

**Sub: In the matter of petition seeking clarification of interpretation of tariff order as per clause 1.24 of tariff order issued by the Commission on dated 31.03.2017 of 3.1 (d) regarding Rebate for existing HT connections.**

**Order**

**Date of motion hearing: 22.08.2017**

**Date of order: 28.09.2017**

**M/s J K White ,  
Village RUPAUND,  
Tehsil- Badwara ,  
Dist.Katni (MP)**

**: Petitioner**

**V/s**

**MP Poorv KVV CL (East Discom)  
Block No.7 , Shakti Bhavan  
Rampur, Jabalpur**

**: Respondent**

Shri RS Goyal & Shri RC Somani appeared on behalf of petitioner. Shri Praveen K Jain, DGM (Trac) appeared on behalf of respondent.

2. The subject petition is filed by the petitioner under clause 1.24 of General terms & conditions of HT tariff of Retail supply tariff order for FY2017-18, wherein the petitioner has prayed to allow the rebate for existing HT connections as per clause (d) of special terms & conditions for HV3 Tariff category on the basis of FY2015-16. Petitioner further prayed to issue directions Respondent in the instant case for calculation of incremental calculation considering base year FY2015-16 or FY2016-17.

3. The motion hearing was held on 25.07.2017, wherein the Commission has heard the petitioner and directed to issue notice to respondent. During the hearing held on 22.08.2017, respondent has made his submission by stating that in aforesaid clause (d) of special terms & conditions for tariff category HV3 , a rebate of 10% in energy charges for existing HT consumers is applicable for incremental consumption of FY2015-16 same month and accordingly respondent issued the bills to consumers. Respondent submitted that in aforesaid clause, the Commission has used the word “consumption” for applicability of 10% rebate as a necessary condition and accordingly if the consumer had not used the electricity from the licensee’s supply in the same month of FY 2015-16, he would not be entitled to avail the said rebate.

4. The Commission on perusal of submission made by petitioner and respondent observed that clause (d) of special terms & conditions for HV3 Tariff category is clearly stipulated and there is no need to interpret them further in the matter. The petitioner has submitted that he availed the connection on 15.03.2016 for CD of 1000kVA.

The Commission has therefore observed that contention of consumer for treating his consumption as “Zero” from April 2015 to Feb 2016 for benefit of incremental consumption is devoid of merit as petitioner was not the consumer during aforesaid period. The petitioner’s prayer for considering base year FY 2016-17 in instant case for calculation of incremental consumption does not have merits as the request is not in accordance with the tariff order issued by the Commission.

5. The relevant provision of the retail supply tariff order for FY 2017-18 is amply clear and there is no ambiguity in interpretation of the conditions therein as such the instant petition filed under clause 1.24 of General terms & conditions of HT tariff of Retail supply tariff order FY 2017-18 does not have merits and is therefore not maintainable. Thus the petition stands disposed of.

**(Alok Gupta)**  
**Member**

**(A. B. Bajpai)**  
**Member**

**(Dr. Dev Raj Birdi)**  
**Chairman**