

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,
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Appeal No-283 of 2026

Date of Hearing: 01.09.2026
Mode: Videoconferencing
Date of Order: 07.09.2026

In the matter of
Mr. B. Hema Raju, Secretary,
M/s Island Bonafide Fisherman,
Mohanpura Fish Market,
Sri Vijaya Puram,

...Appellant

Versus

Executive Engineer,
Electricity Department HQ,
Sri Vijaya Puram.

Assistant Engineer-I, HQ
Electricity Department,
Sri Vijaya Puram.

...Respondent(s)

In the matter of Mr. B. Hema Raju, Secretary, Island Bonafide Fisherman Versus
Electricity Department, Sri Vajaya Puram.

Present:

Appellant

1. Mr. B. Hema Raju, Secretary, Island Bonafide Fisherman,
2. Mr. S U Maheshwar Rao

Respondent(s)

1. Mr. Naveen Lall, AE-1(HQ),
Electricity Deptt.,
Andaman & Nicobar Island.



ORDER

The present Complaint/Representation was originally instituted by the Appellant before the Consumer Grievance Redressal Forum, Andaman & Nicobar Islands (hereinafter referred to as the "CGRF") on 23.07.2026 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") challenging the order passed by Ld. Consumer Grievance Redressal Forum, Andaman and Nicobar Island, Srivijaya Puram in case No ANI/C.G. No. 01/2026 dated 27.04.2026.

Upon preliminary scrutiny of the Complaint/Representation and the documents placed on record, the matter was found fit for admission. Accordingly, the Complaint/Representation was admitted on 27.07.2026 and registered as Case No. 283 of 2026 for consideration and adjudication by the Electricity Ombudsman.

Consequent upon admission, a copy of the Complaint/Representation, together with the documents and annexures filed by the Appellant, was forwarded to the Executive Engineer (HQ), Electricity Department, Andaman & Nicobar Islands, with directions to submit a comprehensive reply, including paragraph-wise comments on the averments made by the Appellant, along with all relevant supporting records and documents.

In compliance therewith, the Assistant Engineer-I, Headquarters Division, Electricity Department, Andaman & Nicobar Administration, on behalf of the Respondent Department, filed a reply by way of affidavit vide Letter No. EL/AE/SD-I/HQ/25-6/2026/820 dated 11.08.2026, together with paragraph-wise comments and supporting documents. The said reply has been taken on record.

A. SUBMISSIONS ON BEHALF OF THE APPELLANT

The Appellant, Shri B. Hema Raju, Secretary of M/s Island Bonafide Fishermen Self-Help Group, submitted that the present matter relates to the non-release of an electricity connection at the Temporary Fish Market at Mohanpura, near ACC Hotel, Sri Vijaya Puram, where members of the Self-Help Group (hereinafter referred to as the "SHG") are carrying on fish trading activities.

The Appellant submitted that the Self-Help Group had initially applied on 19.03.2025 to the Assistant Engineer-I, Electricity Department, Sri Vijaya Puram, seeking an electricity connection at the Temporary Fish Market. The application was accompanied by supporting documents, including PBMC Letter No. PBMC/07/128/2020/RO/R-1001 dated 29.09.2022. However, the physical application was not accepted and the Appellant was advised to submit the application through the online system.

Pursuant thereto, the Appellant submitted an online application for a fresh electricity connection vide Application No. 28602 dated 24.03.2025, along with the requisite documents. The Appellant submitted that the application was subsequently rejected with the remarks that the Appellant should submit

- (i) a No Objection Certificate from the Sri Vijaya Puram Municipal Council (SVPMC),



- (ii) (ii) an allotment order issued by SVPMC, and
- (iii) (iii) complete documents.

The Appellant submitted that the requirement of an allotment order was not applicable to the present case, since the Self-Help Group was occupying and using the Temporary Fish Market pursuant to the permission granted by the Municipal Council. In this regard, reliance was placed upon the Municipal Council's letter dated 29.09.2022, whereby the Island Bonafide Fishermen Self-Help Group was permitted to use the Temporary Fish Market for wholesale purposes near ACC Hotel until an alternative arrangement was made. The said letter also contemplated payment of littering charges, water charges and electricity bills by the Self-Help Group.

The Appellant further submitted that originally 52 fishermen/fish vendors were operating from the Old Fishermen Market at Mohanpura. Subsequently, the new Modern Fish Market at Mohanpura was constructed with accommodation for only **36 shops**. Consequently, only 36 of the original 52 fishermen/fish vendors could be provided alternative accommodation in the Modern Fish Market, leaving 16 fishermen/fish vendors without accommodation in the new market.

The Appellant submitted that, in order to accommodate the 16 fishermen/fish vendors who could not be provided space in the Modern Fish Market, they were permitted to continue their fish-trading activities from the Old Temporary Fish Market at Mohanpura, pursuant to the arrangement/permission granted by the Municipal Council. The Appellant specifically relied upon the Municipal Council's letter dated 29.09.2022, whereby the Island Bonafide Fishermen Self Help Group was permitted to use the Temporary Fish Market for wholesale purposes near ACC Hotel until an alternative arrangement was made. The said letter also contemplated that the Self-Help Group would bear the applicable littering charges, water charges and electricity bills.

The Appellant therefore submitted that the presence of the 16 fishermen/fish vendors at the Temporary Fish Market was not unauthorised or without the knowledge of the Municipal Council, but was a consequence of the fact that adequate alternative accommodation was not available for all the 52 fishermen/fish vendors who had originally been operating from the Old Market. According to the Appellant, the Temporary Fish Market consequently continued to be used by those 16 fishermen/fish vendors who had not been accommodated in the Modern Fish Market.

