

ELECTRICITY CGRF
(Under The Electricity Act, 2003)
ANDAMAN & NICOBAR ISLANDS
PORT BLAIR

Before:

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

In the matter of:

Shri. Ratin Lall, R/o Junglighat, Port Blair, South Andaman.

.....Complainant

Versus

The Electricity Department, A & N Administration, Port Blair.

.....Respondent

Complaint No. : ANI/CGRF/329/24-25/06 dated 07/06/2024
Complaint : Providing New Connection (Domestic)
Date of Hearing : 18/06/2024
Date of Order : 20/06/2024



ORDER

Background

The complainant Shri. Ratin Lall, R/o Junglighat, Port Blair, South Andaman, filed a complaint vide R.D. No. 592 dated 07/06/2024 regarding new electricity connection (Domestic).

The complaint was registered as Case No. 329 and forwarded on 07/06/2024 vide letter No. ANI/CGRF/10-329/389 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 18/06/2024 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 18/06/2024 at 10.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/23-24/439 dated 12/06/2024 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 599 dated 13/06/2024 (the letter is kept in case file **(Exbt. -1)**).

Hearing on 18/06/2024

The Hearing was held on 18/06/2024 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Smti. Jaswant Lall, Authorized Complainant.
- (ii) Shri. Naveen Lall, AE-I(HQ), Elect. Dept.
- (iii) Shri. Suresh Kumar, AE, Nodal Officer, Elect. Dept.
- (iv) Smti. R. Maheswari, JE (P/Nagar), Elect. Dept.

Statement of the Complainant

The complainant Shri. Ratin Lall, R/o Junglighat, South Andaman stated in his complaint letter dated 07.06.2024 that *"I had applied for getting electric connection to the Assistant engineer-I, Electricity department for obtaining electric connection vide online application no. 22585 dated 03.06.24 and 22632 dated 05.06.2024 but both my online application was rejected with the following remark.*

1. *Name in land record and Aadhar does not match and No objection from Co-owner of the land not submitted.*
2. *Submit the No objection from co-owner of the land.*

Further proper notice had not given by the department against my application and directly rejected my application with remark which is injustice.

Sir, I am a senior citizen and staying with my family in which already one No. Domestic electric connection exists vide. A/c no. B/1529. Now, I have made a separate room for my daughter for which I require one number domestic electric connection. Necessary wiring and earthing done for new electric connection for the separate meter.

Sir, I am a joint owner of the land and in the jointly mutated land I have a separate house for the last 50 years in which I need extra one number domestic meter connection for my daughter.

I am unable to produce No objection from the co-owner of the land.

Request to direct the electricity department for providing One number domestic electric connection please.

I hereby authorized my wife Smti. Jaswant Lall w/o. Shri. Ratin Lall to attend the hearing for my grievance till dispose of my complaint".

The complainant enclosed photocopies of online application form, application status bearing No. 22585 dated 03/06/2024, 22632 dated



05/06/2024, Form-F, Affidavit for Declaration 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/25-3/2024/113 dated 10/06/2024 stated that "the comments submitting by this subdivision is as follows.

1. The applicant, Shri Ratin Lall. R/o Junglighat applied for domestic single phase electric connection vide application. No. 22585 dated 03.06.2024 with the following documents.

A. Land Record and Aadhar.

The online applicant was rejected with the remark that name in Land Record and Aadhar does not match and No objection from joint owner of the land not submitted.

2. The applicant Shri. Ratin Lall, applied for online application No. 22632 dated 05.06.2024 which was rejected with the remark to submit the No objection from joint owner of the land.

As directed by the forum, the following documents are submitted please.

- 1) Online application no. 22585 dated 03.06.2024.
- 2) Online application no. 22632 dated 05.06.2024".

The AE-I(HQ), Electricity Department enclosed photocopies of complainant's online application form and application status bearing No. 22585 dated 03/06/2024, 22632 dated 05/06/2024, Form-F and the affidavit signed by notary for declaration of name change in the above land record, which is kept in the case file (Exbt. -3).

