

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 92/MP/2013

Coram:

Shri V.S. Verma, Member

Shri M. Deena Dayalan, Member

Date of Hearing: 13.08.2013

Date of Order : 08.10.2013

In the matter of:

Petition for recovery of additional cost incurred consequent to pay/wage revision of employees of SJVNL, Central Industrial Security Force and Delhi Public School staff in respect of Nathpa Jhakri Hydro Power Station w.e.f. 1.1.2006 to 31.3.2009.

And in the matter of:

SJVNL Limited

....Petitioner

Vs

1. Engineering Department, Union Territory of Chandigarh, Chandigarh
2. Power Development Department, Govt. of J&K, Jammu
3. Uttaranchal Power Corporation, Dehradun
4. Jaipur Vidyut Vitran Nigam Limited, Jaipur
5. Ajmer Vidyut Vitran Nigam Limited, Ajmer
6. Jodhpur Vidyut Vitran Nigam Limited, Jodhpur
7. Haryana Power Generation Corporation Limited, Panchkula
8. Haryana Vidut Prasaran Nigam Limited, Panchkula
9. Himachal Pradesh State Electricity Board, Shimla
10. Government of Himachal Pradesh, Shimla
11. Uttar Pradesh Power Corporation Limited, Lucknow
12. Punjab State Power Corporation Limited, Patiala
13. Delhi Transco Limited, Delhi
14. North Delhi Power Limited, Delhi
15. BSES Rajdhani Power Limited, Delhi
16. BSES Yamuna Power Limited, Delhi

.....Respondents

The following were present:

1. Shri Romesh Kapoor, SJVNL
2. Shri Rajeev Agarwal, SJVNL
3. Shri Satyaban Sahoo, SJVNL



4. Shri R.B. Sharma, Advocate, BRPL
5. Shri Padamjit Singh, PSPCL
6. Shri Alok Shankar, advocate, TPDDL

ORDER

The petitioner, SJVN Limited has filed this petition seeking reimbursement of additional O & M cost due to increase in employee cost on account of wage revision of its employees from 1.1.2007 and pay revision of the Himachal Pradesh State Electricity Board (HPSEB) employees on deputation and Delhi Public School Staff and Central Industrial Security Force (CISF) deployed at Nathpa Jhakri Hydro Power Station (NJPHS) from 1.1.2006 under Regulations 12 and 13 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2004 (hereinafter referred to as “the 2004 Tariff Regulations”).

2. The petitioner has submitted that the Commission notified the 2004 Tariff Regulations on 26.3.2004 providing for the norms and parameters for tariff determination for the period 1.4.2004 to 31.3.2009. Further, Regulation 38 (iv) of 2004 Tariff Regulations provides for O&M expenses to be allowed as part of the Annual Fixed Chares as under:

“38 (iv) (c). In case of the hydro electric generating stations declared under commercial operation on or after 1.4.2004, the base operation and maintenance expenses shall be fixed at 1.5 % of the actual capital cost as admitted by the Commission in the year of commissioning and shall be subject to an annual escalation of 4% per annum for the subsequent years”.

3. The petitioner has submitted that while providing for O&M norms for the period 2004-09, the Commission had not considered the increase in salary and wage revision

due from 1.1.2006/1.1.2007. The Commission has already factored the impact of pay and wage revision during the tariff block 2009-14 by allowing 50% of the impact to be borne by the beneficiaries and further escalation at 5.72% per annum. The petitioner has submitted that the Commission had also not considered the increase in O & M expenditure on account of pay revision of the security personal deployed and Delhi Public School staff at the power station with effect from 1.1.2006.

4. Accordingly, SJVNL has sought reimbursement of actual expenditure on wage revision and salary revision by exercising power under Regulations 12 and 13 of the 2004 Tariff Regulations.