It was accordingly contended that insistence upon production of an individual allotment order for the Temporary Fish Market was not appropriate in the peculiar circumstances of the case. The Appellant submitted that the arrangement was specifically a temporary alternative arrangement for the 16 fishermen/fish vendors who could not be accommodated in the Modern Fish Market, and that their right to use the premises flowed from the permission/arrangement made by the Municipal Council rather than from individual allotment of shops in the conventional sense. The Appellant further submitted that, after the matter was considered by the Consumer Grievance Redressal Forum, Andaman & Nicobar Islands, the learned CGRF passed an order dated 27.04.2026, directing the Respondent to



provide an electricity connection at the premises of the Appellant within 15 days from the date of receipt of the said order.

The Appellant submitted that, in compliance with the requirements following the CGRF order, an Indemnity Bond, duly notarized, was submitted online on 04.05.2026 vide Online Application No. 43885. It was further submitted that the Junior Engineer of the Electricity Department subsequently inspected the premises and instructed the Appellant to carry out the necessary electrical wiring, including installation of switches and provision of a suitable location for installation of the digital electricity meter.

The Appellant submitted that the required electrical works were thereafter carried out at the premises in accordance with the instructions given during the site visit and that the Appellant was awaiting release of the electricity connection.

The Appellant submitted that, instead of implementing the CGRF order, the Electricity Department subsequently communicated vide letter dated 12.06.2026, enclosing the Junior Engineer's letter dated 11.06.2026, that the application for providing the electricity connection had been kept on hold. According to the Appellant, the reason stated for keeping the application on hold was a direction/communication from the Sri Vijaya Puram Municipal Council not to provide an electricity connection at the Temporary Fish Market until further communication.

The Appellant contended that the Respondent had thereby failed to comply with the order dated 27.04.2026 passed by the learned CGRF. It was submitted that if the Respondent had any grievance regarding the said order or was of the view that subsequent circumstances prevented its implementation, the appropriate course was to seek appropriate relief, clarification or review before the competent forum rather than simply keeping the connection on hold.

The Appellant further submitted that the Electricity Department had neither challenged the CGRF order before this Forum nor approached the CGRF seeking review or clarification of the said order and had instead relied upon the communication received from the Municipal Council. According to the Appellant, such action amounted to non-compliance with the order passed by the statutory grievance redressal forum.

The Appellant submitted that the absence of electricity at the Temporary Fish Market was causing substantial hardship to the fishermen and fish vendors operating there. In particular, the lack of electricity was adversely affecting the ability of the fishermen/vendors to store, handle and sell fish and was consequently affecting their livelihood.

The Appellant submitted that the issue was not merely one of providing a new electricity connection to an unauthorized or unrecognized premises, but concerned the continued use of the Temporary Fish Market by the Self-Help Group pursuant to the permission granted by the Municipal Council. The Appellant therefore requested that the electricity connection be released in accordance with the application submitted by the Self-Help Group.

The Appellant also submitted that the Respondent's objection regarding the absence of a No Objection Certificate and allotment order should be considered in the light of the Municipal Council's earlier permission dated 29.09.2022 and the peculiar nature of the temporary



arrangement. It was contended that requiring an allotment order, which according to the Appellant does not exist in such a temporary arrangement, would effectively prevent the fishermen from obtaining an electricity connection despite their being permitted to use the premises.

The Appellant further contended that the Electricity Department had previously provided an electricity connection at the Temporary Fish Market in 2017 under A/c No. D2/5033, which was subsequently disconnected in 2020. According to the Appellant, this history demonstrated that the premises had earlier been served with electricity and that the present request was being made for restoration/release of electricity supply at a location which had previously had an electricity connection.

The Appellant submitted that the Respondent's reliance upon the existence of a separate electricity connection at the Modern Fish Market did not resolve the grievance of those fishermen/vendors who, according to the Appellant, were not accommodated in the Modern Fish Market and continued to operate from the Temporary Fish Market, Mohanpura, near ACC Hotel, pursuant to the temporary permission granted by the Municipal Council.

In view of the aforesaid submissions, the Appellant prayed that this Forum may issue appropriate directions to the Respondent/Electricity Department for providing the electricity connection at the Temporary Fish Market, Mohanpura, near ACC Hotel, within a time-bound period, subject to such reasonable technical requirements as may be applicable.

The Appellant further prayed for grant of compensation/liquidated damages of Rs.1,00,000/- alleging that the Respondent had failed to comply with the order dated 27.04.2026 passed by the CGRF and that the prolonged denial of electricity had caused hardship, inconvenience and mental agony to the Appellant and the members of the Self-Help Group.

The Appellant accordingly requested that the appeal be allowed and necessary directions be issued to secure the electricity connection at the Temporary Fish Market at the earliest.

B. SUBMISSIONS ON BEHALF OF THE RESPONDENT

The Respondent, Assistant Engineer-I (HQ), Electricity Department, Sri Vijaya Puram, submitted that the request of the Appellant relates to provision of a fresh electricity connection at the Temporary Fish Market at Mohanpura, near ACC Hotel, Sri Vijaya Puram.

The Respondent submitted that a site inspection was carried out by the Electricity Department and, during the inspection, it was found that an electricity connection had previously been provided at the Temporary Fish Market in the year 2017 under Account No. D2/5033. The said connection, however, was subsequently disconnected in the year 2020 pursuant to a request from the Municipal Council, Sri Vijaya Puram, on the ground that the market had been shifted to the newly established Modern Fish Market.

The Respondent further submitted that, following the shifting of the market, an electricity connection was provided at the Modern Fish Market under a separate electricity account. According to the Respondent, the existence of an earlier connection at the Temporary Fish Market and the subsequent provision of a connection at the Modern Fish Market have to be considered in the context of the present request for a fresh connection.



