

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:

Shri. Anup Ekka, S/o Late Tarcus Ekka, R/o Buniyadabad 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. 28/2026 dated 31/08/2026.
Complaint : New Electric Connection (Domestic)
Date of Hearing : 07/09/2026
Date of Order : 21/09/2026



ORDER

Background

The complainant filed a complaint vide R.D. No. 128 dated 31/08/2026 regarding New Electric Connection (Domestic).

The complaint was registered as **ANI/C.G. No. 28/2026** and forwarded on 31/08/2026 vide letter No. ANI/CGRF/10-470/118 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 07/09/2026 at 11:00 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.

The Nodal Officer (CGRF)'s vide letter No. EL/AE(W/shop)/2-16/2026-27/165 dated 02/09/2026 whereby enclosed AE-I(HQ)'s letter No. EL/AE/SD-I/HQ/25-6/2026/917 dated 02/09/2026 regarding submitting his reply/comments, which was received by the Forum vide R.D No. 142 dated 02/09/2026, which is kept in case file as **Exbt.-1**).

Hearing on 07/09/2026

The Hearing was held on 07/09/2026 in the Hearing Hall, Electricity CGRF at 11:00 a.m. The following were present: -

- (i) Shri. Anup Ekka, Complainant.
- (ii) Ms. Georgina Baa, Assist. Complainant.
- (iii) Shri. J. Jayakumar, AE (W/Shop), NO(CGRF), Elect. Dept.
- (iv) Shri. Naveen Lall, AE-I, Elect. Dept.
- (v) Ms. J. Anushiya, JE (Haddo), Elect. Dept.

Statement of the Complainant

The complainant stated in her complaint letter dated 31/08/2026 that "I applied for a domestic electricity connection on 04th July, 2026, vide application No. 45931. However, the electricity connection has not yet been provided.

I received a letter from the AE on 19/08/2026 regarding deficiencies in the documents submitted for the new electricity connection, in response to the said letter, I submitted the required documents/reply on 15/08/2026. Details are enclosed herewith. My grievance details are mentioned in the said letter dated 25/06/2026.

I shall be highly grateful for your kind consideration and necessary action".

The complainant enclosed photocopies of the representation submitted to AE-I(HQ) letter dated 25/08/2026, AE's letter dated 17/08/2026, Aadhaar Card as ID proof, Election ID Card issued on 7/1/2008, Islander ID Card issued on 14/092002, Ration Card, Old ROR issued in 1958, Affidavit for NOC from the Legal Heir's dated 13/08/2026, Death Certificate of the owner (S. Krishna), Death Certificate of the complainant's father, Online Application No. 45931 dated 4/7/2026, Affidavit for Undertaking dated 11/06/2026, Indemnity Bond dated 3/7/2026 and Declaration dated 11/6/2026.

Reply of the Respondent

The AE-I(HQ) submitted his reply on behalf of the respondent vide letter No. EL/AE/SD-I/HQ/25-6/2026/917 dated 02/09/2026 stated that: -

"Shri Anup Ekka, R/o Buniyadabad, Sri Vijaya Puram, regarding release of new domestic electricity connection against Online Application No. 45931 dated 04/07/2026, are submitted as under:

1. The applicant had submitted an online application bearing No, 45931 dated 04/07/2026 for release of a new domestic electricity connection.
2. Upon scrutiny of the application and the documents submitted by the applicant, it was observed that the application was deficient/incomplete due to non-submission of the latest Land Record (Form-F) in support of ownership/occupancy of the premises.
3. The applicant was requested on several occasions, both telephonically as well as in person, to submit the latest Land Record (Form-F) or any other valid document acceptable as proof of ownership/occupancy of the premises, as prescribed under the relevant provisions of the JERC (Electricity Supply Code) Regulations, 2018.

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

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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:

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.

UNQUOTE

4. However, despite repeated requests, the required latest Land Record was not submitted by the applicant. Accordingly, a deficiency notice was issued to the applicant vide this office letter No. EL/AE/SD-1/HQ/28-16/2026/836 dated 17/08/2026, requesting him to rectify the deficiency and submit the required supporting documents within the stipulated period.

5. It is pertinent to mention that the connection could not be processed further in the absence of valid and updated documentary proof regarding ownership/ occupancy of the premises. The application is, therefore, pending solely due to non-submission of the requisite document by the applicant.

In view of the above, it is submitted that there has been no undue delay on the part of this office, and the matter is pending due to non-compliance with the documentary requirements by the applicant."

The above is submitted for kind information and consideration of the Hon'ble Forum.

Submitted for kind information and necessary action".

The respondent enclosed photocopies of online application vide No. 45931 dated 04/07/2026, Indemnity Bond, Undertaking, Declaration/ Undertaking, Death Certificate of Tarcus Ekka, ROR, Ration Card and Aadhaar Card.