5. The petitioner has submitted that the Department of Public Enterprise (DPE) has issued Office Memorandum No. 2(70)/08-DPE (WC)-GL-XVI/08 dated 26.11.2008, 9.2.2009 and 2.4.2009 and directives issued by Ministry of Power vide letter dated 30.4.2009 for revision of the pay with effect from 1.1.2007 for Board level executives, below Board level executives and non-unionized supervisors in the Central Public Enterprise Enterprises, respectively. In accordance with Himachal Pradesh State Electricity Board (Revised Pay) Regulations, 2009, office order No. 8/HPSEB (Sectt) /2011, pay revision of the HPSEB employees on deputation was finalized w.e.f 1.1.2006. The petitioner being a Central Public Sector Enterprise is mandated to follow the DPE directions with regard to the revision of the pay scale of its employees. The petitioner has further submitted that additional expenditure has been incurred on account of pay revision of personnel of CISF deployed and the staff of the Delhi Public School (DPS)

employed at the power station consequent to the implementation of recommendations of the Sixth Pay Commission report with effect from 1.1.2006. The petitioner has submitted that the justification for consideration of increased salary and wages effective from 1.1.2007 has been duly factored and given effect to while determining the O & M expenses for the control period 2009-14 in the 2009 Tariff Regulations and the Commission would have considered the same if such increase was firmed up when the 2004 Tariff Regulations were notified.

6. The petitioner has submitted that the additional employee cost incurred during the financial years 2005-06, 2006-07, 2007-08 and 2008-09 on account of the above mentioned wage revisions in respect of the employees of SJNVL, HPSEB employees on deputation, CISF and staff of DPS are as under :

(₹ in lakh)

Year	Impact of pay revision*
2005-06	64.71
2006-07	306.77
2007-08	596.55
2008-09	839.11
Total	1807. 13

*excluding performance related pay

7. The petitioner has prayed that additional O & M expenses already incurred due to increase in employee cost be allowed to be billed and recovered as an additional expense under the O & M expenses from the respondents as a one-time payment in proportion to their capacity charge in the respective years under Regulations 12 and 13 of 2004 Tariff Regulations.

8. Replies to the petition have been filed by Punjab State Power Corporation Limited and BSES Rajdhani Power Limited. The petitioner has filed its rejoinders to the replies of the respondents.

9. The replies of the respondents are briefly discussed as under:

(a) Punjab State Power Corporation Limited (PSPCL) has submitted that:-

(i) The present case is different from NTPC projects due to two factors, namely (a) that Govt. of HP is 22% owner of the project (b) that Govt. of HP sells the 12% free power at market rates and earns huge revenue which should be used to pay the expenses of CISF. Security is State subject and the cost of security expenses should be borne by the State Government especially when the State Government is a stakeholder in the generating station.

(ii) With regard to DPS staff expenses, the petitioner has not clarified whether part or whole of the pay revision expenses have been met through hike in school fees. Since DPS is a commercially run school (unlike KV) the petitioner should clarify the adjustment of school fees against the pay hike claimed.

(iii) The petitioner has not filed details of O&M expenses recovered each year through tariff.

(iv) Under section 61 of the Electricity Act, 2003, the cost of electricity is to be recovered in a reasonable manner. The financial data of the project shows that this project is earning huge profit which is about 50% of the sales. The claim of the petitioner should be viewed in the light of the huge profit. Further, the relaxation in the 2004 Tariff Regulations would disturb the balance and would result in unreasonable benefits to the petitioner.

(b) BSES Rajdhani Power Limited (BRPL) has submitted that the filing of present petition at this belated stage on an issue which already stands settled, is a big surprise. BRPL has further submitted that since the petitioner in the petition has not identified any particular regulation(s) where the petitioner is encountering difficulty in giving effect to such regulation(s), the provisions of Regulation 12 of the 2004 Tariff Regulation are not applicable in the present case. It has been submitted that the Commission's power to remove difficulties and power to relax under Regulation 12 and 13 of 2004 Regulations are not applicable in the present case as no difficulty has arisen to give effect to 2004 Tariff Regulations. BRPL has submitted that claim for recovery of additional cost incurred consequent to pay revision of employees of CISF and DPS staff is belated and has been made after the tariff period is over. BRPL has submitted that tariff consists of a number of packages and each package need not be examined on the anvil of reasonability. As tariff is a complete package, its reasonability is required to be examined in its totality. BRPL has further

submitted that safeguarding of consumer interest and at the same time recovery of the cost of electricity in a reasonable manner is an important consideration while framing the terms and conditions for determination of tariff through regulations as per section 61(d) of the Act and relaxation in the regulations would disturb the balance and would result in unreasonable benefits to the petitioner which may not be allowed. Relying on the judgment of the Supreme Court in Civil Appeal No.1110/2007- (NTPC Ltd vs UPPCL), it has been submitted that the Commission cannot be asked to revisit the tariff for 2004-09 when the period is already over.

