

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA (P)/11/2024

Shri. Indra Pal Singh

Vs

The Union of India and others

Mr. Mohammed Tabraiz	... for the petitioner
Mr. V.D.Sivabalan	... for the UOI
Mr. Rakesh Kumar	... for the Administration
Mr. Arul Prasanth	... for the NTPC

September 3, 2025
[AKB]
Item No.1

We observe with concern the continuing unsatisfactory state of affairs regarding the supply of electricity in the Islands. Despite several orders passed by this Court, the situation remains grim, and the Administration has failed to ensure adequate supply of electricity to the residents.

It is noted that, despite certain measures being initiated, the Administration has been unable to bridge the existing deficit in power generation, which has resulted in frequent non-supply of electricity to the inhabitants. The Administration had earlier given an undertaking to this Court that, in order to address the shortage of approximately 3 Megawatts arising from the breakdown of the DG set in the existing high-power plant, necessary steps would be taken and supply would be restored within a fortnight in terms of the undertaking recorded in order dated 11th August, 2025.

Today, Ms. Madhuri Shukla, Superintending Engineer (Technical), Electricity Department, has appeared before this

Court and stated that the Administration is still unable to comply with the undertaking given on 11th August, 2025. An affidavit has been filed on behalf of the Administration wherein, inter alia, Clause F at page 6 contains a chart setting out the projected future generation and the proposed methodology for bridging the supply gap. This Court directs that the Administration shall strictly comply with the undertakings recorded in the said affidavit, which has been filed by the Secretary (Power).

It is further noted in the affidavit that the Administration has written to the supplier company for restoration of the DG sets, and that communications have been received from the company indicating dates by which the DG sets would be repaired and power generation restored. However, this Court notes with dismay that the company itself has failed to honour its commitments to the Administration. In particular, the commissioning of DG 3 was to be completed by 29th August, 2025, but remains pending without justification.

This Court also observes that the Administration has failed to take effective steps to penalize the defaulting supplier, resulting in the present impasse. The Administration is therefore directed to take immediate and effective steps to ensure that the commitments and timelines agreed upon by the supplier are fully adhered to, and to put in place mechanisms to hold the supplier accountable.

The Administration shall further file periodic reports before this Court detailing compliance with the aforesaid timelines and the steps taken to ensure their fulfillment.

It is also noted that by order dated 19th March, 2025, National Thermal Power Corporation (NTPC) was directed to file a status report. Though the order dated 26th August, 2025 records that NTPC had not filed such a report, learned counsel for NTPC has clarified that a report was in fact filed and is already on record. NTPC now undertakes to file a fresh status report setting out the steps taken with respect to the proposed 50 Megawatt LNG-based power plant. It is further submitted that the draft Power Purchase Agreement submitted by NTPC is presently under consideration with the Administration. This Court expects the Administration to act promptly and expeditiously on the said approval so that the commissioning of the 50 Megawatt LNG-based power plant is not delayed any further.

At this stage, learned counsel for the petitioner prays for impleadment of the Joint Electricity Regulatory Commission as a party respondent to the present writ petition. Liberty is granted.

List this matted on 08.09.2025 under the heading 'To be Mentioned'.

(Gaurang Kanth, J.)

(Biswajit Basu, J.)