Submission of the Complainant

During the course of hearing, the Complainant submitted that his grandfather had been residing in the subject property since prior to 1953 that he and his family have been residing there since his birth. He stated that his grandfather and father have since expired. The Complainant further stated that the land bearing Survey No. 39, measuring 671 sq. meters, originally

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belonged to Shri S. Krishna, a friend of his grandfather, who, according to the Complainant, had neither married nor left any family or legal heirs. After his death, the Complainant's grandfather started residing in the said property, which, according to the Complainant, was recorded in the Remarks Column of the ROR by the Revenue Authority during the inspection conducted in 1958.

He further submitted that the electricity connections were already being provided in the names of his grandfather and father bearing Consumer Nos. A/704 and A/3450, respectively in the same landed property. He stated that his uncle and mother-in-law are residing in separate houses in the old residential structure and that, due to the expansion of the family, he has constructed a separate house and requires a new domestic electricity connection.

In support of his request, he submitted an Indemnity Bond, Ration Card, Electoral ID Card, ROR, Affidavit regarding NOC of Legal Heirs, and Death Certificates of the original owner and his grandfather, and requested the Forum to direct the Respondent to provide the new domestic electricity connection at the earliest.

Submission of the Respondent

The Assistant Engineer-I (HQ), appearing on behalf of the Respondent, submitted that the reply/para-wise comments dated 02.09.2026 may be treated as the submission of the Respondent. He further submitted that a deficiency notice was served upon the Complainant vide letter No. EL/AE/SD-I/HQ/28-16/2026/836 dated 17.08.2026, requiring submission of the necessary documents as prescribed under the applicable Electricity Supply Code for processing and release of the electricity connection. He stated that the requisite documents had not been furnished by the Complainant and, therefore, the electricity connection could not be released. The Respondent accordingly requested the Forum to consider the matter in light of the applicable provisions of the Electricity Supply Code and the documents available on record and issue necessary directions in the Order accordingly.

Forum's Observation

The complaint pertains to a new electricity connection for domestic purpose against **Online Application No. 45931 dated 04.07.2026**, submitted by the Complainant, which was kept in abeyance by the Respondent on the ground of non-submission of the latest Land Record (Form-F) in support of the Complainant's occupation of the premises.

The Forum observes that **Clause 5.1 of the JERC (Electricity Supply Code) Regulations, 2018** provides that the Licensee shall, on an application by the owner or occupier of any premises located within its area of supply, give supply of electricity to such premises within the time specified in the Supply Code, subject to technical feasibility, compliance with the prescribed procedure and payment of the applicable cost of supply and services.

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the Complainant submitted documents to the respondent vide his letter dated 25.08.2026, both letters are kept in the case file as **Exbt.-2**.

The Complainant stated in his letter that he had enclosed the requisite documents, namely Indemnity Bond, Ration Card, Electoral ID Card, Aadhaar Card, Record of Rights (ROR), Death Certificate of the original land owner, and No Objection from the legal heirs by way of affidavit, in terms of **5.30(7) & (8) of the JERC (Electricity Supply Code) Regulations, 2018**, and requested release of the electricity connection. However, no further action was taken by the Respondent, nor was any further deficiency communicated to the Complainant. Consequently, the Complainant approached to the Forum by filing the present complaint seeking redressal of his grievance.

The Forum further takes note of **Clause 5.30(7)**, which deals with the case of an occupier and provides for submission of an NOC from the owner and, in the circumstances specified therein, permits an **Indemnity Bond in lieu of such NOC**. Therefore, the requirement relating to ownership/occupancy documents has to be examined with reference to the particular circumstances of the applicant and the documents actually produced.

The Forum also takes note of **Clause 5.30 of the JERC (Electricity Supply Code) Regulations, 2018**, which provides that various documents may be accepted as proof of ownership or occupancy of the premises, including registered sale deed/lease deed/rent agreement, registered General Power of Attorney, municipal/panchayat tax receipt or demand notice, letter of allotment, house registration/ownership certificate issued by the competent authority and **any other ownership-related document issued by a local Government Authority**.

The Forum further takes note of **Rule 3 of the Electricity (Rights of Consumers) Rules, 2020**, which 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, rules and regulations, and recognises the consumer's right to minimum standards of service for supply of electricity.

Further, **Rule 4(9) of the Electricity (Rights of Consumers) Rules, 2020** provides that, for new connections up to 10 kW or such higher load as may be specified by the Commission, the application shall be accompanied by only two mandatory documents, namely: **(i) identity proof of the applicant; and (ii) proof of ownership or occupancy of the premises, or, in the absence of such proof, any other address proof not given as part of the identity proof**.