10. The petitioner has filed rejoinders to the replies of the respondents. The petitioner in its response to PSPCL has denied that it is making exceptional profits but has submitted that it is getting the justified return as determined by the Commission. The petitioner has submitted that the project cost was shared by Government of India and Government of Himachal Pradesh in the equity ratio of 3:1 before the commissioning of the NJHPS i.e up to 2003-04. There was no such obligation outlined in the agreement that Government of Himachal Pradesh will have to pay the CISF expenses in lieu of 12% free power and 25% of the remaining 88% power at bus bar rate supplied to them. The petitioner has further submitted that as per the Commission's direction dated 11.6.2013, the details of O&M expenses have already been submitted to Commission and the Respondents vide affidavit dated 5.7.2013. The petitioner has further submitted that the expenditure in respect of CISF deployed at NJHPS is borne by the SJVN from its internal accruals. It has been further stated that as per the

agreement entered between DPS Society, New Delhi and the petitioner's management, suitable grant-in-aid is to be provided by the petitioner to DPS to meet the short-fall of expenditure required to carry out day to day activities. After the recommendations of the 6th Pay Commission, ₹ 33.80 lakh was paid to DPS Society to meet the shortfall of arrears. The petitioner has submitted that since the impact of pay and wage revision of employees as per the DPE directives is a legitimate cost incurred by it for providing power to the beneficiaries, the expenditure on this account is to be borne by the beneficiaries. The Commission has not envisaged the employee cost on account of wage revision in the norms of 2004 Tariff Regulations and therefore, there is a financial loss to the tune of ₹ 18.07 crore on the same. The petitioner has submitted that the energy billing is being made to the beneficiaries of NJHPS, based on annual fixed charges approved by CERC vide its order dated 31.12.2008 in Petition No. 20/2008. The figures indicated under 'sales' by the PSPCL is the revenue of the SJVNL and does not represent the sales of the NJHPS. The 'sale' figure as indicated by PSPCL comprising of revenue from the operations and other income such as interest income from Banks, Employees, Contractors, Beneficiaries, surcharge on LPS from beneficiaries, Receipt of Maintenance of Inter Connection Facility, Sale of Scrap, Foreign Currency Fluctuation Adjustment(if any), Miscellaneous income like Hire rental charges from contractors, profit on sale of fixed assets, rent recovery from staff/others, Excess Provisions written back, Liquidated Damages covered & other Miscellaneous receipts. The petitioner has further submitted that expenditure on account of revision of salary and wages is a necessary expenditure incurred by it and is required to be

serviced through tariff under Section 62 of the Electricity Act read with 2004 Tariff Regulations.

11. The petitioner has submitted that while framing the O&M norms for the period 2004-09, the provisions on account of pay/wage revision in respect of new stations were not duly incorporated and addressed for the period 2004-09. However, the 2009 Tariff Regulation makes provisions for the same. Accordingly, petitioner has prayed the Commission to exercise inherent powers to do justice to the petitioner by reviewing the matter.

12. Before we proceed to the merit of the case of the petitioner, it is considered appropriate to deal with the objections of the respondents which can be grouped as under and have been dealt with in the subsequent paragraph:

(a) Maintainability of the petitions under Regulations 12 and 13 of 2004 Tariff Regulations;

(b) Tariff is a package and its reasonability is required to be examined in its totality; and

(c) Burdening present consumers for the past dues on account of belated filing of the petition.

Maintainability

13. The petitioner has filed the present petition under Regulation 12 and 13 of the 2004 Tariff Regulations. The said Regulations provide as under:

“12. Power to Remove Difficulties: If any difficulty arises in giving effect to these regulations, the Commission may, of its own motion or otherwise, by an order and after giving a reasonable opportunity to those likely to be affected by such order, make such provisions, not inconsistent with these regulations, as may appear to be necessary for removing the difficulty.

13. Power to Relax: The Commission, for reasons to be recorded in writing, may vary any of the provisions on its own motion on an application made before it by an interested person.”

