

Jharkhand State Electricity Regulatory Commission

Ranchi

Form of Proceedings Case (Tariff) No. 09 of 2020

Damodary Valley Corporation (DVC) Petitioner

**CORAM: HON'BLE MR. JUSTICE AMITAV KR.GUPTA, CHAIRPERSON
HON'BLE MR. MAHENDRA PRASAD, MEMBER (LAW)
HON'BLE MR. ATUL KUMAR, MEMBER (TECH)**

For the Petitioner : Mr. Ashutosh K. Srivastava, Mr. Nihal Bhardwaj, Advocates.

Sl. No	Date of Proceeding	Proceeding of the Commission with signature	Office action taken with date
1	2	3	4
08.	02.04.2024	<p>Mr. Ashutosh K. Srivastava, Learned counsel for the petitioner is present and has submitted vakalatnama today itself.</p> <p>Mr. Saket Upadhyay, Learned counsel has submitted that the Association of DVC HT Consumers of Jharkhand is a necessary party and may be impleaded as respondent in this case as the Association of DVC HT consumers was also arrayed as Respondent no. 2 before the Hon'ble APTEL in appeal no. 845 of 2023.</p> <p>Learned counsel for the petitioner has fairly submitted that he has no objection if the Association of DVC HT consumers is arrayed as respondents.</p> <p>In view of the submission of the parties, Association of DVC HT Consumers of Jharkhand is hereby impleaded as a party Respondent in this case.</p> <p>It would be evident that the Commission vide letter No. JSERC/Case (T) No. 09 of 2020/524 dated 13th February,</p>	

2024 had directed the petitioner to submit data in compliance of order dated 05th February, 2024 of the Hon'ble APTEL passed in appeal no. 845 of 2023 in the application for category wise retail supply tariff from FY 2006-07 to FY 2011-22 as under: -

1. The Commission had directed the petitioner to submit the break-up of its Non-tariff income, as reflected in the audited accounts for FY 2006-07 to FY 2011-12, duly segregated between its Generation, Transmission, Distribution and other businesses, and to submit the detailed breakup of the items booked under Miscellaneous heads.
2. The Commission had also directed the Petitioner to submit the basis for classification of the respective Non-Tariff Income element under the Generation/ Transmission/ Distribution/ Other Business head along with relevant documentary evidence in support of such classification. The excel sheets depicting the computation and allocation of Income head among different businesses was also required to be submitted.
3. Further, each income head under Non-Tariff Income claimed to be the Distribution Business was required to be duly mapped with the appropriate Regulations of this Commission.
4. In addition to the above, the petitioner was also directed to submit the Income from Trading business separately for each year of the period FY 2006-12.
5. Furthermore, the Petitioner was directed to provide expenses claimed before this Commission for FY 2006-

12 which is attributed to Generation/Transmission business.

In compliance of the above mentioned letter/direction the petitioner-DVC had submitted the data vide letter no. Coml./Tariff/JSERC/1568 dated 23rd February, 2024.

The Commission, on scrutinizing and analyzing the data/information submitted by the petitioner, finds that the relevant Non-Tariff Income has not been segregated under different heads with respect to the Generation, Transmission and Distribution business as was sought by this Commission.

Accordingly, the Commission re-directs the petitioner to submit the Non-Tariff Income duly segregated between its generation, transmission, distribution and other businesses and other datas which was sought by this Commission vide letter No. JSERC/Case (T) No. 09 of 2020/524 dated 13th February, 2024.

Further, the Commission vide order dated 18th May, 2018 in Case (T) No. 05 of 2016 and 02 of 2017 had determined Revenue surplus of Rs 1755.21 crores till FY-12 which was to be returned/adjusted by the petitioner to its consumers. However, the petitioner has not furnished any details regarding the said revenue surplus amount in its reply and it is lack of transparency on the part of the petitioner. Therefore, the petitioner-DVC is also directed to submit clarification with respect to the said revenue surplus.

With the consent of the counsels, office to list the case on 16.04.2024 at 2.00 PM for hearing.

Sd/-
Member (T)

Sd/-
Member (L)

Sd/-
Chairperson

