

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:

Shri. T. Ashok Kumar, S/o T. Rama Rao, R/o Prem Nagar, Sri Vijaya Puram.
.....Complainant

Versus

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

Complaint No. : ANI/C.G. No. 04/2025 dated 02/05/2025.
Complaint : New Connection (Domestic)
Date of Hearing : 19/05/2025
Date of Order : 22/05/2025



ORDER

Background

The complainant Shri. T. Ashok Kumar, S/o T. Rama Rao, R/o Prem Nagar, Sri Vijaya Puram, filed a complaint vide R.D. No. 1110 dated 02/05/2025 regarding New Service Connection (Domestic).

The complaint was registered as ANI/C.G. No. 04/2025 and forwarded on 05/05/2025 vide letter No. ANI/CGRF/10-391/722 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 19/05/2025 at 11:30 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 19/05/2025 at 11.30 a.m.

The Assistant Engineer-I (HQ), Electricity Department vide his letter No. EL/AE/SD-I/HQ/25-3/2025/207 dated 08/05/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED) (the letter is kept in case file) (Exbt. -1).

Hearing on 19/05/2025

The Hearing was held on 19/05/2025 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Shri. T. Ashok Kumar, Complainant.
- (ii) Shri. J. Jaya Kumar, AE(W/Shop), NO, Elect. Dept.
- (iii) Shri. Naveen Lall, AE-III, Elect. Dept.
- (iv) Shri. Anuj Kishen, JE, Elect. Dept.

Statement of the Complainant

The complainant Shri. T. Ashok Kumar, S/o T. Rama Rao, R/o Prem Nagar, Sri Vijaya Puram stated in his complaint letter dated 02.05.2025 that "I am to state that I am T Ashok Kumar residing at Prem Nagar near Pranab kanya Ashram, ward no. 8, Sri Vijaya Puram. I have applied a new single-phase electric connection (Domestic) on 31/03/2025 through online application no. 28776. After that the concerned authority had rejected my application. I request you to please interfere in this matter and solve my problem in this necessity time as possible.

Therefore I kindly request you to your good self and accept my request and solve my problem as soon as possible."

The complainant enclosed photocopies of Online application no. 28776 dated 31.03.2025, Agreement dated 28.12.2018, DC's order no. 95 dated 06.02.1991 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 submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/SD-I/HQ/25-3/2025/207 dated 08/05/2025 stated that: -

"The applicant Shri. T. Ashok Kumar, S/o T. Rama Rao, R/o Prem Nagar near Pranab Kanya Ashram, All India Radio, Sri Vijaya Puram has applied for Domestic Single-Phase Connection in the land bearing Survey no./Plot No. 626 situated at Prem Nagar, near Pranab Kanya Ashram.

The applicant has applied Online for Obtaining electric connection in the above-mentioned premises on 31.03.2025 vide application no. 28776 (Enclosure-1). The application could not be processed as the required documents were not fully submitted (as per JERC Regulation 2018, Clause 5.30) and hence the application was rejected on 03.04.2025 following due communication with the applicant.

In the online application, the applicant has submitted only a copy of the Agreement between him and the daughter of the deceased landowner Late. Desamma and old land allotment papers pertaining to the previous landowner Late. Desamma along with his Aadhar card without providing any valid proof of ownership or documentation establishing that the land belongs to him. Hence, the application was rejected with the remarks: (1) Submit the land record (Form-F). (2) Submit Legal Heir Certificate of the deceased Landowner. (3) Submit Notarized No Objection Certificate from legal heirs of the deceased landowner executed either before Executive Magistrate or Notary Public". (Enclosure-II).



For providing electric connection as per JERC Regulation 2018, Clause 5.30 is reproduced below:

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 certificate 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.

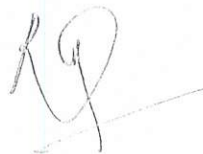
The Documents submitted by the applicant in his Online Application were: -

1. Online application No. 28776 dated 31.03.2025.
2. Land Agreement.
3. Aadhar Card.
4. Old Land Documents pertaining to the deceased landowner, Late. Desamma:
 - a. A&N State Coop Bank Ltd letter dated 12.01.2000.
 - b. Office of the Deputy Commissioner Order No. 95 dated 06.02.1991.
 - c. Certificate from the Ward Councilor dated 17.11.1990.
 - d. A&N State Cooperative Bank Ltd. Letter dated 15.04.1991.
 - e. Intimation letter from the Tehsildar, Port Blair dated 07.11.1990.

The AE-I, Electricity Department enclosed photocopies of Agreement dated 28.12.2018, Online application no. 28776 dated 31.03.2025, Old land documents pertaining to the owner Late Desamma, rejected application status and Aadhaar card, which is kept in the case file (Exbt. -3).