Accordingly, while the requirements under the applicable JERC (Electricity Supply Code) Regulations, 2018 are to be complied with, the Respondent is also required to consider the application in the light of the above statutory consumer-protection provisions and should not insist upon documents beyond those legally required without recording the specific provision and reason for such requirement.

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The Forum further takes note of **Rule 4(11) of the Electricity (Rights of Consumers) Rules, 2020, as amended in 2024**, which provides for the maximum period within which a Distribution Licensee shall provide a new connection after submission of an application complete in all respects, subject to the conditions prescribed therein, including the cases requiring extension of distribution mains or commissioning of a new sub-station.

The Forum is also conscious of **Section 43 of the Electricity Act, 2003**, which casts a statutory duty upon every Distribution Licensee to give supply of electricity to the premises of an owner or occupier on an application by such person, subject to the provisions of the Act and the applicable regulations. Therefore, once the application is complete in all respects and the prescribed requirements are fulfilled, the application is required to be processed within the applicable statutory/regulatory timeline.

The Forum further takes note of **Clause 5.19 of the JERC (Electricity Supply Code) Regulations, 2018**, which places restrictions on release of connection in an unauthorised colony/area or disputed property where a restraining/prohibitory order has been issued by a Court and/or competent authority. At the same time, release of electricity supply does not by itself create, recognise or confer any right, title or interest in the land or premises.

In the present case, the Complainant stated during the hearing that the land bearing Survey No. 39 originally belonged to Late S. Krishna, a friend of his grandfather Late Raphil Ekka. The complainant further submitted that Late S. Krishna was unmarried and did not leave behind any family or legal heirs. According to complainant, following his death, his grandfather Late Raphil Ekka, started residing in the said property, and the same was subsequently recorded in the Remarks of the Right of Record by the Revenue Authority during the inspection conducted in 1958.

The complainant further submitted that the Respondent has provided electricity connections to the old houses situated on the same property bearing Survey No. 39, in the names of **Late Raphil Ekka, his grandfather, and Late Tarcus Ekka, his father**, bearing **Consumer Nos. A/704 and A/3450**, respectively. The said old houses are stated to be presently occupied by his uncle (elder brother of his father) and mother-in-law. The Complainant has sought a separate domestic electricity connection for the newly constructed portion in which he and his family are residing. Copies of the relevant electricity bills have been placed on record as **Exbt.-3**.

The Forum further notes from the available **Record of Rights (Form R)** issued by the Revenue Authority in the year 1958 that the land was recorded in the name of **Late S. Krishna**, with the remark: **"Shri Raphil Ekka residing therein after constructing a house during 1958. Shri Krishna reportedly expired"**. The record therefore indicates that the Complainant's grandfather, **Late Raphil Ekka**, was residing in and occupying the said property since 1958. It is also noted that the Respondent had provided electricity connections in the names of the Complainant's late

grandfather and late father, bearing Consumer Nos. A/704 and A/3450, respectively. These records establish the long-standing occupation and use of the property by the Complainant's family, although such electricity connections cannot by themselves be treated as proof of ownership or title.

The Forum observed that the Complainant has not produced the **latest Record of Rights (Form-F) or any NOC from the original owner, as required under Clause 5.30(7) of the aforesaid Regulations, 2018**. In this regard, the Forum is of the view that the Respondent shall not keep the application for electricity connection pending merely on account of non-submission of the latest Record of Rights (Form-F) or NOC. If the Respondent has any doubt or objection relating to ownership, title, succession, revenue records, or any specific order of the competent authority, the matter may be referred to the competent Revenue Authority for necessary clarification. While doing so, the Respondent shall also keep in mind that the application for new electricity connection is processed and the connection is released within the **prescribed timeline** applicable under the relevant JERC Regulations/Standards of Performance.

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 bonafide 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**".*

The Forum also takes note of the judgment dated **11/07/2025** passed by the Hon'ble High Court at Calcutta, Circuit Bench at Port Blair, in **WPA No. 216/2025, Krishnawathi vs. Union of India & Others**. In the said judgment, the Hon'ble Court, while considering the issue of electricity connection to an occupier of Government revenue land, specifically relied upon the **Full Bench judgment in Abhimanyu Mazumdar vs. The Superintending Engineer & Another**, wherein it was categorically held that an illegal occupier is also entitled to obtain an electricity connection. The Hon'ble Court further held that **Clause 5.30 of the JERC (Electricity Supply Code) Regulations, 2018** does not fetter the right of an occupant to seek electricity connection, and observed that an illegal occupier cannot be prevented from obtaining electricity merely on account of inability to produce

the documents prescribed under the said clause. Accordingly, the Hon'ble Court set aside the rejection order and directed the Electricity Department to provide electricity connection subject to compliance with all formalities. The Hon'ble Court also made it clear that such electricity connection does not confer any right, title or interest over the Government land.

