BEFORE THE HARYANA ELECTRICITY REGULATORY COMMISSION AT PANCHKULA

Case No. HERC/P. No. 15 of 2026

Date of Hearing	**:**	**13/08/2026**
Date of Order	**:**	**21/09/2026**

IN THE MATTER OF:

Petition under Section 86(1)(e) read with Section 86(1)(a) read with Section 94 of the Electricity Act, 2003 and under Regulations 16, 17, 18 and 19 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 and Regulations 16, 18, 19, 22 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 for relaxation/amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 by grant of approval / relaxation/amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto.

Petitioner

Shri Vishwakarma Skill University, Palwal, through its Authorized - Project Management Consultant – Ircon Infrastructure & Services Limited.

VERSUS

Respondent:

1. Dakshin Haryana Bijli Vitran Nigam, Vidyut Sadan, Vidyut Nagar, Hissar.
2. Department of New and Renewable Energy/HARDEA, Akshay Urja Bhawan, Institutional Plot No. -1 Sector 17, Panchkula.

Impleaded:

1. Uttar Haryana Bijli Vitran Nigam, Vidyut Sadan, Panchkula.
2. Haryana Vidyut Prasaran Nigam Ltd., Panchkula.

Present

On behalf of the Petitioner

1. Sh. Pulkit Sachdeva, Advocate
2. Sh. V.K. Sachdeva, Advocate

On behalf of the Respondent

1. Sh. Raghujeet Singh Madan , Advocate
2. Ms. Aerika Singh, Advocate
3. Sh. Lovepreet Singh, Advocate
4. Ms. Aabha, XEN, UHBVN
5. Sh. Vijay Upadhay, AE,HVPN

QUORUM

Shri Mukesh Garg, Chairman
Shri Shiv Kumar, Member

ORDER

1. **Petition:**

Most Respectfully Showeth:

1.1 That the Petitioner - Shri Vishwakarma Skill University (SVSU) is India's First Skill University established by the Govt. of Haryana in 2016 by a legislative Act No. 25 of 2016. The objective of SVSU is to facilitate & promote skill, entrepreneurship development, skill-based education and to upgrade skill level in various emerging sectors. Founded by the Government of Haryana, SVSU is a pioneering institution focused on bridging the gap between industry requirements and academia by delivering industry-aligned, hands-on skill programs. SVSU's mission is to empower youth with advanced skills, knowledge, and employability through a unique model of skill education that combines theoretical learning with practical exposure. University's industry partnerships and collaborations with leading organizations offer students experiential learning through internships, apprenticeships, and on-the-job training, which equip them with the competencies required in today's job market. Aligned with the vision of "Skilling for Nation Building," the university integrates classroom instruction with on-the job training in close collaboration with leading industry partners such as Hero MotoCorp, JBM, and HDFC Bank, etc. SVSU offers a wide range of NSQF-aligned programs, including Certificate, Diploma Bachelor and Master's degrees including vocational programs in Engineering & Technology, Management, Applied Sciences, Humanities and Agriculture including emerging sectors like AI/ML, Mechatronics, Robotics, Solar Technology, Hospitality, Management and Yoga Guided by its motto "योगः कमसु कौशलम्" (Excellence in Action is Yoga), SVSU emphasizes employability, entrepreneurship, and social responsibility through innovative pedagogy and inclusive learning models. The university has also gained recognition for its commitment to industry-integrated curriculum, research potential, and life skills development. With a strong focus on sustainability, digital transformation, and global competitiveness, SVSU aims to emerge as a national model under the National Education Policy (NEP 2020) for modular, flexible, and skill-embedded higher education. The university is actively working to expand its infrastructure, deepen industry partnerships, promote research and innovation, and position itself as a leading institution that bridges the gap between education and employment. SVSU's main campus is built on 82.7 acres of land at village Dhudhola, Distt. Palwal with a state-of-the-art infrastructure. The campus layout is inspired by a chariot, symbolizing purpose, dynamism, and movement, with academic blocks representing horses and administration/auditorium as the balancing wheels.

1.2 That the Petitioner is filing the present petition through its duly Authorized - Project Management Consultant – Ircon Infrastructure & Services Limited. The Project Consultant of the Petitioner - Ircon Infrastructure & Services Limited, is also a Government of India Undertaking having its registered office at C-4, District Centre, Saket, New Delhi- 110017 which is acting as the Project Management Consultant (PMC) for the establishment of the permanent campus of Shri Vishwakarma Skill University (HVSU) via an agreement dated 22.01.2018.

1.3 That the present Petition is being filed by the Petitioner under Section 86(1)(e) read with Section 86(1)(a) read with Section 94 of the Electricity Act, 2003 and under Regulations 16, 17, 18 and 19 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 and Regulations 16, 18, 19, 22 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 for relaxation/amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 by grant of approval / relaxation/amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto

1.4 That the following factual position which is most important and necessary for a fair and just consideration of the present petition by this Hon'ble Commission is submitted in the ensuring paragraphs.

1.5 That the Petitioner - Shri Vishwakarma Skill University (SVSU) is India's First Skill University established by the Govt. of Haryana in 2016 by a legislative Act No. 25 of 2016 sought to establish a Solar Power Plant to meet its partial requirements of Power. According to the Detailed Project Report (DPR) for setting up the University Campus of the University, the project envisaged the installation of solar power systems covering 50% of the available rooftop area of all buildings, with a planned capacity of 1400 kW.

