

BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT PANCHKULA

Case No. HERC/Review Petition No. 8 of 2026

Date of Hearing : 21.09.2026
Date of Order : 23.10.2026

In the Matter of

Application under Section 94(1)(f) of the Electricity Act, 2003 read with Regulations 57, 65 and 68 of the HERC (Conduct of Business) Regulations, 2019, seeking review of the Tariff Order dated 17.03.2026 passed by the Hon'ble Commission in HERC/Petition No. 92 of 2025 being the Tariff Petition for FY 2026-27 filed by the Review Applicant/Petitioner- HVPNL for the True-up for the FY 2024-25, Annual (Mid-Year) Performance Review of FY 2025-26, Determination of Aggregate Revenue Requirement and SLDC Charges.

Petitioner

Haryana Vidyut Prasaran Nigam Limited (HVPNL)

Respondent

Nil

Present On behalf of the Petitioner

1. Ms. Aerika Singh, Advocate
2. Mr. Lovepreet Singh, Advocate
3. Mr. Deepak Sharma, XEN/RAU, HVPNL
4. Mr. Sunny, AEE/EAC, HVPNL
5. Mr. Pardeep Gulati, Sr. A.O /RAU, HVPNL
6. Mr. Amit Vohra, Sr. AO, HVPNL
7. Mr. Rajiv Kumar, AE/RAU, HVPNL
8. Mr. Vipul Jain, AEE/EAC, HVPNL

Quorum

**Shri Mukesh Garg
Shri Shiv Kumar**

**Officiating Chairman
Member**

ORDER

Brief Background of the case

1. The Present Review Petition has been filed by Haryana Vidyut Prasaran Nigam Limited ("HVPNL") under Section 94(1)(f) of the Electricity Act, 2003 read with Regulations 57 and 65 of the HERC (Conduct of Business) Regulations, 2019 ("Regulations, 2019"), seeking review of the Order dated 17.03.2026 ("Impugned Order") passed by the Commission in Petition No. 92 of 2025 being the Petition for True-up for the FY 2024-25, Annual (Mid-Year) Performance Review of FY 2025-26, determination of Aggregate Revenue Requirement and SLDC Charges for the FY 2026-27. The review

applicant has also sought condonation of delay in filing the accompanying application seeking review of the order dated 17.03.2026 under Order XLVII CPC read with Section 5 of the Limitation Act, 1963.

2. Submissions of the Review Applicant: -

APPLICATION SEEKING CONDONATION OF DELAY

- 2.1. That in terms of the proviso to Regulation 57 (1) of the Regulations, 2019, the application seeking review of the order is required to be filed within a period of 45 days from the date of order. As such, the time period for filing of the review against the order dated 17.03.2026 stood expired on 01.05.2026.
- 2.2. That the delay has occurred in the filing of the present review petition due to the following bonafide reasons beyond its control:-
 - 2.2.1. The impugned Order is running into several pages, covering a wide range of complex accounting and regulatory issues pertaining to depreciation and capitalization under Regulation 3.42 of the MYT Regulations, 2024, SLDC asset depreciation true-up; terminal benefits and Other Comprehensive Income (OCI) under Ind AS 19, Return on Equity determination including the direction to transfer retained earnings to Capital Reserve. The said also included issues w.r.t. Capital Investment Plan, reactive energy charges, and ULDC/Non-Tariff Income computations, *inter-alia* involving intricate questions of accounting treatment under Indian Accounting Standards (Ind AS) as mandated by the Companies Act, 2013, and their interaction with the regulatory framework under the MYT Regulations, 2024.
 - 2.2.2. Upon receipt of the impugned Order, the same was circulated by HVPNL to all concerned departments with a request to examine the impugned order and submit detailed comments regarding its impact. The specific issues addressed in the impugned Order fell within the domain of multiple departments of HVPNL, including the Accounts & Revenue (A&R) Wing, the Regulatory Affairs Unit, the Planning Wing, Pension etc. each of which needed time to examine the order independently. Thereafter the coordinating and consolidating inputs from the said departments took further time.
 - 2.2.3. Once, the comments of the concerned departments were received, certain errors on the face of record of the impugned order were called and a decision was taken to file the review petition.
 - 2.2.4. At this stage, it is pertinent to mention here that during the said period, the worthy Managing Director of the Applicant-HVPNL had been assigned duty w.r.t. to the West Bengal Elections and as such the approval to file the petition took time.

APPLICATION SEEKING REVIEW OF THE IMPUGNED ORDER DATED 17.03.2026

- 2.3. That the Hon'ble Commission has ample power to condone the delay in filing the present review application. Section 5 of the Limitation Act, 1963 applies to proceedings before quasi-judicial bodies such as the Hon'ble Commission, to the extent applicable. The said provision enables extension of the prescribed period upon satisfaction that the applicant had "sufficient cause" for not filing the petition within the prescribed time. The facts and circumstances narrated above, amply establish the existence of such "sufficient cause".
- 2.4. That upon examination of the impugned Order, the Review Applicant-HVPNL identified certain typographical errors and communicated the same to the Hon'ble Commission vide Memo No. Ch-10/XEN/RAU/F-182/Vol-III dated 27.03.2026. However, on detailed scrutiny, over and above these typographical corrections, substantive errors affecting the determination of ARR have also been identified, which form the subject matter of the present review petition.

GROUND A: Error in interpretation and application of Regulation 3.42 of the MYT Regulations, 2024. It is submitted mandatory prescription of accounting treatment in statutory books while relying on Regulation 3.42 of the MYT Regulations, 2024 is contrary to the Companies Act, 2013 and Indian Accounting Standards (Ind AS).

- 2.5. That Regulation 3.42 of the Haryana Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff for Generation, Transmission, Wheeling and Distribution & Retail Supply under Multi Year Tariff Framework) Regulations, 2024 ("MYT Regulations, 2024"), w.r.t. Operation and Maintenance ("O&M") Expenses prescribes as under:

"3.42 "Operation and Maintenance Expenses" or "O&M expenses" mean the expenditure incurred on operation and maintenance of the generating plant or transmission system or distribution system, as the case may be, including part thereof, and includes the following expenditure:

- a. Employee cost (EC)
- b. Repair and Maintenance (R & M) expenses;
- c. Administration and General (A & G) expenses:

Provided further that the expenditure on spares of capital nature valuing up to Rs. 10 lacs and additional capital expenditure on an individual capital asset costing up to Rs. 20 lacs, shall also form part of O&M expenses."

As such, keeping in view the aforesaid proviso, the Hon'ble Commission vide the impugned order dated 17.03.2026, had made the following observations:

“From the examination of the above, the following rules of additional capitalization are summarized: -

- 1. Expenditure of repairs and maintenance cannot form part of CAPEX.*
- 2. Even the expenditure of capital nature costing up to Rs.20 lacs, on each individual assets shall form part of O&M expenses, in order to discourage the practice of capitalizing small repair and maintenance activities.*
- 3. Even the spare of capital nature valuing up to Rs.10 lacs, shall form part of O&M expenses.*
- 4. Capital cost to be allowed by the Commission for the purpose of determination of tariff of respective businesses will be based on the capital investment plan prepared by the generating company prior to the filing of application for multiyear tariff.*
- 5. The Commission shall not revisit the approved capital investment plan during the control period and shall monitor the year wise progress of the actual capital expenditure incurred by the transmission company. Annual revisit of capital investment plan shall render the mechanism of determination of capital investment plan for a control period, completely otiose.*
- 6. If the actual capital expenditure incurred is more than the approved capital expenditure, the Commission shall not allow any true-up of the cost incidental to such variations.*
- 7. Capitalization done by mere book entries/ presentation in the financial statements in order to comply with any statute/ rules etc. and not in accordance with the Capital Expenditure approved under these Regulations, shall not be allowed by the Commission. In such cases the licensees shall be required to prepare memorandum account of any such capitalization done and submit the same along with ARR/ Tariff petition. No RoE, depreciation interest cost etc. shall be allowable on the same.”*

(At internal page no. 55 & 56 of the Order)

As such, the Hon'ble Commission had directed that all capital expenditure before the threshold limit, as have been mentioned in the proviso to Regulation 3.42 of the MYT Regulations, 2024, shall mandatorily form a part of the O&M Expenses.

- 2.6. That the financial statements of the Review Applicant (HVPNL) are mandatorily governed by the Companies Act, 2013 and Indian Accounting Standards (“Ind.AS”) notified thereunder, including Ind AS 16 (Property, Plant and Equipment), Ind AS 8 (Accounting Policies, Changes in Accounting Estimates and Errors) and Ind AS 36 (Impairment of Assets). The Hon'ble Commission exercises regulatory jurisdiction under the Electricity Act, 2003 for the purposes of the tariff determination purposes

only, however, it is humbly submitted that the statutory books of account of the Review Applicant-HVPNL are liable to be governed and prepared in accordance with the Companies Act and the Indian AS.

AS 16 does not prescribe any monetary thresholds for capitalization. Under Ind AS 16, capitalization is based on: (i) the probability that future economic benefits associated with the expenditure will flow to the entity; and (ii) the cost of the asset being reliably measurable- irrespective of the quantum of expenditure. Introduction of fixed monetary thresholds (Rs.10 lakh and Rs.20 lakh) into statutory books is therefore fundamentally inconsistent with the principle-based framework of Ind AS.

- 2.7. That, the Review Applicant (HVPNL) had also sought opinion from a Chartered Accountant Firm, which has opined as under:

"Therefore, in our opinion statutory books of account and financial statements should strictly comply with Ind AS, Schedule III to the Companies Act, 2013 and basic accounting principles. If need be, for Regulatory purposes memorandum statement be prepared.

... ..

Further, if for Regulatory tariff purposes separate accounting is maintained, then two books of accounts will be in operation which is neither allowed nor desirable for internal control and otherwise.

... ..

In our opinion introduction of fixed monetary thresholds (₹10 Lakh/ ₹ 20 lakh) in the statutory books for recognition of capital spares or additional capital expenditure would alter the existing recognition basic principles of accounting followed under Ind AS 16. Such modification will amount to change in Accounting Policy in terms of Ind AS 8, which requires retrospective application and restatement of comparative figures."

In this regard, it is submitted that mandating treatment of expenditure as O&M expenses in statutory books, which would otherwise qualify for capitalization under Ind AS, would amount to a change in accounting policy. This would materially impact HVPNL's financial statements and may lead to adverse audit observations and qualifications regarding the true and fair view of the financial position.

- 2.8. That Hon'ble Punjab and Haryana High Court, in the case of Sangrur Vanaspati Mills Ltd. Vs. Commissioner of Income Tax [ITR No. 29 of 1993, decided on 15.09.2006; Law Finder Doc Id # 803963], has held as under:

*"6. In **Challapalli Sugars' case (1975) 98 ITR 167** it was observed (page 175):*

*"It would appear from the above that **the accepted accountancy rule for determining the cost of fixed assets is to include all expenditure necessary to bring such assets into existence and to put them in working condition.** In case money is borrowed by a newly started company which is in the process of constructing and erecting its plant, the interest incurred before the commencement of production on such borrowed money can be capitalised and added to the cost of the fixed assets which have been created as a result of such expenditure. The above rule of*

accountancy should, in our view, be adopted for determining the actual cost of the assets in the absence of any statutory definition or other indication to the contrary."

7. We find merit in the contention raised. **The expenditure incurred by the assessee on the cost of power line for independent feeder, incurred prior to the commencement of production, had to be treated as part of plant and machinery being necessary for commencement of production and had to be capitalised.**

The Hon'ble Supreme Court in *Travancore-Cochin's case* (1977) 106 ITR 900 applied the test laid down in *Atherton v. British Insulated and Helsby Cables Ltd. (1925) 10 TC155, 192 (HL)* to the effect (page 902) :

"When an expenditure is made . . . with a view of bringing into existence an asset or an advantage for the enduring benefit of a trade, I think that there is very good reason (in the absence of special circumstances leading to an opposite conclusion) for treating such an expenditure as properly attributable not to revenue but to capital."

8. This view has been followed by the hon'ble Supreme Court, inter alia, in ***Commissioner of Income Tax v. Bokaro Steel Ltd. (1999) 236 ITR 315.***

9. Applying the above test to the present case we are of the view that the expenditure incurred was necessary for the commencement of the business and was of enduring nature. The same had to be treated as capital expenditure."