Submission of the Complainant

The complainant (Authorized) his wife Smti. Jaswant Lall, R/o Junglighat to attend the hearing and she stated that her husband is a senior citizen, and they are the joint owner of the land and in the jointly mutated land, they have a separate two storied wooden house for the last 50 years. Also, she stated that there is no dispute in the land, the first floor is provided for rent and the ground floor is modified and hence applied for a new domestic electric connection.

Submission of the Respondent (Licensee)

The Assistant Engineer-I(HQ), Electricity department on behalf of the Respondent/Licensee (ED) stated that the name of the applicant in Aadhar card and land record does not match. Also, the NOC from the co-owners of the

land had not submitted, considering the above reasons being the cause of rejection of the two online applications for new domestic electric connection. However, during the hearing, the Respondent stated that based on the affidavit signed by notary dated 05/06/2024 the name change in the land records are accepted, but the forum may direct the complainant to produce the corrected documents within six months to avoid future complications regarding ownership.

Finally on the day of hearing, the AE-I(HQ), Electricity department on behalf of the Respondent/Licensee (ED) stated that they will be ready to provide the new domestic electric connection on receipt of Order from CGRF as per the technical feasibility.

Forum's Observation

The Forum after going through the documents submitted by the Respondent/Licensee (ED), the complainant, and the statements made on hearing date by both the parties meticulously observes that the complainant, Shri. Ratin Lall, R/o Junglighat is a co-owner of the land who had applied for new domestic electric connection vide Online application No. 22585 dated 03.06.2024 and Online application No. 22632 dated 05.06.2024 with supporting documents i.e., Aadhaar Card, Form-F, Affidavits for Declaration etc. The Licensee/Respondent (ED) failed to provide the new connection due to lack of NOC from the co-owners of the land and due to name mismatch in the land records and Aadhar card document.

During the hearing, the Respondent informed that the name change in the land records are accepted by the department based on the affidavit signed by the notary dated 05.06.2024. The NOC from the joint owner is also required to provide the new service connection, but as per the statement of the complainant, since there is no dispute in the land and the name of the complainant already exists in the land records and he is eligible for availing the new electric connection. In a joint family property, if the applicant for new connection's name was mentioned in joint registered sale deed or revenue land record entry, he may be given New Service Connection without insisting on NOC from other family members until there is any dispute or court case. Hence, the Forum decided not to insist the NOC from the co-owners for the time being.

The Forum also directed to the complainant to submit the corrected name in the land records matching with the Aadhar card within 06 months to avoid future complications regarding ownership. If the complainant does not submit the corrected record as per his name in the Aadhar card within the specified time, then the department has the liberty to disconnect the supply after observing all codal formalities as per the regulations. Considering the senior citizen status and the delay in getting corrected land records and the



Forum directed the respondent to provide the domestic electric connection after observing all codal formalities.

Hence,

It is Ordered:

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

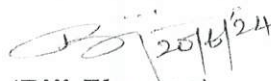
- 1 The Respondent/Licensee (ED) is directed to provide new domestic electric connection subject to technical feasibility and after observing all the codal formalities as prescribed in JERC Regulation No. 23/2018.
- 2 The Complainant is directed to submit the corrected name in the land records matching with the Aadhar card within 06 months to avoid future complications regarding ownership.
- 3 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. 26/2019 under Clause 27(1). **Further, Sl. No. 1 of the above said direction of compliance should be provided with supporting documents, if any.**
- 4 As per JERC Regulation No. 26/2019 under Chapter-IV of 27, 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.
- 5 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.

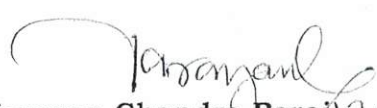
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog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


(Narayan Chandra Baroi)
Member (Licensee)
Electricity CGRF


(R. Ravichandar)
Chairman
Electricity CGRF

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