

Sub: In the matter of change of tariff category from HV3.2 to HV6.2

Order

Date of motion hearing: 26.09.2017

Date of order: 28.09.2017

| | | |
|--|----------|-------------------|
| Shri Pushpdant Sagar Digember Jain, Pushpgiri Teerth ,Dewas | : | Petitioner |
| V/s MP Paschim KVVCL,Indore. (West Discom): | | Respondent |

Shri R. C Jain appeared on behalf of petitioner.

2. The petitioner has filed the petition in subject matter and has requested the Commission to change his tariff category from existing HV3.2 (Non industrial) to HV6.2 (Bulk residential users) on the premise of its non-commercial usage of electricity being a religious and charitable organization carrying out various welfare and religious activities in its premises. The petitioner submitted that earlier it had 40 HP LT connection under LV1 (domestic) and due to increase in load subsequently he resorted to enter into agreement with respondent under HV3.2 for availing HT connection for contract demand of 100 KVA at 33kV level. The petitioner contested that looking to its use of electricity for charitable purpose only, his tariff connection provided under HV3.2 tariff category that is meant for mixed load under non- industrial usages is unjustifiable. The petitioner further informed that being a religious charitable organization, through donations only it is running Dharamshalas, Gaushalas, Old age homes, School for poor children, Hospital and Dining facilities for visitors/travelers and has not indulged in any of the commercial activities and also availing income tax exemptions under the provisions of Section 80(G) of Income Tax Act 1961. The petitioner has contested that his aforesaid usages does not fall under the definition of mix load and hence he should be placed under the HV6.2 tariff category from the date of agreement of HT connection.

3. The Commission has heard the submission made by the petitioner. The Commission has observed that the petitioner has been availing the supply under tariff schedule HV 3.2 for about last five years. As per provisions of Retail supply tariff order for FY 2017-18, the applicability under tariff schedule HV 6.2 is not akin to LV1(Domestic) as contested by the petitioner.

Sub: In the matter of change of tariff category from HV3.2 to HV6.2

4. The Commission has observed that it is evident from the petitioner's submission itself that petitioner is carrying out various activities such as running a hospital, schools and dining facilities which are neither covered under tariff category LV 1 nor the HV6.2. The tariff categories are determined by the Commission under the provisions of Section 62(3) of the Electricity Act 2003 only and has no bearing upon any tax exemptions granted to charitable organizations for its social & charitable activities by appropriate authority.

5. The Commission has observed that the petitioner has not been able to establish its claim to be placed under HV 6.2 tariff schedule. The petition is therefore disposed of.

(Alok Gupta)
Member

(A. B. Bajpai)
Member

(Dr. Dev Raj Birdi)
Chairman