

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAVAN, UNIT – VIII
BHUBANESWAR – 751012
Fax : +91-674-2395781/2393306, Web : www.oriarc.org**

Case No.10 of 2015

PUBLIC NOTICE

In the matter : An application of Department of Energy, Govt. of Odisha filed under S.94 (1) (f) of the Electricity Act, 2003 read with Regulation 70(1) of the OERC (Conduct of Business) Regulations, 2004 and under the provisions of Order 47 Rule 1(c) of the Code of Civil Procedure, 1908 for review of Retail Supply Tariff order dated 23.03.2015 passed in Case Nos. 69,70,71 & 72 of 2014 by the Commission pertaining to Irrigation Pumping and Agriculture tariff for FY 2015-16.

Department of Energy, Govt. of Odisha has filed an application for review of Retail Supply Tariff order dated 23.03.2015 passed in Case Nos. 69, 70, 71 & 72 of 2014 by the Commission pertaining to Irrigation Pumping and Agriculture tariff for FY 2015-16.

The copy of the aforesaid Review application may be downloaded from the Commission's website (www.oriarc.org) or it may be obtained from the Office of the Commission by paying photo copy charges of Rs.25/- (Rupees twenty five) only. The Commission has decided to dispose of the matter through a hearing and the date of hearing which shall be communicated later on.

Interested Persons/ Institutions/ Organizations may file their views/suggestions/ objections supported by affidavit before the Commission on or before **15th May, 2015** serving copy to the applicant- Department of Energy, GoO. The persons whose views / suggestions/ objections are received in time shall be called upon to take part in the hearing on date & time to be fixed by the Commission.

By Order of the Commission

Dated: 25.04.2015

Sd/-
SECRETARY

1+6

Docket No. 11/2015
Original

1174 OERC	
Date	16/4/15
Designation	Initials
Chairman	Gpm
Member	TI
Member	
Secretary	RL
Dir. (Tariff)	
Dir. (Engg)	
Dir. (Law)	✓
Dy. Dir. (P&A)	
Initial of Central Register, I.C.	

**BEFORE THE ORISSA ELECTRICITY REGULATORY COMMISSION
BHUBANESWAR**

Case No..... of 2015

IN THE MATTER OF: A Review Petition on behalf of the Dept. of Energy, Govt. of Orissa for hearing and review of the Retail Supply Tariff Order for FY 2015-16 dated 23.03.2015 in Case Nos. 69, 70, 71 & 72 of 2014 under Section-94 (f) of the Electricity Act, 2003 read with the Regulation-70 (1) of the OERC (Conduct of Business) Regulations, 2004 and under the provisions of Order XLVII (47) Rule-1(c) of the Code of Civil Procedure, 1908

Sanjiv Kumar Jit Nayak

AND

Seen
16.04.2015
(Legal Consultant)

IN THE MATTER OF: The Principal Secretary,
Deptt. of Energy, Govt. of Orissa, Bhubaneswar,
..... **Petitioner**
Vrs.

Western Electricity Supply Company of Orissa Limited, Burla, Dist: Sambalpur

North Eastern Electricity Supply Company of Orissa Limited, Januganj, Balasore, Orissa



Southern Electricity Supply Company of Orissa
Limited, Courtpeta, Berhampur, Dist: Ganjam

Central Electricity Supply Utility of Orissa (CESU)
IDCO Towers, Janpath, Bhubaneswar

And

GRIDCO Limited, Janpath, Bhubaneswar

Orissa Power Transmission Corporation Limited
(OPTCL), Janpath, Bhubaneswar

State Load Despatch Centre (SLDC)
Mancheswar, Bhubaneswar

And

Shri Ramesh Chandra Satapathy
Secretary National Institute of Indian Labour,
Plot No. 302(B), Nayapalli, Beherasahi,
Bhubaneswar.

Mr. R.P. Mahapatra,
Retd Chief Engineer & Member (Gen) OSEB
Plot No. 775 (Part), lane No.3
Jayadev vihar, BBSR-13.

Orissa Consumer Association,
Balasore-Chapter, (OCA),
C/o-Shri Nilamber Mishra,
At/Po-Rudhangaon, Simulia, Balasore

Secretary, PRAYAS, Energy Group, Amrita Clinic
Athawale Corner, Carve Road, Pune-411004, India

Sambalpur District Consumer Federation,
Balaji Mandir Bhawan, Kheterajpur,
Sambalpur-678003,

Scribbles
Jan Nayam



Sundargarh District Employee Association,
AL-1, Basanti Nagar,
Rourkela-769012

Grahak Panchayat, Friends Colony,
Paralakhemundi, Dist-Gajapati-761200

Mr. Prabhakar Dora, 3rd Line,
Cooperative Colony,
Vidyanagar, Rayagada-765001

Orissa Electrical Consumer Association (OECA),
Siva Sakti Medicine Complex,
Bajrakabati, Canal Road, Cuttack-753001

Secretary, Confederation of Citizen Association,
12/A, Forest Park, Bhubaneswar-751009.