1.6 That in accordance of the Project Installation process as envisaged in the Detailed Project Report, the Project has been conceived in the year 2018-19 and the solar panels have started from 1.12.2020. Installation of 1227 KW has been completed on 1.2.2024, the date is based on NOC Memo No. 1572 dated 7.2.2024. Total Project Cost for Solar Works is Rs, 9.88 Crores at Rs. 70,000/- per KW for 1412 KW, Construction works of Shri Vishwakarma Skil University is mainly divided into Package 1 to 6 which comprises Supply, installation, testing and commissioning of Grid Interactive Solar System as mentioned in Contract Agreement of the said packages. The following installations have been already installed and completed detailed as under

a) 315 kW in Package-1
b) 629 kW in Pkg-2
c) 278.12 kW in Pkg-3
d) 90.24 kW in Pkg-6
e) Additionally, solar power of 35 kW in Pkg-5 and 60 kW in Pkg-6 has been catered but not yet executed by the agencies and are in the process of final execution.

1.7 That it is a matter of record that based on load requirement of HVSU campus for Phase-1, 5000kW connection was already sanctioned from DHBVN at 11KV level vide DHBVN Memo No. Ch-26/SE-R-APDRP/OLNC- HT/PWL/SOL-786 dated 21.05.2020.

1.8 That Clause IX of Load Sanction Letter dated 21.5.2020 has categorically mandated that with regards to the installation of Solar Photovoltaic Power Plant, the notification no. 22.52/2005-5 Power Dt. 21st March 2016 of Haryana Renewal Energy Department, circulated by Nigam vide Sale Circular No. D-4/2016 dated 30/12/2016 along with its amendment vide Sale Circular No. D-10/2017 Dt. 16/02/2017 is adhered to by the applicant. Thus, it is clear that the Notification to be applied in the case of the Petitioner are those which existed at the time of sanction of the Load and hence subsequent amended Notifications/amended Circulars are not to be made applicable.

1.9 That out of the originally catered capacity of 1407.36 kW, a total of 1312.36 kW has been installed on-site. A formal No Objection Certificate (NOC) vide Memo No. 1572 dated 07.02.2024 has been duly obtained in this regard from the Executive Engineer, Electrical Inspectorate, Haryana, Gurugram, for the energization of solar power systems totaling 1222 kW (315 kW in Pkg-1, 629 kW in Pkg-2, and 278.12 kW in Pkg-3).

1.10 That upon obtaining the above referred NOC from Executive Engineer, Electrical Inspectorate, Haryana, Gurugram efforts were made to apply for Net metering connection at official website of DHBVN i.e esolarconn.dhbvn.orq.in. However, while applying on the website it is observed an alert is indicated i.e. "Net Metering Connection can be applied only up to 500 kW as per HERC Net Gross Metering Regulation". Hence, request for the planned capacity of Solar power Generation System 1412KW is not being accepted by this website.

1.11 That as per the DHBVN Circular No. D-18/2016 dated 01.08.2016, eligible consumers were permitted to install a maximum solar capacity of 1000 kW, with a variation allowance of up to 1050 kW. This cap was revised by DHBVN through Sales Circular No. D-41/2019 dated 27.12.2019, raising the maximum limit to 2000 kW.

1.12 That however, in a subsequent revision via Sales Circular No. D-33/2021 dated 25.08.2021, the permissible limit for net metering connections was restricted to 500 kW for any consumer.

1.13 That according to Chapter II, Para 5.3 of the said circular dated 25.08.2021. the relevant clause is as under:-

“The maximum rated capacity of the rooftop solar system, to be installed by any eligible consumer in his premises, shall not exceed its connected load/sanctioned load in case of Low-Tension connection and contract demand in case of High-Tension connection. Provided that net metering to the consumer shall be allowed for the loads up to 500 kW or up to sanctioned load/contracted demand, whichever is lower, and in case of gross metering for the loads up to sanctioned load/contracted demand of the eligible consumer.”

1.14 That due to this limitation, the installation of the full planned capacity of 1412 kW cannot currently be connected to the grid under the existing guidelines for which the petitioner seeks the Hon’ble Commission’s kind intervention and approval for the enhancement of the net metering limit to 1412 kW for the Petitioner’s HVSU campus, enabling the full utilization of the installed solar power capacity.

1.15 That despite engaging in several meetings with the concerned officials of DHBVN at Palwal and subsequently at Panchkula (Director-Technical of HERC) in an attempt to address the issue, the challenge remains largely unresolved.

1.16 That an application Ircon ISL/1043/SVSU- Palwal/General/2235 dated 12.09.2024, was previously sent to the Haryana Electricity Regulatory Commission (HERC) through email to the address dir-tech.herc@nic.in. However, despite the passage of considerable time, no response was received regarding this application.

