BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT PANCHKULA

Case No. HERC/Petition No. 60 of 2026

Date of Hearing	**:**	**07.09.2026**
Date of Order	**:**	**10.09.2026**

In the Matter of

Petition under Section 86 of the Electricity Act, 2003 read with Regulation 84 of the Haryana Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff under Multi Year Tariff Framework) Regulations, 2024 seeking regulatory recognition and pass-through of the transmission charges payable by the Petitioner pursuant to the Order dated 20.06.2025 passed by the Central Electricity Regulatory Commission in Petition No. 182/TT/2024.

Petitioner

Haryana Vidyut Prasaran Nigam Ltd. (HVPNL), through its Managing Director

Respondent

Nil

Present on behalf of the Petitioner

1. Mr. Raheel Kohli, Advocate
2. Mr. Ramesh Chand, XEN/SS, HVPNL

Quorum

Shri Mukesh Garg	**Officiating Chairman**
Shri Shiv Kumar	**Member**

ORDER

Brief Background of the case

1. That the present petition has been filed by Haryana Vidyut Prasaran Nigam Limited ("HVPNL") under Section 86 of the Electricity Act, 2003 ("Electricity Act"), read with Regulation 84 of the Haryana Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff under Multi Year Tariff Framework) Regulations, 2024 seeking pass-through of the transmission charges paid by the Petitioner to Power Grid Corporation India Limited in pursuance of the directions issued by the Central Electricity Regulatory Commission ("CERC") vide order dated 20.06.2025 in Petition No. 182/TT/2024 ("CERC Order").

2. **Petitioner's submissions: -**

   The petitioner has submitted as under: -

2.1 That the aforesaid liability has arisen on account of directions issued by the CERC under the Central Electricity Regulatory Commission (Sharing of Inter State Transmission Charges and Losses) Regulations, 2020 ("CERC Sharing Regulations"), whereby the Commercial Operation Date (COD) of the subject transmission assets was approved and the Petitioner was made liable to bear transmission charges from such COD till the commissioning of the downstream intra-state system. The delay in commissioning of the downstream assets was due to reasons beyond the control of the Petitioner, details of which are provided in subsequent paragraphs.

2.2 That CERC, while passing the Order, has expressly observed that the downstream assets fall within the intra-state domain and that the Petitioner may approach this Hon'ble Commission for determination of tariff and other related issues. Accordingly, the present petition is being preferred before this Hon'ble Commission, for appropriate regulatory treatment of the said transmission charges.

2.3 That PGCIL preferred a petition before the CERC, inter alia seeking "Approval of transmission tariff under Regulation 86 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 for determination of Transmission Tariff from proposed COD to 31.3.2024 for Transmission Assets: Asset-1: 4 nos. of 220 kV line bays at Khatkar (Jind) Substation for LILO of both circuit of 220 kV Jind HVPNL to PTPS D/C line at 400 kV PGCIL Khatkar (Jind) Sub-station and Asset-2: 2 nos. of 220 kV line bays at Naggal (Panchkula) Sub-station for 220 kV D/C line from 400 kV PGCIL (Panchkula) to proposed 220 kV Sub-station Sadhaura under "220 kV Bays at 400 kV Sub-station PG Khatkar (Jind) & Naggal (Panchkula) Sub-station".

2.4 That PGCIL sought for declaration of COD of Asset-1 (4 Nos.220 kV line bays at Khatkar (Jind) substation for LILO of both circuit of 220kV Jind HVPNL to PTPS D/C line at 400kV PGCIL Khatkar (Jind) substation) and Asset-2 (2 Nos.220 kV line bays at Naggal (Panchkula) substation for 220kV D/C line from 400kV PGCIL (Panchkula) to proposed 220kV substation Sadhaura), as 02.12.2023 & 01.10.2023 respectively, under Regulation 5(2) of the CERC (Terms and Conditions of Tariff) Regulations, 2019.

2.5 The CERC, vide its order dated 20.06.2025, held as under:

> *"97. We have considered the Petitioner's and HVPNL's submissions and have gone through the record. The Petitioner has submitted that the downstream transmission lines associated with the instant transmission assets under the scope of HVPNL are yet to be commissioned.*
> *98. HVPNL has submitted that the downstream transmission lines associated with instant transmission assets are yet to be commissioned and the execution of said downstream transmission lines got delayed due to various reasons like demand of high compensation by the farmers, delay in approval from various authorities, delay in approval from Forest Department, Row issues etc.*
> *99.* ***We are of the view that the downstream transmission line is a part of the intra-State transmission system under the scope of HVPNL. It has been noted that the Commission is not determining the tariff for the intra-State line, and accordingly, the Petitioner may approach the concerned State Electricity Regulatory Commission for the determination of the tariff and its related issues****.*

100. Further, the COD of the transmission assets have been approved as 2.12.2023 and 1.10.2023 for Asset-1 and Asset-2, respectively, under Regulation 5(2) of the 2019 Tariff Regulations as the transmission assets were ready and it could not be put to use due to the reason that the associated transmission line under the scope of HVPNL was not ready.