..... Respondents

The Department of Energy, Govt. of Orissa, the above named Petitioner, most respectfully showeth that :

1. The Government of Orissa (hereinafter called as the "Govt." or "GoO" or the "State Govt.") filing this Review Petition before the Hon'ble Orissa Electricity Regulatory Commission (hereinafter called as the "Commission" or the "OERC") with a prayer for review of the common Retail Supply Tariff (RST) Order dated 23.03.2015 for FY 2015-16 in Case No. 69, 70,71 & 72, of 2014 as the RST for the category of Irrigation, Pumping & Agricultural/ Allied Agricultural Activities so fixed by the Hon'ble Commission is considered as high and burden-some, especially for the poor farmer of the State.

Sangamjit Nayak



2. The Government herewith submits this Review Petition under Section-94 (f) of the Electricity Act, 2003 read with the Regulation-70 (1) of the OERC (Conduct of Business) Regulations, 2004 and also under the provisions of Order XLVII (47) Rule-1(c) of the Code of Civil Procedure, 1908 within the stipulated period of 90 days from the date of the Order i.e. 23.03.2015 under the following heads:

- (A) Mistakes / error apparent on the face of the record.
- (B) Discovery of new important matter or evidence.
- (C) Any other sufficient reasons.

(A) MISTAKES / ERROR APPARENT ON THE FACE OF THE RECORD:

Nil.

(B) DISCOVERY OF NEW IMPORTANT MATTER OR EVIDENCE:

Nil.

(C) ANY OTHER SUFFICIENT REASONS:

- (i) It is submitted that the Hon'ble Commission, in their Order dated 23. 03.2015 for FY 2015-16, have revised the RST for the category of Irrigation, Pumping and Agriculture/ Allied Agricultural Activities.
- (ii) Since the tariff increase in this category was approved to be at 150 paisa per unit as compared to the existing tariff of 110 Paise per Unit, such an increase was perceived by the general populace at large, as a "tariff shock" to the poor farmers of the State.

Sangram Jit Nayak



(iii) It is submitted that the Government do not differ with the views expressed by the Hon'ble Commission in their Order dated 23.03.2015, with regard the various calculations arrived at by the Commission to contain the cross-subsidies with a view to make the electricity tariff to reflect the cost of supply in course of time, as mandated under the National Tariff Policy. However, in setting out such tariff, the Government is seriously concerned for the poor consumers indulging in farming and who form a very small portion of the consumer base of the Retail Supply Utilities (DISCOMs). An approximate and rough calculation showing the financial impact due to the tariff hike in agricultural category is enclosed as **Annexure-A**. The same is produced for kind consideration by the Hon'ble Commission.

3. That the Hon'ble Commission is aware about the demography, topography, social structure and occupational composition of the people of the State. Agriculture being the principal source of livelihood for more than two third population of the State, the Hon'ble Commission, while effecting such upward revision in case of Agricultural Tariff, could have taken into account, the poor financial condition of these low-end consumers, especially in the State of Orissa. The Economy of the state of Odisha is basically an agrarian economy and the farmers are largely dependent on electricity for irrigation and other agro related activities. Electricity being the minimum need for agriculture, stiff hike in tariff in this category have a negative impact on agriculture and as such it will have a bearing on the Economy of the State.

Sangramjit Nayak



4. That in view of the above it is submitted that considering the total business of the Electricity Sector of Odisha this fraction of revenue relating to agricultural category is of negligible significance and can be adjusted through the Cross Subsidy.
5. That it is therefore submitted that the Hon'ble Commission may kindly allow the review petition of the Government to lessen the financial burden on the Poor and with a view to keep the electricity tariff affordable in the interest of the population at large.

PRAYER

In view of the facts and submissions made at Para 1 to 4 above, the Department of Energy, Govt. of Orissa, the Petitioner herein above, humbly pray the Hon'ble Commission to kindly admit this Review Petition for hearing and accordingly, reduce the tariff for Irrigation, Pumping and Agriculture/ Allied Agricultural Activities categories of consumers to its earlier rate of 110 paisa per unit for which the Govt., as is duty bound, shall ever pray. The Dept. of Energy, Govt. of Orissa, the Petitioner herein above, further craves leave to make additional submissions in the matter, if considered necessary.

Bhubaneswar
Dt. 15.04.2015

By the Petitioner

Sangram Jit Nayak
Through Authorized Representative



1. That I am duly authorized and competent to swear this affidavit on behalf of the Petitioner.
2. That the averment made is based on information and records available, which I believe to be true.

Place: Bhubaneswar

Date: 15-4-2015

Sangram Jit Nayen
DEPONENT

Page 139
Sl. No. 70
15 APR 2015

15/04/2015
NOTARISED



*The deponent sworn to
& signed being witnessed by me*
15/04/2015
BIDYUT RANJAN MISHRA
NOTARY, BHUBANESWAR
ODISHA, INDIA

SUMMARY

Name of the DISCOM	Total nos of consumer	Nos of Agriculture Consumer	Billing Amount of Agriculture Consumer without tariff hike in Cr	Expected Billing of Agriculture Consumer after tariff hike in Cr	Difference in Billing Amount due to tariff hike in Cr
CESU	1962685	12773	6.58	8.19	1.61
NESCO	1282550	12648	5.06	7.21	2.15
SOUTHCO	1340002	9460	6.85	9.34	2.49
WESCO	1162243	17076	7.41	11.22	3.81
TOTAL	5747480	51957	25.9	35.96	10.06