1.17 That the Petitioner thus exhausted all pre-institutional remedies, including a letter dated 12.09.2024 to the Commission requesting enhancement of net-metering limit. Since no response was received, the Petitioner filed a petition under Section 94 of the Electricity Act, 2003 with a prayer to enhance and grant the net metering limit for solar energy of 1412 KW for the Shri Vishwakarma University Campus. However, vide Letter dated 11.04.2025, this Hon’ble Commission informed that the Commission is a quasi-judicial body and follows procedure as prescribed n the Haryana Electricity Regulation commission (Conduct of Business) Regulations, 2019 as amended from time to time and It was advised to file petition under relevant section of Electricity Act, 2003 and regulations framed there under along with the requisite fee as per HERC (Fee) Regulations 2005, 7th Amendment 2022. In view of the above, the petitioner is filing the present petition for the reliefs as prayed for.

1.18 That the Petitioner Shri Vishwakarma Skill University, through IRCON planned a rooftop solar grid interactive system of 1,412 kW (AC) at the it premises at Palwal for institutional / educational use, renewable energy generation, and surplus injection into the grid under net-metering / gross-metering, as permitted under earlier regulatory regimes. Earlier, under the DHBVN / HERC regime, eligible consumers were permitted to install rooftop solar systems up to 1,000 kW (and later 2,000 kW) — as per relevant roof-top solar guidelines / policy. Petitioner has already installed 1,312 kW (AC) rooftop solar system, and intended to operate at full 1,412 kW capacity — consistent with connected load / sanctioned load / contract demand of the premises. Following issuance of a circular dated 25.08.2021 by the DISCOM / DHBVN (or as communicated), the online portal / application interface now rejects any net-metering application for capacity > 500 kW, and indicates that only up to 500 kW is permissible — thereby preventing the Petitioner from filing application for net-metering for installed 1,312 kW / proposed 1,412 kW. On 12.09.2024, Petitioner through IRCON wrote to HERC requesting enhancement of net-metering limit for this project; no response was received. On a subsequent petition under Section 94, HERC declined to proceed, by their letter dated 11.04.2025, but advised that Petitioner may file a petition under relevant statutory/regulatory provisions.

1.19 That it is a matter of record that Haryana Government Renewable Energy Department issued a Notification dated 14th March 2016 for Haryana Solar Power Policy, 2016 to promote the generation of power from solar energy.

1.20 That thereafter, Haryana Government Renewable Energy Department issued Directions No. 1253 dated 18.07.2017 under Section 108 of the Electricity Act,2003.

1.21 That a cumulate reading of the State Solar Policy and subsequent directions clearly show the intent to promote the Solar Power Generation in the State for a sustainable development and the petitioner has acted upon on the legitimate expectation and therefore any subsequent capping on the Net Metering to 500 KW can not be made applicable to the project of the petitioner.

1.22 That as a public sector body, Ircon Infrastructure & Services Limited is committed to advancing the Government of India's initiatives in energy efficiency and skill development. The HVSU project is a pioneering initiative by the Government of Haryana, and the full utilization of solar power aligns with the national goal of promoting renewable energy.

1.23 That given that Haryana Vishwakarma Skill University is the first-of-its-kind initiative by the Government of Haryana, and in light of the Government of India's recent initiatives to bolster rooftop solar power generation for national energy security, it is imperative that the petitioner may be granted your esteemed approval for the complete capacity of 1412 kW to be connected to the grid.

1.24 That the project was conceived and commissioned in 2018-2019, and at that time, the DHBVN Circular dated 01.08.2016 was considered, which allowed eligible consumers to install a maximum solar capacity of 1000 kW, with a variation allowance of up to 1050 kW. The subsequent revisions in the net metering policy have created constraints that hinder the full utilization of the installed solar capacity.

1.25 That the Petitioner is a bona fide consumer and the relief sought is in public interest / for Institutional Solar Rooftop (University) and not for speculative generation for sale — thus warranting special consideration / relaxation under Commission's power of discretion. Section 86(1)(e) read with enabling provisions and Regulations empowers this Hon'ble Commission to promote generation of electricity from renewable sources, and to specify terms and conditions for connectivity, supply, grid-interface and metering / billing arrangements in respect of such renewable generation and to relax and amend the relevant net-metering / rooftop solar Regulations of HERC (as now in force), thereby seeking case-specific exemption / direction for allowing net-metering for a 1,412 kW rooftop solar installation at the Petitioner's premises.

1.26 That if the relief is not granted, the Petitioner's substantial investment in rooftop solar will suffer — large installed capacity will remain "stranded" without grid-interconnection or proper metering and the objective of promoting renewable energy, institutional rooftop generation, and surplus injection into grid will be frustrated and the Petitioner (a public / institutional entity) will suffer undue hardship, and the environment / renewable energy targets will also be adversely affected.

1.27 That the Petitioner is ready and willing to comply with all technical / interconnection / safety / transformer-loading / grid-interface / metering / agreement / other conditions, and to obtain any requisite technical feasibility certificate from DISCOM or independent licensed agency; further, to enter net-metering / gross-metering agreement on terms acceptable to HERC / DISCOM.

1.28 That in the interest of justice, equity, public policy (renewable energy promotion), and institutional purpose, this Commission ought to grant a case-specific relaxation / direction permitting net-metering for the full 1,412 kW rooftop solar system at Petitioner's premises.

