

BEFORE THE ELECTRICITY OMBUDSMAN

(For the State of Goa and Union Territories)

Under Section 42 (6) of the Electricity Act, 2003

3rd Floor, Plot No. 55-56, Udyog Vihar - Phase IV, Sector 18

Gurugram (Haryana) 122015,

Email ID: ombudsman.jercuts@gov.in

Phone No.:0124-4684708

Appeal No-275 of 2026

Date of Hearing: 11.08.2026,
20.08.2026

Mode: Videoconferencing

Date of Order: 24.08.2026

In the matter of

Smt. Nagmany

W/o Sh. P. Dileshwar Rao,

R/o Near Agriculture Office,

Megapode, Haddo, Sri Vijaya Puram.

...Appellant

Versus

Electricity Department,

Andaman & Nicobar Island,

Sri Vijaya Puram.

...Respondent(s)

In the matter of Smt. Nagmany W/o Sh. P. Dileshwar Rao versus Electricity Department, Andaman & Nicobar Island, Sri Vijaya Puram.

Present:

Appellant

1. Ms. S Nagmany

Appellant in person

Respondent(s)

1. Mr Naveen Lall,

Assistant Engineer-I (HQ),

Electricity Department, Sri Vijaya Puram



ORDER

The present Appeal, received from the Consumer Grievance Redressal Forum, Andaman & Nicobar Islands in Complaint No. ANI/C.G. No. 05/2026, vide order dated 08.05.2026, has been filed by Smt. Nagmany W/o Sh. P. Dileshwar Rao.

This Complaint/Representation was originally instituted on **14.05.2026** before the Consumer Grievance Redressal Forum (CGRF), Andaman & Nicobar Islands under Section 42(5) of the Electricity Act, 2003 read with Regulation 18 of the Joint Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2024 (hereinafter referred to as the "**JERC CGRF & Ombudsman Regulations, 2024**").

At the relevant time, the Consumer Grievance Redressal Forum (CGRF), Andaman & Nicobar Islands was not functional owing to the absence of the requisite quorum and Secretary. Consequently, although the Complaint/Representation was required to be adjudicated by the Learned CGRF within the prescribed period of forty-five (45) days, the same could not be decided and remained pending beyond the stipulated period solely on account of the non-functionality of the Forum.

In these circumstances, and in exercise of the powers conferred under Regulations 36(1)(b) and 36(1)(c) of the JERC CGRF & Ombudsman Regulations, 2024, the CGRF, Andaman & Nicobar Islands was requested, vide email dated **06.07.2026**, to forward all complaints and representations which had remained pending before the Forum for more than forty-five (45) days to the Office of the Electricity Ombudsman for appropriate proceedings and adjudication. The present Complaint/Representation is one such matter received from the CGRF, Andaman & Nicobar Islands pursuant to the aforesaid directions.

The Complaint/Representation was received in the Office of the Electricity Ombudsman through e-mail on **09.07.2026**. Upon preliminary scrutiny of the Complaint/Representation and the documents placed on record, the matter was found to be maintainable and fit for admission. Accordingly, the Complaint/Representation was admitted on **14.07.2026** and registered as **Case No. 275 of 2026** for consideration and adjudication by this Authority.

The complaint as received was forwarded to the Respondent for filling their remarks/counter statement on each of points raised in the representation. The reply for the same has been filed by the Assistant Engineer-I(HQ), Electricity Department, Andaman & Nicobar Island, Sri Vijaya Puram vide his letter No. EL/AE/SD-I/HQ/25-6/2026/817 dated 11.08.2026 along with a Comprehensive reply along with all supporting documents for Admission Notice Dt 16.07.2026. The same is taken on record.



A. Submissions on behalf of Appellant:

The Appellant submitted that she had initially applied online for release of a domestic electricity connection in respect of the land bearing Survey No. 23/7/2/1, situated at Haddo Village, Sri Vijaya Puram Tehsil, South Andaman District, vide Application No. 32250 dated 29.07.2025. The said application was rejected with the direction to submit a fresh application along with additional documents.

