BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION

GANDHINAGAR

Petition No. 2661 of 2026.

In the matter of:

Tariff for Agricultural Consumers of Torrent Power Limited (Ahmedabad Unit).

Petitioner	:	Energy & Petrochemicals Department Government of Gujarat Block No.5, 5th Floor, New Sachivalaya Gandhinagar, Gujarat.
Represented by	:	Mr. H.R. Shah
Respondent	:	Torrent Power Limited (Ahmedabad) "Samanvay", 600, Tapovan, Ambawadi Ahmedabad - 380015.
Represented By	:	Mr. Jignesh Langalia, Ms. Luna Pal and Mr. Rahul Dubey

CORAM:

Hiren Shah, Member
Jatin N. Thakkar, Member

Date: 12/06/2026.

ORDER

1. The Petitioner, Energy & Petrochemicals Department, Government of Gujarat has filed the present Petition for allowing a uniform HP based tariff of Rs. 665/HP/Year for Agricultural Consumers of Torrent Power Limited (Ahmedabad Unit) for a further period of one year i.e. from 01.04.2025 to 31.03.2026 and the subsidy amount paid by the

State Government within the provisions of the budget estimates for the year 2025-26.

2. The facts mentioned in the Petition are stated as under:

2.1. The State Government had decided to subsidize the erstwhile GEB (now Gujarat Urja Vikas Nigam Limited -GUVNL) as well as the AEC (Now Torrent Power Limited Ahmedabad Unit) for losses due to implementation of Horsepower based Tariff for the Agricultural Sector. The State Government has continued the pre-revised Horse Power based Tariff i.e. Tariff decided on 10.10.2000 for the consumers of erstwhile GEB (now GUVNL) for the period up to 31.03.2004. Accordingly, the revised tariff for the agricultural consumers of the Torrent Power Limited (Ahmedabad Unit) was not made applicable and they were given the benefit of the old HP based tariff prevailing for the consumers of erstwhile GEB (now GUVNL). The State Government was granting subsidy amount to the AECo. Limited (now Torrent Power Limited -Ahmedabad Unit).

2.2. The subsidy Amount was the difference between the tariff decided by the GERC on 05.09.2002 and the old HP based tariff i.e. Rs.350/HP/Year in case of connected load up to 7.5 HP and Rs.500/HP/Year in case of connected load above 7.5 HP. The AECo. (Now TPL Limited Ahmedabad Unit) was submitting its claim and the State Government was paying subsidy within the provisions made in the budget estimates.

2.3. Further, with the approval of Commission, the State Government extended the application of pre-revised HP based tariff for the agricultural consumers of erstwhile GEB (now GUVNL) up to 28.02.2003, in Case No. 105/2003 vide Order dated 20.02.2003.

Accordingly, the agricultural consumers of Torrent Power Limited (Ahmedabad Unit) were also kept at par with the consumers of erstwhile GEB (now GUVNL) and they were also benefited at the same rate. In the year 2003-04, the State Government initiated the process of upward revision of HP based tariff for the consumers of erstwhile GEB (now GUVNL) and after due deliberations with the concerned, decided to apply the following HP based agriculture tariff for the consumers of erstwhile GEB. (Now GUVNL).

Connected Load in HP	**Pre-revised Tariff (with Electricity Duty)**	**Tariff decided by GERC in its Order dated 10/10/2000 (Without E.D)**	**Tariff Applicable w.e.f.1-2-2004 with Electricity Duty)**	**Tariff applicable w.e.f.1-07-2004 (Without E.D.)**
Up to 7.5 HP	Rs. 350/HP/ Year	Rs. 1680/HP/Year	Rs. 700/HP/Year	Rs. 665/HP/Year
Above 7.5 HP	Rs. 500/HP/ Year	Rs. 1680/HP/Year	Rs. 850/HP/Year	Rs.807.50/HP/Year

2.4. Further, it was also decided to apply the pre-revised tariff for the period up to 31.01.2004 in case of consumers of erstwhile GEB (now GUVNL). GERC vide its Order dated 20.03.2004 in Case No. 249/2003 has approved the application of the above tariff from 01.03.2003 onwards. Further, State Government has decided to apply same tariff rate, irrespective of Load from 01.12.2019 and make tariff for all HP Base Agriculture consumer of State at par i.e. Rs.665/HP/annum.