1.29 That Section 86(1)(e) of the Electricity Act, 2003 — empowers the Commission to promote generation of electricity from renewable sources, and to fix terms and conditions for connectivity, supply, grid-interface, metering / billing. Section 86(1)(a) of the Electricity Act, 2003 — for determination of terms and conditions of supply and connectivity. HERC (Conduct of Business) Regulations, 2019 — particularly Regulations 16 (initiation of proceedings), 18 (power to relax or deviate from standard regulatory provisions), 19 (contents of petition / procedure), 22 (directions / orders), and fee schedule — enabling the Commission to entertain this Petition. The relevant HERC Net-metering / Rooftop Solar Regulations (as in force) — read with the "power to relax" clause (or "general / special order" clause) for exceptional cases. In recent HERC orders, the Commission has indeed exercised its power to relax certain provisions — e.g. in a June 2025 order, HERC granted relaxations relating to fees/metering agreement for domestic solar consumers under a State scheme.

1.30 That in view of the foregoing facts and circumstances, the Petitioner has been constrained to approach this Hon'ble Commission, for the relief as prayed for, inter-alia on the primary Grounds for grant of relief summarized as under:-

A. Public interest and promotion of renewable energy — The objective of the Electricity Act and of HERC's renewable energy regulations is to foster generation from renewable sources and ease grid-interface

/ metering arrangements for rooftop solar. Denial of net-metering for 1,412 kW rooftop solar system shall defeat that statutory objective.

B. Equity, hardship, and legitimate expectation — Petitioner acted in good faith, invested in large rooftop solar capacity in reliance on prior regulatory regime (which permitted large capacity). Denying net-metering now would penalize Petitioner, lead to stranded investment, and thwart institutional solar adoption.

C. Technical feasibility and compliance readiness — Petitioner is ready to meet all technical / safety / interconnection / transformer-loading / metering / agreement requirements and submit necessary feasibility certificates. There is no technical or safety reason to deny net-metering.

D. Case-specific discretion under "power to relax / deviate" — HERC has the statutory and regulatory power to relax any regulation or grid-interconnection / metering requirement, for reasons to be recorded in writing — especially in exceptional or institutional / public-interest cases. The fact that the Commission recently used this power (June 2025 order) demonstrates that such discretion is available.

E. Avoidance of regulatory arbitrariness and ensuring purpose of Regulations — Regulatory caps (like 500 kW net-metering limit) are ostensibly for managing grid load, transformer constraints, fairness, etc. But for a large institutional rooftop solar project with internal load and proper interconnection feasibility, a rigid application of a 500 kW ceiling would frustrate the purpose of promoting rooftop solar under the Act and HERC Regulations.

F. Precedent on "power to relax" by Commissions / Tribunals — While there is no plentiful reported jurisprudence on net-metering cap relaxation, the doctrine of Commission's power to relax regulations has been accepted. In a matter before the Appellate Tribunal for Electricity (APTEL) — Ratnagiri Gas and Power Pvt. Ltd. v. Central Electricity Regulatory Commission (CERC) — the Tribunal held that regulatory commissions have judicial discretion to relax regulations in exceptional cases, where non-exercise would cause hardship or injustice.

G. Precedent of HERC itself exercising relaxation powers — As observed, in June 2025 HERC granted relaxations (fee waiver / simplified procedure) in the context of a state rooftop solar scheme (PM-Surya Ghar: Muft Bijli Yojna) to domestic consumers.

H. That grave prejudice would be caused to the Petitioner, if the present Petition is not allowed by this Hon'ble Commission. However, no prejudice would be caused to the Respondent, if the present Petition is allowed in favour of the Petitioner.

1.31 That the present Petition is being filed within the period of limitation.

1.32 That there is no other Petition or Application filed by the Petitioner for the relief sought in the present Petition, which is pending or decided by this Hon'ble Commission or any other authority/judicial forum except the petition filed under Section 94 of the Electricity Act, 2003 on which letter dated 11.4.2025 has been issued requiring to file a petition under appropriate provisions.

1.33 That Court Fee of Rs. 50000/- has been affixed along with the present Petition, by way of Demand Drafts for filing the present Petition, in accordance with the HERC Fee Regulations, 2005 (7th Amendment).

PRAYER

In view of the facts, grounds and statutory / regulatory authority, the Petitioner humbly prays that this Hon'ble Commission may be pleased to order and direct as follows:

a. To accept the present Petition under Section 86(1)(e) read with Section 86(1)(a) read with Section 94 of the Electricity Act, 2003 and under Regulations 16, 17, 18 and 19 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 and Regulations 16, 18, 19, 22 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 for relaxation/amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 by grant of approval / relaxation/amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto.

b. To grant case-specific relaxation / approval for net-metering of the Petitioner's 1,412 kW rooftop solar system installed / proposed at SVSU, Palwal.

c. To direct DHBVN , to accept the Petitioner's net-metering application (online or manual), and arrange for metering / interconnection / net-metering meter within a time bound period of 30 days.

d. Pending final disposal of this Petition, to grant interim / ad-interim relief, by allowing provisional interconnection / gross-metering / energy banking or net-metering for 1,412 kW, to avoid stranded solar generation and undue hardship.

e. To pass such other or further orders as this Hon'ble Commission may deem fit in the facts, circumstances and in the interest of justice, equity, public policy, and promotion of renewable energy.

