

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:

M/s Saavi Motor Andaman Pvt Ltd, R/o Garacharma, South Andaman.

.....Complainant

Versus

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

.....Respondent

Complaint No. : ANI/C.G. No. 52/2025 dated 22/01/2025.
Complaint : Revaluation of Load (Commercial)
Date of Hearing : 31/01/2025
Date of Order : 05/02/2025



ORDER

Background

The complainant M/s Saavi Motor Andaman Pvt Ltd, R/o Garacharma, South Andaman, filed a complaint vide R.D. No. 958 dated 22/01/2025 regarding Revaluation of Load (Commercial).

The complaint was registered as ANI/C.G. No. 52/2025 and forwarded on 23/01/2025 vide letter No. ANI/CGRF/10-375/610 to the Nodal Officer (CGRF), Executive Engineer (HQ) and Assistant Engineer-III(HQ), Electricity Department for submitting reply/comments and attending the Hearing fixed on 31/01/2025 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 31/01/2025 at 11.30 a.m.

The Assistant Engineer (W/Shop), Nodal Officer (CGRF), Electricity Department vide his letter No. EL/AE(W/Shop)/2-16/2024-25/678 dated 27/01/2025 submitted reply/comments on behalf of the Licensee/Respondent (ED), which was received by the Forum vide R.D No. 962 dated 28/01/2025 (the letter is kept in case file) (*Exbt. -1*).

Hearing on 31/01/2025

The Hearing was held on 31/01/2025 in the Hearing Hall, Electricity CGRF at 11:30 a.m. The following were present: -

- (i) Shri. Charanjit Singh, Complainant.
- (ii) Shri. Naveen Lall, AE-I(HQ), Elect. Dept.
- (iii) Shri. Dipak Kumar Singh, JE, Elect. Dept.

Statement of the Complainant

The complainant M/s Saavi Motor Andaman Pvt Ltd, R/o Garacharma, South Andaman stated in their complaint letter dated 22.01.2025 that "I am a consumer of a Temporary Commercial connection with the consumer number H1/5540.

I have applied for a Commercial 3Phase permanent connection in the banner of "SAAVI MOTOR ANDAMAN PVT. LTD", New Pahargaon, Old Sapana Theatre, application No. 23089 dated: 02/07/2024.

I have received a huge SD amount as per our last inspection, and after which I have made certain changes and reduced many unwanted load. I have requested the site office, to please reevaluate our emended load and submit us with a new SD estimation, but we were rejected and asked to submit as per the estimation already received.

Now, I request you to please ask the concern for a new revaluation after a site visit."

The complainant enclosed photocopies of Online application no. 23089 dated 02.07.2024, SD issued by AE-III, which is kept in the case file **(Exbt. -2)**.

Reply of the Respondent/Licensee (ED)

The Assistant Engineer-III(HQ) submitted para-wise comments on behalf of the Respondent/Licensee (ED) vide letter No. EL/AE/PP/1-12/2023-24/1746 dated 27/01/2025 stated that: -

"Sir, This has a reference to the CGRF Complaint No. ANI/C.G.No.52/2025 dtd 22/01/2025 in the matter of M/s Saavi Motor Andaman Private Limited regarding reduction of load for M/s Saavi Motor Andaman Private Limited.

In this regard, the concerned Junior Engineer vide letter No. EL/JE/PP-/1-20/2025/436 Dated 25.01.2025 had submitted his report which is enclosed and is reiterated below for your kind reference please.

In this regard, it is to mention that the applicant, under the name "Saavi Motor Andaman Private Limited" had earlier submitted an application for new



Three Phase Commercial Connection Vide Online Application No. 23089 Dated 02.07.2024. The site was inspected and found that the total connected load of the applicant is 65449 Watts (82 KVA). The inspection report with the online application was forwarded to the then Assistant Engineer, Prothrapur. Accordingly, the then Assistant Engineer, Prothrapur approved the application and the estimate and security deposits were generated as follows:

1. Estimate No.: EL/JE/PP/2024/429 DATED 13/08/2024 for an amount of Rs. 3901/-

2. Security Deposit letter No. EL/HO/AE-I/2024-25/340 dated 19/08/2024 for an amount of Rs. 546120/-

However, till date no further action was taken by the applicant on the above mentioned applicant and security deposit & estimate amount has not been submitted by the applicant till date.