2.5. Simultaneously, the State Government has taken up the issue of deciding tariff for the agricultural consumers of Torrent Power Limited (Ahmedabad Unit) also. It is a fact that the agricultural consumers of erstwhile GEB (now GUVNL) are getting power from the rural feeder at an average of 8 hours daily. While agricultural consumers of Torrent Power Limited (Ahmadabad Unit) are getting power supply continuously for 24 hours. In addition to this, the difference between the tariff decided by GERC for Torrent Power

Limited (Ahmedabad Unit) agricultural consumers i.e. Rs.3.40 per unit is much higher than the tariff decided for the GUVNL HP based agricultural consumers i.e. approx. Rs.1.41 per unit. Under the circumstances, the State Government has to bear a burden of agricultural subsidy in subsidizing the consumers of Torrent Power Limited (Ahmedabad Unit). The calculation for unit for 8 hours has been calculated as per State Government's letter no AEC-10-2007-4811-K dated 21.06.2004.

2.6. The State Government had decided to apply the following subsidized rates for the agricultural consumers of Torrent Power Limited (Ahmedabad Unit) as under: -

Sr. No.	Period	Tariff
1	For the period up to 31-01-2004	As per the prevailing HP rate applicable for Above erstwhile GEB (Now GUVNL) i.e. up to 7.5HP 7.5 HP Rs.350/HP/Year, Rs.500/HP/Year.
2	From 1-02-2004 to 30-06-2004	As per the revised HP based tariff applicable for erstwhile GEB (Now GUVNL) i.e. Rs.700/HP/Year for the connected load up to 7.5 HP and Rs.850/HP/Year for above 7.5 HP connected load.
3	From 1-7-2004 to 31-03-2005 And From 1-04-2005 to 31-03- 2006	As per the revised HP based tariff applicable for erstwhile GEB (Now GUVNL) i.e. Rs.665/HP/Year for the connected load up to 7.5 HP and Rs.807.50/HP/Year for above 7.5 HP connected load.
4	From 1-4-2006 to 31-3-2007	For the consumption up to 8 hrs. the tariff would be as mentioned at Sr. No.3 above. For the remaining consumption the tariff would be as per the rate prescribed by GERC
5	From 1-4-2007 to 31-3-2008 &	For the consumption up to 8 hrs. the tariff would be as mentioned at Sr. No.3

	From 1-4-2008 to 31-3-2009	above. For the remaining consumption the tariff would be as per the rate prescribed by GERC.
6	From 1-4-2009 to 31-3-2010 and 01-04-2010 to 31-03-2012	For the consumption up to 8 hrs. the tariff would be as mentioned at Sr. No.3 above. For the remaining consumption the tariff would be as per the rate prescribed by GERC.
7	From 01-04-2012 to 15-04-2013 and 16-04-2013 to 28/4/2014 and 29/4/2014 to 31/03/2015, 01/04/2015 to 31/03/2016	For the consumption up to 8 hrs. the tariff would be as mentioned at Sr. No.3 above. For the remaining consumption the tariff would be as per the rate prescribed by GERC
8	From 01/04/2016 to 30-11-2019	For the consumption up to 8 hrs. the tariff would be as mentioned at Sr. No.3 above. For the remaining consumption the tariff would be as per the rate prescribed by GERC
9	From 01/12/2019 to till date.	For the consumption up to 8 hrs. The tariff would be Rs.665/HP/Year irrespective of load for all HP base Agriculture consumers. For the remaining consumption the tariff would be as per the rate prescribed by GERC

2.7. Further, the decision of the State Government has been intimated to the Chief Executive Officer, Torrent Power Limited from time to time every year vide Energy & Petrochemicals Department's GR for Administrative Approval for making the expenditure in each year. For the current year also the same has been intimated vide this Department's GR dated 20.03.2026. The calculation of consumption of unit for 8 hours for the year 2025-26, which is verified/checked by the Chief Electrical Inspector, Gandhinagar.

