

**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.
- Petitioner : THDC India Limited
- Respondents : Punjab State Power Corporation Limited and 15 ors.
- Date of Hearing : **25.1.2022**
- Coram : Shri I.S. Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member
- Parties Present : Ms. Anushree Bardhan, Advocate, THDCIL
Shri Rajesh Sharma, THDCIL
Shri Mukesh Kumar Verma, THDCIL
Shri Ajay Vaish, THDCIL
Shri Rakesh Singh, THDCIL
Shri Brijesh Kumar Saxena, UPPCL
Shri R.B. Sharma, Advocate, BRPL
Ms. Megha Bajpeyi, BRPL
Shri Mohit Mudgal, Advocate, BYPL
Shri Sachin Dubey, Advocate, BYPL
Shri Abhishek Srivastava, BYPL
Shri Sameer Singh, BYPL
Shri Ravindra Khare, MPPMCL

Record of Proceedings

Case was called out for virtual hearing.

2. During the hearing, the learned counsel for the Petitioner made oral submissions in the matter and pointed out that the Petitioner has filed its rejoinder to the replies filed by Respondents UPPCL and MPPMCL.

3. The learned counsel for the Respondent, BRPL referred to the Statement of Objects and Reasons (SOR) to the 2014 Tariff Regulations regarding consideration of wage revision claims and submitted that the same may not be allowed in exercise of the powers of the Commission under Regulation 54 (Power to relax) and/or Regulation 55 (Power to remove difficulties). He, however, prayed for time to file reply in the matter.



5. The learned counsel for the Respondent, BYPL adopted the submissions of Respondent BRPL and prayed that the same may be considered.

6. The representative of the Respondent, MPPMCL submitted that the reply filed by the Respondent may be considered at the time of disposal of the petition.

7. The Petitioner is directed to file the following additional information, after serving copy to the Respondents, on or before 14.2.2022:

- (a) *Revised total claim in lieu of revision of impact of wage revision of CISF;*
- (b) *Breakup details of expenditure under the head 'Others';*
- (c) *Reason for indicating same value of PRP for pre-Pay Revision and post Pay Revision period in the claim for impact for wage revision;*
- (d) *Actual impact of wage revision claimed for the period 2015-16 i.e., from 1.1.2016 to 31.3.2016;*
- (e) *Breakup of O&M expenditure and impact claimed as per below details with proper linkage in M.S. Excel:*
 - (i) *Breakup of the actual O&M expenses of the generating station for the 2014-19 tariff period, under various subheads (as per **Annexure-A** enclosed) after including the pay revision impact (employees, and Meghalaya Home Guards) (in both MS Excel and PDF format);*
 - (ii) *Break-up of the actual O&M expenses of Corporate Centre/other offices including pay revision impact (as per **Annexure-B** enclosed) of the generating station for the along with the allocation of total O&M expenses to the various generating stations which are under construction, operational stations and any other offices/business activity along with basis of allocating such expenditure (in both MS Excel and PDF format);*
 - (iii) *Break-up of the pay revision impact claimed in respect of employees of the Petitioner & CISF stationed at the generating station and Corporate Centre/other offices employee cost allocated to the generating station (as per **Annexure-C** enclosed);*

8. The Respondents are directed to file their replies, on or before 25.2.2022, with advance copy to the Petitioner, who may file its rejoinder, if any, by 4.3.2022. Pleadings shall be completed by the parties within the due dates mentioned and no extension of time shall be granted.

9. Subject to the above, order in the petition was reserved.

By order of the Commission

Sd/-
(B. Sreekumar)
Joint Chief (Law)



Annexure- A

Details of actual O&M expenses (Common for Hydro /Thermal Generating Station)

Sl. No.	Items	Amount (₹ in lakh)				
		2014-15	2015-16	2016-17	2017-18	2018-19
1	Consumption of stores & spares					
2	Repair & Maintenance					
3	Insurance					
4	Security					
5	Water Charges					
6	Administrative Expenses					
6.1	Rent					
6.2	Electricity charges					
6.3	Travelling & Conveyance					
6.4	Communication Expenses					
6.5	Advertising					
6.6	Foundation Laying & Inauguration					
6.7	Donation					
6.8	Entertainment					
6.9	Filing fee					
	Subtotal (Administrative Expenses)					
7.0	Employee Cost					
7.1.1	Salaries, Wages & Allowances					
7.1.2	Pension					
7.1.3	Gratuity					
7.1.4	Provident Fund					
7.1.5	Leave Encashment					
7.2	Staff welfare expenses					
7.2.1	-Medical expenses on superannuated employees					
7.2.2	-Medical expenses on regular employees & others					
7.2.3	-Uniform/Liveries & safety equipment					
7.2.4	-Canteen expenses					
7.2.5	-Other staff welfare expenses					
	Subtotal (Staff welfare Expenses)					
7.3	Productivity linked Incentive					
7.4	Expenditure on VRS					
7.5	Ex-gratia					
7.6	Performance Related Pay (PRP)					
	Sub Total (Employee Cost)					
8	Loss of Store					
9	Provisions					
10	Prior Period Expenses					
11	Corporate Office expenses allocation					
12	Others					
12.1	Rates & Taxes					
12.2	Water cess					
12.3	Training & recruitment expenses					
12.4	Tender Expenses					
12.5	Guest house expenses					
12.6	Education expenses					
12.7	Community Development Expenses					
12.8	Ash utilisation expenses					
12.9	Books & Periodicals					