103. ***In the instant case, the COD of Asset-1 and Asset-2 has been approved as 2.12.2023 and 1.10.2023, respectively, under Regulation 5(2) of the 2019 Tariff Regulations due to the non-utilization of Asset-I & Asset-2 of the Petitioner on account of the delay in the completion of the downstream transmission lines under the scope of HVPNL. Taking into consideration of the above-mentioned provisions of the 2020 Sharing Regulations, the transmission charges with respect to Asset-1 from the COD, i.e., 2.12.2023 and the transmission charges of Asset-2 from the COD, i.e., 1.10.2023 would be recovered from HVPNL till the COD of the downstream system and thereafter, the transmission charges shall be included in PoC pool****."*

2.6 That pursuant to the directions contained in the Order dated 20.06.2025 passed by the Hon'ble Central Electricity Regulatory Commission in Petition No. 182/TT/2024, the Petitioner has become liable to bear the transmission charges in respect of Asset-I and Asset-II from their respective Commercial Operation Dates till the commissioning of the associated downstream transmission system. As on date, the bilateral bill in terms of the aforesaid Order is yet to be raised by CTUIL on behalf of Power Grid Corporation of India Limited (PGCIL). However, the liability of the Petitioner to bear such transmission charges stands crystallised by virtue of the aforesaid Order and shall be discharged upon issuance of the requisite bills by the concerned agency.

2.7 That the exact interstate transmission charges payable in respect of the subject assets over their entire useful life cannot presently be ascertained with precision, as the tariff of Inter-State Transmission System assets is determined and revised by the Hon'ble Central Electricity Regulatory Commission from time to time in accordance with the applicable Tariff Regulations.

2.8 That based on the transmission tariff approved by the Hon'ble CERC vide Order dated 20.06.2025 for the tariff period 2019-24, the indicative liability attributable to the subject assets is approximately Rs. 104.61 crore over their useful life of 25 years, comprising approximately Rs. 66.70 crore in respect of Asset-I and approximately Rs. 37.91 crore in respect of Asset-II. The Petitioner further submits that the figure of Rs. 104.61 crore is only an indicative estimate prepared on the basis of the tariff approved for FY 2023-24 and has been provided solely to demonstrate the likely magnitude of the liability. The actual transmission charges payable shall be governed by the tariff determined by the Hon'ble CERC from time to time and the bills raised by CTUIL/PGCIL in accordance with the applicable regulatory framework.

2.9 That under the prevailing ISTS sharing mechanism, transmission charges attributable to the State of Haryana are borne and paid through Haryana Power Purchase Centre

(HPPC). However, in terms of Paragraph 103 of the Order dated 20.06.2025 passed by the Hon'ble CERC, the transmission charges relating to Asset-I and Asset-II are presently required to be borne by the Petitioner until the commissioning of the associated downstream transmission system. Upon commissioning of the downstream system, the transmission charges shall thereafter be pooled and recovered in accordance with the applicable ISTS sharing framework.

2.10 That the aforesaid arrangement does not result in any increase in the overall transmission-related liability attributable to the State of Haryana. The arrangement merely alters the entity responsible for making payment during the intervening period. Consequently, the ultimate financial burden attributable to Haryana and its electricity consumers remains unchanged and the present petition merely seeks appropriate regulatory treatment and pass-through of the said statutory transmission charges.

2.11 The transmission assets in question form part of the Inter-State Transmission System and the transmission charges associated therewith represent the contribution attributable to the State of Haryana under the applicable ISTS sharing framework. The effect of the Order dated 20.06.2025 passed by the Hon'ble CERC is not to create any new transmission charge or additional financial obligation upon the consumers of Haryana, but merely to regulate the manner in which such charges are to be discharged during the intervening period prior to commissioning of the associated downstream transmission system. Upon commissioning of the downstream system, the said transmission charges shall stand integrated into the applicable ISTS pooling mechanism in accordance with the CERC Sharing Regulations.

