

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 341/MP/2020

Subject : Petition under Section 94 of the Electricity Act, 2003 read with Regulations 79 and 111 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Regulations 54 and 55 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2014 for recovery of impact of wage revision of employees, Impact of GST, Minimum Wages and Security expenses (CISF) in Koteshwar Hydro Electric Project during the period 1.1.2016 to 31.3.2019.

Date of Hearing : 20.8.2020

Coram : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
Shri Arun Goyal, Member

Petitioner : THDC India Limited (THDC)

Respondents : Punjab State Power Corporation Limited and 15 Ors.

Parties present : Ms. Anushree Bardhan, Advocate, THDC
Shri A. K. Porwal, THDC
Shri Mukesh Kumar Verma, THDC

Record of Proceedings

The matter was heard through video conferencing.

2. Learned counsel for the Petitioner submitted that the present Petition has been filed, *inter-alia*, for reimbursement of additional Operation and Maintenance (O&M) expenses incurred due to implementation of wage revision of its employees, impact of GST, minimum wages and security expenses (CISF) in respect of its Koteshwar Hydro Electric Project (in short, 'Koteshwar HEP') during the period from 1.1.2016 to 31.3.2019. Learned counsel submitted that the present Petition has been filed as per the Commission's observation in order dated 1.12.2016 in Petition No. 318/GT/2014 (NTPC Ltd. v. UPPCL and Ors.) that the enhancement of O&M expenses, if any, due to pay revision will be examined by the Commission on a case to case basis subject to the implementation of pay revision as per the Guidelines issued by Department of Public Enterprises and filing of an appropriate application. She submitted that the Petitioner has also filed Petition No. 245/GT/2020 for truing-up of tariff of its Koteshwar HEP for the control period 2014-19, wherein the Petitioner has clarified that for impact of pay revisions, security expenses, minimum wages and GST, it has filed separate/ present Petition.



3. After hearing the learned counsel for the Petitioner, the Commission admitted the Petition and directed to issue notice to the Respondents.
4. The Commission directed the Petitioner to serve copy of the Petition on the Respondents immediately. The Respondents were directed to file their reply by 14.9.2020, with advance copy to the Petitioner, who may file its rejoinder, if any, by 30.9.2020.
5. The Commission further directed the Petitioner to file the following information/ details, on affidavit, by 10.9.2020:
 - (a) PRP/ incentive/ ex-gratia/ bonus included in the wage revision impact claimed for Executives/ Supervisors/ Workmen (year-wise details duly certified by the Auditor);
 - (b) Basis and rationale for arriving at amount of impact due to minimum wages;
 - (c) Break-up of the actual O&M incurred during 2014-19 period (including any arrear paid after 31.3.2019 towards wage revision) in the same format which was issued by the Commission to the generating stations for furnishing the actual O&M expenditure data for the period 2008-09 to 2012-13; and
 - (d) Reason for claiming higher security expenses (CISF) for the financial year 2015-16 (for 1st quarter i.e. 1.1.2016 to 31.3.2016) in comparison to the total amount claimed under this head during financial year 2016-17.
6. The Commission also directed to list the present Petition along with Petition No. 245/GT/2020 filed by the Petitioner for truing-up of tariff for its Koteshwar HEP for the control period 2014-19.
7. The Commission further directed that the due date of filing of reply, rejoinder and information should be strictly complied with.
8. The Petition shall be listed for hearing along with Petition No.245/GT/2020 in due course for which separate notice will be issued.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**