(Emphasis Supplied)

- 2.9. That in view of the foregoing, HVPNL submitted that, for the purposes of ARR, it shall comply with Regulation 3.42 reproduced above. However, this Hon'ble Commission may clarify that the monetary thresholds of ₹10 Lakhs and ₹20 Lakhs prescribed under Regulation 3.42 of the MYT Regulations, 2024 are applicable only for tariff determination purposes and shall neither mandate nor override the accounting treatment of such expenditure in the statutory books of accounts maintained by the Review Applicant. The books of accounts of the Review Applicant–HVPNL shall continue to be prepared in accordance with the provisions of the Companies Act, 2013 and the applicable Indian Accounting Standards (Ind AS). Accordingly, the Review Applicant shall continue to capitalize the assets in its statutory financial statements even where the value thereof is up to Rs. 10 Lakhs or Rs. 20 Lakhs, as the case may be.

HVPNL has further submitted that the applicability of the monetary thresholds and related provisions under Regulation 3.42 as per MYT Regulations, 2024 should be prospective in nature and must not adversely impact existing capital assets capitalized in statutory books prior to the issuance of the impugned Order.

GROUND B: Error in exclusion of Other Comprehensive Income (OCI) components from Terminal Benefits. The same is contrary to Ind AS 19, Ind AS 1 and the principle of cost-reflective tariff determination.

- 2.10. That, at the outset, attention of the Hon'ble Commission is brought towards para no. 4.2 of the Impugned Order, reproduced below:

“HERC approved Employee Cost for the FY 2026-27 (in Rs. Million)

Particulars	HVPNL Proposal for FY 2026-27	HERC approval for FY 2026-27 considering inflation factor 3.12% as proposed.
Salaries and Wages	4,686.90	4686.90
Other Staff Cost	1522.67	1522.67
Staff Welfare Expenses	162.02	162.02
Benefit from Staff Loans	0	0.00
Add: Employee Cost for Additional Employees (Net of Retires and New Joinees)	39.17	0.00
Less: Employee Benefits for SLDC	-52.33	-52.34
Total Employee Cost	6,358.43	6,319.25
Terminal Benefits	2,251.73	1931.20
Total Employee Cost Incl. Terminal Benefits	8610.16	8250.45

The Commission has allowed the terminal benefits for the FY 2026-27 applying the escalation factor of 3.12% on the true-up amount for the FY 2024-25, which is subject to true-up to the extent of actual paid to the retirees without considering amount booked under ‘Other comprehensive income, Item that will not be reclassified to Profit & Loss Account’, at par with the regulation clause 47.3 (note 3) of HERC MYT Regulations, 2024.”

(At internal Page No. 46 and 47 of the Impugned Order)

As such, the Hon’ble Commission has not considered “Other Comprehensive Income” (“OCI”), while allowing such terminal benefits, while relying on Note 3 of Regulations 47.3 of the MYT Regulations, 2024. Further, the relevant part of the Regulation 47.3 of the MYT Regulations, 2024 is also reproduced below for ready reference:

“47.3. Operation and maintenance expenses

The actual audited Employee cost (excluding terminal liabilities) and A&G expenses for the financial year preceding the base year, subject to prudence check, shall be escalated at the escalation factor of 5.47% to arrive at the Employee cost (excluding terminal liabilities) and A&G expenses for the base year of the control period. The O&M expenses for the nth year of the control period shall be approved based on the formula given below:

$$O\&M_n = (R\&M_n + EMP_n + A\&G_n) * (1 - X_n) + \text{Terminal Liabilities}$$

Where,

- R&M_n – Repair and maintenance costs of the transmission licensee for the nth year;
- **EMP_n – Employee costs of the transmission licensee for the nth year excluding terminal liabilities;**
- A&G_n – Administrative and general costs of the transmission licensee for the nth year;

.....

Note 3: Terminal liabilities shall be approved as per the actual expenditure incurred by the transmission licensee or established through actuarial valuation for the ensuing year.”

2.11. That the Hon'ble Commission has excluded amounts recognized under OCI, from the terminal benefits allowed for ARR determination, purportedly relying on Regulation 47.3 (Note 3) of the MYT Regulations, 2024 reproduced above. However, it is humbly submitted that the such a direction is contrary to the following:

- a. **Ind AS 19 relating to Employee Benefits** which mandates that actuarial gains and losses arising on terminal benefits, including gratuity, leave encashment and pension obligations, are required to be recognized immediately in Other Comprehensive Income (OCI). Such amounts are expressly prohibited by Ind AS 19 from being reclassified to the Profit and Loss Account in subsequent periods. Accordingly, these amounts cannot route through Profit & Loss irrespective of any regulatory direction.
- b. **Ind AS 1 relating to Presentation of Financial Statements** prescribes a fixed and standardized format for financial statements, wherein OCI constitutes an integral component of Total Comprehensive Income. Any regulatory treatment based solely on the Profit and Loss Account, while ignoring OCI, is fundamentally inconsistent with the current statutory accounting framework.
- c. The amounts recognized under OCI in respect of terminal benefits represent genuine actuarial valuation changes in employee obligations and faithfully reflect the true financial liability of HVPNL towards its employees. Although such amounts are non-cash in nature in the year of recognition, they inevitably crystallize into actual cash liabilities over time. Exclusion of these amounts results in systematic under-recovery of legitimate employee costs and leads to distortion of the cost-reflective tariff principle.
- d. The direction effectively penalizes HVPNL for complying with the mandatory requirements of Ind AS, which cannot be the intent of the MYT Regulations, 2024. Any regulatory provision must be interpreted harmoniously with statutory accounting requirements and cannot be applied in a manner that defeats them.
- e. Attention in this regard is also brought towards the decision of the Hon'ble APTEL in the case of **Haryana Vidyut Prasaran Nigam Limited Vs. Haryana Electricity Regulatory Commission & Ors.** [Appeal No. 100 of 2012, Decided on 30.04.2013], wherein the Hon'ble APTEL observed as under:

“28. While the State Commission has made detailed observations about the high employees’ cost of HVPN, it has allowed all the expenses claimed by the Appellant except the contribution towards pension trust fund. In regard to the terminal benefits, the State Commission has stated that the Commission is in the process of reconciling the allocation of liability between these utilities and since the data is voluminous, it would take some more time. However, for the ARR calculations for the FY 2012-13, estimation on account of current service account would be as per the audited accounts for the FY 2010-11. Thus, the State Commission has not considered the estimated terminal benefits liability as worked out by the accrual valuation for the FY 2012-13. The Appellant has also submitted that the interest earned on the Pension Trust was 8.99% during the Financial Year 2010-11 and not 6% as mentioned by the State Commission.

29. *In view of the above, we direct the State Commission to reconsider the issue of terminal benefit in the True-Up of accounts for the FY 2012-13 and re-determine after considering the allocation of liability before the utilities and accrual valuation of audited accounts etc."*

- 2.12. That, it is requested to allow the inclusion of actuarial gains/ losses recognised under OCI as part of terminal benefits for the determination of the ARR.

GROUND C: Application of escalation factor in determination of terminal benefits for FY 2026-27, instead of actuarial valuation is contrary to Regulation 47.3 (Note 3) of the MYT Regulations, 2024:-

- 2.13. That, the Hon'ble Commission, at internal page 47 of the impugned Order, has approved terminal benefits for FY 2026-27 by applying an escalation factor of 3.12% on the true-up amount for FY 2024-25. The Hon'ble Commission has approved Rs.193.12 Cr. for the FY 2026-17 as against the proposed amount of Rs.225.17 Cr. as claimed in the petition by the Review Applicant. However, such an approach is contrary to the express mandate of Regulation 47.3 of the MYT Regulations, 2024. Regulation 47.3 of the MYT Regulations, 2024 provides that "...*Terminal liabilities shall be approved as per the actual expenditure incurred by the transmission licensee or established through actuarial valuation for the ensuing year.*"
- 2.14. That the use of the escalation factor of 3.12% for determination of terminal benefits for FY 2026-27 is directly contrary to the above regulatory provision, since: (i) escalation factors are applicable under the MYT Regulations, 2024 only for O&M expenses and not for terminal benefits; and (ii) terminal benefits are required to be approved on the basis of either actual expenditure or actuarial valuation for the ensuing year, not by extrapolation using an escalation factor. The non-consideration of actuarial valuation submitted by HVPNL leads to systematic under-recovery and tariff distortion for the entire control period. As such, application of escalation factor @3.12% in determination of Terminal Benefits for FY 2026-27, instead of actuarial valuation, is an error apparent on the face of record and may kindly be modified accordingly. The terminal benefits may kindly be allowed on the basis of actuarial verification report submitted by actuary and allowed return on equity amounting to Rs. 225.17 crore for FY 2026-27 instead of taking the inflation factor of @ 3.12%. The Terminal Benefits may kindly be allowed on projected actuarial valuation instead of actual basis.

GROUND D: W.r.t. Return on Equity (RoE), it is submitted that the direction to transfer retained earnings to Capital Reserve is contrary to the Companies Act, 2013 and Ind AS framework.

- 2.15. That the Hon'ble Commission, vide Interim Order dated 08.01.2026 reiterated in the Impugned Order, has directed the Review Applicant to transfer the amount equivalent to retained earnings (considered as equity for RoE purposes) to "Capital Reserve". The relevant part of the Impugned Order is reproduced below for ready reference:

"However, HVPNL has submitted the equity portion (Rs. 20.58 crore) pertaining to the amount of Rs. 68.61 crore, disposed of during the FY 2024-25 only. Whereas, HVPNL is required to review the equity portion of assets disposed of during the earlier years also.

*The Commission further observes that the **petitioner is treating 30% of additions to 'Gross Fixed Assets during the year' as addition to equity. However, certain assets have been capitalized by HVPNL by taking contribution from consumers (Rs.10625.20 millions as on 31.03.2025). Additionally, HVPNL has obtained deposits for electrification / service connection (Rs. 4168.30 millions as on 31.03.2025). Therefore, the additions to capitalization are funded from additions to loan and consumer contribution in addition to the equity contribution. However, HVPNL while calculating the equity eligible for RoE has not reduced such contributions received from consumers.***

The Commission is of the considered view that capitalization funded by internal accruals may be treated as deemed equity representing investment of internal accruals provided the same is within the debt equity ratio of 70:30 and is supported by the resolution of the Board of the company regarding the infusion of funds from internal resources in support of the utilization made to meet the capital expenditure, in line with regulation 19.2 (d) of HERC MYT Regulations, 2024.

Further, regulatory prudence warrants that in case internal accruals is treated as part of equity, the equivalent amount needs to be transferred to 'capital reserve', so that the same are no longer treated as 'free reserves'.

However, taking cognizance of the financial difficulty which may be faced by petitioner, due to such disallowance, the Commission, in consonance with the past practice, considers it appropriate to allow the amount of capitalization during the year over and above the additions to loan, as 'deemed equity being met from internal accruals', as a one time measure which should not be treated as a precedence.

HVPNL is directed to set the things right in the FY 2025-26 onwards. The deemed RoE shall be allowed only when the equivalent amount is transferred from 'Free Reserves' to 'Capital Reserve', duly supported by the resolution passed by Board of Directors, in line with the HERC MYT Regulations, in vogue. Further, the amount of equity is also required to be appropriately adjusted for the capitalization met out of contribution from consumers and assets disposed of."

(Emphasis Supplied)

- 2.16. That the aforesaid direction is erroneous on the face of the record for the following reasons:

- a) Retained earnings represent accumulated profits after tax arising from operations and are classified under "Other Equity" in terms of Ind AS 1, qualifying as "Free Reserves" under Section 2(43) of the Companies Act, 2013. "Capital Reserve", in contrast, arises only from capital profits or specific transactions such as securities

premium, revaluation surplus, amalgamation adjustments, forfeiture of shares, etc. There exists no provision under the Companies Act, 2013 or Ind AS permitting transfer of retained earnings to Capital Reserve merely on account of their utilization for funding capital expenditure.

- b) The utilization of internal accruals (retained earnings) towards capital expenditure is merely an application of funds and does not alter the character or classification of such reserves. No capital profit arises from such utilization so as to justify the creation of a Capital Reserve.
- c) The concept of "deemed equity" under Regulation 19.2(d) of the MYT Regulations, 2024 is a regulatory construct for tariff computation purposes only. It does not necessitate or legally mandate any corresponding reclassification in statutory financial statements. The Commission cannot, in an adjudicatory proceeding, direct alteration of the statutory financial classification of HVPNL's reserves in a manner contrary to the Companies Act, 2013 and Ind AS.
- d) The requirement of transferring retained earnings to Capital Reserve effectively creates an artificial restriction on free reserves without any underlying capital transaction, distorts the true financial position of HVPNL, and results in non-compliance with statutory accounting principles governing classification of reserves. Statutory financial statements are required to present a "true and fair view" and cannot be modified to align with regulatory constructs not envisaged under applicable accounting or corporate laws.
- e) HVPNL has already disclosed the equity component, including internal accruals considered for RoE, in its ARR filings, thereby ensuring full regulatory transparency without disturbing its statutory accounts. No further statutory reclassification is warranted.

