

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 matter of:

Smti. Mamani Das, W/o Shri. Arun Das, R/o Mahavir Nagar, Prothrapur, Sri Vijaya Puram, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 50/2025 dated 13/01/2025.
Complaint : Providing Re-Connection (Domestic)
Date of Hearing : 20/01/2025
Date of Order : 20/01/2025

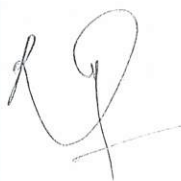
ORDER

Background

The complainant Smti. Mamani Das, W/o Shri. Arun Das, R/o Mahavir Nagar, Prothrapur, Sri Vijaya Puram, South Andaman, filed a complaint vide R.D. No. 945 dated 13/01/2025 regarding Re-connection of electricity connection bearing consumer no. J/7033 (Domestic).

The complaint was registered as ANI/C.G. No. 50/2025 and forwarded on 13/01/2025 vide letter No. ANI/CGRF/10-373/597 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-III(HQ), Electricity Department for submitting reply/comments and attending the Hearing fixed on 20/01/2025 at 10:30 a.m. in the Hearing Hall of the Electricity (CGRF), A&N Islands, Horticulture Road, Haddo, Sri Vijaya Puram with relevant documents to depose before the Forum. A copy of this letter was also endorsed to the complainant for attending the Hearing on 20/01/2025 at 10.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2025/669 dated 17/01/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 950 dated 17/01/2025 (the letter is kept in case file) (**Exbt. -1**).



Hearing on 20/01/2025

The Hearing was held on 20/01/2025 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Smti. Mamani Das, Complainant.
- (ii) Shri. R. Shanta Rao, Asst. Complainant.
- (iii) Shri. Naveen Lall, AE-I, Elect. Dept.
- (iv) Shri. Anish George, JE, Elect. Dept.
- (v) Shri. Hari Kishen, MRLCC, Elect. Dept.

Statement of the Complainant

The complainant Smti. Mamani Das, W/o Shri. Arun Das, R/o Mahavir Nagar, Prothrapur, Sri Vijaya Puram, South Andaman stated in her complaint letter dated 13.01.2025 that "I would like state that I applied for grant of electric connection in my house to Assistant Engineer-III, Sub-Division-III, Electricity Department Sri Vijaya Puram on 23/12/2024 (Copy attached). But, he refuse to provide electricity meter connection in my house situated at Prothrapur in Ward No. 23. Now, I am facing lots of problem without electricity.

Hence, I humbly request you to please provide me the electricity meter connection. I will be ever grateful to you. Without Service of any notice, the electric meter was taken away by the staffs of electricity department."

The complainant enclosed photocopies of letter to the AE-III, Tehsildar's order dated 16.10.2024, Security Deposit, online application no. 13221 dated 10.04.2023, Payment receipt and Aadhaar card as ID proof, which is kept in the case file (Exbt. -2).

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-III (HQ) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/P/Pur/HQ/1-12/2024-25/1720 dated 17/01/2025 stated that: -

"The applicant Smti. Mamini Das, W/o Shri. Arun Das applied for domestic single phase electric connection on Govt. encroached land vide application No. 15389 dated 11.07.2023 and electric connection was provided on 07.11.2023 vide A/c No. J/7033.

The electric connection was disconnected and the energy meter was removed on 24.10.2024 due to the Eviction done by the Tehsildar, Sri Vijaya Puram office order No.R.C.No.1646/TPB/2024 Dt 16/10/2024 and as per then Junior Engineer, Prothrapur-II site office report vide letter no. F.No. EL/JE/ PP-11/4-2/2024-25/830 dated 11.11.2024.

As directed by the forum the following documents/ information is submitted please.

Sl. No.	Required Information	Remarks
1.	Extract of consumer profile of the Consumer	Copy enclosed
2.	Smart Meter detailed not applicable	Consumer was existing static electronic meter.
3.	Monthly unit consumption for which consumer ledger w.e.f 04 / 2024 to Till date	Copy enclosed
4.	Connected Load	1 KVA
5.	Earthing and Neutral testing	The details could not be submitted because consumer has been disconnected on 24/10/2024 and energy meter has been removed during eviction driven / direction by the TPB in presence of RI, Patwari and PS PaharGoan. In this context report has been submitted. Copy enclosed.
6.	Meter reading Book from 04/2024 till date copy of Xerox is enclosed.	Copy enclosed
7.	Documents for providing NSC are enclosed	Copy enclosed

This is for your kind information and further necessary action please.”

The AE-III(HQ), Electricity Department enclosed photocopies of letter received from JE P/Pur dated 16/01/2025, Note dated 11/11/2024, Aadhaar card, High court order dated 05/07/2023, Undertaking, Affidavit, Declaration, JE's letter dated 11.11.2024, online application no. 15389 dated 11.07.2023 and Meter reading record, which is kept in the case file (Exbt. -3).