With regard to the present application of the Appellant, the Respondent submitted that the Electricity Department is required to follow the prescribed procedure and documentation applicable for release of a new electricity connection. In this regard, the Respondent stated that submission of a valid allotment order and No Objection Certificate (NOC) from the Sri Vijaya Puram Municipal Council (SVPMC) is required before a new electricity connection can be released at the premises.

The Respondent submitted that the online application submitted by the Appellant was accordingly scrutinized and was rejected/kept pending on account of non-submission of the required documents, particularly the allotment order and NOC from the Municipal Council, as well as incomplete documentation.

The Respondent maintained that the requirement of the aforesaid documents is not specific to the Appellant but forms part of the procedure followed by the Electricity Department for providing electricity connections in similar cases. It was submitted that the Department is required to satisfy itself regarding the lawful occupation/use of the premises before releasing a new electricity connection.

The Respondent further submitted that the fact that the Appellant or members of the Self-Help Group are presently operating from the Temporary Fish Market does not, by itself, dispense with the requirement of obtaining the requisite permission/documentation from the competent local authority for release of a fresh electricity connection.

The Respondent submitted that the communication received from the Sri Vijaya Puram Municipal Council was also relevant to the decision to keep the application for electricity connection on hold. It was stated that the Municipal Council had communicated that no electricity connection should be provided at the Temporary Fish Market until further communication.

The Respondent therefore submitted that the Electricity Department could not independently disregard or ignore the communication of the competent municipal authority concerning the status/use of the premises. According to the Respondent, the Department's action in keeping the electricity connection on hold was taken in view of the said communication and the absence of the requisite documents.

In response to the Appellant's contention regarding the 52 fishermen/fish vendors who were originally operating from the Old Fish Market, the Respondent maintained that the present request for electricity connection has to be considered on the basis of the prevailing status of the premises and the applicable requirements for release of a new connection. The Respondent submitted that the fact that an earlier electricity connection existed at the premises does not, by itself, establish an automatic entitlement to a fresh connection after the earlier connection had been disconnected.

The Respondent further submitted that the Modern Fish Market already has an electricity connection under a separate account and that the Electricity Department has accordingly provided electricity supply to the newly established market.

With regard to the order dated 27.04.2026 passed by the Consumer Grievance Redressal Forum, Andaman & Nicobar Islands, the Respondent submitted that the Department's



subsequent action was necessitated by the communication received from the Municipal Council and the requirement to comply with the applicable procedure and documentation concerning the premises.

The Respondent submitted that the Electricity Department had not deliberately or wilfully refused to provide electricity to the Appellant. Rather, the application could not be processed further because of the unresolved issue concerning the status of the Temporary Fish Market and the absence of the documents required for release of a new electricity connection.

The Respondent therefore submitted that the allegations of deliberate disobedience, wilful non-compliance or disrespect towards the order of the learned CGRF were not justified. It was contended that the Department had acted in accordance with the information and directions available from the competent municipal authority and the applicable procedure for release of electricity connections.

The Respondent also opposed the Appellant's claim for compensation/liquidated damages of Rs.1,00,000/-, submitting, in substance, that there was no deliberate or wrongful withholding of electricity supply by the Department. According to the Respondent, the delay/non-release of the connection arose from the requirement of obtaining the requisite municipal documents and the communication of the Municipal Council regarding the Temporary Fish Market.

The Respondent submitted that the Electricity Department is willing to comply with all lawful directions issued by the competent authority and requested that the matter be considered after taking into account the present status of the premises, the communication of the Municipal Council, the documentation submitted by the Appellant and the technical and procedural requirements applicable for release of an electricity connection.

In view of the aforesaid submissions, the Respondent requested that the appeal be considered in accordance with law and that appropriate directions, if any, be issued after taking into consideration the factual and legal position concerning the Temporary Fish Market and the requirement of the requisite municipal permissions/documents.

C. PROCEEDINGS

1. The Appellant, Shri B. Hema Raju, Secretary, M/s Island Bonafide Fishermen Self Help Group, Mohanpura Fish Market, Sri Vijaya Puram, had approached the CGRF, Andaman & Nicobar Island, seeking provision of an electricity connection at the Temporary Fish Market at Mohanpura, near ACC Hotel, Sri Vijaya Puram, where, according to the Appellant, members of the Self Help Group were carrying on fish trading activities.
2. The learned CGRF, after considering the grievance of the Appellant, passed an order dated 27.04.2026, whereby the Respondent/Electricity Department was directed to provide an electricity meter connection at the premises of the Appellant within 15 days from the date of receipt of the said order.
3. The Appellant has approached this Forum stating that, pursuant to the aforesaid order of the CGRF, an Indemnity Bond duly notarized on 04.05.2026 was submitted through online mode vide Online Application No. 43885. It has further been submitted that the Junior Engineer of the Electricity Department inspected the premises and advised the Appellant to carry out the requisite electrical wiring, including installation of switches and provision



of a suitable location for installation of the digital electricity meter. According to the Appellant, the requisite electrical works were thereafter carried out.