GROUND E: Error in computation of Return on Equity. It is submitted that the disallowance of normative equity addition is contrary to Regulations 19.2 and 19.3 of the MYT Regulations, 2024.

2.17. That the Hon'ble Commission in the impugned Order has computed RoE for FY 2024-25 by allowing equity addition of only Rs.1,056.37 million as against Rs. 3,495.12 million claimed by HVPNL, resulting in allowance of RoE at Rs. 3,210.62 million instead of Rs. 3,356.07 million. The comparative computation as contained in the impugned Order is reproduced below for ready reference:

Sr. No.	Particulars	Approved by HERC (Rs. Million)	Proposed by HVPNL (Rs. Million)	Revised Approved by HERC (Rs. Million)
1.	Paid up equity share capital at the beginning of the year, considered for Transmission Business	-	28762.16	28762.16
2.	Additions	-	3495.12	1056.37
3.	Less: Equity Portion of Assets decapitalization	-	0	205.86
4.	Paid up equity share capital at the end of the year, considered for Transmission Business (31.03.2025)	-	32257.28	29612.67

5.	Average Equity	-	30509.72	29187.415
6.	Rate of Return as per Order dated 16.02.2024	-	11%	11%
7.	RoE allowed for FY 2024-25 (Rs. Million)	2,802.97	3356.07	3210.62

(Internal Page No. 24 of the Impugned Order)

- 2.18. That the equity addition of Rs. 3,495.12 million claimed by HVPNL represented 30% of the total capitalized assets of Rs.11,650.39 million for FY 2024-25, computed in accordance with the normative debt-equity ratio of 70:30 prescribed under Regulations 19.2 and 19.3 of the MYT Regulations, 2024 for new projects and renovation and modernization works respectively. The Hon'ble Commission's decision to restrict the equity addition to Rs.1,056.37 million, being a balancing figure derived from the difference between assets capitalized and loan draws during the year, departs from the normative 70:30 ratio prescribed under the Regulations and is contrary to the provisions thereof. This constitutes an error apparent on the face of the record. The Review Applicant-HVPNL respectfully submits that RoE at Rs.3,356.07 million, as claimed in the petition, be allowed.

GROUND F: Non-consideration of HVPNL's proposal on utilization of Reactive Energy Pool Account under Regulation 50 of the MYT Regulations, 2024.

- 2.19. That the Hon'ble Commission, vide its Memo No. 1618/HERC/Tariff dated 17.10.2025, had specifically directed HVPNL to file proposals for utilization of the surplus amount available in the Reactive Energy Pool Account, along with all requisite details including cost-benefit analysis, payback period and implementation timelines, in the ensuing true-up petition. In compliance thereof, HVPNL submitted the required proposal(s), including cost-benefit analysis and payback period, along with its true-up petition (HERC/Petition No. 92 of 2025). The said proposal (s) pertained to procurement of 11 kV APFC Capacitor Banks by HVPNL and repair & maintenance of 11 kV Capacitor Banks by DHBVNL for utilization of the amount available in the Reactive Energy Pool Account, in accordance with the approval accorded by the Grid Co-ordination Committee.
- 2.20. That however, the impugned Order dated 17.03.2026 does not contain any decision or direction with respect to the said proposal, despite the fact that it was filed specifically in pursuance of the Commission's own direction dated 17.10.2025. The non-consideration of a proposal filed in compliance of a specific regulatory direction constitutes an error apparent on the face of the record. HVPNL respectfully prays that the Commission may consider and approve the proposals submitted for procurement and repair & maintenance of 11 kV APFC Capacitor Banks for utilization of the amount available in the Reactive Energy Pool Account.

GROUND G: Error in non-consideration of the Revised Capital Investment Plan for FY 2025-26 and FY 2026-27, and direction for compliance justification regarding additional capitalization for FY 2024-25.

2.21. That the Hon'ble Commission, in the impugned Order, has declined to consider the Revised Capital Investment Plan submitted by HVPNL for FY 2025-26 and FY 2026-27, observing that it would not be appropriate to replace estimated figures with another set of estimates in the absence of audited figures for FY 2025-26, and that the same may be examined at the time of true-up. The comparative position of the approved and revised Capital Investment Plan is as under:

Financial Year	Capital Investment Plan — Submitted and approved for the control period (Rs. Millions)	Revised Plan submitted with the ARR Petition (Rs. Millions)
FY 2025-26	11,804.04	15,252.04
FY 2026-27	13,743.62	15,341.77

2.22. That as per the books of HVPNL, capital expenditure of approximately Rs.12,399 million has already been incurred for FY 2025-26 as on date, already exceeding the approved plan of Rs.11,804.04 million. Since HVPNL has already exceeded the approved limit as on the date of passing of the impugned Order, the Hon'ble Commission's approach of deferring the matter entirely to the true-up stage, without granting any in-principle approval for the additional expenditure, places the Review Applicant-HVPNL in a regulatory vacuum. HVPNL respectfully prays that the Commission may be pleased to allow capital expenditure for FY 2025-26 on actual basis (subject to prudence check), following the methodology adopted by the Hon'ble Commission for FY 2024-25.

2.23. That with respect to the additional capitalization of Rs.1,165.03 crore for FY 2024-25 (as against the approved Rs.750 crore), the Hon'ble Commission, while allowing the same as a one-time measure, has directed HVPNL to provide detailed justification in the ensuing ARR filing. HVPNL acknowledges this direction and undertakes to comply fully with the same in its next ARR petition, incorporating all requisite details including approved CAPEX, unapproved CAPEX, exigencies leading to incurrence of unapproved CAPEX, nature of CAPEX, replacement details, cost and residual value of replaced assets, etc.

GROUND H: Error in true-up of SLDC Depreciation for FY 2024-25. It is submitted that the Hon'ble Commission approved Rs.3.45 Crore as against the actual figure of Rs.5.95 Crore as per audited Balance Sheet.

2.24. That, at the outset, para no. 2.21 of the petition filed by the Review Applicant, is reproduced below for ready reference:

“2.21 True-Up Requirement of SLDC Business for FY 2024-25

2.21.1 The Petitioner submits that the ARR for the FY 2024-25 approved by the Hon'ble Commission in Tariff Order dated 16.02.2024 and the actual expenditure incurred for FY 2024-25 as per the audited balance sheet of HVPNL for SLDC business as a part of True-Up is summarized on below:-

Table 21: True Up Requirement of SLDC Business for FY 2024-25 (Rs. Million)

Sr. No.	SLDC Business	Approved by HERC Dated 16.02.2024	True-Up	Gap/ Surplus or (deficit)
1.	Employee Expense	66.43	49.216	17.214
2.	Terminal Benefits	0.00	0.000	0.000
5.	Depreciation	49.69	59.459	(9.769)

The aforesaid table also stands reproduced and recorded at para no. 3.6 (internal page no. 30 and 31) of the Impugned Order, wherein the Hon'ble Commission has observed as under:

“3.6 TRUE-UP OF SLDC BUSINESS:

The Commission has examined the true up proposal submitted by the licensee for its SLDC business in line with the segregated accounts (forming part of the audited accounts for the FY 2024-25) and the principles adopted while determining the ARR for SLDC business vide its order dated 16.02.2024. The revised ARR for SLDC business for the FY 2024-25 is approved at Rs.33.58 million as against Rs.92.42 million originally approved by the Commission.

The ARR approved by the Commission, true up proposed by the licensee and the amount approved by the Commission for true-up, is presented below:-

True Up of SLDC Business for FY 2024-25 (Rs. Million)

Particulars	Approved by HERC as per order dated 16.02.2024	Actual	Revised ARR approved by the Commission
Employees Expenses	66.43	49.22	49.22
Terminal Benefits	0.00	0	0
Depreciation	49.69	59.46	34.56

Note: FY 2024-25 average GFA as per Audited Accounts = Rs. 1628.03 million 0.5% average GFA = Rs. 8.14 million for working out eligible R&M expenses.”

- 2.25. That Hon'ble Commission vide the impugned Order, has approved depreciation for SLDC assets for FY 2024-25 at Rs.3.45 Crore, whereas the depreciation as per the audited Balance Sheet of HVPNL for FY 2024-25 is Rs.5.95 Crore. The Hon'ble Commission has thereby not fully trued-up the SLDC depreciation based on audited accounts, resulting in an under-recovery of Rs.2.50 Crore. Further, no reasons have been assigned for not granting the same as per the audited accounts. It is humbly submitted that the true-up for FY 2024-25 may be allowed on actual audited figures.

As such, it is humbly submitted that the true-up of SLDC depreciation at Rs.5.95 Crore as per the audited Balance Sheet, may kindly be approved/ granted to the Review Applicant.

GROUND I: Typographical and computational errors in the impugned Order.

2.26. That, the following inadvertent typographical/ computational errors have been noticed in the Impugned Order:

- 1) **Non-Tariff Income in approved ARR for FY 2026-27:** The Hon'ble Commission has allowed Non-Tariff Income of Rs.514.97 million which has been inadvertently added instead of being deducted from the ARR approved for FY 2026-27. This requires correction.
- 2) **ULDC Charges in approved ARR for FY 2026-27:** The Hon'ble Commission has allowed ULDC Charges of Rs.19.37 million for FY 2026-27 but has not included the same in the total of the approved ARR for FY 2026-27. The same requires to be added.
- 3) **Revenue gap of FY 2024-25 in ARR of FY 2026-27 for SLDC business:** As per the true-up of ARR for FY 2024-25 for SLDC business, the revenue gap is finalized at Rs.(-)58.84 million to be carried forward and adjusted in FY 2026-27. However, the impugned Order mentions the figure as Rs.(-)40.10 million instead of Rs.(-)58.84 million, which requires correction.

2.27. That the following prayers have been made: -

- a) Review/ modify/ clarify the Impugned Order dated 17.03.2026 passed in Petition No. 92 of 2025 to the extent challenged in the present Review Petition;
- b) Review and Clarify that the monetary thresholds of ₹10 Lakhs and ₹20 Lakhs prescribed under Regulation 3.42 of the MYT Regulations, 2024 are applicable only for tariff determination purposes and shall neither mandate nor override the accounting treatment of such expenditure in the statutory books of accounts maintained by the Review Applicant-HVPNL, which shall continue to be governed by the Companies Act, 2013 and applicable Indian Accounting Standards;
- c) Review and modify the findings in respect of terminal benefits and allow inclusion of actuarial gains/ losses recognized under "Other Comprehensive Income (OCI)" as part of terminal liabilities/ employee cost for ARR determination in accordance with Ind AS 19, Ind AS 1 and Regulation 47.3 of the MYT Regulations, 2024;
- d) Set aside/ modify the application of escalation factor @3.12% for determination of terminal benefits for FY 2026-27 and Terminal Benefits may be allowed on Projected Actuarial Valuation basis;
- e) Review and modify the direction requiring transfer of retained earnings/ internal accruals to "Capital Reserve" as a pre-condition for allowing Return on Equity on deemed equity, being contrary to the Companies Act, 2013 and the applicable Ind AS framework;

- f) Review and allow Return on Equity for FY 2024-25 by considering normative equity addition of Rs.3,495.12 million in accordance with Regulations 19.2 and 19.3 of the MYT Regulations, 2024 and consequently allow RoE of Rs.3,356.07 million as claimed by the Review Applicant–HVPNL;
- g) Consider and approve the proposal submitted by HVPNL for utilization of the surplus amount available in the Reactive Energy Pool Account towards procurement of 11 kV APFC Capacitor Banks in accordance with Regulation 50 of the MYT Regulations, 2024;
- h) Consider and allow the revised Capital Investment Plan submitted by HVPNL for FY 2025-26 and FY 2026-27 and permit capitalization/ capital expenditure for FY 2025-26 on actual basis subject to prudence check;
- i) Approve true-up of SLDC depreciation for FY 2024-25 at Rs.5.95 Crore in accordance with the audited Balance Sheet instead of Rs.3.45 Crore allowed in the Impugned Order;
- j) Correct the typographical and computational errors in the Impugned Order, including:
- k) Pass such other and further order(s) as this Hon'ble Commission may deem fit and proper in the facts and circumstances of the present case.