2. The case was heard on 16/04/2026, Ms.Aerika Singh, submitted that the capping upto 500 kW is as per central Govt, rules which cannot be relaxed she further requested for three weeks' time to file the reply. To the query of the Commission, the counsel for the petitioner requested to allow impleadment of HVPN and UHBVN as party to the case and further requested for two weeks' time to file the rejoinder. Acceding to the requests of the parties, the Commission adjourns the matter and directs the Respondents to file their replies within three (3) weeks specifically placing the regulation and MoP instructions regarding capping, and petitioners to

file their rejoinder with in two (2) weeks thereafter with revised memo of parties impleading HVPN and UHBVN in the case, with advance copies to either parties.

3. **Reply of respondent HAREDA submitted on 01/05/2026:**

Respectfully Showeth:

3.1 That New and Renewable Energy Department has notified Haryana Solar Energy Policy, 2016 with the objective to promote generation of green and clean power in the state using solar energy and further create conditions conductive to the participation of private and public sector as well as PPP in the promotion and setting up of Solar Energy based power projects in the state. As per Policy 1600 MW rooftop solar power plants were required to be added by the year 2021-22 and upto March,2025, nearly 480 MW of rooftop solar power plants have been installed in the State.

3.2 That Grid Connected Rooftop (GCRT) Solar Power Plants with net metering arrangement has proved to be very successful technology and has attracted interest of Industrial, commercial and residential units for getting affordable electricity.

3.3 That Distribution Licensees (DISCOMs) have been designated as State Nodal Agency for setting up of GCRT Solar Projects in the State and they have issued procedure and guidelines for setting up of GCRT Solar Projects. As per the Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems based on Net Metering/Gross Metering), Regulations, 2021, DISCOMS are entitled to achieve their Renewable Purchase Obligation from quantum of electricity consumed by eligible consumer, who is not an obligated entity, from the rooftop solar system under net metering/gross metering arrangement.

3.4 That DISCOMs have achieved their RPO targets during the year 2024-25 and 2025-26. But, major portion of Renewable Energy have been purchased from the RE projects setup outside Haryana. Promoting GCRT Solar Power Projects with net metering arrangement has potential to add substantial installed capacity within Haryana.

3.5 That, Renewable Energy Department notified Haryana Solar Power Policy, 2016 dt.14.03.2016. The relevant clause 3.1 and 5.2 of this Policy are reproduced as under:

Clause 3.1 Rooftop Grid connected/off-grid solar power plant.

"There is a potential to generate solar power through installation of rooftop solar power plants in the state. Accordingly, the installation of 1kWp to 1MWp of capacity Grid connected & up to 50 kWp of capacity off-grid Solar roof-top power plant on the rooftops of Industries, Public and Private Institutes, Schools, colleges, commercial & Social Institutions/Establishments, charitable Trust Bhawans, Hospitals and Residential Buildings etc. shall be promoted for their captive use/net meter as per the state Govt. Regulation."

Clause 5.2 Net Metering Facility

"The grid connected rooftop solar photovoltaic systems of capacity equivalent to the sanctioned load can be installed for captive use, for

which the net metering facility shall be provided as per the Haryana Electricity Regulatory Commission regulations…………
The amendments issued by HERC, in this context, from time to time shall be followed.

3.6 That, Hon'ble HERC, on 19.07.2021 notified Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive System based on Net-Metering/Gross Metering), Regulation 2021. The relevant clause 4.4 and 5.3 of these regulations are reproduced as under:

"Clause 4.4 Capacity target for Distribution Licensee:
"The distribution licensees shall continue to allow roof top solar system to eligible consumers as long as the total capacity (in MW) of rooftop solar systems does not exceed the target capacity determined by the commission; Provided a maximum cumulative capacity up to 500 MW, including the RTSS capacity already installed, shall be allowed to the eligible consumers under net metering/gross metering in the State as a whole. This may be reviewed yearly by the commission Suo-motto or on an application filed by the Discom(s) or any other stake holders."
Clause 5.3 The maximum rated capacity of rooftop solar system, to be installed by any eligible consumer in his premises shall not exceed its connected load/sanctioned load in case of Low-Tension connection and contract demand in case of High Tension connection.
Provided that net metering to the consumer shall be allowed for the loads up to 500 kW or up to sanctioned load/contracted demand, whichever is lower and in case of gross metering for the loads up to sanctioned load/contracted demand of the eligible consumer.

That in the light of petitioner's claim and as per clause 5.3 mentioned in above Paras, Petitioner is not entitled for net metering because at the time of commissioning and filing of application for net metering in year 2024, Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive System based on Net-Metering/Gross Metering), Regulation 2021 dated 19.07.2021 was operational. However, they may opt for gross metering.

Further, it is to mention that State has surpassed the maximum cumulative capacity of rooftop solar system of 500 MW mentioned in above para under clause 4.4. Accordingly, commission may review and decide to revise/increase the cumulative capacity of roof top solar systems and capping of limit of net metering in State. This will increase the installed capacity of renewable energy within state.

4. **Rejoinder to Reply of HAREDA submitted on 15/05/2026:**

In terms of the directions issued by this Hon'ble Commission vide order dated 24.04.2026 for the proceedings held on 16.04.2026, the Petitioner is filing the present rejoinder to the Short Reply filed by Respondent No. 2. It is respectfully submitted that the Rejoinder is being filed with the Amended Memo of Parties as directed vide order dated 24.04.2026.