4. The Appellant has further stated that, subsequently, a letter dated 12.06.2026 was received from the Assistant Engineer-I (HQ), enclosing the letter dated 11.06.2026 of the Junior Engineer, Aberdeen Bazaar Site Office, whereby the application for providing the electricity connection was stated to have been kept on hold. The reason stated therein was that the Sri Vijaya Puram Municipal Council (SVPMC) had directed that no electricity connection be provided at the Temporary Fish Market until further communication.
5. The Appellant has challenged the aforesaid action of the Respondent and has alleged that the Respondent failed to comply with the order dated 27.04.2026 passed by the learned CGRF. It is the case of the Appellant that the Respondent neither challenged the said order before the competent forum nor approached the CGRF seeking review or clarification and, instead, kept the electricity connection on hold on the basis of the communication received from the Municipal Council.
6. The Appellant has also placed reliance upon an earlier application dated 19.03.2025 submitted for providing electricity connection at the Temporary Fish Market. It has been stated that the physical application was not accepted by the Electricity Department and the Appellant was advised to apply through the online system. Accordingly, an online application was submitted vide Application No. 28602 dated 24.03.2025.
7. The Appellant has submitted that the said online application was rejected with the remarks requiring submission of: (i) No Objection Certificate from SVPMC; (ii) allotment order issued by SVPMC; and (iii) complete documents. The Appellant has contended that the requirement of an individual allotment order does not arise in the present case, as the fishermen were operating from the Temporary Fish Market pursuant to the permission/arrangement made by the Municipal Council.
8. In support of the aforesaid contention, the Appellant has relied upon PBMC Letter No. PBMC/07/128/2020/RO/R-1001 dated 29.09.2022, whereby, according to the Appellant, the Island Bonafide Fishermen Self Help Group was permitted to use the Temporary Fish Market for wholesale purposes near ACC Hotel until an alternative arrangement was made. The said communication also contemplated payment of littering charges, water charges and electricity bills by the Self-Help Group.
9. The Appellant has submitted that 52 fishermen/fish vendors were originally operating from the Old Fishermen Market at Mohanpura. It has been stated that the subsequently constructed Modern Fish Market had accommodation for only 36 shops, and accordingly only 36 of the original 52 fishermen/fish vendors could be provided alternative accommodation therein. The remaining 16 fishermen/fish vendors were allowed to continue operating from the Old/Temporary Fish Market at Mohanpura. The Appellant has contended that the continued use of the Temporary Fish Market by these 16 fishermen/fish vendors was thus pursuant to the temporary arrangement made by the Municipal Council.



10. The Appellant has further submitted that the absence of electricity at the Temporary Fish Market is causing hardship to the fishermen/fish vendors, particularly in relation to storage, handling and sale of fish, and is adversely affecting their business and livelihood. The Appellant has accordingly sought directions for provision of electricity connection.
11. The Respondent filed its para-wise comments vide Letter No. EL/AE/SD-I/HQ/25-6/2026/820 dated 11.08.2026, which have been taken on record.
12. The Respondent has submitted that a site inspection was conducted and it was found that an electricity connection had earlier been provided at the Temporary Fish Market in the year 2017 under Account No. D2/5033. According to the Respondent, the said connection was subsequently disconnected in the year 2020 pursuant to a request from the Municipal Council, SVPMC, on the ground that the market had been shifted to the Modern Fish Market.
13. The Respondent has further submitted that an electricity connection was thereafter provided at the Modern Fish Market under a separate electricity account. With regard to the present request, the Respondent has maintained that, as per the procedure applicable for release of a new electricity connection, submission of a valid allotment order and No Objection Certificate from the Municipal Council is required.
14. The Respondent has stated that the online application submitted by the Appellant was rejected/kept on hold on account of non-submission of the requisite documents and incomplete documentation. The Respondent has also relied upon the communication received from the Municipal Council directing that no electricity connection be provided at the Temporary Fish Market until further communication.
15. The Respondent has contended that the requirement of the aforesaid documents is not specific to the Appellant and that the Electricity Department follows the same procedure in similar cases. It has further been submitted that the Electricity Department cannot independently disregard the communication of the competent municipal authority concerning the status/use of the premises.
16. The matter was thereafter taken up for hearing on 01.09.2026 through Video Conferencing. Shri B. Hema Raju, Secretary, M/s Island Bonafide Fishermen Self-Help Group, appeared in person along with Shri S. U. Maheswar Rao on behalf of the Appellant. Shri Naveen Lall, Assistant Engineer-I (HQ), and Shri Siddique, Junior Engineer, appeared on behalf of the Respondent/Electricity Department.
17. During the course of hearing, both parties reiterated their respective submissions. The Appellant emphasized the earlier permission granted for use of the Temporary Fish Market and the order dated 27.04.2026 passed by the learned CGRF. The Respondent, on the other hand, reiterated that the present request could not be processed in the absence of the requisite municipal documents and in view of the communication received from SVPMC.
18. Upon consideration of the submissions of both parties and the material available on record, this Forum considered it necessary to ascertain the present physical status of the Temporary Fish Market, the nature and extent of the premises for which electricity



connection is sought, the existing electrical infrastructure/wiring, and the feasibility of providing electricity supply at the said premises.