Proceedings in the Case

- 3. The case was initially heard on 12.08.2026, in the courtroom of the Commission, as per the scheduled date, in the courtroom of the Commission. Upon hearing the review applicant, the Commission directed to file an affidavit setting out the reasons for the delay, supported by a date-wise chronology of the events leading to the filing of the present Review Application, on or before 14.09.2026. Further, the Commission observed that since the original matter was heard after inviting comments from the public, the present Review Application arising out of the said order shall also be considered after inviting and taking into account the comments from the public. Accordingly, the matter was listed for public hearing on 21.09.2026, after issuance of a public notice to this effect.
- 4. In order to take the process forward, the Commission issued a Public Notice in two Newspapers having wide circulation in Haryana i.e. The Dainik Tribune (Hindi) and The Hindustan Times (English) both dated 14.08.2026, for inviting comments/objections from the general public/stakeholders, on or before 14.09.2026 and intimating that hearing shall be held on 21.09.2026 in the court room of the Commission. The said public notice was also hosted on the website of the

Commission under the heading “Public Notice”. However, in response to the public notice, no comments / objections / suggestions were received in the Commission.

5. The public hearing was held on 21.09.2026, as scheduled. In response to the public notice no comments/ objections were filed by any stakeholder including the distribution licensees/HPPC. As such, no intervener was present in the hearing.
6. HVPNL has filed affidavit in compliance of the Interim order dated 12.08.2026 submitted as under: -
 - 6.1. That it is submitted that the order under review was passed on 17.03.2026. The period of 45 days (in term of Regulation 57 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019) stood expired on 01.05.2026. However, the present petition has been filed on 02.06.2026 i.e. 32 days.
 - 6.2. That, at the outset, it is humbly submitted that the delay in filing the present review petition was neither wilful or deliberate and has occurred due to the bonafide reasons as have been elaborated below, which are beyond the control of the Review Applicant/Petitioner:-

Sr. No.	Date	Particulars/Events
1.	17.03.2026	The Tariff Order dated 17.03.2026 was uploaded on the website of the Hon'ble Commission.
2.	18.03.2026	The Tariff Order was circulated to all concerned offices within HVPNL with a request to peruse the order and convey their comments, along with detailed justification.
3.	25.03.2026	It is submitted that the impugned Tariff Order is a detailed document, spread across separate chapters and running into 68 pages, incorporating numerous figures and tables. A thorough study and cross-verification of the data contained therein was, therefore, a time-consuming exercise. Once the same was studied by the concerned officials, the Tariff Order was put up for appraisal of the Management/ BoD of the Review Applicant/Petitioner.
4.	27.03.2026	It is submitted that pursuant to the approval accorded by the Management/BoD, a letter dated 27.03.2026 was addressed to the Hon'ble Commission seeking rectification of the inadvertent calculation/typographical errors in the Tariff Order. At the same time, the concerned wings/ offices of the Review Applicant/Petitioner were requested to convey the comments forthwith, so as to ensure timely filing of the review petition, if warranted.
5.	09.04.2026	Comments from the Sr. AO/A&R office were received vide Memo No. Ch-428/HERC/A&R/2025-26 dated 09.04.2026.
6.	10.04.2026	Comments from the Sr. AO/Pension office were conveyed vide Memo No. 4460/CAO/Pension dated 09.04.2026, were received on 10.04.2026.

Sr. No.	Date	Particulars/Events
		On the same date, a reminder was issued to all other offices of HVPNL to peruse the Tariff Order and convey their comments along with detailed justification.
7.	17.04.2026	The office of SE/Commercial conveyed its comments on the Tariff Order vide email dated 17.04.2026, inter-alia on the issue of utilisation of the amount lying in the Reactive Energy Pool Account. It is humbly submitted that since the Tariff Order in question is a substantial order having significant financial implications for the Nigam. Given the technical and financial ramifications involved, obtaining consolidated comments from the various offices took considerable time. However, once all the comments were received, immediately, a proposal for filing the review petition was submitted on 17.04.2026 for consideration of the Management/ BoD of the Review Applicant/Petitioner.
8.	27.04.2026	The proposal for filing the review petition was considered by the Management/ BoD of the Review Applicant/Petitioner, and a Committee of Officers was constituted to shortlist the Law Firm, given the technical nature of the issue involved. The said Committee, in its meeting held on 27.04.2026, gave its recommendation on the same date.
9.	29.04.2026	The engagement of the counsel/ law firm was approved by the Management/ BoD of the Review Applicant/Petitioner on 29.04.2026 and an engagement letter was issued by Legal Remembrancer, HPUs, on 29.04.2026. Further, all relevant documents/information for preparation of the review petition were shared with legal counsel by the office of Sr. AO/RAU.
10.	02.05.2026	Once the documents as well as the Tariff Order was perused by the Counsel, a preliminary meeting was held on 02.05.2026 with the counsel for discussion on the grounds of review.
11.	18.05.2026	Thereafter, time was taken in the preparation of the review petition and the draft review petition was shared by the counsel with the Petitioner/ Review Applicant on 18.05.2026. On the same date, the draft petition was circulated to the concerned offices of the Review Applicant/Petitioner vide letter dated 18.05.2026, calling for comments/concurrence on the draft petition.
12.	19.05.2026	Certain inputs, to be incorporated in the draft were received from the office of the Sr. AO/A&R vide Memo No. 554/CAO/A&R/ARR dated 19.05.2026. Further, certain inputs were also received from the office of SE/Commercial vide email dated 19.05.2026.
13.	21.05.2026	Comments on the draft petition were conveyed by the office of Sr. AO/Pension vide Memo No. 475/CAO/Pension dated 21.05.2026. The comments of the respective offices were forwarded to the counsels on 21.05.2026, for finalisation of the review petition.

Sr. No.	Date	Particulars/Events
14.	27.05.2026	The final review petition, was supplied by the legal counsel and the same was put up for considered by, the Management/ BoD of the Review Applicant/Petitioner.
15.	01.06.2026.- 02.06.2026	The requisite filing fee was deposited with the Hon'ble Commission on 01.06.2026, and the Review Petition was accordingly filed on 02.06.2026.

- 6.3. That it is evident from the chronology of events set out hereinabove that the delay in filing the Review Petition was neither deliberate nor intentional, nor occasioned on account of any negligence or laxity on the part of the Petitioner. The delay has occurred solely on account of the elaborate and multi-tiered internal procedure that HVPNL, being a State-owned public sector utility, is required to follow prior to institution of any proceedings before the Hon'ble Commission.
- 6.4. That upon the Tariff Order dated 17.03.2026 being uploaded on the website of the Hon'ble Commission, the Review Applicant/Petitioner was required to, and did, circulate the said order to all concerned offices/wings for their comments and detailed justification on the issues proposed to be raised in the review, which comments were essential for formulating the grounds of review and for enabling the officials to take an informed decision on whether a review petition ought to be filed at all. Simultaneously, and as a matter of abundant caution, the Review Applicant/Petitioner also approached the Hon'ble Commission vide letter dated 27.03.2026 seeking rectification of certain inadvertent calculation/ typographical errors noticed in the Tariff Order, which process also had a bearing on the formulation of the grounds for review.
- 6.5. That each of the steps set out in the chronology above was a necessary and bona fide step in the process leading to the filing of the Review Petition, and no single step was delayed on account of any inaction, negligence, or lack of diligence on the part of the Petitioner. The delay of 32 days is attributable entirely to the time genuinely and reasonably consumed in inter-departmental consultation, administrative approvals, drafting and finalisation of the Review Petition.
- 6.6. That it is a well-settled position in law that the expression "sufficient cause" employed in provisions of this nature is required to be construed liberally so as to advance substantial justice, more particularly where no negligence, inaction, or want of bona fides is imputable to the party seeking condonation, and where the delay involved is not inordinate. Reliance in this regard, is placed on the following judgments:
- State of Haryana Vs. Chandra Mani** [1996(3) SCC 132] wherein the Hon'ble Apex Court, while referring to a number of judgments held as under:

“4. What constitutes sufficient cause cannot be laid down by hard and fast rules. In New India Insurance Co. Ltd. v. Smt. Shanti Misra, [AIR 1976 Supreme Court 237], this Court held that discretion given by Section 5 should not be defined or crystallised so as to convert a discretionary matter into a rigid rule of law. **The expression "sufficient cause" should receive a liberal construction.** In Inder Singh v. Kanshi Ram, [AIR 1917 Privy Council 156] it was observed that true guide for a court to exercise the discretion under Section 5 is whether the appellant acted with reasonable diligence in prosecuting the appeal. In Shakuntala Devi Jain v. Kuntal Kumari and others, [(1969) 1 SCR 1006], a bench of three Judges had held that **unless want of bona fides of such inaction or negligence as would deprive a party of the protection of Section 5 is proved, the application must not be thrown out or any delay cannot be refused to be condoned.**

5.

6. In State of Kerala v. E.K. Kuriyipe and others, [(1981) Supp. SCC 72], it was held that whether or not there is sufficient cause for condonation of delay is a question of fact dependent upon the facts and circumstances of the particular case. In Smt. Milavi Devi v. Dina Nath, [(1982)3 SCR 366], it was held that the appellant had sufficient cause for not filing the appeal within the period of limitation. This Court under Article 136 can reassess the ground and in appropriate case set aside the order made by the High Court or the Tribunal and remit the matter of hearing on merits. It was accordingly allowed, delay was condoned and case was remitted for decision on merits.

11. When the State is an applicant praying for condonation of delay, it is common knowledge that on account of impersonal machinery and the inherited bureaucratic methodology imbued with the note-making, file-pushing and passing-on-the-buck ethos, delay on the part of the State is less difficult to understand though more difficult to approve, but the State represents collective cause of the community. It is axiomatic that decisions are taken by officers/agencies proverbially at slow pace and encumbered process of pushing the files from table to table and keeping it on table for considerable time causing delay-intentional or otherwise - is a routine. Considerable delay of procedural red tape in the process of their making decision is a common feature. Therefore, certain amount of latitude is not impermissible. **If the appeals brought by the State are lost for such default no person is individually affected but what in the ultimate analysis suffers, is public interest. The expression "sufficient cause" should, therefore, be considered with pragmatism in**

justice-oriented approach rather than the technical detection of sufficient cause for explaining every day's delay. The factors which are peculiar to and characteristic of the functioning of the Government conditions would be cognizant to and require adoption of pragmatic approach in justice-oriented process.”

- b. **Reliance** is also placed on the decision of the Hon'ble Appellate Tribunal for Electricity in **Jaipur Vidyut Vitran Nigam Limited Vs. M/s Adani Power Rajasthan Limited** [DFR No. 2718 of 2016; Decided on 18.10.2026; Law Finder Doc Id #957360] wherein the Hon'ble APTEL held as under:
“15. Thus it is clear from the above judgments that the State cannot as a matter of right claim preferential treatment in matters of condonation of delay. The Law of Limitation binds the State also. But **a certain amount of latitude can be shown to the State in matters where there is no lack of bona fides or no evidence of dilatory tactics or conduct indicating abuse of process of law.** **The courts must generally lean in favour of condoning delay and hearing the matter on merit instead of terminating the lis on the ground of delay unless the delay is gross and the explanation offered is utterly worthless.** **Some amount of latitude can be shown to the Government in a deserving case where acceptable explanation is offered knowing how the procedural requirements in the Government offices sometimes introduce slow pace.** However there should be no lack of bona fides or evidence of abuse of process of law. It must be noted that some latitude is shown by the Supreme Court to the Government in some cases as declining to condone the delay in matters filed by the Government is likely to affect public interest. However, the Government cannot take advantage of this in all cases to get over delays where there is no explanation to offer at all.”
- c. Similarly, in **Inder Singh v. State of Madhya Pradesh**, [2025 INSC 382], the Hon'ble Apex Court condoned a delay of 1537 days while holding that a liberal approach sub-serving the cause of justice must be adopted by the Courts while condoning the delay.
- d. In fact, this Hon'ble Commission vide order dated 09.06.2026 in **HERC/RA-06 of 2024** titled **Dakshin Haryana Bijli Vitran Nigam Limited v. Sh. B.K. Aggarwal & Ors.** was pleased to condone a delay of 164 days in filing of the review petition. The present case, stands on an even stronger footing in view of the delay of 32 days as against the delay of 164 days. As such, the delay deserves to be condoned in the interest of substantial justice so as to enable adjudication of the Review Petition on merits.