2.8. The Commission allowed the tariff of agriculture consumers of AEC

(Now TPL Ahmedabad Unit) in Petition No. 2426/2024 vide its Order dated 29.03.2025 and also permitted to extend relief/subsidy to Torrent Power Limited (Ahmadabad Unit) for providing 8 hours power supply as per prevailing HP based tariff for GEB's consumers and for Rs. 3.40 ps/Unit. The above decision has been implemented successfully for the agriculture consumers within the area of the Torrent Power Limited.

2.9. The State Government has decided to continue to provide electricity at subsidized rates to Agriculture Consumers in the area of M/s. Torrent Power Limited, Ahmedabad in line with the consumers of State Discoms and has decided to extend the relief in agriculture tariff for the Torrent Power Limited (Ahmedabad Unit)'s consumers for a further period of one year i.e. from 01.04.2025 to 31.03.2026 subject to the condition that such connections will be supervised by checking /surprise checking by the appropriate authority of the company as well as the Electrical Inspectors and if the consumption found for the purposes other than the agriculture, such connection shall be disconnected permanently. This decision has been communicated to the Torrent Power Ltd. Vide this Department GR No. EPCD/TPL/e-file/20/2024/1967/K dated 20.03.2026.

2.10. The prevailing HP based tariff for the consumers of GUVNL (erstwhile GEB), after exemption of 5% Electricity Duty are as follows: -

Connected Load in HP	Tariff applicable w.e.f.1-07-2004	Tariff Applicable w.e.f 01-12-2019 (Uniform tariff for all HP based Ag consumer)
up to 7.5 HP	Rs.665/HP/Year	Rs.665/HP/Year
Above 7.5 HP	Rs.807.50/HP/Year	

2.11. Further, Prior to GERC's Tariff Order dated 31.03.2010, H.P. based tariff was Rs. 1680/HP/Annum. The Commission vide its Tariff Order dated 31.03.2010 has increased the tariff from Rs.1680/HP/Annum to 1920 /HP/Annum with effect from 01.04.2010. And then after, the Commission vide its Tariff Order dated 06.09.2011 has increased the tariff from Rs. 1920 /HP/Annum to 2100/HP/Annum with effect from 01.04.2010. Furthermore, the Commission vide its Tariff Order dated 16.04.2013 has increased the tariff from Rs. 2100/HP/Annum to 2400/HP/Annum effective from 16.04.2013. Further, State Government has decided uniform tariff of Rs.665/HP/Annum for HP based Agriculture consumers from the date 01.12.2019. Therefore, now Government has to pay the incremental subsidy to Torrent Power Limited (Ahmedabad Unit) on account of tariff determined by State Government remaining the same despite increase in tariff by GERC. The State Government has approved Rs.2,15,00,000/-(Rupees Two Crore Fifteen Lakhs Only) in the Revised Budget Estimates for the year 2025-26 and released an amount Rs.2,15,00,000/-, which will be sufficient against the estimated amount for the Financial Year 2025-26 and outstanding claims of the Company.

3. The Respondent TPL has filed its reply vide affidavit dated 08.06.2026 and submitted that the Petitioner, Energy and Petrochemicals Department, the State Government has filed present Petition dated 26.05. 2026 praying the Commission to:

(a) Allow the HP based tariff as mentioned in its petition to be effective for Agricultural consumers of Torrent Power Limited (Ahmedabad Unit) for the further period of one year i.e. from 01.04.2025 to 31.03.2026.

(b) Allow the subsidy payment by the State Government to Torrent Power Limited (Ahmedabad Unit) within the provisions of the budget estimates for the year 2025-26.

3.1. It is submitted that its claim for the F.Y. 2025-26 was Rs.186.05 Lakhs including the shortfall of previous year of Rs. 7.50 Lakhs. An amount of Rs. 215 Lakhs has been received from the State Government during FY-2025-26 vide GR No. EPCD/TPL/e-file/20/2024/1967/1/K dated 26.03.2026. Accordingly, there is a net surplus of Rs. 28.95 Lakhs.