19. Accordingly, vide Daily Order dated 01.09.2026, the concerned Junior Engineer, Electricity Department, was directed to undertake inspection of the site and a video recording of the proposed premises was directed to be submitted before this Forum latest by 03.09.2026.
20. Pursuant to the aforesaid directions, the site of the Temporary Fish Market at Mohanpura, near ACC Hotel, Sri Vijaya Puram, has been inspected by the Junior Engineer of the Electricity Department. A video recording of the site inspection has also been placed on record and has been taken into consideration by this Forum.
21. On perusal of the video recording, the premises appear to be a covered temporary market structure having a corrugated-sheet roof and sheet/metal enclosure, with an open frontage/entrance towards the adjoining area. The video shows that the premises are presently being used for fish-trading activities, with fish displayed/handled at various counters and tables and fish crates, boxes and containers placed within the market area. Persons engaged in fish-related activities are also visible in the premises.
22. The video further shows that the market structure is of a substantial covered length and contains a number of individual working/storage spaces and counters. The floor of the premises is visibly wet at several places, consistent with the nature of fish handling and washing activities being carried out therein. The video also captures the approach/open frontage of the market and the surrounding area outside the temporary structure.
23. The video recording further captures electrical wiring/conduits and electrical switchgear/protective devices installed at a portion of the premises. An electrical enclosure/panel with switches/protective devices is visible on the wall near one of the entrances/sections of the market. Electrical wiring/conduits are also visible along the structure, and lighting fixtures are seen installed along the roof of the covered market area. The visual material thus indicates the presence of electrical infrastructure/wiring within the premises; however, the video by itself does not establish whether the said electrical installation is presently energized or connected to the Department's supply network.
24. The video also shows the physical arrangement of the market, including the location of counters, fish storage/handling areas and the available internal space. The same has been taken on record for the limited purpose of assessing the present physical condition and use of the premises and the issues arising in relation to the request for electricity connection.
25. It is pertinent to note that the aforesaid site inspection and video recording have been considered as factual material relating to the physical status of the premises. No conclusion is being drawn merely from the visual presence of electrical wiring, switchgear or lighting fixtures regarding the legality, ownership or authorization of the electrical installation, or regarding the Appellant's entitlement to a fresh electricity connection. Those aspects are required to be determined on the basis of the pleadings, documentary evidence, applicable Regulations and the rival submissions of the parties.



26. The pleadings and documents filed by the Appellant, the para-wise comments submitted by the Respondent vide Letter No. EL/AE/SD-I/HQ/25-6/2026/820 dated 11.08.2026, the order dated 27.04.2026 passed by the learned CGRF, the subsequent communications of the Electricity Department and the Municipal Council relied upon by the parties, and the video recording of the site inspection have been taken on record and considered for adjudication of the present matter.
27. The matter is accordingly being considered on the basis of the material available on record and the submissions advanced by both parties.

D. Issues for Determination

Upon consideration of the pleadings, documents and submissions of the parties, the following issues arise for determination:

1. Whether the Appellant is entitled to seek and obtain a fresh electricity connection at the Temporary Fish Market at Mohanpura, near ACC Hotel, Sri Vijaya Puram;
2. Whether the Respondent was justified in keeping the Appellant's application for electricity connection on hold on the ground of non-submission of an allotment order and No Objection Certificate (NOC) from the Sri Vijaya Puram Municipal Council (SVPMC), and on the basis of the subsequent communication dated 29.05.2026 issued by the Revenue Officer, SVPMC;
3. What is the effect of the order dated 27.04.2026 passed by the learned Consumer Grievance Redressal Forum, Andaman & Nicobar Islands (CGRF), directing the Respondent to provide the electricity connection; and
4. Whether the Appellant is entitled to compensation/liquidated damages of Rs.1,00,000/-.

E. FINDINGS AND ANALYSIS

The Appellant's case is that originally 52 fishermen/fish vendors were operating from the Old Fishermen Market at Mohanpura. Subsequently, a New Modern Fish Market was developed with accommodation for only 36 shops. Accordingly, 36 of the original occupants were provided alternative accommodation in the New Modern Fish Market, whereas the remaining 16 fishermen/fish vendors were allowed to continue their activities from the Old/Temporary Fish Market at Mohanpura.

The Appellant has relied upon Letter No. F. No. PBMC/7/128/2020/RO/R-1001 dated 29.09.2022 issued by the Municipal Council, under which the Secretary of the Island Bonafide Fishermen Self Help Group was permitted to use the space at the Temporary Fish Market at Mohanpura for wholesale purposes until an alternative arrangement was made. The said communication also contemplated payment of electricity and other applicable charges by the Self-Help Group.

The Respondent has also referred to the aforesaid factual arrangement in its submissions. It has been stated that the New Modern Market was developed and that 36 occupants of the Old Temporary Fish Market near ACC Hotel were accommodated there, while the remaining 16 were allowed to continue from the Old Temporary Fish Market under the Island Bonafide Fishermen Self Help Group.



Thus, there is no serious dispute regarding the basic factual circumstance that, following development of the Modern Fish Market, only 36 of the original 52 occupants could be accommodated there and the remaining 16 continued to operate from the Old/Temporary Fish Market pursuant to the arrangement relied upon by the Appellant.

This fact is material to the controversy because the present request for electricity supply concerns an identifiable existing market premises in which fish-trading activities are admittedly being carried out, and not a premises whose existence or location is itself in dispute.

The Respondent has submitted that an electricity connection had previously been provided at the Temporary Fish Market in the year 2017 under A/c No. D2/5033. According to the Respondent, the said connection was subsequently disconnected in the year 2020 pursuant to a request from the Municipal Council, on the ground that the market had been shifted to the Modern Fish Market.

The fact that an electricity connection had earlier been provided at the very same Temporary Fish Market is a relevant circumstance. It establishes that the premises had previously been served with electricity and that the location was not inherently incapable of being supplied.

The subsequent disconnection of the earlier connection (D2/5033) in 2020, however, cannot by itself be construed as a permanent prohibition against release of electricity supply at the premises in future. The circumstances existing at the time of the present application have to be considered independently, particularly when the Appellant asserts that the remaining 16 fishermen/fish vendors continued to use the Temporary Fish Market under a municipal arrangement.

The record further shows that the Appellant, in his capacity as Secretary of the Island Bonafide Fisherman Self Help Group, submitted Online Application No. 43885 dated 04.05.2026 for grant of a new electricity connection at the Temporary Fish Market.

The said application was submitted after the order dated 27.04.2026 passed by the learned CGRF, whereby the Respondent was directed to provide an electricity meter connection at the premises within 15 days from receipt of the order.