- 6.7. That, it is lastly submitted, grounds sought to be urged in the Review Petition pertain to the correctness of the Annual Revenue Requirement and tariff determination affecting the Petitioner's transmission and SLDC business, which in turn has a direct bearing on the interest of the ultimate consumers of electricity in the State of Haryana. It is therefore submitted that a liberal view may be taken so as to enable adjudication of the Review Petition on merits, rather than dismissing the same on the technical ground of limitation.
- 6.8. That no prejudice whatsoever would be caused to any party by condonation of the delay of 32 days, however grave prejudice would be caused to the Petitioner/Review Applicant in case the application seeking condonation of delay is disallowed.

Commission Analysis and order

7. The commission heard the petitioner at length on the issue and grounds of seeking review against the same.
8. At the outset, the Commission observes that although mere administrative/procedural delays cannot constitute sufficient justification for condonation of delay, the present matter involves issues relating to tariff determination and consequential consumer interests, warranting adjudication on merits in the interest of justice. Accordingly, without expressing any opinion on the merits of the Review Petition, the Commission considers it appropriate to condone the delay of 32 days in its filing, in the interest of justice and fair regulatory determination. The Commission draws support from the principles laid down by the Hon'ble Supreme Court in *N. Balakrishnan v. M. Krishnamurthy* [(1998) 7 SCC 123], wherein it was held:
- "Rules of limitation are not meant to destroy the rights of parties. They are meant to see that parties do not resort to dilatory tactics, but seek their remedy promptly. A litigant cannot be nonchalant or negligent and then seek indulgence of the court. However, the length of the delay is not material; acceptability of the explanation is the only criterion. Sometimes delay of the shortest range may be uncondonable due to a want of acceptable explanation whereas in certain other cases, delay of a very long range can be condoned where the explanation is satisfactory."*
9. Having condoned the delay in filing the present review petition, the Commission considered it appropriate to examine the issue of maintainability of the present review petition, before deliberating on the merits of the case. Accordingly, the Commission has perused the scope of review jurisdiction, as per the provision of Regulation 57 & 58 of the HERC (Conduct of Business) Regulations, 2019. The relevant Regulation is extracted below: -

“REVIEW OF THE DECISIONS, DIRECTIONS, AND ORDERS:

57 (1) *All relevant provisions relating to review of the decisions, directions and orders as provided in the Code of Civil Procedure 1908, as amended from time to time, shall apply mutatis mutandis for review of the decisions, directions and order of the Commission.*

Provided that the Commission may on the application of any party or person concerned, filed within a period of 45 days of the receipt of such decision, directions or order, review such decision, directions or orders and pass such appropriate orders as the Commission may deem fit.

(2) No application for review shall be considered unless an undertaking has been given by the applicant that he has not preferred appeal against the decision, direction, or order, sought to be reviewed, in any Court of Law.

(3) No application for review shall be admitted/ considered unless an undertaking has been given by the applicant that in case he files an appeal of the decision, direction or order of which review is pending adjudication, he shall immediately inform the Commission regarding the fact of filing the appeal.

58 *The Commission may on its own motion or on the application of any party correct any clerical or arithmetical errors in any order passed by the Commission.”*

Additionally, the relevant clause of Order no. XLVII of Code of Civil Procedure 1908, has also been examined. The same is reproduced below: -

“1. Application for review of judgment-

(1) Any person considering himself aggrieved—

(a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred.

(b) by a decree or order from which no appeal is allowed, or

(c) by a decision on a reference from a Court of Small Causes.

and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.

(2) A party who is not appealing from a decree or order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or

when, being respondent, he can present to the Appellate Court the case on which he applied for the review.

[Explanation - The fact that the decision on a question of law on which the judgment of the Court is based has been reversed or modified by the subsequent decision of a superior Court in any other case, shall not be a ground for the review of such judgment.]”

Further, the Commission has perused the judgment of Hon’ble Delhi High Court in Aizaz Alam Versus Union of India & Others (2006 (130) DLT 63: 2006(5) AD (Delhi) 297. The relevant extract from the aforesaid judgment is reproduced below: -

“We may also gainfully extract the following passage from the decision of the Supreme Court in Meera Bhanja V. Nirmala Kumari Choudhury, where the Court, while dealing with the scope of review, has observed:

The review proceedings are not by way of an appeal and have to be strictly confined to the scope and ambit of Order 47, Rule 1, CPC. The review petition has to be entertained on the ground of error apparent on the face of record and not on any other ground (emphasis added). An error apparent on the face of record must be such an error which must strike one on mere looking at the record and would not require any long drawn process of reasoning on points where there may conceivable be two opinions. The limitation of powers of courts under Order 47 Rule 1, CPC is similar to the jurisdiction available to the High Court while seeking review of the Orders under Article 226.

Applying the above principles to the present review petition, there is no gainsaying that the review of the Order passed by this Court cannot be sought on the basis of what was never urged or argued before the Court (emphasis added). The review must remain confined to finding out whether there is any apparent error on the face of the record. As observed by the Supreme Court in Lily Thomas and Ors.V Union of India & Ors., the power of review can be used to correct a mistake but not to substitute one view for another (emphasis added). That explains the reason why Krishna Iyer, j. described a prayer for review as “asking for the moon” M/s Northern India Caterers (India) Ltd. V. Lt. Governor of Delhi”.

10. The Commission has carefully examined the issues raised in the present review petition, in light of the principles set out in the Order 47 Rule 1 of Code of Civil Procedure 1908 as well as above-mentioned legal pronouncements. The issues raised in the present review petition are analyzed and decided as under:-

- 10.1. **Issue No. 1: Regulation 3.42 – Capitalisation vs. O&M Expenses: Error in interpretation and application of Regulation 3.42 of the MYT Regulations, 2024.**
- HVPNL has sought clarification that the monetary thresholds of Rs. 10 lakh and Rs. 20 lakh prescribed under Regulation 3.42 of the MYT Regulations, 2024 are applicable only for tariff determination and should not affect the statutory books of accounts maintained under the Companies Act, 2013 and applicable Indian Accounting Standards (Ind AS). Books of accounts of the Review Applicant shall continue to be prepared in accordance with the provisions of the Companies Act, 2013 and the applicable Indian Accounting Standards (Ind AS). HVPNL has further submitted that the applicability of the monetary thresholds and related provisions under Regulation 3.42 as per MYT Regulations, 2024 should be prospective in nature and must not adversely impact existing capital assets capitalized in statutory books prior to the issuance of the impugned Order.

Commission's analysis and decision: -

The Commission has examined the submissions of the review applicant and is of the considered view that such capitalisation, though consistent with the accounting standards, is not in conformity with Regulation 3.42 of the Haryana Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff for Transmission, Wheeling and Distribution & Retail Supply under Multi Year Tariff Framework) Regulations, 2024 (MYT Regulations, 2024), notified on 29.10.2024 and effective from 01.04.2025. The relevant provisions of the Regulations are reproduced below:-

“3.42. “Operation and Maintenance Expenses” or “O&M expenses” mean the expenditure incurred on operation and maintenance of the generating plant or transmission system or distribution system, as the case may be, including part thereof, and includes the following expenditure:

- a. Employee cost (EC)***
- b. Repair and Maintenance (R & M) expenses;***
- c. Administration and General (A &G) expenses:***

Provided further that the expenditure on spares of capital nature valuing up to Rs. 10 lacs and additional capital expenditure on an individual capital assets costing up to Rs. 20 lacs, shall also form part of O&M expenses.”

The Commission observes that the Regulations notified by it in exercise of its legislative powers have the force of law and are binding upon the entities to which they apply. A plain reading of Regulation 3.42 of the HERC MYT

Regulations, 2024, reveals that the provision is clear and unambiguous and does not admit of more than one interpretation. Accordingly, there is no occasion for the Commission or any court of competent jurisdiction to resort to interpretative exercise to ascertain the intent of the said provision. The provision must, therefore, be given effect to in accordance with its plain and unambiguous terms, irrespective of the consequences arising therefrom.

In this regard, the Commission further observes that the issue raised in the present Review Petition has already been considered and adjudicated upon in the impugned order dated 17.03.2026. The relevant extract of the said order is reproduced below:

“In this regard, the Commission is constrained to note the Regulation 9 of HERC MYT Regulations, 2024, which provides as under:-

“CAPITAL INVESTMENT PLAN

9.1 The generating company and the licensees, in respect of their respective businesses, shall file, for approval of the Commission, a capital investment plan along with the MYT petition for a period covering at least the entire control period. The capital investment plan shall be project/scheme wise and for each scheme/project shall include:

- (a) Purpose of investment*
- (b) Capital Structure;*
- (c) Capitalization Schedule;*
- (d) Financing Plan including identified sources of investment;*
- (e) Details of physical parameters / targets;*
- (f) Cost-benefit analysis and payback period;*
- (g) Envisaged reduction in O&M cost/losses;*
- (h) Ongoing projects that will spill into the year under review and new projects (along with justification) that will commence but may be completed within or beyond the control period.*

9.2 Purpose of investment shall include:

1	for generation company-	a <u>generation capacity growth, replacement of assets, renovation and modernization, reduction in average per unit cost of generation etc;</u>
2	for transmission licensee-	a power evacuation, system augmentation, network expansion, replacement of assets, reduction in transmission losses, improvement in transmission service and reliability of supply, reduction in per MW transmission cost, integration of renewable energy sources, congestion management, frequency and voltage regulation, IT related projects etc.

3	for distribution licensee-	a meeting load growth/ sales forecast (MUs), distribution loss reduction, non-technical loss reduction, replacement of assets, meeting reactive energy requirements, managing peak shifting requirements, congestion management, frequency and voltage regulation, improvement in metering, consumer services, collection efficiency, quality and reliability of supply etc.
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Note: The Capital Investment by transmission licensee(s) in network expansion shall be based on load flow studies and in accordance with the requirements of Haryana Grid Code.

9.3 The capital investment plan, in case of a generation company, will be commensurate with generation capacity growth, renovation & modernization requirements etc.

In case of a transmission licensee, the capital investment plan will be commensurate with load/generation capacity growth and will be linked to improvement in quality of transmission service, reliability, metering and reduction in transmission losses.

The capital investment plan in case of a distribution licensee shall be commensurate with sales forecast (MUs)/load growth of the state, distribution/non-technical loss reduction targets, improvements envisaged in metering, collection efficiency, reliability and quality of supply etc.

9.4 Capital Investment for renovation and modernization in case of a transmission licensee and a generation company shall be made through an application with a detailed project report (DPR) elaborating the following elements: (i) Complete scope and justification; (ii) Estimated life extension of the generation/transmission asset; (iii) Improvement in performance parameters; (iv) Cost-benefit analysis; (v) Phasing of expenditure; (vi) Milestones/Time lines (vii) Schedule of completion; (viii) Estimated completion cost; (ix) Other aspects.

9.5 Capital investment plan shall incorporate list of schemes in order of priority so as to enable the Commission to approve the schemes in that order and in case lesser amount of capital expenditure is to be approved then the schemes of lower priority could be disapproved

9.6 The generation company and licensee shall submit all information / data required by the Commission for approval of the capital investment plan.

9.7 In the normal course, the Commission shall not revisit the approved capital investment plan during the control period. However, during the mid-

year performance review and true-up, the **Commission shall monitor the year wise progress of the actual capital expenditure incurred by the generating company** or the licensee vis-à-vis the approved capital expenditure and in case of significant difference between the actual expenditure viz-a-viz the approved expenditure, the Commission may true up the capital expenditure, subject to prudence check, as a part of annual true up exercise on or without an application to this effect by the generation company/licensee. The generating company and the licensee shall submit the scheme-wise actual capital expenditure incurred along with the mid-year performance review and true-up filing.

9.8 In case during the mid-year performance review, the actual cumulative capital expenditure incurred up to the current year starting from first year of the control period, is less by more than 10% of the approved cumulative capital expenditure, the Commission shall true-up the costs incidental to the actual capital expenditure in the current year and remaining years of the control period. **Provided that the actual capital expenditure incurred shall be only for the schemes as per the approved capital investment plan.**

Provided that if the actual capital expenditure incurred is more than the approved capital expenditure, the Commission shall not allow any true-up of the cost incidental to such variations.