14. SJVNL has submitted that Regulation 38 (iv) of the 2004 Tariff Regulations did not factor in the increased salary and wages consequent to the wage revision of public sector enterprise's employees with effect from 1.1.2007 and pay revision of CISF and DPS employees with effect from 1.1.2006. The recommendations of the Sixth Pay Commission and the decision of the Department of Public Enterprises, Government of India were implemented after expiry of the control period 2004-09. However, had the salary and wages been firmed up and implemented when the 2004 Tariff Regulations were framed and notified, the Commission would have factored such increase in the O&M norms as has been done during the control period 2009-14. Since, the impact of wage revision and pay revision has not been factored in the 2004 Tariff Regulations, SJVNL has sought reimbursement of actual expenditure on wage revision and salary revision by exercise of power of the Commission under Regulation 12 and 13 of the 2004 Tariff Regulations. The respondents have submitted that the Commission's power to remove difficulties and power to relax under Regulation 12 and 13 of 2004 Regulations are not applicable in the present case as no difficulty has arisen to give effect to 2004 Tariff Regulations. On the contrary, the petitioner has submitted that when there is a subsequent development during the control period which makes the

norms specified in the regulations inadequate for the reasons not attributable to the generating company, a clear case for invoking power of the Commission for removal of difficulty and for relaxation of the provisions of the 2004 Tariff Regulations is made out.

15. We have considered the submissions of the petitioner and respondents. The Commission while deciding the norms applicable for the period 1.4.2004 to 31.3.2009 had considered the O&M expenses for the year 1998-99 to 2002-03 for hydro stations, normalized the O&M expenses and thereafter escalated them at a specified percentage. The relevant portion of the order dated 29.3.2004 in Petition No. 67 of 2003 is extracted as under:

“175. We take note of the apprehension of the hydro power utilities that operation and maintenance cost of a hydro power generating station is site specific and any two hydro power generating stations of same capacity may not have same operation and maintenance cost. Apart from this, remote location of the hydro power generating stations together with siltation problems encountered by most of them are subject to higher operation and maintenance cost. Thus, normative operation and maintenance expenses as proposed in the draft regulations may not be adequate to maintain the operation and maintenance quality and may affect adversely the performance of hydro power generating stations. We have, therefore, decided that operation and maintenance expenses of hydro power generating stations shall be worked out in the following manner:

(a) The operation and maintenance expenses including insurance for the existing generating stations which have been in operation for 5 years or more in the base year of 2003-04 shall be derived on the basis of actual operation and maintenance expenses for the years 1998-99 to 2002-03, based on the audited balance sheets, excluding abnormal operation and maintenance expenses, after prudence check by the Commission.

(b) The average of actual operation and maintenance expenses for the years 1998-99 to 2002-03 considered as operation and maintenance expenses for the year 2000-01 shall be escalated at the rate of 4 percent per annum to arrive at the operation and maintenance expenses for the base year 2003-04.

(c) The operation and maintenance expenses for the base year 2003-04 shall be escalated further at the rate of 4 percent per annum to arrive at permissible operation and maintenance expenses for the relevant year.

(d) In case of new hydro power generating stations, which have not been in existence for a period of five years, the operation and maintenance expenses shall be fixed at 1.5 per cent of the capital cost as admitted by the Commission in the year of commissioning and shall be escalated at the rate of 4 percent per annum from the subsequent year to arrive at the operation and maintenance expenses for the base year 2003-04. The base operation and maintenance expenses shall be further escalated at the rate of 4 percent per annum to arrive at permissible operation and maintenance expenses for the relevant year.

176. For the generating stations commissioned during the tariff period (2004- 05 to 2008-09), the base operation and maintenance expenses shall be fixed at 1.5 percent of the actual capital cost as admitted by the Commission in the year of commissioning and shall be subject to an annual escalation of 4 percent per annum for the subsequent years.”

16. It is evident from the above that the pay and wage revision with effect from 1.1.2006 was never taken into account while fixing the norms for the hydro generating stations for the period 2004-09. Had the pay revision or wage revision taken place at the time the norms were decided, the Commission would certainly have taken into account its impact while fixing the norms. In other words, the legitimate expenditures incurred by SJVNL are not being serviced as the same have not been factored in the norms. Section 61(d) of the Act provides that one of the guiding factors for determination of the terms and conditions of tariff is to safeguard consumer interest while ensuring recovery of the cost of electricity in a reasonable manner. Pay and allowances are mandatory expenditures and are a necessary input to determine cost of electricity. The said expenditure could not be factored at the time of determination of the norms since the pay revision came into force w.e.f. 1.1.2006 in respect of security forces, HPSEB employees on deputation and DPS employees and w.e.f. 1.1.2007 in respect of the employees of SJVNL. If the impact of pay revision or wage revision is denied, it would result in under recovery of cost of electricity by the generating company. Therefore, in

our considered view, a clear case has been made out to remove the difficulty arising out of non-consideration of the impact of wage revision in the O&M norms for the period 2004-09

Tariff as a package

17. The respondent BRPL has argued that tariff may consist of number of packages and each package need not be examined on the anvil of reasonability. As the tariff is a complete package, its reasonability is required to be examined in its totality. PSPCL has submitted that security is State subject and the cost of security of the generating station should be borne by the State Government. The petitioner has rebutted the contention of the respondents.