The Appellant thereafter submitted a fresh online application vide Application No. 36661 dated 19.11.2025, along with the documents required by the Respondent. However, according to the Appellant, no action was taken on the said application and the connection was not released.

The Appellant further submitted that, in compliance with the requirements of the Respondent, she submitted a request letter before the Assistant Engineer-I (Headquarters), Sri Vijaya Puram, on 20.04.2026, along with the requisite notarised Deed of Indemnity Bond and other relevant documents. Despite submission of the aforesaid documents and repeated requests, no decision or communication regarding release of the electricity connection was received from the Respondent.

The Appellant submitted that the electricity connection is sought for domestic purposes and that the continued absence of electricity at the premises has caused her considerable hardship and inconvenience in her day-to-day life. She further stated that she resides alone and is facing additional difficulties on account of her health-related concerns.

In view of the foregoing, the Appellant prayed that the Respondent be directed to process her pending application expeditiously and, upon verification and fulfilment of all applicable statutory, documentary and technical requirements, release a domestic electricity connection to the aforesaid premises at the earliest.

The Appellant has relied upon copies of the online applications, the request letter dated 20.04.2026, the notarised Deed of Indemnity Bond and other relevant documents in support of her submissions.

B. Submissions on behalf of Respondent

The Respondents submitted that the present proceedings arise out of Complaint No. 05/2026 dated 08.05.2026, which had initially been filed by the Appellant before the Consumer Grievance Redressal Forum (CGRF), Andaman & Nicobar Islands. The Respondents stated that, since the CGRF was not functional, the matter was forwarded to the Office of the Electricity Ombudsman pursuant to the Admission Notice dated 16.07.2026 and was registered as Appeal/Representation No. 275 of 2026.



The Respondents submitted that the Assistant Engineer-I, Headquarters Division, Electricity Department, A&N Administration, is duly authorised to represent the Department and that a detailed report, along with supporting documents, had earlier been submitted before the CGRF vide letter dated 12.05.2026. The Respondents relied upon the said report and documents as forming part of their reply in the present proceedings.

The Respondents further submitted that the Appellant had earlier approached the Hon'ble High Court of Calcutta, Circuit Bench at Port Blair, by filing WPA No. 272 of 2026, seeking release of an electricity connection in respect of Application Nos. 32250 dated 29.07.2025 and 36661 dated 19.11.2025. In connection with the said proceedings, the Junior Engineer, Phoenix Bay Site Office, conducted an inspection and, vide letter dated 12.06.2026, reported that the premises in question already had an existing electricity service connection bearing Consumer No. C/20 in the name of Smt. Elampari. The Respondents relied upon the inspection report and other connected documents in support of their submission.

It was further submitted that the Hon'ble High Court passed interim orders dated 02.07.2026 and 09.07.2026 in the aforesaid writ petition and that the final adjudication in the said proceedings was awaited. Copies of the interim orders were placed on record by the Respondents.

The Respondents also relied upon the subsequent report of the Junior Engineer, Phoenix Bay Site Office, vide Letter No. EL/JE/P.BAY/F-33/26-27/102 dated 29.07.2026, wherein it was reiterated that the premises already had an existing electricity service connection bearing Consumer No. C/20, with G.P. No. 7374446, standing in the name of Smt. Elampari.

The Respondents further submitted that, pursuant to the directions contained in the Admission Notice dated 16.07.2026, the Appellant was called upon to appear before the Department on 30.07.2026 for an attempt at resolution of the grievance through mutual settlement, mediation or conciliation. However, no amicable settlement could be arrived at between the parties. The Respondents also submitted that a copy of the Admission Notice dated 16.07.2026 was duly served upon the Appellant during the meeting held on 30.07.2026, and the acknowledgment thereof was placed on record.

The Respondents further relied upon the judgment dated 10.01.2025 passed by the Hon'ble Calcutta High Court, Circuit Bench at Port Blair, in *Smt. Arati Mazumdar v. The Superintending Engineer & Another*, WPA No. 537 of 2004, wherein, according to the Respondents, the Hon'ble Court considered the existence of an electricity supply and an electricity meter at the premises in the name of another consumer while examining a claim



for release of a further electricity connection. The Respondents relied upon the said judgment in support of their contention that the factual position regarding an existing electricity connection at the premises is material for consideration of a request for release of a new connection.