Submission of the Complainant

Shri T. Ashok Kumar asserts that his purchase of the land from Smti. Lalitha was made in good faith in 2018, and he is now the rightful resident and occupier of the premises. He believes the electricity department acted harshly by rejecting his application without giving him an opportunity to



submit additional documents. Ashok states that the need for electricity is urgent and that he was unaware of the legal heir certificate requirement at the time of application. He is now ready to cooperate and submit any additional documents needed for the new service connection.

Submission of the Respondent (Licensee)

The Electricity Department maintains that the application for electric connection could not be processed due to the failure of the applicant to provide legally valid documents. They clarify that the rejection was not arbitrary but based on JERC guidelines that mandate ownership or authorized occupancy proof. While the applicant has submitted some historical documents, these are insufficient to establish legal claim or occupancy. The department reiterates its willingness to process the application once all required legal documents, including the legal heir certificate and a notarized NOC, are submitted by the applicant.

Forum's Observation

Shri T. Ashok Kumar, a resident of Prem Nagar near Pranab Kanya Ashram, Ward No. 8, Sri Vijaya Puram, applied for a new domestic single-phase electricity connection on 31.03.2025 through the online application portal with Application No. 28776. The land in question is identified as Survey No./Plot No. 626 located in Prem Nagar.

The complainant claims to have purchased the land from Smti. Lalitha, the daughter of the deceased landowner, Late Desamma, in 2018, and currently resides in the same premises where an existing electric connection in the name of Desamma is already available.

The application for a new service connection was rejected by the Electricity Department due to the absence of valid ownership or occupancy proof, particularly the lack of a legal heir certificate proving Lalitha's claim as the legal successor of Desamma. The respondent insists that proper documentation, as per JERC Regulation 2018 Clause 5.30, must be furnished before processing the connection.

Shri T. Ashok Kumar has submitted that he is a bona fide resident of Prem Nagar and has legally acquired the land from Smti. Lalitha, who he identifies as the daughter of the deceased previous owner, Late Desamma. He applied online for a new domestic single-phase electric connection on 31.03.2025, referencing Application No. 28776.

However, the Electricity Department rejected his application without providing due consideration to the documents he submitted, including an agreement of sale with Lalitha and previous land allotment records in the name of Desamma. Ashok claims that despite staying on the land and requiring electricity urgently, the department has not responded positively. He seeks the intervention of the Consumer Forum for timely resolution of his request.

According to the Electricity Department, Shri T. Ashok Kumar applied for a new electric connection on 31.03.2025. Upon verification, it was found that the documents submitted were incomplete and failed to establish legal



ownership or occupancy, as mandated by Clause 5.30 of the JERC Regulation 2018.

The applicant provided an agreement with Lalitha (alleged daughter of Late Desamma), old land documents in Desamma's name, his Aadhaar card. However, he did not submit any Form-F land record, Legal heir certificate establishing Lalitha as the legal successor of Desamma, Notarized NOC from the legal heirs. The department asserts that until valid documents establishing ownership or occupancy are provided, no service connection can be granted.

Upon reviewing the submissions from both the parties, the Forum makes the observations that the land in question is in the name of Late Desamma. The complainant relies on a private agreement with Smti. Lalitha, who is stated to be the daughter of Desamma. There is no official document like a legal heir certificate submitted to establish the relationship between Lalitha and Desamma. A connection already exists in the name of Late Desamma at the same premises. The complainant resides in the same house and thus is currently using or may be indirectly benefiting from the existing connection. The complainant has not submitted any valid occupancy or ownership proof as per Clause 5.30 of JERC Regulation 2018. The documents provided are insufficient to process a new connection in the complainant's name.

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 complainant and the Respondent/Licensee (ED).
2. The complainant shall obtain a legal heir certificate from the competent Revenue Authority establishing that Smti. Lalitha is the legal heir of Late Desamma. The complainant must submit a notarized No Objection Certificate (NOC) from all legal heirs of Late Desamma authorizing him to apply for the new connection.
3. A valid Form-F land record or similar ownership proof must be submitted as evidence of occupancy or possession. In the absence of ownership, a registered lease or sale deed is essential to validate the agreement. If the applicant is not the owner, he must comply with sub-clause (7) of Clause 5.30 and provide ownership proof along with NOC from the rightful owner.
4. The Respondent/Licensee (ED) shall re-evaluate the application upon the receipt of the required documents mentioned above from the complainant.

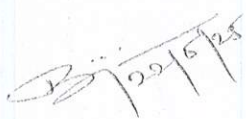


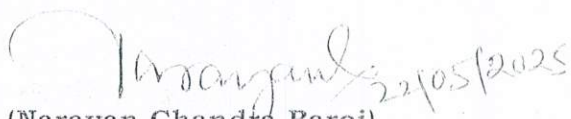
5. The Respondent/Licensee (ED) is advised to provide a checklist or guidance to the applicant in writing for document requirements. If any extra connected load in the existing electric connection is being used by the complainant, the department may verify and regularize the connected load in the existing connection.
6. The complainant is advised to regularize the status of the property legally by initiating mutation or registration processes, ensuring hassle-free services in the future.
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-I, 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. Ravichandrar)
Chairman