9.9 In case the capital expenditure is required due to Force Majeure events for works which have not been approved in the capital investment plan or for works that may have to be taken up to implement new schemes approved by the State/Central Govt., the generating company or the licensee shall submit an application containing all relevant information along with reasons justifying emergency nature of the proposed work seeking approval by the Commission. In the case of works or schemes, other than those required on account of Force Majeure events, the Commission shall consider to give approval only in those cases where the works/schemes are wholly/substantially financed by the State/Central Government or, in view of the Commission, shall benefit a large mass of consumers of the State. The generating company or the licensee may take up the work prior to the approval of the Commission only in case the delay in approval will cause undue loss and such emergency nature of the scheme has been certified by the Board of the Directors and intimated to the Commission:

Provided that the generating company or the licensee shall submit the requisite details, as required as per Regulation 9.1 above, within 10 days of the submission of the application for approval of emergency work;

Provided further that for the purpose of Regulation 9.7 and 9.8, such approved capital expenditure shall be treated as a part of actual capital expenditure incurred by the licensee as well as the capital expenditure approved by the Commission.

9.10 In case the capital expenditure incurred for approved schemes exceeds the amount as approved in the capital expenditure plan, the generating company or the transmission or the distribution licensee, as the case may be, shall file an application with the Commission at the end of control period for truing up the expenditure incurred over and above the approved amount. After prudence check, the Commission shall pass an appropriate order on case to case basis. The true-up application shall contain all the requisite information and supporting documents.

Provided that any additional capital expenditure incurred on account of time over run and/or on unapproved schemes not covered under Regulation 9.9 or unapproved changes in scope of approved schemes shall not be allowed by the Commission unless the generating company or the licensee, as the case may be, is able to give adequate justification for the same.

9.11 The generating company, transmission and the distribution licensees shall also provide a copy of their respective capital investment plans to each other at the time of filing of the same with the Commission so as to enable them to carry out planning and network augmentation/strengthening activities in a coordinated manner. The generating company, transmission and the distribution licensees shall, immediately after approval of their respective capital investment plans by the Commission, send copies of the same to each other. In addition to above the distribution licensee shall also provide a copy of its approved power procurement plan to the transmission licensee.

9.12 The generating company and transmission and distribution licensees shall, in general, extend all co-operation to each other by providing data /information required for carrying out planning and network augmentation/strengthening activities in a coordinated manner.

9.13 The Commission shall approve the capital investment plan within a period of 120 days from the date of its filing or submission of complete information, whichever is later.

9.14 For the purpose of Third (3rd) control period, the timeline for submission of business plan by the generating company and the licensees shall be as specified in Regulation 77 of these Regulations.

Provided that any capitalization done by mere book entries/ presentation in the financial statements in order to comply with any statute/rules etc. and not in accordance with the Capital Expenditure approved under these Regulations, shall not be allowed by the Commission. In such cases, the licensees/generating company shall be required to prepare memorandum account of any such capitalization done and submit the same along with ARR/Tariff petition. No RoE, depreciation interest cost etc. shall be allowable on the same.

9.15 To enable faster adoption of Electric vehicles in the State, the Utilities i.e., HPGCL, HVPNL, DHBVN and UHBVNL shall endeavor to set up Public Charging Station (PCS) for charging Electric Vehicles near to their Sub-Stations or any other appropriate place.”

(Emphasis supplied)

Further, regulation 18.6 of HERC MYT Regulations, 2024, provides as under:

“Capital cost to be allowed by the Commission for the purpose of determination of tariff for respective businesses will be based on the capital investment plan prepared by the generating company or the licensee, as the case may be, and approved by the Commission prior to the filing of application for multiyear tariff by the generating company/licensees.”

(Emphasis supplied)

Regarding additional capitalization, Regulation 18.2 of HERC MYT Regulations, 2024, provides as under:

“

18.2.1 The Commission may consider allowing, subject to prudence check, any additional capital expenditure incurred or projected to be incurred, after the commercial operation date of a project and up to the cut-off date, on the following provided the same was part of the original scope of work of the project:

- a) Deferred liabilities without any carrying cost;
- b) Works deferred for execution without any escalation;
- c) Procurement of initial capital spares in the original scope of work without any escalation, subject to ceiling specified above;
- d) Foreign exchange rate variation
- e) Liabilities to meet award of arbitration provided that it is not on account of any fault of the generation company or the licensee, as the case may be;
- f) Liabilities on account of compliance of the order or decree of a court;
- g) Liabilities on account of change in law:

Provided that details of the works included in the original scope of work along with estimates of expenditure, un-discharged liabilities and works deferred for

execution shall be submitted along with the application for determination of tariff after the date of commercial operation of the project;

18.2.2 The Commission may consider admitting, **after prudence check, the capital expenditure of the following nature actually incurred after the cut-off date:**

- a) Deferred liabilities relating to works/services within the original scope of work without any escalation;
- b) Liabilities to meet award of arbitration provided that it is not on account of any fault of the generation company or the licensee, as the case may be;
- c) Liabilities on account of compliance of the order or decree of a court;
- d) Liabilities on account of change in law;
- e) Any additional works/services which have become necessary for efficient and successful operation of the project, but not included in the original project cost;

18.2.3 Impact of additional capitalization in tariff revision within the approved project cost shall be considered by the Commission once during a particular financial year of the control period.

18.2.4 In case of a transmission licensee, any additional expenditure on items such as relays, control & instrumentation, computer system, power line carrier communication, DC batteries, replacement of switchyard equipment due to increase of fault level, emergency restoration system, insulators cleaning infrastructure, replacement of damaged equipment not covered by insurance and any other expenditure which has become necessary for successful and efficient operation of transmission system may be admitted by the commission subject to prudence check provided that such replacement has not been necessitated due to any fault attributable to the transmission licensee :

Provided that any expenditure on acquiring the minor items or the assets like tools and tackles, furniture, air conditioners, voltage stabilizers, refrigerators, coolers, fans washing machines, heat convectors, mattresses, carpets etc. bought after the cut-off date shall not be considered for additional capitalization for determination of tariff.

Note1: Any expenditure admitted on account of committed liabilities within the original scope of work and the expenditure deferred on techno-economic grounds but falling within the original scope of work shall be serviced in the normative debt-equity specified in these Regulations;

Note2: Any expenditure on replacement of old assets or renovation and modernization or life extension shall be considered after excluding the entire depreciated value or value of the scrap, whichever is higher, of the original assets from the original capital cost of the assets replaced;

Note3: Any expenditure admitted by the Commission for determination of tariff on account of new works not in the original scope of work shall be serviced in the normative debt-equity specified in these Regulations.

18.2.5 Provided also that if any expenditure has been claimed under Renovation and Modernization (R&M), repairs and maintenance under O&M expenses and Compensation Allowance, same expenditure cannot be claimed under this Regulation.

18.2.6 **In case of de-capitalization of assets of a generating company or the transmission licensee, as the case may be, the original cost of such asset as on the date of decapitalization shall be deducted from the value of gross fixed asset and corresponding loan as well as equity shall be deducted from outstanding loan and the equity respectively in the year such de-capitalization** takes place, duly taking into consideration the year in which it was capitalized.

18.2.7 The scrutiny of the project cost estimates by the Commission shall include the reasonableness of the capital cost, financing plan, interest during construction, use of efficient technology and such other matters for the purposes of determination of tariff.”

(Emphasis supplied)

Proviso to Regulation 3.42 of HERC MYT Regulations, 2024, provides as under:

“Provided further that the expenditure on **spares of capital nature valuing up to Rs. 10 lacs** and **additional capital expenditure on an individual capital assets costing up to Rs. 20 lacs,** shall also form part of O&M expenses.”

(Emphasis supplied)

From the examination of the above, the following rules of additional capitalization are summarized:-

1. Expenditure of repairs and maintenance cannot form part of CAPEX.
2. Even the expenditure of capital nature costing up to Rs. 20 lacs, on each individual asset shall form part of O&M expenses, in order to discourage the practice of capitalizing small repair & maintenance activities.
3. Even the spares of capital nature valuing up to Rs. 10 lacs, shall form part of O&M expenses.
4. Capital cost to be allowed by the Commission for the purpose of determination of tariff for respective businesses will be based on the capital investment plan

prepared by the generating company prior to the filing of application for multiyear tariff.

5. *The Commission shall not revisit the approved capital investment plan during the control period and shall monitor the year wise progress of the actual capital expenditure incurred by the transmission company. Annual revisit of capital investment plan shall render the mechanism of determination of capital investment plan for a control period, completely otiose.*

6. *If the actual capital expenditure incurred is more than the approved capital expenditure, the Commission shall not allow any true- up of the cost incidental to such variations.*

7. Capitalization done by mere book entries/presentation in the financial statements in order to comply with any statute/rules etc. and not in accordance with the Capital Expenditure approved under these Regulations, shall not be allowed by the Commission. In such cases, the licensees shall be required to prepare memorandum account of any such capitalization done and submit the same along with ARR/Tariff petition. No RoE, depreciation, interest cost etc. shall be allowable on the same.

8. *After prudence check, the capital expenditure of the following nature actually incurred after the cut-off date, may be allowed:*

- a) *Deferred liabilities relating to works/services within the original scope of work without any escalation;*
- b) *Liabilities to meet award of arbitration provided that it is not on account of any fault of the licensee;*
- c) *Liabilities on account of compliance of the order or decree of a court;*
- d) *Liabilities on account of change in law;*
- e) *Any additional works/services which have become necessary for efficient and successful operation of the project, but not included in the original project cost;*

9. *Any expenditure on acquiring the minor items or the assets like tools and tackles, furniture, air conditioners, voltage stabilizers, refrigerators, coolers, fans washing machines, heat convectors, mattresses, carpets etc. bought after the cut-off date shall not be considered for additional capitalization for determination of tariff."*

Thus, the Commission, vide point no. 7 of the impugned order dated 17.03.2026, reproduced above, has already clarified as under:

"Capitalization done by mere book entries/presentation in the financial statements in order to comply with any statute/rules etc. and not in accordance with the Capital Expenditure approved under these Regulations, shall not be allowed by the Commission. In such cases, the

licensees shall be required to prepare memorandum account of any such capitalization done and submit the same along with ARR/Tariff petition. No RoE, depreciation, interest cost etc. shall be allowable on the same.”

The Commission observes that the impugned order dated 17.03.2026 merely reiterates the provisions of the MYT Regulations, 2024, as already notified, and does not introduce any new regulatory requirement. Accordingly, the contention of the Review Applicant that the aforesaid provisions should be applicable only from the date of the impugned order is devoid of merit and cannot be sustained.

In view of the foregoing, the Commission finds that no error apparent on the face of the record has been established in respect of this issue so as to warrant the exercise of its review jurisdiction. Accordingly, the ground raised by the Review Applicant on this issue is rejected.

10.2. **Issue No. 2: Error in exclusion of Other Comprehensive Income (OCI) components from Terminal Benefits.**

HVPNL has submitted that actuarial gains/losses recognised under Other Comprehensive Income (OCI) form part of terminal liabilities under Ind AS 19 and ought to be considered while determining ARR for the FY 2026-27.

Commission’s analysis and decision: -

In order to examine the issue raised by the review applicant, the Commission has perused its impugned order dated 17.03.2026. The relevant extract of the same is reproduced hereunder:-

“The Commission has allowed the terminal benefits for the FY 2026-27 applying the escalation factor of 3.12% on the true-up amount for the FY 2024-25, which is subject to true-up to the extent of actual paid to the retirees without considering amount booked under ‘Other comprehensive income, Item that will not be reclassified to Profit & Loss Account’, at par with the regulation clause 47.3 (note 3) of HERC MYT Regulations, 2024.”

The relevant part of the Regulation 47.3 of the MYT Regulations, 2024 is also reproduced below for ready reference:

“47.3. Operation and maintenance expenses

The actual audited Employee cost (excluding terminal liabilities) and A&G expenses for the financial year preceding the base year, subject to prudence check, shall be escalated at the escalation factor of 5.47% to arrive at the Employee cost (excluding terminal liabilities) and A&G expenses for the base year of the control period. The O&M expenses for the nth year of the control period shall be approved based on the formula given below:

$$O\&M_n = (R\&M_n + EMP_n + A\&G_n) * (1 - X_n) + \text{Terminal Liabilities}$$

Where,

- *R&M_n – Repair and maintenance costs of the transmission licensee for the nth year;*
- ***EMP_n – Employee costs of the transmission licensee for the nth year excluding terminal liabilities;***
- *A&G_n – Administrative and general costs of the transmission licensee for the nth year;*

.....

Note 3: Terminal liabilities shall be approved as per the actual expenditure incurred by the transmission licensee or established through actuarial valuation for the ensuing year.”