On the basis of the aforesaid facts and documents, the Respondents submitted that the premises in respect of which the Appellant has sought a new domestic electricity connection is already serviced by an existing electricity connection bearing Consumer No. C/20 in the name of Smt. Elampari. The Respondents therefore contended that the Appellant's request for release of a separate new connection cannot be considered in isolation from the existing service connection and the factual position prevailing at the premises.

The Respondents further submitted that the Department has acted in accordance with the provisions of the JERC (Electricity Supply Code) Regulations, 2018, the A&N Administration Circular dated 09.10.2023 and the applicable judicial orders. It was contended that the Appellant had not fulfilled the mandatory requirements applicable for the release of a new electricity connection and, in view of the existing electricity service connection at the premises, her request was not liable to be allowed in the manner sought. The Respondents have further submitted an Order dated 10.08.2026 passed by the Hon'ble High Court of Calcutta at Calcutta (Circuit bench at Port Blair) in the matter of S Nagmany versus The Superintending Engineer and Ors, (WPA/272/2026) according to which the petition has been disposed of without any order as to cost with

Accordingly, the Respondents prayed that the present Appeal/Representation be considered in light of the aforesaid factual and legal position and be disposed of in accordance with law.

C. PROCEEDINGS

The matter was taken up for hearing through Video Conferencing.

During the course of the proceedings, the Respondent Department placed on record a copy of the judgment/order dated 10.08.2026 passed by the Hon'ble High Court at Calcutta, Circuit Bench at Port Blair, in WPA/272/2026, *Smt. S. Nagmany v. The Superintending Engineer and Others*.

The said writ petition had been filed by the present Appellant in relation to her claim for release of an electricity connection in respect of the premises in question. The Respondent submitted that the judgment dated 10.08.2026 is directly relevant to the subject matter of the present proceedings and has a material bearing on the prayer made by the Appellant for release of a separate electricity connection.



A copy of the aforesaid judgment/order dated 10.08.2026 has been taken on record and has been duly considered while examining the present Appeal/Representation.

D. FINDINGS AND ANALYSIS

The principal grievance of the Appellant is that her application for release of a domestic electricity connection in respect of the premises bearing Survey No. 23/7/2/1, situated at Haddo Village, Sri Vijaya Puram Tehsil, South Andaman District, has not been allowed by the Respondent Department despite submission of the requisite documents.

The Respondents have, inter alia, submitted that an electricity meter is already existing at the premises and that the existing electricity service connection is being used for supply to the premises. In support of their stand, the Respondents placed on record the inspection/report of the concerned field officer indicating the existence of an electricity service connection bearing Consumer No. C/20 in the name of Smt. Elampari.

During the pendency of the present proceedings, the Respondents also placed on record the judgment/order dated 10.08.2026 passed by the Hon'ble High Court at Calcutta, Circuit Bench at Port Blair, in WPA/272/2026, *Smt. S. Nagmany v. The Superintending Engineer and Others*.

The said judgment/order is directly connected with the grievance raised in the present proceedings. The Hon'ble High Court, while considering the writ petition filed by the present Appellant, recorded, inter alia, that there was already a meter existing at the petitioner's residence in the name of her father-in-law and that the petitioner claimed to be residing in the same premises on the first floor after her divorce from her husband.

The Hon'ble High Court further observed that the petitioner had not been able to demonstrate any lawful right to occupy the premises and, in the circumstances, held that the Respondents were justified in rejecting her application. The Hon'ble Court further observed that the petitioner could receive electricity supply from the existing meter in the same premises from which her ex-husband and brother-in-law were receiving supply. Significantly, the Hon'ble Court also recorded the submission of the learned counsel for the petitioner that the petitioner was receiving supply from the existing meter.