Consequent to the above, the applicant re-applied for Three Phase Commercial Connection Vide Online Application No. 24188 Dt. 28/08/2024 under the name "Saavi Motor Andaman Limited" for the same premises with a reduced load of 4940 Watt (7KVA). However, the applicant was kept on hold by the concerned Junior Engineer for the reason clarified in his letter no. EL/JE/PP-1/1-20/2024/436 Dt.25/01/2025.

Further, it is to submit that the above-mentioned applications were dealt with by the then Assistant Engineer, Prothrapur. The matter was brought to notice only after the filing of the CGRF case, and upon perusal of the CGRF case, both applications were examined based on the report submitted by the Junior Engineer. It is submitted that:

1. Application No. 23089 dated 02.07.2024: The application was approved with a total connected load of 65449 Watts (82 KVA), and the applicant did not proceed with the payment of the generated estimate and security deposit, leaving the application incomplete. In this context, it is observed that the premises has a connected load exceeding 50 KW and is intended for commercial purposes. Hence, the applicant was required to submit an ECBC compliance report as per the Andaman and Nicobar Islands Energy Conservation Building Code (ECBC), 2019, which was not submitted in this case. Consequently, the approved application must be re-examined afresh in light of the mandatory ECBC requirements.

2. Application No. 24188 dated 28.08.2024: This application is currently pending with the Junior Engineer and has been kept on hold for the reason intimated by the Junior Engineer, Prothrapur vide his letter no. EL/JE/PP-I/1-20/2025/436 Dated 25.01.2025.

This is for your kind information and necessary action please."



The AE-III(HQ), Electricity Department enclosed photocopies of letter received from JE(P/Pur), Online application no. 23089 dated 02.07.2024, Cost estimate no. 429 dated 13.08.2024, SD application and Aadhaar card, which is kept in the case file (Exbt. -3).

Submission of the Complainant

The complainant asserts that they made substantial modifications in the electrical installations, such as downgrading power socket from 15A to 5 A, and significantly reduce the connected load from 82 kVA to 35 kVA. Despite this, the electricity department has refused to reassess the load and revise the Security Deposit (SD) amount. The complainant contends that the department's refusal to conduct a fresh inspection is unfair and burdens them with an unnecessary financial obligation. They seek a fair reassessment and prompt approval of their revised application.

Submission of the Respondent (Licensee)

The respondent stated that the complainant initially applied for a high-load commercial connection and the process from the department completed in all respects timely, but the complainant not turned to deposit the sanctioned Security Deposit and other payments. Subsequently the complainant submitted a reapplication with a lower load was held up due to procedural concerns. The department argues that once an application for new service connection is sanctioned, either consumer or department may not have in a position make any alteration in the above application. The AE also pointed out that the application can be cancelled only by the NIC officials once the process is completed by the department. Forum should directs the respondent to initiate action to cancel the previous application since the complainant have an option to increase or decrease the connected load, but the complainant is advised to explore the possibility to install solar power plants to meet the energy conservation regulations. The AE also emphasized that compliance with energy conservation regulations is essential if the connected load above 50 KW and insist that a structured process must be followed before revising the Security Deposit amount and requested to the Forum to insist an undertaking to be signed by the complainant that if any additional load beyond the sanctioned load which they may comply the norms of energy conservation regulations strictly.

Forum's Observation

The case pertains to a consumer dispute on providing a commercial three-phase electricity connection under the name Saavi Motor Andaman Pvt. Ltd. at New Pahargaon, Old Sapana Theatre. The complainant initially applied for a commercial three-phase permanent connection with a connected load of 82 kVA, which resulted in a significant Security Deposit (SD) amount.



Subsequently, the complainant reduced the connected load and requested to the electricity department to revaluation of the SD amount. However, the electricity department denied this request, leading the complainant to approach the Consumer Grievance Redressal Forum (CGRF).

The complainant, a consumer with a temporary commercial electricity connection (Consumer No. H1/5540), applied for a permanent commercial three-phase connection under the name Saavi Motor Andaman Pvt. Ltd. (Application No. 23089, dated 02.07.2024). Following an inspection, the complainant was issued a Security Deposit (SD) amount based on the initially assessed connected load of 82 kVA. However, recognizing that the load was excessive, the complainant took measures to reduce it by modifying the electrical fittings, particularly reducing power socket ratings from 15 A to 5 A. Despite these changes, when the complainant approached the site office for a revised SD estimation, the request was denied. The complainant now seeks a fresh site inspection to reassess the actual load and revise the SD amount accordingly.