The Forum takes note of the settled legal position that release of electricity supply to an occupier in settled physical possession is only for meeting the basic requirement of electricity and shall not be construed as recognition, regularisation or conferment of any ownership, title or other right over the land or premises.

During the site inspection conducted by the Forum on **08.09.2026**, the Forum observed that the Complainant was residing in the **newly constructed premises**, wherein electrical wiring, earthing and electrical appliances were found. The Forum further observed that the **old houses situated on the same property** were occupied by the Complainant's uncle and mother-in-law, who were availing electricity through the existing connections standing in the names of the Complainant's **late grandfather and late father**, respectively. The above physical conditions and occupancy of the premises were observed by the Forum during the site inspection.

The Forum further notes that the Respondent has not produced before the Forum any specific **Court order, prohibitory order, Revenue Authority order, objection of the original owner/legal heir, or other legally binding document** showing that release of electricity connection to the Complainant is presently restrained. In the circumstances, the Forum is of the view that the application should be processed in accordance with the applicable statutory and regulatory provisions. The Respondent shall examine the documents already submitted and, if any specific deficiency remains, communicate the same to the Complainant in writing within a reasonable period. The application shall not be kept pending indefinitely without a recorded reason.

The Forum further observes that release of electricity supply to the Complainant shall be strictly for domestic electricity consumption and shall neither create, recognise nor confer any right, title or interest in the land or premises. It shall also not prejudice the lawful rights of any co-owner, legal heir or other claimant, nor restrict the power of the competent Revenue/Civil/other authority to take action in accordance with law.

Accordingly, the Respondent shall reconsider and process Online Application No. 45931 dated 04.07.2026 for release of domestic electricity connection by duly considering the documents submitted by the Complainant, including the Indemnity Bond submitted in lieu of the NOC from the land owner, in support of his occupancy/possession and claim for electricity connection, in accordance with **Clause 5.30(7) of the aforesaid Regulations, 2018, read with Section 43 of the Electricity Act, 2003 and Rules 3 and 4**

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of the **Electricity (Rights of Consumers) Rules, 2020**, subject to verification of the documents, technical feasibility, safety requirements, payment of prescribed charges and completion of applicable codal formalities.

The release of electricity connection shall be **only for the purpose of electricity supply** and shall not be construed as recognition, regularisation or conferment of any ownership, title, interest or other proprietary right over the land or premises.

In view of the foregoing observations, the Forum considers it appropriate to balance the requirement of compliance with the applicable Revenue verification and other statutory safeguards with the complainant's legitimate requirement of basic electricity supply, without conferring or recognising any right, title or interest over the land or premises.

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. 28/2026** is hereby closed with specific directions to the Complainant and the Respondent.
2. Accordingly, the Respondent shall reconsider and process **Online Application No. 45931 dated 04.07.2026** for release of domestic electricity connection by duly considering the documents submitted by the Complainant, including the **Indemnity Bond** submitted in the absence of the NOC from the land owner, in support of his occupancy/possession and claim for electricity connection, in accordance with **Clause 5.30(7) of the aforesaid Regulations, 2018**.
3. Upon completion of all requirements, including payment of the applicable estimate/service charges and compliance with technical and safety requirements, the Respondent shall release the domestic electricity connection within the applicable timeline prescribed under **Clause 5.52 of the aforesaid Regulations, 2018** and **Rule 4(11) of the Electricity (Rights of Consumers) Rules, 2020**, subject to the conditions prescribed therein.
4. The complainant shall ensure electrical safety at the premises and comply with all applicable electrical safety requirements. He 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.
5. In case the Respondent finds any legal restraint, prohibitory order or other statutory impediment against release of the connection, the same shall be specifically recorded and communicated to the Complainant along with the relevant supporting order/document.

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6. 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.
7. The Respondent is suggested that, in case of any doubt or objection relating to ownership, title, succession, revenue records, or any specific order of the competent authority, the matter may be referred to the competent Revenue Authority for necessary clarification. While doing so, the Respondent shall also keep in mind has such that the application for new electricity connection is processed and the connection is released within the prescribed timeline applicable under the relevant JERC Regulations/ Standards of Performance.
8. 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**.
9. 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**.
10. The parties are informed that, in accordance with **Regulation 28 of the JERC (CGRF & Ombudsman) Regulations, 2024**, an application for review of this Order may be made within **30 days** on the grounds specified therein, including discovery of new and important matter/ evidence, mistake or error apparent on the face of the record, or other sufficient reason.
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].

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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 and the Electricity Ombudsman, JERC for the State of Goa & UTs, Gurugram, (Haryana).

 22/9/26

(Biji Thomas)
Independent Member
Electricity CGRF

 22/9/26

(Amarjeet Singh Saini)
Chairman
Electricity CGRF

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