12.10	Professional Charges					
12.11	Legal expenses					
12.12	EDP Hire & other charges					
12.13	Printing & Stationery					
12.14	RLDC Fee & Charges					
12.15	Brokerage & Commission					
12.16	Bank charges					
12.17	Claims/advances written off					
12.18	Hiring of vehicle					
12.19	Payment to auditors					
12.20	Misc. Expenses					
	(Break-up of Misc.)					



Annexure B

DETAILS OF CORPORATE CENTRE EXPENSES ALLOCATED TO VARIOUS OPERATING STATIONS						
						Amount (₹ in lakh)
	PARTICULARS/YEAR	2014-15	2015-16	2016-17	2017-18	2018-19
	Total Expenses of CC & RHQs-(A)					
	Transferred to Construction Projects -(B)					
	Transferred to any other business activity - (C)					
	Expenses related to stations under operation (D)=(A)-(B)-(C)					
	Head Wise Details of D					
1	Employee Expenses					
A	Salaries, Wages and Allowance					
B	Staff Welfare Expenses					
C	Productivity Linked Incentive					
D	Expenditure on VRS					
E	Ex-Gratia					
2	Administrative Expenses					
A	Repair and maintenance					
B	Training and Recruitment					
C	Communication					
D	Travelling and Conveyance					
E	Rent					
F	Others -Break Up as per details given below:					
f-1	Advertisement and publicity					
f-2	Books & Periodicals					
f-3	EDP Hire and other charges					
f-4	Education expenses					
f-5	Ent. and hospitality					
f-6	Fin Expenses-IndAS					
f-7	Guest house expenses					
f-8	Hiring of Vehicles					
f-9	Insurance					
f-10	Legal Expenses					
f-11	Miscellaneous Expenses					
f-12	Community develop. Exp.					
f-13	Others.					
f-14	Payment to auditors					
f-15	Power Charges					
f-16	Printing and Stationery					
f-17	Prof chg & cons fees					
f-18	R&D EXPS					
f-19	Rates and taxes					
f-20	Tender expenses					
f-21	Trpt Veh running Exp.					
f-22	Water charges					
f-23	Workshop & Conf. Exp.					
	Sub Total (Administrative Expenses)					
3	Security					
4	Donations					
5	Provisions					
6	Depreciation					
7	Prior period expenses					
8	Total Expenses from 1-7					
	Less Recoveries (if any)					
9	Expenses related to Operation - D					
	ALLOCATION TO OPERATIONAL STATIONS					
S.No	Name of The Unit/Station					
	Operational Station (1)					
	Operational Station (2)					



FORMAT FOR CLAIMING WAGE REVISION IMPACT**YEARWISE IMPACT OF REVISION IN SALARIES & WAGES PAID TO THE
EMPLOYEES AND STAFF OF CISF****1. Wage revision impact on employee cost of generating station**

Amount (₹ in lakh)

Component	2016-17			2017-18			2018-19		
	Pre Revised	Post Revision	Wage revision Impact	Pre Revised	Post Revision	Wage revision Impact	Pre Revised	Post Revision	Wage revision Impact
1.1 Basic Pay									
1.2 Dearness Allowance									
1.3 HRA									
1.4 Allowances & Perquisites									
1.5 PRP/Ex Gratia									
2.1 Super Annuation Benefits (PF, Pension & PRMS)									
2.2 Gratuity									
2.3 Leave encashment (HPL/EL)									
Total									
Less: EDC									
Net employee cost									

Wage revision impact on Corporate Centre cost of generating station

Amount (₹ in lakh)

Component	2016-17			2017-18			2018-19		
	Pre Revised	Post Revision	Wage revision Impact	Pre Revised	Post Revision	Wage revision Impact	Pre Revised	Post Revision	Wage revision Impact
CC Expenses									
1.1 Basic Pay									
1.2 Dearness Allowance									
1.3 HRA									
1.4 Allowances & Perquisites									
1.5 PRP/Ex Gratia									
Total									



2. Wage revision Impact on Salaries of CISF employee (if applicable)

Amount (₹ in lakh)

Component	2015-16			2016-17			2017-18			2018-19		
	Pre Revised	Post Revision	Wage revisio Impact	Pre Revised	Post Revision	Wage revision Impact	Pre Revised	Post Revision	Wage revision Impact	Pre Revised	Post Revision	Wage revision Impac
1.CISF												
Total												

Total Wage revision Impact												
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