The respondent, representing the electricity department, stated that the complainant initially applied for a commercial three-phase connection with an connected load of 82 kVA, leading to the generation of an estimate and an SD amount of ₹5,46,120/-. However, the complainant not turned to remit the payment, leaving the application incomplete. Subsequently, on 28.08.2024, the complainant re applied for the same premises under Saavi Motor Andaman Limited with a significantly reduced load of 7 kVA. The department held this application, citing procedural concerns. Additionally, it was highlighted that since the connected load initially exceeded 50 kW, compliance with the Andaman and Nicobar Islands Energy Conservation Building Code (ECBC) 2019 was required, which had not been submitted. The department maintained that any reconsideration of the case needed to be based on a fresh evaluation of compliance and regulations.

The Forum noted that the complainant had undertaken modifications to reduce the connected load from 82 kVA to 35 kVA. However, the department's concern that the complainant makes any alterations after taking connection may valid, but many options are available in the regulation to curtail such activity and the unauthorized load alterations without proper knowledge of the department may attract penalization. To balance consumer rights and regulatory obligations, the Forum decided that the reinspection should be conducted to confirm the present connected load, and the SD should be revised accordingly. Additionally, an undertaking from the complainant was deemed necessary to prevent any future unauthorized load alteration without the proper knowledge of department may be executed to protect the interest of the department.



The Forum directs that the electricity department shall conduct a fresh site inspection to assess the complainant's present connected load. Based on the inspection findings, the Security Deposit (SD) amount shall be recalculated and revised accordingly. The complainant must submit an undertaking stating that no additional load beyond the sanctioned limit will be used without proper intimation to the department. In case of any unauthorized load increase, the department shall have the liberty to disconnect the supply and impose penalties. The complainant's first application (No. 23089, dated 02.07.2024) is deemed to be canceled. The second application (No. 24188, dated 28.08.2024) shall be processed immediately. The complainant should also explore the possibility to integrating solar roof top power plants to reduce the energy consumption and to meet the energy conservation regulations.

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 Forum directs that the electricity department shall conduct a fresh site inspection to assess the complainant's present connected load. Based on the inspection findings, the Security Deposit (SD) amount shall be recalculated and revised accordingly.
3. The complainant must submit an undertaking stating that no additional load beyond the sanctioned limit will be used. In case of any unauthorized load increase, the department shall have the liberty to disconnect the supply and impose penalties.
4. The complainant's first application (No. 23089, dated 02.07.2024) is deemed to be cancelled. The second application (No. 24188, dated 28.08.2024) shall be processed immediately.
5. The complainant should explore the possibility to integrating solar roof top power plants to reduce the energy consumption and to meet the energy conservation regulations.
6. The department shall provide necessary guidance on ECBC compliance if required for future applications. The revised SD estimation should be communicated to the complainant within a stipulated timeframe to avoid unnecessary delays.



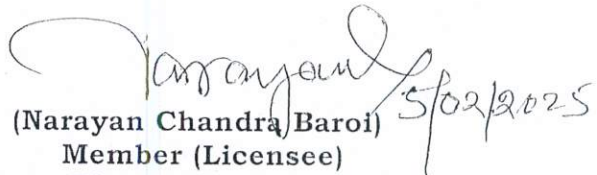
7. The Forum instructs both parties to ensure transparency in the inspection and compliance process to prevent future disputes.
8. The Complainant is instructed to install Earth Leakage Protective Device (ELPD) in the wiring to prevent any leakage and fire hazards and safety of equipment's in the premises.
9. 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.
10. 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.
11. The complainant shall not be harassed overtly or covertly in any manner whatsoever in future for exercising his right by availing the redressal within his jurisdiction.

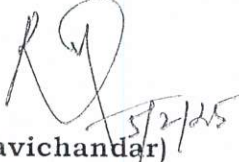
"The complainant, if aggrieved, by non-redressal of his / her grievance by the Forum or non-implementation of CGRF order by the Licensee, may make an Appeal prescribed Annexure-IV, to the **Electricity Ombudsman, Joint Electricity Regulatory Commission for the State of Goa and UTs**, 3rd Floor, Udyog Vihar, Phase, Sector-18, Gurugram - 122015 (Haryana). Phone - 0124-4684709, E-mail: ombudsman.jercuts@gov.in **within one month from the date of receipt of this order**".

[Annexure - IV Appeal Form can be collected from the office of the Forum on any of the working days].

A certified copy of this Order be sent to the Superintending Engineer (Licensee/Respondent), Executive Engineer (HQ), Nodal Officer (CGRF), Assistant Engineer-III (HQ), 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
Electricity CGRF

XXX