The Appellant has submitted that the Indemnity Bond, duly notarized, was also submitted through online mode on 04.05.2026 vide the aforesaid application number. It has further been submitted that the Junior Engineer of the Electricity Department inspected the premises and advised the Appellant to carry out the necessary electrical wiring, installation of switches and provision of a suitable location for installation of the digital meter. According to the Appellant, the requisite electrical works were thereafter completed.

It is significant that the Respondent has relied upon Letter No. NIL dated 29.05.2026 issued by the Revenue Officer, Municipal Council, Sri Vijaya Puram, as one of the grounds for keeping the application on hold. The said communication itself takes note of the fact that the Island Bonafide Fisherman Self Help Group had approached the learned CGRF for grant of a new electricity connection.

The chronology is therefore relevant. The Appellant's Online Application No. 43885 dated 04.05.2026 preceded the Municipal Council communication dated 29.05.2026 relied upon



by the Respondent. Further, the application dated 04.05.2026 was submitted in the backdrop of the CGRF order dated 27.04.2026 directing release of electricity connection. Consequently, the communication dated 29.05.2026 was a subsequent development concerning an electricity connection application which had already been made and in respect of which the learned CGRF had already passed a specific direction.

The learned CGRF, after considering the grievance of the Appellant, passed an order dated 27.04.2026 directing the Respondent to provide the electricity meter connection at the premises within 15 days from receipt of the order.

It is not the case of the Respondent that the aforesaid order was stayed, set aside or modified by any competent Court or appellate authority. No order staying the implementation of the CGRF order has been placed on record before this Forum.

The Respondent has, however, relied upon the subsequent communication of the Municipal Council dated 29.05.2026 and the consequential communications dated 11.06.2026 and 12.06.2026, whereby the application was kept on hold.

In the circumstances, the Respondent was required to consider whether the subsequent communication of the Municipal Council constituted a legally operative prohibition which prevented implementation of the CGRF order. A statutory grievance redressal order cannot ordinarily be rendered ineffective merely by an administrative decision of the distribution licensee.

If the Respondent considered that a subsequent communication from the Municipal Council created a legal impediment to implementation of the CGRF order, the appropriate course would have been to seek appropriate clarification or directions from the competent forum rather than indefinitely keeping the electricity connection application on hold.

The Respondent has submitted that a valid allotment order and NOC from SVPMC are required before a fresh electricity connection can be released at the premises. The Respondent has maintained that these requirements are part of the standard procedure followed by the Electricity Department for release of a new connection.

The requirement of verifying the lawful occupation/use of the premises and compliance with applicable documentary requirements cannot be said to be unreasonable. The Electricity Department is entitled to require an applicant to comply with the statutory, regulatory, technical, safety and commercial requirements applicable to a fresh connection.

However, the peculiar facts of the present case have also to be considered.

The Respondent has itself acknowledged that the New Modern Fish Market accommodated 36 occupants of the earlier market, while the remaining 16 were allowed to continue from the Old Temporary Fish Market under the Island Bonafide Fishermen Self-Help Group. The Appellant has relied upon the specific municipal permission dated 29.09.2022 granted to the Secretary of the Island Bonafide Fishermen Self-Help Group to use the space until an alternative arrangement was made.

The application for electricity connection has been made by the Secretary of the Island Bonafide Fishermen Self Help Group, and the Appellant has stated that the requisite commercial formalities have been completed. The Appellant has also placed on record the Indemnity Bond submitted on 04.05.2026 pursuant to the CGRF proceedings.



In these circumstances, the absence of an individual allotment order in the name of each of the 16 fishermen/fish vendors cannot, by itself, be treated as conclusive against processing the application for electricity supply. The arrangement relied upon by the Appellant is itself stated to be a temporary arrangement, and the municipal communication dated 29.09.2022 specifically contemplated use of the premises until an alternative arrangement was made.

At the same time, this Forum is not called upon to determine the title, ownership, leasehold rights or permanent right of occupation of the Appellant or any member of the Self-Help Group. Those matters fall within the jurisdiction of the competent municipal/revenue or other statutory authorities.

The relevant question for this Forum is whether, subject to the applicable electricity-law requirements, the Respondent can refuse to process the application merely because an individual allotment order is not available in circumstances where there is documentary material evidencing the permitted use of the premises by the Self-Help Group.

In the facts of the present case, the answer must be in the negative.

The Respondent has relied upon Letter No. NIL dated 29.05.2026 issued by the Revenue Officer, Municipal Council, Sri Vijaya Puram, and has stated that, on the basis of the said communication, the electricity connection was kept on hold.

The existence of the said communication is not in dispute. The issue, however, is its legal effect in the context of the present proceedings.

The material placed before this Forum does not establish that the Municipal Council, by the communication dated 29.05.2026, as relied upon by the Respondent, is required to be viewed as a subsequent communication from the local authority, and not as a substitute for a judicial or statutory adjudication of the Appellant's entitlement to electricity supply.

It is also significant that the communication dated 29.05.2026 was issued after the Appellant's Online Application No. 43885 dated 04.05.2026 and after the order dated 27.04.2026 passed by the learned CGRF.

The Respondent could not, therefore, treat the subsequent communication as automatically nullifying the earlier CGRF direction. If the Respondent believed that the subsequent municipal communication created a legal impediment to implementation of the CGRF order, the Respondent ought to have obtained appropriate clarification or directions from the competent authority/forum.

Accordingly, this Forum is of the view that the Respondent was not justified in keeping the application indefinitely on hold solely on the basis of the communication dated 29.05.2026.

Pursuant to the directions issued by this Forum on 01.09.2026, the site was inspected by the Junior Engineer, Electricity Department, and a video recording of the site inspection was submitted before this Forum.

The video recording has been perused.

