



Maharashtra State Electricity Distribution Co. Ltd.

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Ref. No PR-3/Tariff/ 27481

Date : 01 OCT 2013

### Commercial Circular No. 212

**Sub: Guidelines regarding applicability of tariff for IT and ITES Units.**

- Ref:**
1. GoM's IT & ITES Policy 2009 dt. 29/08/2009.
  2. MERC Order in Case No. 19 of 2012 dt. 16/08/12.
  3. MERC Order in Case No.75 of 2007 dt. 01/06/2010 & in Case No.62 of 2009 dt. 24/05/2010
  3. APTEL Order in Appeal No.155/ 156 of 2010.
  4. Letter of Directorate of Industries vide No.B-12503 dt.05/08/13.

As per Maharashtra IT and ITES Policy 2009 and MERC Tariff orders, industrial tariff is applicable to IT / ITES units. Accordingly, MSEDCL is applying industrial tariff to IT / ITES Units on the basis of their actual usage of power supply for IT/ ITES purpose supported by certificates issued by various Govt. Authorities for IT/ITES purpose.

However, some field offices have submitted proposals to Corporate Office regarding various problems in applicability of tariff to IT / ITES Units. In view of the above, the Competent Authority has issued following guidelines to field offices.

#### **1) Guidelines for IT / ITES Units :**

- I) If the consumer is using supply or applied for fresh supply for construction /development of IT Park or IT/ ITES Unit, the commercial tariff should be applied to such consumer till the date of actual commencement of IT/ ITES activities.
- II) The field offices shall verify the premises of IT/ ITES consumers and after confirmation of actual IT/ ITES activity in the premises of consumer and submission of LOI/ registration certificate by consumer for IT/ ITES purpose issued by Competent Govt. Authority for individual IT / ITES Unit, thereafter the field officers shall apply industrial tariff to such IT/ ITES units.
- III) If the IT/ ITES consumer is having registration certificate / LOI for IT purpose, but consumer is using supply for non IT / commercial activities in such premises, then commercial tariff should be applied to such consumer and action u/s 126 of E.A.2003 should be taken against such consumer.
- IV) If the IT /ITES consumer is using supply for IT/ ITES activity, but not having the LOI / registration certificate for IT / ITES purpose issued by Competent Govt. Authority, then commercial tariff should be applied to such consumer till the date of submission of valid LOI / registration certificate by consumer to MSEDCL.

#### **2) Guidelines for IT Park:**

- A. Many IT Companies are applying for fresh HT supply for IT/ ITES purpose. Such HT consumers either to operate through franchisee route or take individual connection for each IT unit under relevant tariff category. The sub-distribution of electricity by HT consumer to various IT units situated in IT Park should not be allowed.

- B. The HT Consumers (IT Parks) shall apply to MSEDCL for individual connections for IT /ITES units situated in IT Park. If the individual IT / ITES consumers /units submits the valid LOI/ registration certificates to MSEDCL for IT/ ITES purpose issued by Competent Govt. Authority , then the field officers shall verify the actual usage of power supply and after confirmation of IT/ ITES activities, industrial tariff should be applied to such individual IT/ ITES Units / consumers situated in IT park.
  - C. If the HT Consumer (IT Park ) does not want to take individual connections ( as mentioned in B.) for IT/ ITES units situated in IT Park, then said HT Consumer shall apply to MSEDCL for Distribution Franchisee ( through MoU route).In such case, the supply will be governed by terms and conditions of DF agreement. In DF (through MOU) area, if the individual IT / ITES consumers /units submits the valid LOI/ registration certificates to MSEDCL for IT/ ITES purpose issued by Competent Govt. Authority , then the field officers shall verify the actual usage of power supply and after confirmation of IT/ ITES activities, industrial tariff should be applied to such individual IT/ ITES Units / consumers situated in DF area.
  - D. In IT park area or in the premises of any IT Consumer, separate connections should be issued to non-IT / Commercial activities and commercial tariff should be applied to such consumers.
- 3) The IT/ ITES activities means the IT/ ITES activities described in Maharashtra IT Policy 2003 and 2009.
- 4) The Competent Govt. Authorities for issuing the LOI/ Registration Certificates for IT/ ITES Units are as below.
- A) STPI (Software Technology Parks of India).
  - B) DOI (Director /Joint Director / Deputy Director of Industries, GOM).
  - C) Development Commissioner (Industries).
  - D) MIDC (Maharashtra Industrial Development Corporation).
  - E) DIC (District Industries Centre).
  - F) Any other Govt. Authority specifically empowered by GOM / Central Govt.
- 5) The provisions of this Circular are applicable from the date of issue of this Circular with prospective effect.

All field officers are hereby directed to follow above instructions strictly.

  
Chief Engineer (Commercial)

**Copy s.w.r. to :**

- 1) The Director (Operation) MSEDCL, Mumbai.
- 2) The Director (Finance) MSEDCL, Mumbai.
- 3) The Executive Director (Commercial), MSEDCL, Mumbai.
- 4) The Regional Executive Director-I/II/III, MSEDCL, Kalyan / Pune / Nagpur.

**Copy f.w.c.s. to:**

- 1) All Chief Engineer, O&M Zones, MSEDCL
- 2) The Chief General Manager (IT), MSEDCL, Mumbai.
- 3) The OSD to MD, MSEDCL, Mumbai

**Copy to:**

All Superintending Engineers, O&M Circles, MSEDCL.

**Copy to:** As per mailing list