Regulation 47.3 (Note 3) of the HERC MYT Regulations, 2024, provides the Commission with two mutually exclusive options for approving terminal liabilities, namely, on the basis of actual expenditure incurred by the transmission licensee or on the basis of actuarial valuation for the ensuing year.

In accordance with the aforesaid provision, the Commission, in the impugned order dated 17.03.2026, has determined that the terminal liabilities approved for the relevant period shall be subject to true-up to the extent of the actual amounts disbursed to retirees.

Accordingly, it is reiterated that, for the control period from FY 2025–26 to FY 2029–30, terminal liabilities shall be admissible only to the extent of the actual amounts disbursed to retirees, in accordance with the HERC MYT Regulations, 2024. It is further clarified that any interest or income accrued on the pension fund shall be adjusted against the terminal liabilities paid to retirees, considering that the corpus of the pension fund has already been funded by the beneficiaries.

In view of the foregoing, the Commission finds that no error apparent on the face of the record has been established in respect of this issue so as to warrant

the exercise of its review jurisdiction. Accordingly, the ground raised by the Review Applicant on this issue is rejected.

10.3. Issue No. 3: Application of escalation factor in determination of terminal benefits for FY 2026-27, instead of actuarial valuation is contrary to Regulation 47.3 (Note 3) of the MYT Regulations, 2024

The Commission has examined the submissions of the review applicant that terminal benefits for FY 2026-27 have been approved by applying an escalation factor of 3.12% on the true-up amount for FY 2024-25. The Commission has approved Rs.193.12 Cr. for the FY 2026-17 as against the proposed amount of Rs. 225.17 Cr. as claimed in the petition by the Review Applicant, which is against mandate of Regulation 47.3 of the MYT Regulations, 2024. HVPNL has further submitted that the use of the escalation factor of 3.12% for determination of terminal benefits for FY 2026-27 is directly contrary to the above regulatory provision, since: (i) escalation factors are applicable under the MYT Regulations, 2024 only for O&M expenses and not for terminal benefits; and (ii) terminal benefits are required to be approved on the basis of either actual expenditure or actuarial valuation for the ensuing year, not by extrapolation using an escalation factor. HVPNL has submitted that the terminal benefits for the FY 2026-27 may be allowed on the basis of actuarial verification report submitted by actuary for FY 2026-27 instead of taking the inflation factor of @ 3.12%.

Commission's analysis and decision: -

The Commission has already examined the provisions of Regulation 47.3 (Note 3) of the HERC MYT Regulations, 2024, while adjudicating Issue No. 2 above. The Commission observes that the Review Applicant has misconstrued the aforesaid provisions, the scope and applicability of which have been elaborately discussed while deciding the said issue. Further, as clarified above, the terminal liabilities approved for FY 2026–27 shall be subject to true-up to the extent of the actual amounts disbursed to retirees.

The Review Applicant has failed to establish any error apparent on the face of the record or to bring on record any new fact warranting a review of the Commission's decision. The grounds raised essentially seek reconsideration of the methodology adopted by the Commission, which is beyond the permissible scope of review jurisdiction.

Accordingly, the Commission finds no merit in the submissions of the Review Applicant on this issue. The prayer for review of the Commission's determination of terminal liabilities for FY 2026–27 is, therefore, rejected.

10.4. Issue No. 4: Return on Equity – Capital Reserve: direction to transfer retained earnings to Capital Reserve is contrary to the Companies Act, 2013 and Ind AS framework.

The Commission has examined the submissions of the review applicant that the retained earnings represent accumulated profits after tax arising from operations and are classified under "Other Equity" in terms of Ind AS 1, qualifying as "Free Reserves" under Section 2(43) of the Companies Act, 2013. "Capital Reserve", in contrast, arises only from capital profits or specific transactions such as securities premium, revaluation surplus, amalgamation adjustments, forfeiture of shares, etc. There exists no provision under the Companies Act, 2013 or Ind AS permitting transfer of retained earnings to Capital Reserve merely on account of their utilization for funding capital expenditure. The utilization of internal accruals (retained earnings) towards capital expenditure is merely an application of funds and does not alter the character or classification of such reserves. No capital profit arises from such utilization so as to justify the creation of a Capital Reserve. The concept of "deemed equity" under Regulation 19.2(d) of the MYT Regulations, 2024 is a regulatory construct for tariff computation purposes only. The Commission cannot, in an adjudicatory proceeding, direct alteration of the statutory financial classification of HVPNL's reserves in a manner contrary to the Companies Act, 2013 and Ind AS. The requirement of transferring retained earnings to Capital Reserve effectively creates an artificial restriction on free reserves without any underlying capital transaction, distorts the true financial position of HVPNL, and results in non-compliance with statutory accounting principles governing classification of reserves. Statutory financial statements are required to present a "true and fair view" and cannot be modified to align with regulatory constructs not envisaged under applicable accounting or corporate laws. HVPNL has already disclosed the equity component, including internal accruals considered for RoE, in its ARR filings, thereby ensuring full regulatory transparency without disturbing its statutory accounts. No further statutory reclassification is warranted.

In order to examine the present issue, the Commission has examined the relevant part of its impugned order dated 17.03.2026, reproduced hereunder:-

"The petitioner has prayed that the Commission may allow the normative equity addition as well as return on equity for the FY 2024-25 as a part of the true up.

The Commission observes that HVPNL has disposed of various capital assets and the equity portion relating thereto, is also required to be reversed, in line with the

proviso to regulation 19.3 of HERC MYT Regulations, 2019, reproduced hereunder:
“In case of de-capitalization or retirement or replacement of assets, the equity capital approved as mentioned above, shall be reduced to the extent of 30% (or actual equity component based on documentary evidence, if it is lower than 30%) of the original cost of the de-capitalized or retired or replaced asset, and the debt capital approved as mentioned above, shall be reduced to the extent of actual debt component, based on documentary evidence, of the original cost of the decapitalized or retired or replaced asset...”

Accordingly, the Commission, vide its letter dated 23.12.2025, has sought details of equity eligible for RoE after reducing equity portion of assets disposed of, as per the directions given in the order dated 13.03.2025.

However, HVPNL has submitted the equity portion (Rs. 20.58 crore) pertaining to the amount of Rs. 68.61 crore, disposed of during the FY 2024-25 only. Whereas, HVPNL is required to review the equity portion of assets disposed of during the earlier years also.

The Commission further observes that the petitioner is treating 30% of additions to ‘Gross Fixed Assets during the year’ as addition to equity. However, certain assets have been capitalized by HVPNL by taking contribution from consumers (Rs.10625.20 millions as on 31.03.2025). Additionally, HVPNL has obtained deposits for electrification / service connection (Rs. 4168.30 millions as on 31.03.2025). Therefore, the additions to capitalization are funded from additions to loan and consumer contribution in addition to the equity contribution. However, HVPNL while calculating the equity eligible for RoE has not reduced such contributions received from consumers.

The Commission is of the considered view that capitalization funded by internal accruals may be treated as deemed equity representing investment of internal accruals provided the same is within the debt equity ratio of 70:30 and is supported by the resolution of the Board of the company regarding the infusion of funds from internal resources in support of the utilization made to meet the capital expenditure, in line with regulation 19.2 (d) of HERC MYT Regulations, 2024.

Further, regulatory prudence warrants that in case internal accruals is treated as part of equity, the equivalent amount needs to be transferred to ‘capital reserve’, so that the same are no longer treated as ‘free reserves’.

However, taking cognizance of the financial difficulty which may be faced by petitioner, due to such disallowance, the Commission, in consonance with the past practice, considers it appropriate to allow the amount of capitalization

during the year over and above the additions to loan, as 'deemed equity being met from internal accruals', as a one time measure which should not be treated as a precedence.

HVPNL is directed to set the things right in the FY 2025-26 onwards. The deemed RoE shall be allowed only when the equivalent amount is transferred from 'Free Reserves' to 'Capital Reserve', duly supported by the resolution passed by Board of Directors, in line with the HERC MYT Regulations, in vogue. Further, the amount of equity is also required to be appropriately adjusted for the capitalization met out of contribution from consumers and assets disposed of."

Commission's analysis and decision: -

The Commission has observed that the directions regarding the transfer of the equivalent amount from 'Free Reserves' to 'Capital Reserve' were issued in accordance with Regulation 19.2(d) of the HERC MYT Regulations, 2024. The Commission has already clarified capitalization funded by internal accruals may be treated as deemed equity representing investment of internal accruals provided the same is within the debt equity ratio of 70:30 and is supported by the resolution of the Board of the company regarding the infusion of funds from internal resources in support of the utilization made to meet the capital expenditure, in line with regulation 19.2 (d) of HERC MYT Regulations, 2024. The Commission has also examined term no. 10 of the Haryana Transmission Licence (Licence no. 1 of 1999, 1st amendment dated 11th January, 2013), reproduced hereunder:-

"10. Accounts and Audit

10.1 The financial year of the licensee shall commence from the 1st of April and end on 31st of March of the following year.

10.2 The transmission licensee shall:

a) Maintain separate information and Accounting Statement for the licensed business and any other Business;

b) Maintain the Accounting Statement in such form and containing such particulars as may be specified by the Commission and till such time as these are specified by the Commission, the accounts shall be maintained in accordance with the Companies Act, 1956 (1 of 1956) as amended from time to time, where such Act is applicable.

....."

(Emphasis supplied)

Thus, under the terms and conditions of the licence governing HVPNL, the transmission licensee is required to maintain its accounts in such form and containing such particulars as may be specified by the Commission. Accordingly, if HVPNL seeks to claim a return on equity (RoE) on internal accruals, it must distinguish such accruals from its free reserves by transferring the relevant amount to capital reserves, thereby ensuring that the amount so transferred is earmarked for the purpose of capitalisation and is not available for appropriation or utilisation for any other purpose.

The Review Applicant has not brought on record any new facts or established any error apparent on the face of the record warranting reconsideration of the findings recorded in the impugned Order. Accordingly, the Commission finds no merit in the review sought on this issue and rejects the same.

10.5. Issue No. 5: Error in computation of Return on Equity. The disallowance of normative equity addition is contrary to Regulations 19.2 and 19.3 of the MYT Regulations, 2024.

The Commission has examined the submissions of the review applicant that the Commission, in its impugned order dated 17.03.2026, has allowed true-up of Return on Equity (RoE), for the FY 2024-25, by allowing equity addition of only Rs.1,056.37 million as against Rs.3,495.12 million claimed by HVPNL, resulting in allowance of RoE at Rs. 3,210.62 million instead of Rs.3,356.07 million. The comparative computation as contained in the impugned Order is reproduced below for ready reference:

Sr. No.	Particulars	Approved by HERC (Rs. Million)	Proposed by HVPNL (Rs. Million)	Revised Approved by HERC (Rs. Million)
1.	Paid up equity share capital at the beginning of the year, considered for Transmission Business	-	28762.16	28762.16
2.	Additions	-	3495.12	1056.37
3.	Less: Equity Portion of Assets decapitalization	-	0	205.86
4.	Paid up equity share capital at the end of the year, considered for Transmission Business (31.03.2025)	-	32257.28	29612.67
5.	Average Equity	-	30509.72	29187.415
6.	Rate of Return as per Order dated 16.02.2024	-	11%	11%
7.	RoE allowed for FY 2024-25 (Rs. Million)	2,802.97	3356.07	3210.62

HVPNL has submitted that the equity addition of Rs.3,495.12 million claimed by HVPNL represented 30% of the total capitalized assets of Rs.11,650.39 million for FY 2024-25, computed in accordance with the normative debt-equity ratio of 70:30 prescribed under Regulations 19.2 and 19.3 of the MYT Regulations, 2024. The Commission's decision to restrict the equity addition to Rs.1,056.37 million, being a balancing figure derived from the difference between assets capitalized and loan draws during the year, departs from the normative 70:30 ratio prescribed under the Regulations and is contrary to the provisions thereof. Accordingly, HVPNL has submitted that RoE at Rs.3,356.07 million, as claimed in the petition, be allowed.

Commission's analysis and decision: -

The Commission observes that the issue relating to the computation of equity addition and the consequential determination of Return on Equity (RoE) for FY 2024-25 has already been addressed and clarified in the impugned order dated 17.03.2026. The relevant portion of the said order has been reproduced while adjudicating Issue No. 4 above.