It shows a covered temporary market structure at the subject location, with a corrugated-sheet roof and partly enclosed sides and an open frontage. The premises are visibly being used for fish-trading and related activities. Fish counters/tables, fish crates/boxes and other articles associated with the handling and sale of fish are visible within the premises.

The video also shows electrical wiring/conduits, switchgear/protective devices and lighting fixtures at portions of the premises. The presence of such electrical infrastructure does not, by itself, establish that the premises are presently energized or that a valid electricity



connection is presently operational. However, it confirms that the premises are physically identifiable and are presently being used as a functioning fish market.

The physical inspection also does not indicate that the premises have ceased to exist or that the location for which electricity connection is sought is incapable of being identified.

The video recording has accordingly been considered as factual material regarding the present physical status and use of the premises and not as evidence of any proprietary or permanent right in favour of the Appellant.

It is necessary to make it clear that an electricity connection is a facility for supply of electricity and does not confer ownership, title, leasehold rights or any permanent right of occupation over the premises.

Therefore, directing the Respondent to process an electricity connection application in accordance with law does not amount to a declaration that the Temporary Fish Market is a legally regularised market or that the Appellant or the Self-Help Group has any permanent right over the premises.

The competent Municipal Council, Revenue Department or any other statutory authority remains free to exercise its lawful jurisdiction regarding the status, use, occupation, shifting, demolition, sealing or redevelopment of the Temporary Fish Market.

This distinction is particularly important in the present case because the municipal permission relied upon by the Appellant itself contemplates use of the premises only until an alternative arrangement is made.

Upon consideration of the entire material, this Forum finds that the Respondent was justified in requiring compliance with legitimate statutory, regulatory, technical, safety and commercial requirements applicable to a fresh electricity connection.

However, the Respondent was not justified in indefinitely keeping the application on hold solely on the ground of absence of an individual allotment order/NOC and on the basis of the subsequent municipal communication dated 29.05.2026, without establishing a subsisting legal prohibition which prevented consideration of the application.

The Appellant has established that:

- the Temporary Fish Market is an identifiable existing premises;
- the premises are presently being used for fish-trading activities;
- the Respondent itself acknowledges that an electricity connection had earlier existed at the premises;
- 36 of the original 52 occupants were accommodated in the Modern Fish Market and the remaining 16 were allowed to continue at the Old Temporary Fish Market under the arrangement relied upon by the Appellant;
- the Municipal Council's communication dated 29.09.2022 permitted the Secretary of the Self-Help Group to use the space until an alternative arrangement was made;
- the Appellant applied for the fresh electricity connection vide Online Application No. 43885 dated 04.05.2026;
- the said application followed the CGRF order dated 27.04.2026 directing the Respondent to provide the connection; and
- the subsequent municipal communication dated 29.05.2026 was relied upon by the Respondent after the aforesaid application had already been submitted.



In these circumstances, the appropriate course is to direct the Respondent to process the application afresh in accordance with the applicable law and Regulations, rather than treating the application as permanently barred.

The Appellant, however, must satisfy all legitimate requirements applicable to a fresh electricity connection, including submission of an Indemnity Bond, technical and safety compliance, payment of applicable charges and completion of the prescribed commercial formalities.

The Appellant has claimed Rs.1,00,000/- towards compensation/liquidated damages, alleging wilful non-compliance with the CGRF order and mental agony and hardship caused by the Respondent's action.

The record does show that the CGRF had directed release of the electricity connection on 27.04.2026 and that the connection was not thereafter released. The Respondent subsequently relied upon the Municipal Council communication dated 29.05.2026 as the basis for keeping the application on hold.

However, the Respondent has explained that its action was based upon the communication received from the Municipal Council and the Department's understanding regarding the documentary requirements for a fresh electricity connection. In the circumstances, this Forum does not find sufficient material to conclude that the Respondent's conduct was actuated by mala fide intention or deliberate disregard of the lawful process so as to justify the award of the claimed amount of Rs.1,00,000/-.

The claim for compensation/liquidated damages is, therefore, not allowed.

This finding, however, does not detract from the conclusion that the application ought to be processed expeditiously in accordance with law and that the Respondent cannot keep the application indefinitely on hold merely on the basis of the aforesaid communication.

In view of the foregoing discussion, this Forum is of the considered view that the Appellant has made out a sufficient case for processing of the application for a fresh electricity connection at the Temporary Fish Market, Mohanpura, subject to compliance with the applicable statutory, regulatory, technical, safety and commercial requirements.

The Respondent shall accordingly process the application in accordance with law.

At the same time, the electricity connection, if released, shall remain subject to the lawful exercise of jurisdiction by the Municipal Council or any other competent authority in respect of the premises. The grant of electricity connection shall neither regularise the Temporary Fish Market nor create any proprietary or permanent occupational right in favour of the Appellant or the Self-Help Group.

The appeal is therefore liable to be partly allowed in the aforesaid terms.

F. CONCLUSION

Upon consideration of the pleadings, documents placed on record, the order dated 27.04.2026 passed by the learned CGRF, the subsequent correspondence exchanged between the parties, and the material available regarding the status, use of the Temporary Fish Market, and Submissions made by both the parties this Authority, is of the considered view that the Appellant has made out a case for consideration of the request for electricity connection at the said premises.



The record establishes that the Temporary Fish Market at Mohanpura has been in use pursuant to the arrangement made by the Municipal Council and that, pursuant to the municipal communication dated 29.09.2022, the Island Bonafide Fishermen Self-Help Group was permitted to use the market for wholesale purposes until an alternative arrangement was made, with the liability for electricity and other utility charges resting upon the Self-Help Group. It is also not disputed that an electricity connection had earlier existed at the said premises.