At the very outset, the petitioner reaffirms and reiterates the averments made in the Petition and categorically denies all the averments, submissions and allegations made in the Short Reply filed by Respondent No. 2 which are contrary and inconsistent with the averments and submissions made by the petitioner in the writ petition and which are contrary to the records of the case. Also, the petitioner humbly submits that no part of the Reply may be deemed to be admitted by the petitioner unless and until specifically admitted in the replication as if the same are denied specifically and in seriatim.

REPLY ON MERITS:

4.1 That the factual position submitted by Respondent No. 2 regarding the Notification of Haryana Solar Energy Policy, 2016 dated 14.03.2016 and the Haryana Electricity Regulatory Commission (rooftop Solar Grid Interactive System based on Net Metering/Gross Metering) Regulations, 2021 notified by this Hon'ble Commission on 19.07.2021 and its clauses 4.4. and Clause 5.3 are a matter of record.

4.2 That the Respondent No. 2 has wrongly submitted that in the light of Clause 5.3 of_Haryana Electricity Regulatory Commission (rooftop Solar Grid Interactive System based on Net Metering/Gross Metering) Regulations, 2021, notified on 19.7.2021, the petitioner is not entitled for Net Metering because at the time of commissioning and filing of application in the year 2024, the Regulations dated 19.07.2021 was operational. It is respectfully submitted that such a contention raised by the Respondent No. 2 is not only incorrect but is also not legally unsustainable.

4.3 That It is reiterated that the Petitioner has filed the present Petition under Section 86(1)(e) read with Section 86(1)(a) read with Section 94 of the Electricity Act, 2003 and under Regulations 16, 17, 18 and 19 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 and Regulations 16, 18, 19, 22 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 for relaxation/amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 by grant of approval / relaxation/amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto.

4.4 That as per the DHBVN Circular No. D-18/2016 dated 01.08.2016, eligible consumers were permitted to install a maximum solar capacity of 1000 kW, with a variation allowance of up to 1050 kW. This cap was revised by DHBVN through Sales Circular No. D-41/2019 dated 27.12.2019, raising the maximum limit to 2000 kW.

4.5 That it is further reiterated that_the Project has been conceived in the year 2018-19 and based on load requirement of HVSU campus for Phase-1, 5000kW connection was already sanctioned from DHBVN at 11KV level vide DHBVN Memo No. Ch-26/SE-R-APDRP/OLNC-HT/PWL/SOL-786 dated 21.05.2020 Further, the solar panels have started from 1.12.2020.

4.6 That Installation of 1227 KW has been completed on 1.2.2024. A formal No Objection Certificate (NOC) vide Memo No. 1572 dated

07.02.2024 has been duly obtained in this regard from the Executive Engineer, Electrical Inspectorate, Haryana, Gurugram, for the energization of solar power systems totaling 1222 kW (315 kW in Pkg-1, 629 kW in Pkg-2, and 278.12 kW in Pkg-3). The following installations have been already installed and completed detailed as under

315 kW in Package-1
629 kW in Pkg-2
278.12 kW in Pkg-3
90.24 kW in Pkg-6

Additionally, solar power of 35 kW in Pkg-5 and 60 kW in Pkg-6 has been catered but not yet executed by the agencies and are in the process of final execution.

Out of the originally catered capacity of 1407.36 kW, a total of 1312.36 kW has been installed on-site.

4.7 That It is a matter of record that upon obtaining the above referred NOC dated 07.02.2024, from Executive Engineer, Electrical Inspectorate, Haryana, Gurugram, efforts were made to apply for Net metering connection at official website of DHBVN i.e esolarconn.dhbvn.orq.in. However, while applying on the website it was observed an alert is indicated i.e. "Net Metering Connection can be applied only up to 500 kW as per HERC Net Gross Metering Regulation". Hence, request for the planned capacity of Solar power Generation System 1412KW was not being accepted by this website.

4.8 That it is matter of record that pursuant to Regulations 2021 issued on 19.7.2021, Sales Circular No. D-33/2021 dated 25.08.2021, was issued and the permissible limit for net metering connections was restricted to 500 kW for any consumer as per Clause 5.3 of the said circular dated 25.08.2021.

4.9 That thus, it is evident that at the time of conceiving the project in the year 2018-2019 and at the time of sanction of Load on 21.5.2020, and at the time of installation of Solar Panels on 1.12.2020, DHBVN Circular No. D-18/2016 dated 01.08.2016, permitting to install a maximum solar capacity of 1000 kW and DHBVN through Sales Circular No. D-41/2019 dated 27.12.2019, raising the maximum limit to 2000 kW, were in Operation and applicable to the Petitioner. which existed at the time of sanction of the Load and hence subsequent amended Notifications/amended Circulars are not to be made applicable.

4.10 That any subsequent change in the Regulations reducing the Net Metering to 500 KW, thus can not be made applicable to the petitioner retrospectively. The Petitioner seeks the liberty to rely upon various precedents/judgments of the Hon'ble Supreme Court of India/Hon'ble High Courts on this issue at the time of making its oral/written submissions.

