

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. P. Pavun, W/o Shri. V. Palanichamy, R/o Beodnabad, Sri Vijaya Puram,
South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 47/2024 dated 16/12/2024.
Complaint : Providing Re-Connection (Domestic)
Date of Hearing : 23/12/2024
Date of Order : 24/12/2024



ORDER

Background

The complainant Smti. P. Pavun, W/o Shri. V. Palanichamy, R/o Beodnabad, Sri Vijaya Puram, South Andaman, filed a complaint vide R.D. No. 917 dated 16/12/2024 regarding Re-connection of electricity connection bearing consumer no. J1/6175 (Domestic).

The complaint was registered as ANI/C.G. No. 47/2024 and forwarded on 16/12/2024 vide letter No. ANI/CGRF/10-370/576 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 23/12/2024 at 11:00 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 23/12/2024 at 11.00 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2024/636 dated 20/12/2024 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 925 dated 23/12/2024 (the letter is kept in case file) (*Exbt. -1*).

Hearing on 23/12/2024

The Hearing was held on 23/12/2024 in the Hearing Hall, Electricity CGRF at 11:00 a.m. The following were present: -

- (i) Smti. P. Pavun, Complainant.
- (ii) Shri. P. Saminathan, Asst. Complainant.
- (iii) Shri. P. Atheeshesan, Asst. Complainant.
- (iv) Shri. P. Pooranadevi, Asst. Complainant.
- (v) Shri. Suresh Kumar, NO, Elect. Dept.
- (vi) Shri Anish George, JE (B/Line), Elect. Dept.
- (vii) Shri. Harikishen, MRLCC, Elect. Dept.

Statement of the Complainant

The complainant Smti. P. Pavun, W/o Shri. V. Palanichamy, R/o Beodnabad, Sri Vijaya Puram, South Andaman stated in her complaint letter dated 16.12.2024 that *"I, the undersigned applicant would like to bring to your attention that my electricity supply, bearing Consumer No. J1/6175 and installed at my residence in beondnabad, South Andaman was disconnected without prior notice or explanation. The abrupt disconnection has caused significant hardship to my family.*

It is to state that my bills on electricity dues are upto date till the disconnection. Furthermost, I have come to understand that the Assistant Commissioner (AC), South Andaman has given verbal direction to disconnect electricity connections in nearby villages where encroached land is evolved. It appears that my connection was disconnected based on this directive. However, I would like to state that I neither any notice from the Electricity Department or the AC, South Andaman regarding this matter nor was my house demolished, and I remain in Settled possession of the property.

Upon noticing this disconnection, I promptly neither approached the site office and have been following up verbally over the past two months to request restoration of the supply, however no actions have been taken so far, nor received official communication explaining the reason for the disconnection. I would like to highlight the adverse impact this had on my family.

1. My family comprises of 5 members, including my daughter, who is preparing for her 10 examinations in February 2025, and my two sons, who are studying in college.

2. The lack of electricity is severely hampering their ability to study and prepare for their respective academic milestones.

3. Managing daily household activities without power has become extremely difficult, affecting the well-being of all family members.

I humbly request that my electricity supply be restored immediately on humanitarian grounds to relieve my family of this distress and enable my children to continue their education without further disruption. Additionally, as I am in "settled Possession" of the property in question, as per the JERC

Regulation, I respectfully request that my electricity supply remain intact until any eviction proceedings are finalized.
Thanking you in anticipation.”

The complainant enclosed photocopies of application submitted to AE-III, Elect. Dept., Identity cards and Payment receipt, 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/4-9/2024/1592 dated 20/12/2024 stated that: -

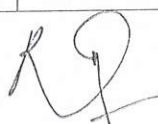
“The applicant Smti. P. Pavun, W/o Shri. V. Palanichamy applied for domestic single phase electric connection on Govt. encroached land vide application No. 11325 dated 13.02.2023 and electric connection was provided on June 2023 vide A/c No. J1/6175.

The electric connection was disconnected and the energy meter was removed on 31.08.2024 as per the then Junior Engineer, Prothrapur-II site office report vide letter no. F.No. EL/JE/ PP-II/2- 8/2024-25/ 192 dated 25.09.2024. (Enclosure-I).

The applicant again applied for electric connection on same Govt. encroached land vide application no. 25801 dated 14.11.24 which is kept pending due to the reason that the earlier energy meter was removed during the eviction process held on 31.08.2024 by the Revenue Authorities.

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 06/2023 to Till date.	Copy enclosed
4.	Connected load	2 KVA
5.	Earthing and neutral testing	The details could not be submitted because consumer connection has been disconnected on 31/08/2024 and energy meter has been removed during eviction driven/ direction by the TPB in presence of RI, Patwari and PS Pahar Goan. In this context report has been



		<i>submitted.</i>
6.	<i>Meter reading Book from 06/2023 till date copy of Xerox is enclosed.</i>	<i>Copy enclosed</i>
7.	<i>Documents for providing NSC are enclosed</i>	<i>Copy enclosed</i>

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

The AE-III(HQ), Electricity Department enclosed photocopies of Note issued by JE(B/Line), Consumer Ledger, Meter reading record, complainant's online application form bearing No. 11325 dated 13/02/2023, complainant's Aadhaar card, Ration card, Affidavit, Undertaking, Declaration and High court order, which is kept in the case file **(Exbt. -3)**.