18. We have considered the submissions of the petitioner and respondents. Similar objections were raised by the beneficiaries in Petition No.35/MP/2011 and other related petitions filed by NTPC. The Commission in order dated 12.10.2012 in the said petitions has decided the issue as under:

“11.In our view, norms of tariff have been specified in the terms and conditions of tariff after extensive stakeholder's consultation and keeping in view the provisions of the Act, National Electricity Policy and Tariff Policy and its sanctity should be maintained. Normally a party should not be allowed any charge in deviation of the norms. However, when a particular expenditure has not been factored while deciding the norms, in that case the claim for such an expenditure cannot be said to result in reopening of norms. The claim has to be considered in addition to the norms after due prudence check as regards its reasonability. Otherwise this will result in under-recovery of the cost of expenditure of the generating company. In our view, the principle that tariff is a package based on the norms and cannot be reopened on account of additional actual expenses is not applicable in this case since, the impact of wage revision and pay revision was never factored in the norms and hence was never part of the package. Therefore, the impact of wage and pay revision need to be considered over and above the norms specified in the 2004 Tariff Regulations.”

19. We dispose of the objection of respondent on the ground of tariff being a package in the light of the above observations.

Burdening the present consumers for the past dues

20. The respondents have submitted that the expenditure on wage and pay revision pertain to the period 1.1.2006 to 31.3.2009 and 1.1.2007 to 31.3.2009 respectively. Since, the claim at this belated stage is not justified and the Commission cannot be requested to revisit the tariff. BRPL has submitted that in view of the judgment of the Supreme Court dated 3.3.2009 in Civil Appeal No.1110 of 2007 and other related appeals, the claim is permissible only when the tariff is in force and not afterwards and accordingly, the claim of the petitioner could be considered by the Commission if the same was brought during the tariff period 2004-09. PSPCL has submitted that the petitioner has not filed details of O & M expenses recovered each year through tariff.

21. We have considered the objections of the respondents. Though the petitioner has not approached the Commission during 2004-09 period for its claim due to the impact of pay and wage revision, in our view the petitioner's claim in the present petition cannot be negated on that ground. In other words, all the parties including respondents are aware that the Commission is seized with the issue and appropriate order will follow in due course of time. In our view, a legitimate expenditure cannot be denied to the petitioner on the ground that it will burden the new consumers with the past dues.

22. In view of the above discussion, the objections of the respondents cannot be sustained. However, the Commission has the mandate to balance the interest of the consumers and recovery of the cost of electricity in a reasonable manner. Therefore, the Commission is required to find out an equitable solution to the problem so that the generating company is not deprived of its legitimate dues while ensuring that it does not result in unmanageable tariff burden on the beneficiaries.

23. Now, we consider the claim of SJVNL on account of pay revision/wage revision. A comparative statement showing the O & M expenditure allowed in Petition No. 20/2008 and actual O & M incurred during the period 2005-06 to 2008-09 is as under:

(₹ in lakh)

Details		2005-06	2006-07	2007-08	2008-09	Total
Total O&M allowed (Petition No. 20/2008)	(a)	12304	12797	13308	13841	52250.00
Certified Actual O&M (Petition No. 27/2011)	(b)	13605.15	11241.41	10954.23	18045.26	53846.05
Certified Wage revision arrears claimed which are not included in above actual O&M	(c)	64.71	306.77	596.55	839.11	1807.13
Actual O&M after wage revision	(d) =(b)+(c)	13669.86	11548.18	11550.78	18884.37	55653.18
Under recovery	(e)=(d)-(a)	1365.86	(-)1248.82	(-)1757.22	5043.37	3403.18

It is noted that actual O & M expenses after wage revision is more by ₹ 3403.18 lakh in comparison to the O & M expenditure allowed for the period 2005-09.