2.12 Without prejudice to the above, the transmission charges in question are not in the nature of any penalty, damages, punitive levy or regulatory surcharge. The same represent transmission tariff determined by the Hon'ble CERC under the applicable Tariff Regulations and Sharing Regulations and are payable towards transmission assets forming part of the Inter-State Transmission System. The present Petition merely seeks appropriate regulatory treatment of such statutory charges.

2.13 It is respectfully submitted the delay in commissioning of the downstream transmission system was on account of reasons beyond the control of the Petitioner.

Re: Reasons for delay in completion of downstream system associated Asset 1

2.14 The work for Asset-1 was approved in 3rd NRPC(TP) meeting dated 19.02.2021. The planning wing, vide letter R-1796 dated 16.07.2021, approved the LILO of both circuits of 220kV Jind HVPNL to PTPS D/C line at 400kV PGCIL Khatkar (Jind) substation along with the LILO of 220kV Jind HVPNL to PTPS D/C line at new 220kV substation Nain (HVPNL).

2.15 Thereafter, vide Planning letter R-1843 dated 03.01.2022, the work regarding augmentation of conductor of 220kV D/C line from 400kV sub-station PGCIL Khatkar Jind to 220kV sub-station Nain, was changed from 0.5sq" ACSR to equivalent size HTLS conductor having current carrying capacity of about 1200 Amp (approx. line length 67.5 KMS) at the cost of M/s IOCL in FY 2023-24 matching with the commissioning of 220kV S/stn. Nain. This resulted in revision of BOQ by design wing, which was thereafter sent by design wing to contracts wing on 24.08.2022. 17. The work was awarded on dated 23.08.2023.

2.16 That the work was earlier held up since 31.12.2023 due to higher compensation demand of farmers of village Jhanjh and Khatkar. However, the said issue has since been resolved, and the line has been commissioned on 28.06.2025.

Re: Reasons for delay in completion of downstream system associated Asset 2

2.17 The work for Asset-2 was approved in 3rd NRPC(TP) meeting dated 19.02.2021. The planning wing vide letter R-1781 dated 01.06.2021 approved the work of 220kV Naggal (Panchkula) -Sadhaura D/C line. The said approval was thereafter revised vide Planning letter R-1835 dated 23.11.2021.

2.18 The matter for providing the tentative GIS route survey with HARSAC was taken up on 03.06.2021. HARSAC provided the shortest route alignment on 09.09.2021. The BOQ was sent by design wing to contracts wing on 03.03.2022.

2.19 The work for creation of 220kV D/C with 0.5 sq. Moose conductor from 400kV PGCIL Naggal to 220kV substation Sadhaura was awarded on 25.01.2023 with the completion period of 18 months.

2.20 Additionally, the following clearances from various authorities are required for the commissioning of downstream systems of Asset-1 and Asset-2:

a) Approval of termination arrangement at 400kV PGCIL Naggal end

- The termination arrangements duly marked on GELO of 400kV PGCIL Naggal stand submitted on 03.08.2021. A copy of the letter dated 03.08.2021 is annexed herewith and marked as **Annexure P-9.** PGCIL (Naggal) authorities have given the concurrence on the termination arrangements vide letter dated 18.12.2023. A copy of the letter dated 18.12.2023 is annexed herewith and marked as **Annexure P-10.**

b) Approval of various line crossing the existing 400kV D/C transmission lines of PGCIL

- The proposed 220kV D/C line from Naggal to Sadhaura will be crossing various 400kV (PGCIL) transmission lines. The proposed crossing profiles have been submitted to respective PGCIL Authority for concurrence/approval vide letter dated 28.07.2023. The latest status regarding the approval of crossings profile from PGCIL Authorities is as under:

Sr. no.	Name of line	Name of PGCIL line	Tower location of 220kV D/C line HVPNL	Tower location of 400kV D/C line PGCIL	Initially crossing submission detail to PGCIL	Remarks/Status
1.	**220kV D/C Naggal Sadhura**	**400kV D/C JHK- ABD**	**TL No. 8 to TL No. 11**	**TL No. 65 to TL No. 66**	**28.07.2023 (Annexure P-11)**	**Approved vide dated 15.04.2024 (Annexure P-12)**
2.	**220kV D/C Naggal Sadhura**	**400kV D/C PKL- ABD**	**TL No. 10 to TL No. 13**	**TL No. 2 to TL No. 3**	**28.07.2023 (Annexure P-11)**	**Approved vide dated 15.04.2024 (Annexure P-12)**
3.	**220kV D/C Naggal Sadhura**	**400kV D/C KWA- ABD**	**TL No. 146 to TL No. 149**	**TL No. 446 to TL No. 447**	**28.07.2023 (Annexure P-11)**	**Approved vide dated 02.12.2023 (Annexure P-13)**
4.	**220kV D/C Naggal Sadhura**	**400kV D/C JHK- ABD**	**TL No. 152 to TL No. 155**	**TL No. 375 to TL No. 375**	**28.07.2023 (Annexure P-11)**	**Approved vide dated 21.03.2024 (Annexure P-14)**