4.11 That as a matter of fact, the Respondent No. 2 in its reply has made the following admissions:-

Para 2 – The Grid Connected Roof Top (GCRT) Solar Power Plants with Net Metering arrangement has proved to be very successful technology and has attracted interest of Industrial, Commercial and residential units for getting affordable electricity.

Para 3 & 4 - In this Paras, the Respondent No. 2 has categorically admitted that promoting GCRT Solar Power Projects with Net metering arrangement has potential to add substantial installed capacity within Haryana.

However, the Respondent No. 2 has expressed its inability to grant permission to the Petitioner in view of the capping fixed by this Hon'ble Commission vide 2021 Regulations dated 19.07.2021 but has itself categorically prayed before this Hon'ble Commission to review and decide to revise/increase the cumulative capacity of roof top solar systems and capping of limit of net metering in the state and that this shall increase the installed capacity of renewal energy within the State.

4.12 That a cumulate reading of the Reply of Respondent No. 2 read along with State Solar Policy and subsequent directions clearly show the intent to promote the Solar Power Generation in the State for a sustainable development and the petitioner has acted upon on the legitimate expectation and therefore any subsequent capping on the Net Metering to 500 KW can not be made applicable to the project of the petitioner.

4.13 That it is further respectfully submitted that Respondent No. 2 , in its reply, has not denied the contentions/averments of the petitioner that the Petitioner is a bona fide consumer and the relief sought is in public interest / for Institutional Solar Rooftop (University) and not for speculative generation for sale — thus warranting special consideration / relaxation under Commission's power of discretion. to relax and amend the relevant net-metering / rooftop solar Regulations of HERC thereby seeking case-specific exemption / direction for allowing net-metering for a 1,412 kW rooftop solar installation at the Petitioner's premises. As a matter of fact, the Stand taken by Respondent No. 2 rather supports the case and cause of the Petitioner.

4.14 That the Petitioner reiterates that if the relief is not granted, the Petitioner's, which is an instrumentality of State of Haryana, substantial investment in rooftop solar will suffer and large installed capacity will remain "stranded" without grid-interconnection or proper metering and the objective of promoting renewable energy, institutional rooftop generation, and surplus injection into grid will be frustrated and the Petitioner will suffer undue hardship, and the environment / renewable energy targets will also be adversely affected.

That the Petitioner reiterates and again prays to accept the petition filed by the Petitioner for relaxation/amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/Gross Metering) Regulations, 2021 by grant of approval / relaxation/amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto and to also grant and allow the other prayers made in the petition, in the interest of justice.

5. The case was heard on 04/06/2026, Counsel for the Petitioner submitted that the revised memo of the parties impleading HVPN and UHBVN has been submitted and requested for some time to file the rejoinder to reply of DHBVN as the reply has been received yesterday only. The Commission directs to implead HVPN and UHBVN as parties to the case and to issue notice to UHBVN and HVPN for filing their replies. Sh. Raghujeet Singh Madan counsel for the respondent requested to allow four weeks' time to file the reply on behalf of UHBVN and HVPN. Acceding to the requests of the parties, the Commission adjourns the matter and directs the impleaded respondents to file their replies within four (4) week's and petitioners to file its rejoinder with in two (2) weeks thereafter with advance copies to either parties. The matter shall come up next on 29/07/2026 for arguments.

6. **Reply of respondent DHBVN submitted on 04/06/2026:**

6.1 That the present reply is being filed through Hament Kumar, presently working as XEN, Dakshin Haryana Bijli Vitran Nigam, Panchkula, (hereinafter referred to as "DHBVN"), who is competent to file the present reply as well as fully conversant with the facts and circumstances of the case on the basis of knowledge derived from the record, on behalf of Respondents.

6.2 That the present petition has been filed by the Petitioner- Shri Vishwakarma Skill University, Palwal, Haryana seeking relaxation/ amendment in the first proviso to Regulation 5.3 of the Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems) Regulations, 2021 by grant of approval/relaxation of Net Metering capacity limit from 500 KW to 1412 KW for the Rooftop Solar System installed/proposed to be installed by the Petitioner.

6.3 That all submissions herein are made in the alternative and without prejudice to each other. Any allegations raised by the Petitioner against the Answering Respondents-DHBVNL are denied in totality and the same may be treated as denial as if it was made in seriatim. Nothing submitted herein shall be deemed to be admitted unless the same has been admitted thereto specifically.

PRELIMINARY SUBMISSIONS/ OBJECTIONS:

6.4 That, at the outset, it is respectfully submitted that the relief being sought by the Petitioner is contrary to Regulation 5.3 of the Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems) Regulations, 2021(hereinafter referred to as "Regulations, 2021") which restricts net metering to a maximum of 500 kW or the sanctioned/contract demand, whichever is lower, and mandates gross metering for capacities beyond this limit. A copy of the said

Regulations notified by this Hon'ble Commission is annexed, the relevant provision which is reproduced below:

"5.3 The maximum rated capacity of rooftop solar system, to be installed by any eligible consumer in his premises, shall not exceed its connected load/sanctioned load in case of Low Tension connection and contract demand in case of High Tension connection.