3.2. It is requested that the Commission to direct the Petitioner to provide the subsidy amount for future years in advance in line with Section 65 of the Electricity Act, 2003. It is further submitted that the Commission vide its earlier Order dated 18.07.2025 in Case No. 2478/2025 had observed as under with regard to the payment of subsidy at para 8.2:

> *"We would like to draw attention of the Government towards this Commission's above Order dated 19.06.2017 in Petition No. 1650 of 2017 has observed that the Petitioner is required to adopt the practice of providing the subsidy amount in advance in line with Section 65 of the Electricity Act, 2003. The Respondent has raised the issue of the outstanding claims of Rs. 7.50Lacs towards the subsidy amount up to FY 2024-25. Hence, we once again direct the Petitioner to adopt the practice of providing the subsidy amount in advance as per the provisions of Section 65 of the Electricity Act, 2003 and pay out the outstanding amount of subsidy to the Respondent after due verification.*

3.3. It is submitted that the Ministry of Power (MoP) vide Rule 15 of Electricity (Second Amendment) Rules, 2023 has also necessitated the payment of subsidy in advance as per Section 65 of Electricity Act, 2003. Further, the Rules also provide that in case the subsidy has not been paid in advance, the State Commission shall issue Order for the implementation of tariff without subsidy, in accordance with provisions of the Section 65 of the Electricity Act, 2003.

3.4. The Respondent requested the Commission to direct the State Government to comply with the provisions of the Act, Rules, Regulations and directions issued on the subject matter.

4. The matter was kept for hearing on 09.06.2026 through Hybrid Virtual mode. During the hearing, the representatives appearing on behalf of the Petitioner and the Respondent have reiterated the submissions as stated in the above para.

5. We have carefully considered the submissions made by the parties. We have also perused the Orders passed by the Commission on 05.09.2002 in Petition No. 34 of 2000 regarding the tariff for supply of energy to different categories of consumers by TPL-Ahmedabad in its license area as well as the Commission's Tariff Orders for erstwhile GEB consumers including the agricultural consumers. The Government has decided to extend the relief in agricultural tariff to TPL-Ahmedabad consumers for a period of one year i.e. from 01.04.2025 to 31.03.2026.

5.1. The agricultural consumer has to pay on the basis of HP based tariff decided by the Government i.e. a Uniform Tariff of Rs. 665/HP/Annum for all HP based Agriculture consumers for the period from 01.04.2025 to 31.03.2026. The difference between the billing on the

basis of TPL-Ahmedabad Tariff Schedule and the above payment received from the agricultural consumers shall be the subsidy from the State Government.

5.2. In view of the above, we find that relief can be granted to TPL-Ahmedabad agricultural consumers subject to the condition that such connections shall be supervised by checking / surprise checking by the appropriate authority of the Respondent as well as the Electrical Inspectors and if the consumption is found to be for the purposes other than agriculture, such connections shall be disconnected permanently. Hence, we allow the present Petition with the following stipulations:

> The HP based tariff as mentioned in Para 2.10 above is hereby allowed to be effective for working out subsidy amount for agricultural consumers of TPL Ahmedabad for the period from 01.04.2025 to 31.03.2026 subject to fulfilment of the condition as mentioned above and that the calculation of consumption for 8 hours shall be verified by the Chief Electrical Inspector, Gandhinagar.

5.3. We also note that the Commission, vide its Order dated 19.06.2017 in Petition No. 1650 of 2017, had observed that the Petitioner is required to adopt the practice of providing the subsidy amount in advance in line with Section 65 of the Electricity Act, 2003. Hence, we once again direct the Petitioner to adopt the practice of providing the subsidy amount in advance as per the provisions of Section 65 of the Electricity Act, 2003 and pay out the outstanding amount of subsidy to the Respondent after due verification.

5.4. We also note that the Ministry of Power has notified the Electricity (Second Amendment) Rules, 2023, which specifies/provides for subsidy accounting and payment. In this regard, the Parties are hereby required to ensure the implementation of the aforesaid Rule in true spirit.

6. In view of the above, the present Petition is allowed accordingly.

7. With this Order, this Petition stands disposed of.

Sd/-	**Sd/-**
[Jatin N. Thakkar]	**[Hiren Shah]**
Member	**Member**

Place: Gandhinagar.

Date: 12/06/2026.