c) Approval of various NHAI crossings

- The proposed 220kV D/C line from Naggal to Sadhura will be crossing NHAI. The proposed crossing profiles have been submitted to NHAI vide letter dated 12.01.2024. The latest status regarding the approval of crossings profile from NHAI Authority is as under:

Sr. no.	Name of line	Chainage no. of NH	TL No.	Name of NH	Initiallycrossing submission detail to NHAI	Remarks / Status
1	**220kV D/C Naggal Sadhura**	**18+560 to 18+600**	**TL no. 88 to TL no. 89**	**Proposed 4-lanning Ambala –Kala-Amb section of NH-72**	**12.01.2024**	**Approved vide dated 23.02.2024**
2	**220kV D/C Naggal Sadhura**	**158+793 to 158+868**	**TL no. 1 to TL no. 2 and TL no. 3 to TL no. 4**	**NH road Panchkula Yamuna Nagar**	**03.06.2024**	**Approved vide dated 18.12.2025 (Annexure P-15)**

d) Approval from Haryana Forest Department:

- The proposed 220kV D/C line from Naggal to Sadhaura will be crossing through the land of Forest/PWD/Irrigation Department. The complete case has been submitted on the portal of Forest Department for their concurrence/approval.
- During the scrutiny of cases, the forest department has now started demanding separate NOC from PWD & Irrigation Department before processing the forest approval cases. Accordingly, the matter with PWD & Irrigation Department has been taken up vide letter dated 04.04.2024 and the approval from PWD B&R department received on dated 13.05.2024.
- The latest status regarding the approval of forest cases is as under:

Sr. no.	Name of line	Name of forest Division	Case submission date at first Instance	Remarks
1	**220kV D/C Naggal Sadhura**	**Yamuna Nagar**	**31.10.2023**	**Final approval accorded on 05.11.2025. (Annexure P-16)**
2	**220kV D/C Naggal Sadhura**	**Ambala**	**07.11.2023**	**Stage–I approval accorded 04.03.2026. Stage-2 approval is still pending. (Annexure P-17)**

3	**220kV D/C Naggal Sadhura**	**Morni-Pinjore**	**01.03.2024**	**Stage –I approval pending.**

e) ROW issue near village Rehore adjoining 400kV PGCIL Naggal

- It is submitted that stiff resistance is being posed by local Farmers/Kissan Unions demanding higher crop/land compensation in the area. An agitation/Dharna was held by Farmers/Kissan Unions, Bhiwani on dated 20.12.2023. The work at locations 14 to 38 is held up due to ROW issue.
- The solution of RoW was significantly started after arrival of new land policy dated 10.07.2024. After arrival of this policy the compensation of land for RoW was introduced along with 200% compensation for tower base area. **Annexure P-18**.

f) Slow progress by the firm:

- It is submitted that the delay in the work is also due to non- deputing of adequate manpower by the firm. Various letters and issued to the firm and copy of the same is annexed at **Annexure P-19**.

g) Non-shifting of 11 KV feeders coming in the ROW of the erection of T.L No.3 and T.L no.4 of Naggal-Sadhaura line:

- The work of erection of T.L No 3 and T.L No 4 has been delayed due to non-shifting of 11 KV feeder Rattewala by UHBVN. Executive Engineer TS Madanpur issued memo Ch-51/TSDM-5/V-II dated 04.12.2025 to Executive Engineer, UHBVN for shifting of 11 KV feeders. Further, various meetings and site visits were also done regarding shifting of Rattewala feeder but complete shifting work has not been carried out yet due to which erection work of T.L no. 4 is still pending. (**Annexure P-20**)

2.21 That the 220kV PGCIL (Naggal) - Sadhaura D/C line is likely to be commissioned by 31.07.2026. Further, the 220kV substation at Sadhaura has been commissioned on 03.02.2026. It is submitted that the work has been delayed mainly due to non-shifting of 11kV feeders (28 Nos.) from the proposed yard of 220kV S/stn Sadhura by UHVBNL.