On the basis of the aforesaid findings, the Hon'ble High Court concluded that no relief could be granted to the petitioner in the writ petition and disposed of WPA/272/2026 without any order as to costs. At the same time, the Hon'ble Court expressly clarified that any rights which the writ petitioner may have *inter vivos* against her ex-family members in this regard had not been decided by the Court.



The aforesaid judgment/order has a direct bearing upon the relief sought by the Appellant in the present proceedings. The Appellant seeks, in substance, a direction for release of a separate domestic electricity connection at the premises. However, the Hon'ble High Court, while considering the same grievance, has specifically upheld the justification of the Respondents in rejecting the application in the circumstances noticed by the Court and has further recorded that electricity supply is available to the Appellant through the existing meter.

This Authority, while exercising its jurisdiction under Section 42(6) of the Electricity Act, 2003 and the applicable JERC (CGRF & Ombudsman) Regulations, cannot grant a relief which would run contrary to the findings and conclusions recorded by the competent High Court in proceedings arising from the same subject matter.

It is also relevant that the Hon'ble High Court has not adjudicated upon any inter se civil or proprietary rights of the Appellant vis-à-vis her former husband, father-in-law or other family members. This Authority is likewise not called upon, nor does it have jurisdiction in the present proceedings, to determine such civil or proprietary rights. The question before this Authority is confined to whether the Respondent Department can be directed to release a separate electricity connection in the circumstances of the present case.

Having regard to the judgment/order dated 10.08.2026 of the Hon'ble High Court, particularly the findings that an existing electricity meter is available at the premises, that electricity supply is being received from the existing connection, and that the Respondents were justified in rejecting the application in the circumstances considered by the Court, no direction can appropriately be issued by this Authority for release of a separate electricity connection to the Appellant.

Accordingly, the grievance raised by the Appellant does not warrant any interference with the action of the Respondent Department.

It is clarified that the present determination is confined strictly to the issue of release of a separate electricity connection and shall not be construed as an adjudication upon any civil, proprietary, possessory or other inter se rights of the Appellant against her former husband, father-in-law or any other person. Such rights, if otherwise available to the Appellant, shall remain subject to the remedies available to her in accordance with law.

E. DECISION

In view of the foregoing discussion and, in particular, having regard to the judgment/order dated 10.08.2026 passed by the Hon'ble High Court at Calcutta, Circuit Bench at Port Blair, in WPA/272/2026, *Smti. S. Nagmany v. The Superintending Engineer and Others*, this



Authority finds no ground to issue a direction to the Respondent Department for release of a separate domestic electricity connection at the premises in question.

The Appeal/Representation is accordingly dismissed.

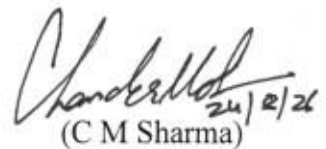
The observations contained in this Order shall remain confined to the electricity connection sought by the Appellant and shall not affect any civil, proprietary, possessory or other inter se rights which the Appellant may otherwise have against her ex-family members, as such rights have expressly not been adjudicated upon by the Hon'ble High Court.

F. ORDER

In view of the findings recorded hereinabove, the Authority orders as follows:

1. Appeal/Representation No. A&Ni/275 of 2026 is dismissed.
2. The prayer of the Appellant for release of a separate domestic electricity connection in respect of the premises bearing Survey No. 23/7/2/1, situated at Haddo Village, Sri Vijaya Puram Tehsil, South Andaman District, is not allowed, particularly in view of the judgment/order dated 10.08.2026 passed by the Hon'ble High Court at Calcutta, Circuit Bench at Port Blair, in WPA/272/2026.
3. It is noted that, as recorded by the Hon'ble High Court, an existing electricity meter is available at the premises and the Appellant has been receiving electricity supply through the existing connection.
4. Nothing contained in this Order shall be construed as an adjudication upon any civil, proprietary, possessory or other inter se rights of the Appellant against her former husband, father-in-law or any other family member. Such matters have not been adjudicated upon in the present proceedings and shall remain open to be dealt with by the competent forum in accordance with law.
5. The Appeal/Representation stands disposed of accordingly.

Dated: 24.08.2026


(C M Sharma)

Ombudsman (JERC)