Submission of the Complainant

Smti. P. Pavun, the complainant, expressed distress over the abrupt disconnection of electricity at her residence. She emphasized that her family is facing extreme inconvenience, particularly her children who are preparing for crucial academic examinations. She pointed out that despite repeated verbal follow-ups with the electricity department, no actions have been taken to restore the connection. She maintained that her property is in "settled possession" and argued that the disconnection was unjustified in the absence of any official notice or ongoing demolition of her house.

Submission of the Respondent (Licensee)

The respondent stated that the complainant's electricity connection was sanctioned for encroached government land and was disconnected during an eviction drive on August 31, 2024, following verbal directions from the revenue authorities. The respondent clarified that the energy meter was removed during the eviction process, and the complainant's subsequent request for reconnection has been kept pending due to the unresolved status of the encroachment. They reiterated that the actions were taken in accordance with instructions from higher authorities, and all relevant records have been documented.

Forum's Observation

The case revolves around the disconnection of electricity supply to the complainant's residence in Beodnabad, South Andaman. The complainant alleges that the electricity connection was disconnected without prior notice or explanation, despite of clearing all dues. The respondent justifies the disconnection based on eviction proceedings directed by the revenue authorities. The complainant seeks immediate restoration of electricity on humanitarian and legal grounds, while the respondent maintains that the disconnection was conducted as per procedural requirements.



The complainant, Smti. P. Pavun, highlighted that her electricity supply, bearing consumer number J1/6175, was abruptly disconnected without prior notice. She claimed that her dues were fully paid and her family of five, including children preparing for important examinations, is facing immense hardship due to the disconnection. She also stated that no official communication or notice regarding the disconnection or eviction proceedings was served. The complainant further asserted that her property is in "settled possession," and as per JERC regulations, the electricity supply should not have been disconnected without final eviction proceedings.

The respondent, represented by the electricity department, stated that the complainant's electricity connection was initially granted in June 2023 for a government-encroached land based on an application submitted in February 2023. The connection was disconnected on August 31, 2024, during an eviction process overseen by the revenue authorities. The energy meter was removed following directions from higher authorities. The complainant applied for reconnection on the same encroached land in November 2024, but this application was kept pending due to the ongoing legal status of the land.

The forum noted that the complainant's house is occupied and in settled possession, despite being on government-encroached land. It was observed that the electricity disconnection occurred during the removal of nearby structures, based on verbal instructions from the authorities. However, no official notice was issued to the complainant regarding the disconnection. The forum visited the site and confirmed that the house is still intact and occupied. The forum recognized the complainant's concerns about the impact of disconnection on her family and children's education.

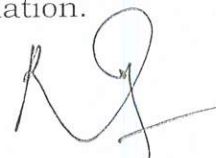
The Forum directs the electricity department to restore the electricity connection immediately till such time the said premises being fully evicted by the concerned authorities. No further disconnection shall take place without prior written notice to the complainant. The respondent shall ensure that all future disconnections are done based on proper documents and written directions from the concerned authorities.

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: -

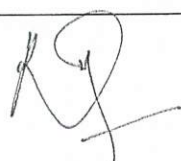
1. The Case is closed with specific directions to the Respondent(ED).
2. The Respondent is directed to reconnection immediately till such time the said premises being fully evicted by the concerned authority.
3. The Respondent shall ensure that all future disconnections are based on proper notice to the consumer as per Regulation.



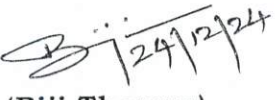
4. The Complainant is advised to install Earth Leakage Protective Device (ELPD) in the wiring to prevent any leakage and fire hazards and safety of equipment's in the premises.
5. Further, it is clear that release of electricity connection to the applicant will not confer any right or equity in favour 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 follow the '**Processing of Application Form**' after receiving the application for new connection as per **JERC Regulation No. 23/2018 under Section 5.35**.
8. The Respondent/Licensee (ED) is directed to follow the **JERC Regulation No. 23/2018 (ESC) and No. 06/2009 (SOP)** for providing new connection as per norms/guidelines.
9. 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.
10. 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.
11. 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.

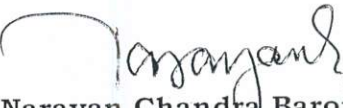
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog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

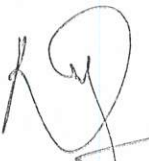
[Annexure – IV Appeal Form can be collected from the office of the Forum on any of the working days].



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

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