2.22 That the delay in commissioning of the downstream transmission system was attributable to a combination of statutory approvals, right-of-way constraints, policy dependencies and inter-agency coordination issues, all of which are beyond the control of the Petitioner.

2.23 That the delay in commissioning has been occasioned due to factors beyond the control of the Petitioner and prays that the consequential transmission charges payable to PGCIL may be allowed as pass-through by this Hon'ble Commission.

2.24 That the transmission charges in question represent the contribution attributable to the State of Haryana towards the Inter-State Transmission System in terms of the applicable regulatory framework governing sharing of ISTS charges. The obligation to discharge such charges flows directly from the Order dated 20.06.2025 passed by the Hon'ble CERC read with the applicable provisions of the CERC Sharing Regulations. The Petitioner is required to comply with the said regulatory determination and accordingly discharge the transmission charges in the manner directed by the Hon'ble CERC. The present Petition therefore seeks appropriate regulatory recognition and treatment of such statutory transmission charges, which form part of the overall ISTS sharing framework applicable to the State of Haryana.

2.25 That the following prayers have been made by the Petitioner: -

a) Allow the present petition.

b) Declare that the transmission charges/tariff payable by the Petitioner pursuant to the CERC Order dated 20.06.2025 constitute a legitimate and unavoidable statutory expenditure and are liable to be allowed as pass-through.

c) Pass any such other order/s and/or direction/s, which the Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.

Commission’s Analysis and Order

3. The case was heard on 07.09.2026, wherein the counsel appearing on behalf of the Petitioner, Mr. Raheel Kohli, briefed the Commission on the contents of the Petition, placed the relevant documents on record, and made a detailed presentation on the issues involved in the present Petition.

4. The Commission, after carefully examining the submissions made by the Petitioner and the material placed on record, is of the considered view that the issue relating to the transmission charges payable by the Petitioner pursuant to the Order dated 20.06.2025 passed by the Central Electricity Regulatory Commission may appropriately be considered in the Annual Revenue Requirement (ARR) and true-up proceedings pertaining to the relevant financial year. At that stage, the nature and circumstances of the actual liability incurred by the Petitioner, along with the corresponding financial impact, can be duly verified and examined on the basis of the relevant records and supporting documents.

5. In view of the above, the present Petition is disposed of, with liberty to the Petitioner to raise its claim in respect of the transmission charges covered under the present Petition in the corresponding ARR/true-up proceedings for the relevant financial year. The Petitioner shall be at liberty to place on record, at the appropriate stage, all relevant and supporting material, including the actual bills raised by CTUIL/PGCIL or the concerned agency, proof of payment, details of the period for which such charges have been incurred, the applicable transmission tariff, computation of the amount claimed, and such

other information and documents as may be considered necessary for determination of the claim.

6. The Commission shall consider the claim of the Petitioner at the time of the relevant ARR/true-up proceedings, after taking into consideration the comments/observations of the intervenors, including the beneficiaries, if any, and upon examining the actual expenditure/liability incurred by the Petitioner, the supporting documentary evidence, the period to which such expenditure pertains, and its treatment under the applicable regulatory framework. The claim shall be considered in accordance with the provisions of the Electricity Act, 2003, the Haryana Electricity Regulatory Commission (Terms and Conditions for Determination of Tariff under Multi Year Tariff Framework) Regulations, 2024, and other applicable regulations, orders and directions of the Commission, as may be in force for the relevant period.

7. It is further clarified that the liberty granted to the Petitioner under this Order shall not be construed as an approval, determination or admission by the Commission as to the admissibility, prudence, quantum or pass-through of the transmission charges claimed in the present Petition. The mere fact that the Petitioner has incurred or is liable to incur such charges pursuant to the Order dated 20.06.2025 passed by the CERC shall not, by itself, constitute any expression of opinion by this Commission regarding their ultimate admissibility in the ARR/true-up proceedings. All questions relating to the admissibility, prudence, quantum and regulatory treatment of the claim are left open for consideration by the Commission in the corresponding ARR/true-up proceedings, subject to the Petitioner furnishing complete details and supporting material in accordance with the applicable regulatory requirements and the comments/observations of the stakeholders thereon.

8. The present Petition is, accordingly, disposed of in the above terms.

This order is signed, dated and issued by the Haryana Electricity Regulatory Commission on 10.09.2026.

	Sd/-	**Sd/-**
Date:10.09.2026	**(Shiv Kumar)**	**(Mukesh Garg)**
Place: Panchkula	**Member**	**Officiating Chairman**