 Nos. Domestic Single Phase connection for the premises bearing Survey No./Plot No. 87 situated at Opp. SBI, Evening Branch, Old Taxi Stand, Aberdeen Bazar.

The applicant submitted 2 Nos. online applications vide Application No. 41609 dated 23.03.2026 and 41610 dated 23.03.2026 (Enclosure-I). The applicant has submitted same set of documents in respect of both online applications. The applications could not be processed as the required documents were fully furnished, in accordance with JERC Regulation 2018, Clause 5.30. Accordingly, after due communication with the applicant, the application was rejected on 15.01.2026.

It is observed that, in the online application, the land record submitted is in the name of Shri Manmohan Lall along with Nine other Joint Land Owners. The applicant has submitted only her Aadhaar card in support of her application, along with the land record (Form-F)) which does not include her name as one of the owners of the premises for which the electricity connection is sought in her name.

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Furthermore, no No Objection Certificate (NOC) from all the Joint Land Owners, duly executed before an Executive Magistrate or a Notary Public, has been submitted.

In view of the above deficiencies, both applications have been rejected with the following remarks: Rejected with the remarks to submit No Objection Certificate from all the Joint Land Owners executed either before the Executive Magistrate or Notary Public (Enclosure-I).

For providing electric connection, the relevant provision of JERC Regulation 2018, Clause 5.30 is reproduced below for ready reference:

QUOTE

5.30 Any of the following documents shall be considered as acceptable proof of ownership or occupancy of premises:

- 1) Copy of the registered sale deed or lease deed or rent agreement and in the case of agricultural connections, a copy of khasra/khatauni/khatanakal;
- 2) Registered General Power of Attorney;
- 3) Municipal/Panchayat tax receipt or Demand notice or any other related document;
- 4) Letter of allotment;
- 5) Copy of the house registration issued by the Panchayat/ownership certificate issued by Revenue Authorities;
- 6) Any other ownership related document issued by local Government Authority.
- 7) 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 No Objection Certificate from owner of the premises.

UNQUOTE

Documents submitted by the applicant in her Online Application were:

1. Online application No. 41609 dated 23.03.2026 and 41610 dated 23.03.2026
2. Land Record (Form-F)
3. Aadhaar Card".

The respondent enclosed photocopies of Form-F, Aadhaar Card, 2 Nos. Online Application status dated 24/03/2026, Online Application No. 41609 and 41610 dated 23/03/2026

Submission of the Complainant During Hearing

The complainant submitted that she had been residing in the said property for approximately 40 years and that she already had an electricity connection in her name bearing Consumer No. D2/1199. She further submitted that the property originally belonged to her father and that she is one of his legal heirs. In support of her claim, she submitted a copy of the Legal Heir Certificate dated 03/07/2013, wherein her name is mentioned at Serial No. 7.

The complainant stated that she requires a new electricity connection for the ground floor of the premises and requested that the connection be released on the basis of an Indemnity Bond, as she is unable to obtain the NOC from all the joint owners.



Submission of the Respondent During Hearing

The Assistant Engineer-I (HQ), on behalf of the respondent, submitted that the reply/para-wise comments already furnished vide letter No. EL/AE/SD-I/HQ/25-6/2026/524 dated 05/05/2026 may be treated as his submission. He further submitted that an NOC from all the joint owners was required in the present case, as the applicant's name was not reflected as an owner in the land record submitted along with the application.

Forum's Observation

The present case pertains to a grievance raised by the Complainant regarding rejection of her applications for new electricity connections vide **Online Application Nos. 41609 and 41610 dated 23.03.2026**, wherein the applications were rejected with remarks requiring submission of NOC from the joint owner(s)/co-tenant(s), without providing an opportunity to rectify the deficiency. The applications were submitted for obtaining new domestic electricity connections for the newly renovated house situated at Aberdeen Bazaar, Sri Vijaya Puram. Due to rejection of the applications, the Complainant approached the Forum for redressal.

In the present case, the Forum notes that the premises is a joint property, wherein the name of the Complainant's deceased father, Shri Harbhajan Lall, appears in the relevant property records along with other joint landowners. The Complainant has produced the Legal Heir Certificate dated 03.07.2013, wherein her name appears at Serial No. 7, along with the Death Certificate of her father, Indemnity Bond, Electoral Identity Card, Ration Card, Aadhaar Card, Form-F/ROR, MAP and other relevant documents.

The Forum further notes that the Complainant claims to have been residing in the premises for approximately 40 years and has stated that an electricity connection bearing Consumer No. D2/1199 is already existing in her name in the same property. The existing electricity bill relating to the said connection has also been produced before the Forum, which was provided by the Respondent long back. The Complainant has expressed her willingness to comply with the applicable requirements for release of the new electricity connection.