The Appellant thereafter approached the learned CGRF for grant of an electricity connection, and the learned CGRF, vide order dated 27.04.2026, directed the Respondent to provide the electricity meter connection within 15 days from receipt of the order. The Appellant submitted the Indemnity Bond and thereafter filed Online Application No. 43885 dated 04.05.2026 for grant of a fresh electricity connection.

The subsequent communication dated 29.05.2026 issued by the Revenue Officer, Sri Vijaya Puram Municipal Council, has been relied upon by the Respondent as the basis for keeping the application on hold. However, no material has been placed on record to establish that the said communication constituted a specific judicial or statutory prohibition against release of electricity supply, or that the order of the learned CGRF dated 27.04.2026 had been stayed, modified, reviewed or set aside by any competent authority or Court.

At the same time, the direction of the learned CGRF cannot be construed as dispensing with the statutory, regulatory, technical, safety and commercial requirements applicable to release of a new electricity connection. The Respondent is therefore entitled to verify and require compliance with such requirements as are legitimately applicable under the Electricity Act 2003, the JERC Electricity Supply Code 2018 and other applicable regulations.

The physical inspection/video recording placed on record also indicates that the premises continue to be used as a functioning temporary fish market and that electrical infrastructure is present at the site. However, such physical evidence by itself does not establish that the premises are presently energised or that a valid electricity service is currently operative there. This Forum further makes it clear that release of electricity supply, if otherwise permissible under law, shall not amount to regularisation or recognition of the Temporary Fish Market as a permanent establishment, nor shall it confer upon the Appellant or the members of the Self-Help Group any right, title, ownership or permanent right of occupation over the premises. Any question relating to ownership, allotment, legality of the structure, continuation of the market or its shifting, demolition or sealing shall remain within the jurisdiction of the competent municipal/revenue authority or any other authority competent under law.

In the circumstances, this Forum is of the view that the Respondent was not justified in keeping the Appellant's application indefinitely on hold merely on the basis of the communication dated 29.05.2026, without establishing a subsisting legal prohibition against release of electricity supply. The appropriate course is to direct the Respondent to process the Appellant's application afresh in accordance with law and to release the connection upon fulfilment of the applicable requirements.



As regards the claim of Rs.1,00,000/- towards compensation/liquidated damages, this Forum finds that the material on record does not establish mala fide, deliberate disobedience or such wilful misconduct on the part of the Respondent as would justify award of the amount claimed. The claim for compensation is, therefore, not found sustainable.

G. ORDER

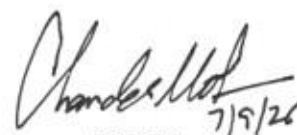
In view of the foregoing findings and analysis, the Appeal is partly allowed and the following directions are issued:

1. The Appeal is partly allowed to the extent indicated hereinbelow.
2. The Respondent shall process the Appellant's application for grant of a fresh electricity connection at the Temporary Fish Market at Mohanpura, Sri Vijaya Puram, in accordance with the Electricity Act, 2003, the applicable JERC Regulations, the JERC Electricity Supply Code and other applicable statutory and technical requirements.
3. The Appellant shall submit/complete all documents, declarations, Indemnity Bond, technical and safety requirements and other lawful formalities required for release of the connection, and shall pay the applicable charges, security deposit and other legitimate dues, if any.
4. Upon fulfilment of the applicable requirements by the Appellant, the Respondent shall complete the necessary processing and release the electricity connection within 15 days thereafter, subject to there being no specific subsisting order of a competent Court or statutory authority prohibiting such release.
5. The Respondent shall consider the municipal permission/arrangement evidenced by Letter No. PBMC/07/128/2020/RO/R-1001 dated 29.09.2022 and the circumstances relating to the continuation of the remaining 16 fishermen/fish vendors at the Temporary Fish Market. The mere absence of an individual allotment order in the name of each such occupant shall not, by itself, be treated as an absolute bar to processing the application, provided the Appellant otherwise satisfies the applicable requirements of law and the Supply Code.
6. It is expressly clarified that grant of electricity supply pursuant to this order shall not be construed as conferring any right, title, ownership, permanent allotment or permanent right of occupation in favour of the Appellant, the Self-Help Group or any of its members, nor shall it amount to regularisation or validation of the Temporary Fish Market or any structure situated therein.
7. Nothing contained in this order shall prejudice or restrict the lawful powers of the Sri Vijaya Puram Municipal Council, Revenue Department or any other competent authority in respect of the legality, allotment, continuation, shifting, demolition, sealing or redevelopment of the Temporary Fish Market.
8. In the event that the Revenue Department, Sri Vijaya Puram Municipal Council or any other competent authority subsequently undertakes demolition, sealing or other coercive action against the subject premises in accordance with law and duly communicates a specific direction/request to the Electricity Department concerning disconnection of electricity supply, the Respondent shall comply with such lawful



direction and shall disconnect the electricity supply at the stage and in the manner required by such direction, subject to any contrary order of a competent Court or appellate authority.

9. The Appellant's claim for compensation/liquidated damages of Rs.1,00,000/- is rejected for want of sufficient material establishing mala fide, deliberate disobedience or wilful misconduct on the part of the Respondent warranting such compensation.
10. The Respondent shall submit a compliance report before this Forum within 7 days of release of the electricity connection, or, where the connection cannot be released on account of any specific lawful impediment, shall communicate the same to the Appellant in writing, specifying the precise requirement or legal impediment and the steps required for its removal.
11. Certified Copy of this order be supplied to both the parties.
12. The Appeal stands disposed of in the above terms.
13. No order as to costs.


(C M Sharma)

Dated: 7th September, 2026.

Electricity Ombudsman (JERC)