Submission of the Complainant

Smti. Mamani Das expressed her grievance that the electricity meter for her house in Prothrapur was removed on 24.10.2024 without prior notice during an eviction process. She highlighted that her house has not been demolished and that she continues to reside there. Without electricity, she is experiencing severe difficulties in her daily life. She appealed to the forum to intervene and direct the electricity department to restore the electricity connection until the eviction process reaches its conclusion.



Submission of the Respondent (Licensee)

The respondent clarified that the electricity connection under A/c No. J/7033 was provided to the complainant on government-encroached land on 07.11.2023. Subsequently, as part of an eviction process ordered by the Tehsildar, the connection was disconnected, and the meter was removed on 24.10.2024. The action was executed in compliance with official orders and in the presence of relevant authorities. The respondent emphasized that the disconnection was carried out for safety reasons and submitted supporting documents to the forum for consideration.

Forum's Observation

The complainant, Smti. Mamani Das, applied for an electricity connection for her house situated in Prothrapur, Ward No. 23, on 11.07.2023, and the connection was granted on 07.11.2023 under A/c No. J/7033. However, the electricity connection was disconnected on 24.10.2024, and the energy meter was removed during an eviction process initiated by the Tehsildar, Sri Vijaya Puram. The complainant has approached the Consumer Forum, requesting the reconnection of her electricity supply, stating that she is still in possession of the premises and facing difficulties due to the lack of electricity.

The complainant, Smti. Mamani Das, W/o Shri Arun Das, stated that she had applied for and received a domestic single-phase electricity connection for her house in Prothrapur. However, on 24.10.2024, the electricity connection was disconnected, and the meter was removed without serving any notice to her. She claims that despite an eviction order, her premises remain intact, and she is still in possession of the property. She has been facing significant hardships without electricity and has requested the forum to direct the respondent to reconnect her electricity supply.

The respondent, represented by the Assistant Engineer of Sub-Division III, Electricity Department, stated that Smti. Mamani Das had applied for an electricity connection on government-encroached land, and the connection was granted on 07.11.2023 under A/c No. J/7033. However, the connection was disconnected, and the meter was removed on 24.10.2024, following the eviction process initiated by the Tehsildar, Sri Vijaya Puram, as per office order No. R.C.No. 1646/TPB/2024 dated 16.10.2024. The action was carried out in the presence of revenue officials and law enforcement. The respondent submitted the related documents to the forum for review.

The Forum observed that the complainant's electricity connection was disconnected considering the safety aspects, and the meter was removed due to the eviction process carried out by the Tehsildar, Sri Vijaya Puram. However, during the forum's inspection on 16.01.2025, it was evident that the



premises in question had not been demolished, and the complainant was still in possession of the property. It was also noted that the cutout and service wire were still present in the house, indicating that the disconnection process was premature and not aligned with the actual demolition of the premises. The Forum also noticed that the process of termination of the agreement also not initiated by the respondent as per regulation, hence Forum directed to the respondent to provide reconnection of the existing connection vide A/c No. J/7033 immediately till such time the said premises being fully evicted by the competent authority.

The Forum also took note of the respondent's assurance that in the future, disconnection of electricity connections would only be carried out at the time of demolition of the premises to ensure fairness and to avoid causing undue hardship to consumers.

The Forum found that there was no immediate risk or safety hazard that justified the removal of the meter and directed the respondent to reconnect the electricity supply immediately.

The Forum directs the respondent to immediately reconnect the electricity supply for A/c No. J/7033 at the complainant's premises, until the eviction process is fully completed, including the demolition of the whole premises. The respondent shall ensure that, such situation in future, electricity disconnections were carried out only at the time of demolition of the premises, as per the due procedure. The respondent is directed to provide prior notice to the complainant before initiating any further disconnection.

The Forum directs the respondent to reconnect the complainant's electricity supply on the receipt of any balance payment and after the necessary formalities are completed. The complainant is directed to pay all the pending dues if any including reconnection charges also. The reconnection is being provided on humanitarian grounds due to the complainant's financial hardship.

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 Respondent (ED) and the Complainant.
2. The Respondent is directed to provide reconnection to Consumer No. J/7033 immediately till such time the said premises being fully evicted by the concerned authority.



3. The Respondent shall ensure that all future disconnections are based on proper notice within a period of 15 days to the consumer in case of non-payment of dues etc. as per the Standard of Performance (SOP) dated 24/06/2015 under Clause 17 (1).
4. The Complainant is advised 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.
5. Further, it is clear that providing reconnection to the applicant will not confer any right or equity in favour of the trespasser/ encroacher/ occupier to default the title of the lawful owner and shall not be treated as having rights or title over the premises.
6. 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**'.
7. 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.
8. 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.
9. 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**".

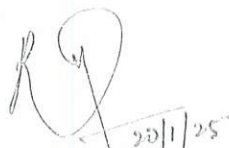
[Annexure - IV Appeal Form can be collected from the office of the Forum on any of the working days].



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