The Forum further takes note that, in response to the Admission Notice dated **13.07.2026** issued by the Electricity Ombudsman, the Complainant, vide letter dated **24.07.2026** addressed to the Electricity Ombudsman, submitted the required documents for release of the electricity connection in terms of **Clause 5.29 and Clause 5.30(7) & (8) of the JERC (Electricity Supply Code) Regulations, 2018**, i.e. **Indemnity Bond, Ration Card, Electoral ID Card, Aadhaar Card, Record of Right (ROR), Death Certificate of the Land Owner and Legal Heir Certificate**, and a copy the same was endorsed to the Electricity CGRF, A&N Islands and the AE-I(HQ), Electricity Department, which is kept in the case file as **Exbt.-7**.

Asst. Engineer

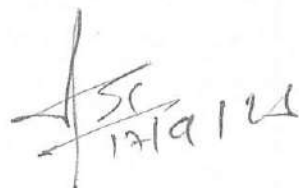
In the instant case, the Forum observes that the Complainant is not claiming that the release of electricity would confer exclusive ownership upon her. However, she request is to obtaining electricity supply for domestic use in the premises in which she claims to be residing as a legal heir and occupier.

The Forum noted that the Respondent has rejected the applications primarily on the ground that the Complainant's name does not appear in the land records and that an NOC from all joint owner(s)/co-tenant(s) has not been submitted. However, the applications were rejected without communicating the deficiency to the Complainant within the prescribed period and without providing an opportunity to furnish the required documents. **As per Clause 5.35 of the JERC (Electricity Supply Code) Regulations, 2018** read as "For all application forms pertaining to release of supply of new connections, the Licensee shall verify the application form along with enclosed documents and if found deficient, shall issue a written note on the spot regarding shortcomings in the application form. If the application form is complete, the Licensee shall acknowledge its receipt on the spot. In case the application is submitted online, the Licensee shall issue a written note regarding shortcomings in the application within 3 working days from the date of submission of application". In the instant case, instead of communicating the deficiency to the complainant within the prescribed period and providing an opportunity to furnish the required documents, the application was directly rejected with the aforesaid remarks, which is a violation the aforesaid Regulation.

The Forum further observes that the indemnity bond mechanism is intended to safeguard the Distribution Licensee against future disputes relating to title, ownership, possession or claims by third parties. Therefore, where an applicant establishes bona fide or lawful occupancy and is unable to obtain the NOC for reasons beyond her control, the Distribution Licensee is required to examine whether an indemnity bond in the prescribed form or any other permissible safeguard can be accepted, subject to verification and compliance with the applicable provisions as per Clause 5.30 (7) read as

*"(7) 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 No Objection Certificate from owner of the premises: Provided that where an applicant, who is lawful occupier of the premises, is a tenant or a leaseholder and is **unable to produce the No Objection Certificate from owner for obtaining a connection, a separate Indemnity Bond shall be executed in favour of the Distribution Licensee in the form prescribed by the Distribution Licensee**".*

It is also relevant that the declaration contained in the prescribed electricity connection application form makes it clear that release of electricity is only for availing electricity during the applicant's occupancy and shall not be used to establish ownership rights over the premises. Therefore, release of electricity is not equivalent to recognition of title, ownership or mutation of the property.



However, in the instant case, the Respondent has not produced any document, objection, court order or other evidence to show that any joint owner/co-tenant or legal heir has objected to providing electricity connection, which restrains release of the connection. Mere requirement of NOC, without any such specific objection or legal restraint, cannot by itself be treated as sufficient ground for rejection of the application. Therefore, in the absence of any specific objection or legal restraint, the Respondent was required to examine the application in accordance with the applicable Electricity Supply Code and other relevant provisions.

The Forum further takes note of **Section 43 of the Electricity Act, 2003**, which provides that every Distribution Licensee shall, on an application by the owner or occupier of any premises, give supply of electricity to such premises within the prescribed period, subject to the applicable provisions of law and compliance with the requisite conditions.

As per, **Rule 3 of the Electricity (Rights of Consumers) Rules, 2020** provides that it is the duty of every distribution licensee to supply electricity on request made by an owner or occupier of any premises, in accordance with the Electricity Act, 2003 and the rules and regulations made thereunder.

The Forum also takes note of **Rule 4(9) of the Electricity (Rights of Consumers) Rules, 2020**, as applicable, under which an application for a new connection is to be accompanied by identity proof and proof of ownership or occupancy of the premises, or, where such proof is not available, such other address proof as prescribed. The **Electricity (Rights of Consumers) Amendment Rules, 2024** further include **legal heirs** within the definition of **"owner"**. Accordingly, a claim based upon legal heirship cannot be disregarded without examination of the legal-heir document and other supporting material submitted by the applicant.

During the site inspection conducted by the Forum on 08.09.2026 at 11:30 hrs, the Forum observed that the Complainant was in physical possession of the premises and that existing electrical wiring and electrical appliances were available therein. The Complainant produced the documents before the Forum i.e. Indemnity Bond, Ration Card, Electoral Identity Card, Legal Heir Certificate, Death Certificate of the recorded owner, ROR, MAP and existing electricity bill bearing Consumer No. D2/1199, which is sufficient documents for providing electricity connection as per **Clause 5.30(7) of the aforesaid Regulation, 2018**. The Forum, however, makes it clear that the aforesaid observations are confined to the physical possession and documents produced before the Forum and shall not be construed as an adjudication or declaration regarding ownership, title, succession, partition or legal status of the land or premises.