The Commission further observes that the normative debt-equity ratio of 70:30 prescribed under the Regulations cannot be applied mechanically, without considering the actual sources of funding for the capital expenditure incurred by the licensee. Merely because the normative ratio prescribes an equity component of 30%, the licensee cannot claim equity addition to that extent where the actual borrowings exceed 70% of the capital expenditure. Similarly, where a part of the capital expenditure is funded through consumer contributions or funds received towards deposit works, the equity component shall be determined only as the balancing amount after accounting for such funding sources. This position has already been elaborately explained in the impugned order dated 17.03.2026. The relevant extract thereof is reproduced below:

“.....

The Commission further observes that the petitioner is treating 30% of additions to 'Gross Fixed Assets during the year' as addition to equity. However, certain assets have been capitalized by HVPNL by taking contribution from consumers (Rs. 10625.20 millions as on 31.03.2025). Additionally, HVPNL has obtained deposits for electrification / service connection (Rs. 4168.30 millions as on 31.03.2025). Therefore, the additions to capitalization are funded from additions to loan and consumer contribution in addition to the equity

contribution. However, HVPNL while calculating the equity eligible for RoE has not reduced such contributions received from consumers.

.....

However, taking cognizance of the financial difficulty which may be faced by petitioner, due to such disallowance, the Commission, in consonance with the past practice, considers it appropriate to allow the amount of capitalization during the year over and above the additions to loan, as 'deemed equity being met from internal accruals', as a onetime measure which should not be treated as a precedence.

HVPNL is directed to set the things right in the FY 2025-26 onwards. Further, the amount of equity is also required to be appropriately adjusted for the capitalization met out of contribution from consumers and assets disposed of."

The Review Applicant has not brought on record any new facts or established any error apparent on the face of the record warranting reconsideration of the decision taken in the impugned Order.

Accordingly, the Commission finds no merit in the review sought on this issue and holds that no case is made out for exercise of its review jurisdiction. The issue is, therefore, rejected.

10.6. Issue No. 6: Non-consideration of HVPNL's proposal on utilization of Reactive Energy Pool Account under Regulation 50 of the MYT Regulations, 2024.

The Commission has considered the submissions of HVPNL that the Commission may consider and approve the proposals submitted for procurement and repair & maintenance of 11 kV APFC Capacitor Banks for utilization of the amount available in the Reactive Energy Pool Account.

Commission's analysis and decision: -

The Commission has considered the submissions made by the Review Applicant and observes that, vide Memo No. 1618/HERC/Tariff dated 17.10.2025, HVPNL was specifically directed to submit proposals for utilization of the surplus amount available in the Reactive Energy Pool Account, along with the requisite details, including cost-benefit analysis, payback period and implementation timelines, in the ensuing true-up petition.

The Commission is of the considered view that the said proposal merit consideration in accordance with the relevant provisions of HERC MYT

Regulations, 2024. Accordingly, the review sought on this issue is allowed to the extent that the proposal submitted by HVPNL for utilization of the surplus amount available in the Reactive Energy Pool Account, for procurement and repair & maintenance of 11 kV APFC Capacitor Banks, is approved.

10.7. Issue No. 7: Revised Capital Investment Plan: Error in non-consideration of the Revised Capital Investment Plan for FY 2025-26 and FY 2026-27, and direction for compliance justification regarding additional capitalization for FY 2024-25.

That Commission has examined the submissions of the review petitioner that the Commission, in its impugned Order dated 17.03.2026, has declined to consider the revised Capital Investment Plan submitted by HVPNL for FY 2025-26 and FY 2026-27, observing that it would not be appropriate to replace estimated figures with another set of estimates in the absence of audited figures for FY 2025-26, and that the same may be examined at the time of true-up. The comparative position of the approved and revised Capital Investment Plan is as under:

Financial Year	Capital Investment Plan — Submitted and approved for the control period (Rs. Millions)	Revised Plan submitted with the ARR Petition (Rs. Millions)
FY 2025-26	11,804.04	15,252.04
FY 2026-27	13,743.62	15,341.77

Accordingly, HVPNL has prayed to allow capital expenditure for FY 2025-26 on actual basis (subject to prudence check), following the methodology adopted by the Hon'ble Commission for FY 2024-25.

HVPNL has further submitted that with respect to the additional capitalization of Rs.1,165.03 crore for FY 2024-25 (as against the approved Rs.750 crore), the Hon'ble Commission, while allowing the same as a one-time measure, has directed HVPNL to provide detailed justification in the ensuing ARR filing. HVPNL acknowledges this direction and undertakes to comply fully with the same in its next ARR petition, incorporating all requisite details including approved CAPEX, unapproved CAPEX, exigencies leading to incurrence of unapproved CAPEX, nature of CAPEX, replacement details, cost and residual value of replaced assets, etc.

Commission's analysis and decision: -

The Commission observes that the issued raised by the review applicant has already been addressed in the impugned order dated 17.03.2026. The relevant extract of the order is reproduced hereunder:-

“5. The Commission shall not revisit the approved capital investment plan during the control period and shall monitor the year wise progress of the actual capital expenditure incurred by the transmission company. Annual revisit of capital investment plan shall render the mechanism of determination of capital investment plan for a control period, completely otiose.”

However, the Commission observes that it has already approved the additional capital expenditure vide Memo No. 1364/HERC/Tariff dated 09.07.2026, wherein it has decided to allow HVPNL to undertake essential capital works necessitated by force majeure events, emergency situations and urgent operational requirements, even where such works are not covered under the approved Capital Investment Plan, subject to the following conditions:

- 1) The expenditure incurred on such works shall be claimed by HVPNL only at the time of the relevant True-up Petition and shall be subject to detailed prudence check by the Commission.
- 2) HVPNL shall also submit a detail of all additional capital works and expenditure which were not approved under the Capital Investment Plan, specifying the reasons for deviation, technical necessity, estimated cost, actual expenditure incurred, and the impact on the transmission system.

Accordingly, the Commission finds no merit in the review sought on this issue and holds that no case is made out for exercise of its review jurisdiction. The issue is, therefore, rejected.

10.8. Issue No. 8: SLDC Depreciation: Error in true-up of SLDC Depreciation for FY 2024-25, in approving Rs. 3.45 Crore as against the actual figure of Rs.5.95 Crore as per audited Balance Sheet.

The Commission has considered the submissions of HVPNL that the Hon'ble Commission, in its impugned Order, has approved depreciation for SLDC assets for FY 2024-25 at Rs.3.45 Crore, whereas the depreciation as per the audited Balance Sheet of HVPNL for FY 2024-25 is Rs.5.95 Crore. The Hon'ble Commission has thereby not fully trued-up the SLDC depreciation based on audited accounts, resulting in an under-recovery of Rs.2.50 Crore.

Commission's analysis and decision: -

The Commission has examined the submissions made by the Review Applicant and observes that the depreciation on SLDC assets has been allowed on the following basis:-

Gross Fixed Assets, at Beginning of Year	Addition During Year	Gross Fixed Assets, at End of Year	Av. Rate of Depreciation	Depreciation Allowed
Rs.	Rs.	Rs.		Rs.
945.59	2.61	948.20	3.65%	34.56

During the original proceedings, the Commission observed that an addition of Rs. 136.69 crore had been reflected in the assets of SLDC, the nature and basis of which remained unexplained.

Nevertheless, HVPNL is granted a further opportunity to substantiate and justify the said addition of Rs. 136.69 crore in its ensuing ARR petition. The Commission shall examine the justification and supporting documents furnished by HVPNL and, subject to the same satisfying the prudence check in those proceedings, consider allowing the said amount as part of the true-up.

In view of the above, the Commission decides that there is no error apparent on record of the impugned order, warranting this Commission to exercise its review jurisdiction, on this issue.

10.9. **Issue No. 9: Typographical/Computational Errors in the impugned order.**

HVPNL has submitted that the following inadvertent typographical errors have crept in the impugned order dated 17.03.2026:-

- 1) **Non-Tariff Income in approved ARR for FY 2026-27:** The Hon'ble Commission has allowed Non-Tariff Income of Rs.514.97 million which has been inadvertently added instead of being deducted from the ARR approved for FY 2026-27. This requires correction.
- 2) **ULDC Charges in approved ARR for FY 2026-27:** The Hon'ble Commission has allowed ULDC Charges of Rs.19.37 million for FY 2026-27 but has not included the same in the total of the approved ARR for FY 2026-27. The same requires to be added.
- 3) **Revenue gap of FY 2024-25 in ARR of FY 2026-27 for SLDC business:** As per the true-up of ARR for FY 2024-25 for SLDC business, the revenue gap is finalized at Rs.(-)58.84 million to be carried forward and adjusted in FY 2026-27. However, the impugned Order mentions the figure as Rs.(-)40.10 million instead of Rs.(-)58.84 million, which requires correction.

Commission's analysis and decision: -

The Commission has examined the submissions made by the Review Applicant and finds merit in the contention that certain typographical/computational errors have crept into the impugned Order in the determination of ARR for FY 2026-27.

Accordingly, the errors relating to (i) deduction of Non-Tariff Income amounting to Rs. 514.97 million, (ii) inclusion of ULDC Charges amounting to Rs. 19.37 million in the

approved ARR of the Transmission Business, and (iii) consideration of the revenue gap/surplus refund of Rs. 58.84 million for FY 2024–25 in the ARR of the SLDC Business for FY 2026–27, are hereby rectified, along with the consequential adjustments to interest on working capital arising therefrom. The ARR for FY 2026–27 shall accordingly stand revised and be read in terms of the corrected computation.

Particulars	Proposal by HVPNL for FY 2026-27	HERC Approved for the FY 2026-27
O&M Cost	10191.58	9806.37
<i>Employee Expense</i>	6358.43	6319.25
<i>Terminal Benefits</i>	2251.73	1931.20
<i>A&G Expense</i>	398.31	398.33
<i>R&M Expense</i>	1183.11	1157.58
Interest on Loan	5461.51	4244.29
Impact of Foreign Exchange Risk Variation	0.00	0.00
Depreciation	7697.75	6071.24
Interest on Working Capital	489.44	371.91
Total Expenditure	23840.28	20493.80
Return on Equity	4305.69	3860.92
Less: Non-Tariff Income	-514.97	-514.97
Annual Transmission Charges	27631.00	23839.75
Add: Incentive for TSA	0.00	0.00
Add: Carrying Cost FY 2023-24	0.00	0.00
Net ARR	27631.00	23839.75
Add:- Revenue Gap FY 2024-25	-887.17	-1324.78
Aggeragate Revenue Requirement	26743.83	22514.97
ULDC Charges	181.50	19.37
Transmission Share of SLDC Charges	16.86	6.77
Unitary Charges for JKTPPL	457.38	457.38
Less:- YTC for lines Operating as ISTS Lines FY 20-21	0.00	0.00
Annual Revenue Requirement	27399.57	22998.49

HERC revised Approved ARR of SLDC for the FY 2026-27 (Rs. Million)

S.No	Particulars	HERC Approved for the FY 26-27
1	Employee Expense	52.33
2	Terminal Benefits	0.00
3	A&G Expense	16.08
4	R&M Expense	17.87
5	Depreciation	86.62
6	Interest on Loan	0.00
7	Interest on Working Capital	3.97
8	Return on Equity	0.00

9	Less: Non-Tariff Income	-33.36
10	Add: Revenue Gap/ Surplus Refund	-58.84
11	Carrying Cost	0.00
12	TOTAL	84.67

Further, the transmission charges payable by the short-term open access consumers, based on the approved transmission charges for the FY 2026-27, in the preceding paras of this order, is also revised as under: -

STOA Charges	HVPNL Proposal	HERC approved in the impugned order dated 17.03.2026	HERC approved in the present order
Transmission Cost for FY 2026-27 (Rs. million)	26942.19	23560.70	22541.11
Unitary Charges	457.38	457.38	457.38
Total	27399.57	24018.08	22998.49
Total Energy expected to be transmitted by HVPNL for the FY 2025-26 (at the actual level of FY 24-25)	69893	69893	69893
STOA Charges (Rs./Unit)	0.39	0.34	0.33

The revised ARR of transmission and SLDC for the FY 2026-27, charged from existing and prospective beneficiaries shall, strictly, be in accordance with the relevant provisions of the MYT Regulations, 2024.

In terms of the above findings / decisions, the review petition preferred by the HVPNL against the Commission's Order dated 17.03.2026 (Case No. HERC/RA-8 of 2026) is disposed of.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 23.10.2026.

Date: 23.10.2026
Place: Panchkula

Sd/-
(Shiv Kumar)
Member

Sd/-
(Mukesh Garg)
Officiating Chairman