24. For new hydro generating stations, O & M expenses allowed in 2004 Tariff Regulations were based on 1.5% of capital cost which has resulted in under recovery

of O & M expenses in a number of hydro stations commissioned during 2004-09. Considering the same, the Commission revised the O & M expenses for new hydro generating stations to 2% of capital cost after excluding R &R cost for the tariff period 2009-14.

25. The case as made out by the petitioner is similar to the case of impact of wage revision on the various thermal and hydro power stations of NTPC and NHPC. The Commission in its order dated 12.10.2012 in Petition No. 35/MP/2011 has decided the issue of pay and wage revision as under:

“17. The Commission has allowed the benefit of wage revision in the O & M norms for 2009-14 considering increase in salary and wages to the extent of 50%. The relevant provision in the Statement of Reasons to the Central Electricity Regulatory Commission (Terms and Condition of Tariff) Regulations, 2009 dated 3.2.2009 is extracted as under:

"19.10 The CPSU regulated by us were asked to make their estimation of hike on account of revision of scales of pay. The hikes on account of revision of scales of pay estimated by some of the CPSU's are as follows:

NTPC	56%
Power Grid	70%
NLC	73%
NEEPCO	70%

The estimates submitted by NLC and NEEPCO were not supported by the calculations. The estimates of NTPC and Power Grid were however, gone into and it was observed that the increase includes PRP and allowances in excess of 50% of the basic. Further certain facilities like school, hospital facilities etc. at site were not monetized. On all these consideration, estimates of CPSU's appears to be on higher side. Commission after due consideration of various aspects covered in the implementation of pay revision has come to a conclusion that a uniform normative increase of 50% in employee cost would be just and reasonable for all CPSU's."

It is noted that the Commission had allowed only normative increase of 50% of the employee cost for all PSUs during the 2009-14 period. We are of the view that it would be just and reasonable if the same principle is adopted to consider the increase in salary and wages of CPSUs including the petitioner. Accordingly, we direct that for the period 1.1.2007 to 31.3.2009, the actual increase in employee cost on account of wage revision is allowed which shall be limited to 50% of the salary and wages (Basic + DA) of the employees of the petitioner company as on 31.12.2006. In so far as increase in the salary of the CISF personnel posted at NTPC stations and the employees of Kendriya Vidyalaya are concerned, the increase in salary shall be on actual basis and shall be a pass through to the beneficiaries.

18. In exercise of our power to remove difficulty under Regulation 12 of the 2004 Tariff Regulations, we allow the above increase in the employee cost of NTPC as additional O&M charges. However, the arrears shall be paid by the beneficiaries in twelve equal monthly installments during the year 2013-14 in addition to the O&M charges as per the 2009 Tariff Regulations. Keeping in view of the distance of time we order that as a special case, no interest shall be charged on the arrear which will benefit the consumers. In our view, this arrangement will protect the interest of both the petitioner and the beneficiaries.”

26. The claim of the petitioner is squarely covered in terms of our decision in the case of NTPC Ltd as extracted as above. Accordingly, we direct that for the period from 1.1.2007 to 31.3.2009, the recovery of actual increase in employee cost on account of wage revision is allowed, limited to 50% of the salary and wages (Basic +DA) of the employees of the petitioner company as on 31.12.2006. In so far as increase in the salary of the HPSEB employees on deputation, CISF employees and employees of DPS attached to the generating station for the period from 1.1.2006 to 31.3.2009 is concerned, the recovery of increase in salary shall be on actual basis and shall be a pass through to the beneficiaries.

27. In exercise of our power to remove difficulty under Regulation 12 of the 2004 Tariff Regulations we allow the above increase in the employee cost of SJVNL, salary of the HPSEB employees on deputation, CISF employees and employees of DPS

attached to the generating station as additional O & M charges. However, the arrears shall be paid by the beneficiaries in twelve equal monthly instalments starting from October during the year 2013-14 in addition to the O & M charges as per the 2009 Tariff Regulations. However, we direct that as a special case, no interest shall be charged on the arrear, which will benefit the consumers. In our view, this arrangement will protect the interest of the petitioner as well as the beneficiaries.

28. The petition is disposed of in terms of the above.

Sd/-
(M Deena Dayalan)
Member

sd/-
(V.S.Verma)
Member