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The Forum observes that the circumstances of the present case, namely, the Legal Heir Certificate, the documents relating to the deceased recorded owner, the claimed long-standing occupation, the existing electricity connection in the Complainant's name and the Indemnity Bond produced before the Forum, required proper examination by the Respondent rather than outright rejection solely on the ground that NOCs from all joint owners had not been produced.

The Forum further observes that the release of electricity to an occupier is intended only for the purpose of providing electricity supply and **shall not create, recognize or confer any right, title or interest in the joint property**. It shall neither prejudice the lawful rights of any co-owner nor prevent the competent authority from taking action in accordance with law in respect of the property.

The Complainant shall submit a **fresh application for a new electricity connection**, in view of the rejection of her earlier Online Applications. Upon receipt of the fresh application, the Respondent shall **process and consider the same** in accordance with **Clause 5.30 and Clause 5.35 of the JERC (Electricity Supply Code) Regulations, 2018, Rule 3 and Rule 4 of the Electricity (Rights of Consumers) Rules, 2020, Section 43 of the Electricity Act, 2003, and other applicable statutory and regulatory provisions**, subject to verification of the documents, technical feasibility, safety requirements, payment of prescribed charges and completion of applicable codal formalities.

Such supply shall be confined to electricity connection for domestic purposes and shall neither confer any right, title or interest in the Government land nor prejudice the competent authority's power to take action regarding the land, including eviction, in accordance with law.

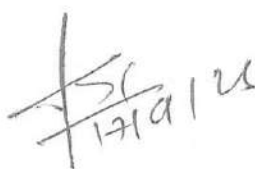
In view of the foregoing, the Forum considers it appropriate to **balance the interests of the** Distribution Licensee, the Complainant and the lawful rights of other stakeholders by permitting consideration/release of the electricity connection for domestic use, subject to the safeguards and conditions contained in the Order portion hereinbelow.

Hence,

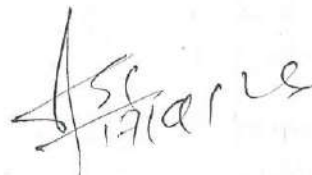
It is ordered:

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. 04/2026** is hereby closed with specific directions to the Complainant and the Respondent.



2. The Complainant shall submit a fresh application for a new electricity connection, either through online or offline mode, as permissible under the **JERC (Electricity Supply Code) Regulations, 2018 & Electricity (Rights of Consumers) Rules, 2020**, in her capacity as occupier of the premises, along with the requisite supporting documents, including the documents produced before the Forum, in view of rejection of the earlier Online Application Nos. 41609 and 41610 dated 23.03.2026..
3. Subject to completion of the applicable codal formalities, payment of prescribed charges, technical feasibility, compliance with safety requirements and verification of the requisite documents, the Respondent shall process and release the new domestic electricity connection within the applicable timeline prescribed under the **Electricity (Rights of Consumers) Rules, 2020 and the JERC (Electricity Supply Code) Regulations, 2018**.
4. The Respondent shall not reject any application for a new electricity connection without issuing a deficiency notice, wherever any deficiency is noticed, in accordance with **Clause 5.35 of the aforesaid Regulations, 2018**, so as to ensure compliance with the prescribed procedure, which was not followed in the instant case.
5. It is clarified that the release of electricity connection pursuant to this Order shall be only for the purpose of domestic use of electricity supply and shall not be construed as recognition, declaration or confirmation of ownership, title, succession, partition or exclusive possession over the premises. Any dispute relating to title, ownership, succession or partition shall remain open for determination by the competent authority/court..
6. The 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 unauthorized occupation.
7. In the event of any order or direction of the competent authority relating to 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.
8. The complainant shall ensure electrical safety at the premises and comply with all applicable electrical safety requirements. She is advised to install an **Earth Leakage Protective Device (ELPD)**, wherever required, and to ensure that the internal wiring and electrical installation comply with the applicable safety standards.
9. 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**.

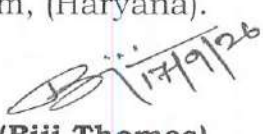


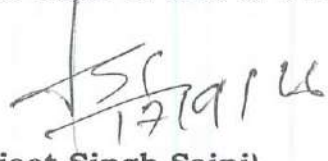
10. Non-compliance with this Order shall be treated as a violation of the Regulations of the Commission, and the Forum shall be at liberty to take such action as may be permissible under the applicable provisions of **JERC Regulation No. 31/2024 and Section 142 of the Electricity Act, 2003.**
11. The 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.
12. 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 (HQ), Nodal Officer (CGRF), Assistant Engineer-I(HQ), Assistant Engineer (IT), Electricity Department, Complainant (Appellant) 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

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