

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

Before:

Smt. Biji Thomas, Independent Member (JERC Nominated).

In the matter of:

Shri. Barun Mondal, R/o Near Sitla Temple, Manglutan, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 50/2025 dated 16/03/2026.
Complaint : New Electric Connection (Domestic)
Date of Hearing : 24/03/2026
Date of Order : 27/03/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 1583 dated 16/03/2026 regarding New Service Connection (Domestic). The complainant enclosed photocopies of Deed of Indemnity dated 29/01/2026, letter to the AE-IV, Elect. Dept. dated 26/02/2026, Online Application No. 25806 dated 14/11/2024, Ration Card, Election Card, Aadhaar card and Islander Identity card as ID proof including Residential Certificate issued by Pradhan dated 10/02/2026, which is kept in the case file (**Exbt.-1**).

The complaint was registered as ANI/C.G. No. 50/2025 and forwarded on 16/03/2026 vide letter No. ANI/CGRF/10-437/1017 to the Nodal Officer (CGRF), Executive Engineer (SAD) and Assistant Engineer-IV, Electricity Department hereinafter the respondent for submitting reply/comments and for attending the Hearing fixed on 24/03/2026 at 10:30 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 Hearing on 24/03/2026 at 10.30 a.m.

The Respondent had not submitted any reply/para-wise comments, except for the reply of the AE-I(HQ), Elect. Dept. vide letter No. EL/AE/CD/3-21/2025/840 dated 19/03/2026 with its enclosures i.e. online application form no. 25806 dated 14/11/2024, letter to the Range office, Forest dept.,

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Manglutan dated 21/12/2024, letter received from Range office, Manglutan dated 17/01/2025, AS(Power), A&N Admn. issued Circular dated 09/10/2023 and letter to the Tehsildar, S.V.P. dated 22/01/2026, which is kept in the case file. **(Exbt.-2)**.

Hearing on 24/03/2026

The Hearing was held on 24/03/2026 in the Hearing Hall, Electricity CGRF at 10:30 a.m. The following were present: -

- (i) Shri. Barun Mondal, Complainant.
- (ii) Shri. Dhananjoy Mondal, Asst. Complainant.
- (iii) Shri. J. Jaya Kumar, AE(W/shop), Nodal Officer (CGRF) - **Absent**
- (iv) Shri. Suresh Kumar, AE-IV, Elect. Dept.

Statement of the Complainant

The complainant in his complaint letter dated 16.03.2026, stated that *"providing of a new electricity connection at my residence located at Manglutan. I had submitted the application for this connection on 14-11-2024. I am enclosing required documents for want of electricity connection as per JERC Regulation under clause 5.30 of electricity Supply Code 2010. I have already submitted the below mentioned documents to AE, Chouldari on 26.02.2026. (Copy enclosed)*

The Detailed documents attached are as enclosed below:-

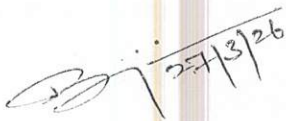
1. Online Application form (No. 25806 Dated 14/11/2024)
2. Indemnity Bond
3. Self attested copy of Ration Card
4. Self attested copy of Voter ID
5. Self attested copy of Aadhaar Card
6. Resident Certificate from Pradhan

I certified that the matter is not pending before any court of law. Requesting you to kindly look into the same and take necessary action".

Reply of the Respondent

The Forum had not received any reply from the Respondent, however, AE-I(HQ), Elect. Dept., submitted para-wise comments vide letter dated 19/03/2026, stated that : -

1. Shri Barun Mondal has submitted online application for providing Single Phase domestic connection on encroached Govt. Land vide application No.25806 dated 14/11/2024.(Copy Enclosed)
2. The Junior Engineer, Manglutan Site Office vide letter No. EL/JE/MT/F-17/2024/309 dated 21.12.2024 has sent the applicant details to Forest Range Office Manglutan for Verification of the land whether it falls under forest reserve or not? (Copy Enclosed)



3. The Range officer Vide Letter No. RO/MT/G/4(b)1179/ dated 16/01/2025 has confirmed that the said land does not fall under forest reserve land.(Copy Enclosed)
4. Due to acute Shortage of power in South Andaman during the year 2025, Providing of Electricity Connection was kept in abeyance till improvement of power Supply.
5. The Andaman & Nicobar Administration has issued a circular vide F. No. 4-3/21/2015- power dated 9th October 2023 regarding Electric connection on encroachment Govt. land. The procedure for issuance of new connection on point no. (ii) The application shall be forwarded to the concerned revenue authority for confirmation whether the applicant is in settled possession or not (as defined in the Judgment of hon'ble supreme Court of India in case of Poona ram Vs Moti Ram (D) TH.LKS & ors in connection with Civil Appeal No.4527 of 2009 (Copy enclosed)
6. The applicant application was forwarded to the Tehsildar, South Andaman vide letter No. EL/AE/CD/3-14/2025/725 dated 22.01.2026 for confirmation of settle possession of land encroached by the applicant(Copy Enclosed).
7. The reply from the Tehsildar, South Andaman is not received till date further on point No. (ii) of the circular of Andaman & Nicobar Administration clearly mentioned that After confirmation from the concerned revenue authority, the application shall be formally accepted and processed further in accordance to the JERC (Electricity supply code) Regulation 2018. (copy enclosed)
Submitted for your kind information please.”

