

**BEFORE THE TAMIL NADU ELECTRICITY REGULATORY COMMISSION
CHENNAI**

Order No T.O 1-67 dated 28/10/2005

**Present : Hon'ble Thiru A. Balraj, Chairman
Hon'ble Thiru B. Jeyaraman, Member**

In the matter of: Tariff to LT services within the premises of Tea Estates.

M/s. Hindustan Lever Ltd. have filed 3 petitions on behalf of their three different groups of Estates viz. (i) Daverashola Group comprising of Daverashola and Rockwood Estates, (ii) Thiashola Estate and (iii) Highways Group comprising of Highways and Venniar Estates.

- (2) In the petitions they have made the following prayer:
- (i) They have availed electricity service connection from TNEB for provision of statutory welfare measures like hospitals and dispensaries, creches, schools, water supply and recreational facilities to the resident population of workers in the Estate.
 - (ii) At present, the service connection availed of by the Petitioners for the above facilities are subject to commercial rates (LT Tariff V).
 - (iii) There is no commercial activity involved in the provision of statutory welfare benefits to workers in plantation.
 - (iv) The operation in estates like growing tea, coffee or rubber are primarily agricultural operations and nearly 90% of the operation in a tea plantation is agriculture in nature.
 - (v) The real commercial activity in the plantation is the manufacturing activity carried therein. Hence, power consumed by the plantations for all non-factory and statutorily prescribed facilities should be charged only at the Domestic LT Tariff rate.

- (vi) Using energy to pump water for drinking water purposes and lighting the dispensaries and hospitals can not constitute commercial activity.
- (vii) Tea estates are burdened and penalized with very high electricity charges.
- (viii) Numerous appeals to the TNEB to collect the charges at LT Tariff I A have not met with success.
- (ix) The Commission may be pleased to direct that the electricity service connection in plantations used exclusively for provision of statutory welfare amenities to workers as required under the Plantation Labour Act 1951 shall fall under LT Tariff I A (Domestic).

(3) The petitions have been numbered as MP 33/2005, MP 34/2005 and MP 35/2005.

(4) 24 Petitions with similar prayer for the service connection extended to welfare facilities in different estates were filed before the Commission and they were registered as MP Nos. 1/2005 to 23/2005 and 25/2005.

(5) After following the due procedure, the Commission has passed a Common Order on 23.08.2005 on the above 24 petitions.

(6) The prayer in the present petition numbered as MP 33, 34 and 35 / 2005 are similar to the prayers in the 24 petitions numbered as 1/2005 to 23/2005 and 25/2005 and disposed of with Commission's order dated 23.08.05.

(7) Under section 48 (2) of the Conduct of Business Regulations, the Commission may deviate the procedure prescribed therein for the reasons to be recorded in writing.

(8) It is therefore decided to pass orders in MP 33, 34 and 35 of 2005, line with the Commission's Common Order dt.23.08.05 in MP 1/2005 to 23/2005 and 25/2005 instead of following the regular procedures to dispose of the petitions.

(9) Accordingly, the following change of tariff is ordered to the service connection to the different facilities in the Tea Estates of the petitioners herein.

S. No.	Facility	Existing Tariff	Tariff changed to
(1)	(2)	(3)	(4)
1	Hospitals and Dispensaries	LT Tariff V	LT Tariff II B
2	Schools run by Plantations in the colony	LT Tariff V	LT Tariff II B
3	Places of worship in the plantation colonies (Mosques, churches and temples)	LT Tariff V	LT Tariff II B
4	Water Pump	LT Tariff V	LT Tariff II B

(10) The service connection to all other facilities shall be continued to be charged under LT Tariff V (applicable to Commercial establishment and **the categories not covered under LT Tariff I A to LT Tariff V**)

(11) The petition registered as MP 33/2005, MP 34/2005 and MP 35/2005 are disposed of accordingly.

(12) The TNEB shall change the tariff as above to the **services in all the Tea Estate Premises** (including the estate premises of present petitioners) as ordered in T.O. 1 – 64 dated 05.09.2005.

/By order of the Commission/

**R. Balasubramanian
Secretary**

To

The Chairman, Tamil Nadu Electricity Board, Chennai 2.