Submission of the Complainant

The complainant submitted that he had applied for a new electricity connection at his residence in Manglutan through an online application dated 14.11.2024. He stated that all required documents have been duly submitted to the concerned authorities.

He clarified that the matter is not pending before any court of law and requested the authorities to take necessary action for providing the electricity connection at the earliest.

Submission of the Respondent

The AE-I(HQ) submitted reply on behalf of the respondent and stated that the complainant had applied for a single-phase domestic electricity connection on encroached Government land. As part of due process, the matter was referred to the Forest Range Office, which confirmed that the land does not fall under forest reserve.

The respondent further stated that due to an acute shortage of power supply in South Andaman during 2025, new connections were temporarily kept in abeyance. Additionally, as per the Andaman & Nicobar Administration

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circular dated 09.10.2023, verification of settled possession from the revenue authority is mandatory in such cases.

Accordingly, the application was forwarded to the Tehsildar, South Andaman for confirmation. However, no response has been received to date. The respondent emphasized that further processing of the application is contingent upon receipt of confirmation from the concerned revenue authority.

Forum's Observation

The Forum observed that the present matter pertains to a request for a new electricity connection at a residential premises located at Manglutan, South Andaman. The complainant initially submitted an online application vide No. 25806 dated 14.11.2024 seeking a single-phase domestic electricity connection and subsequently furnished all requisite documents. However, despite the lapse of a considerable period, the application has not been disposed off.

The Forum noted that the land on which the connection is requested is identified as encroached Government land. As per procedural requirements, verification was initiated to ascertain the status of the land. The Respondent, referred the matter to the Forest Range Office to confirm whether the land falls under forest reserve jurisdiction. The Forest Range Officer, vide letter dated 16.01.2025, clarified that the land does not fall under forest reserve land. Subsequently, in compliance with the AS(Power)'s Circular dated 09.10.2023, which mandates verification of "**settled possession**" in cases involving encroached Government land, accordingly, the complainant's case was forwarded to the Tehsildar, South Andaman on 22.01.2026. As of the date of hearing, no response has been received from the concerned revenue authority.

The Forum observes that **inter-departmental correspondence cannot be a ground for indefinite delay** in providing an essential service like electricity. However, the **Forum had already quashed the said circular in earlier cases**, as it was seen not in accordance with the JERC Regulation for issuing new electricity connection.

The Forum observed that the complainant is seeking an electricity connection on encroached Government land. There is no dispute regarding submission of required documents by the complainant. The delay in providing connection is primarily procedural, pending confirmation from the revenue authority.

The Forum observes that the complainant has submitted identity proof, residential proof, ration card, voter identity card and residential certificate alongwith indemnity bond. As per **Clause 5.30 of the JERC (Electricity Supply Code) Regulations, 2018**, an applicant who is not the owner of the

premises may submit an **indemnity bond**, and the licensee shall not deny connection solely on the ground of ownership dispute. However, the Forum inspected the site on 19/03/2026 and found that the wiring and earthing was done and the complainant is in '**Settle Possession**', and also noted that nearby encroachers having electricity connections on their encroached land. The Forum realize that the access to essential services such as electricity is a basic necessity and the 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.

In view of the above, the Forum considers it appropriate to balance the interests of administrative authorities and the complainant by allowing the electricity connection subject to necessary safeguards.

Hence,

It is Ordered:

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


1. The Forum directs the Respondent to release the electricity connection to the complainant in accordance with Clause 5.30 of JERC Electricity Supply Code Regulation 2018.
2. The Forum directs the Respondent shall complete all codal formalities for release of the electricity connection as per applicable regulations.
3. The Forum directs the complainant that the **release of electricity connection 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.
4. In case the competent authorities initiate eviction proceedings or remove the encroachment, the respondent shall have the liberty to disconnect the service connection without any further notice.
5. The complainant is advised to install an Earth Leakage Protective Device (ELPD) to ensure electrical safety.
6. 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.
7. 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.

8. 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.
9. The Case is closed with specific directions to the Complainant and the Respondent.

“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).


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**(Biji Thomas)
Independent Member
Electricity CGRF**

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