Provided that net metering to the consumer shall be allowed for the loads up to 500 kW or up to sanctioned load/contracted load, whichever is lower and in case of gross metering for the loads up to sanctioned load/contracted demand of the eligible consumer."

6.5 That attention in this regard is also brought towards Rule 11(4) of the Electricity (Rights of Consumers) Rules, 2020 as amended vide the Electricity (Rights of Consumers) Amendment Rules, 2021 dated 28.06.2021 which provides as under:

"11. Consumer as prosumer.

... ...

(4) The arrangements for net-metering, gross-metering, net-billing or net feed-in shall be in accordance with the regulations made by the State Commission, from time to time:

Provided that where the regulations does not provide for net-metering, net-billing or net feed-in, the Commission may allow net metering to the Prosumer for loads up to five hundred Kilowatt or upto the sanctioned load, whichever is lower and net-billing or net feed-in for other loads:

Provided further that in the case of Prosumers availing net-billing or net feed-in, the Commissions may introduce time-of-the-day tariffs whereby Prosumers are incentivised to install energy storage for utilization of stored solar energy by them or feeding into the grid during peak hours thus helping the grid by participating in demand response of the Discoms:

Provided also that in case of net-metering or net-billing or net feed-in, the distribution licensee may install a solar energy meter to measure the gross solar energy generated from the Grid Interactive rooftop Solar Photovoltaic system for the purpose of renewable energy purchase obligation credit, if any:

Provided also that the Commission may permit gross-metering for Prosumers who would like to sell all the generated solar energy to the distribution licensee instead of availing the net-metering, net-billing or net feed-in facility and the Commission shall decided for this purpose the generic tariff for gross-metering as per tariff regulations."

A copy of the said Electricity (Rights of Consumer) Rules, 2020 along with the Amendment Rules, 2021 (hereinafter referred to as "Rules, 2020") are annexed**.** It is humbly submitted that the threshold of 500 kW was adopted after due stakeholder consultation and public process, and therefore cannot be relaxed for a single individual.

6.6 That it is further submitted that the statutory cap of 500 kW on net metering seeks to balance consumer interest with the financial viability of the distribution licensee. It is submitted that permitting large-capacity consumers to avail net metering would result in substantial revenue erosion and consequent tariff burden on other consumers. Further, large-scale injection of power under net metering poses technical challenges to grid stability, including issues of reverse power flow, voltage fluctuations and stress on distribution infrastructure.

6.7 That in contrast, under the gross metering mechanism applicable to capacities exceeding 500 kW, the entire electricity generated is injected into the grid and compensated at the rate determined by this Hon'ble Commission, while electricity drawn from the grid is billed separately at the applicable retail tariff without adjustment. The financial structure under gross metering is therefore materially different and may be less advantageous than net metering for a consumer. It is precisely for this reason that the Petitioner seeks to extend net metering to its entire capacity. However, such a claim is contrary to the scheme of the Regulations and is untenable in the eyes of law.

6.8 That this Hon'ble Commission has rejected similar relief in the past. Attention in this regard is brought towards the following order:

a. In Petition No. 72 of 2023 titled *Delhi Metro Rail Corporation Ltd. Vs. Dakshiin Haryana Bijli Vitran Nigam & Ors.* the Hon'ble Commission vide order dated 23.05.2024 held as under:

"1.2. That the Petitioner is filing this petition before the learned Commission seeking relaxation in Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive System Based on Net-Metering/Gross Metering), Regulation 2021 (hereinafter referred to as 'HERC Regulations, 2021'), to the extent of allowing the petitioner to export power to Discoms beyond the ceiling limit of 500 kW fixed in the above regulation to enable the petitioner to export surplus power on net metering basis.

… … …

17. The Commission considers that HERC (Net Metering) Regulations, 2021 were framed pursuant to the Electricity (Rights of Consumers) Rules, 2020, notified by the Ministry of Power, Govt of India (GoI) on 31.2.2020 along with its subsequent amendment on 28.06.2021. The Regulations of the Commission framed in exercise of the powers vested under Section 181 of the Electricity Act, 2003 has to be consistent with the Act and the rules framed thereunder.

18. In view of the above and considering the facts placed on record, the Commission observes that the scope of inherent power granted under the Regulations with respect to 'powers to remove difficulty' and 'power to relax' is confined to a narrow space and can be exercised only in case any difficulty arises in 'giving effect to the provisions of these regulations' and not in a routine manner owing to merely commercial hardships, as it has the effect of amending the Regulations itself more so when it contravenes the Rules framed by the Ministry of Power. Accordingly, the prayer of the petitioner to relax the regulations/remove the difficulty, is declined."

b. Further, Hon'ble Commission, vide Order dated 26.06.2019 in Petition No. 13 of 2018 *Haryana Chamber of Commerce and Industries, Panipat Vs. UHBVNL & DHBVNL*, has categorically held as under:

"The Petitioner has primarily raised a challenge to the ibid Regulations under the garb of seeking relaxation thereto. Any such exercise cannot be undertaken by the Commission in an adjudicatory framework. The same is more in the nature of exercising legislative function of the Commission as the Regulations framed by it are in the nature of subordinate (delegated) legislation. <u>Hence, ordinarily relaxation in the Regulations cannot be considered on a Petition filed by the Petitioner comprising particular category of consumers</u>. However, any person aggrieved by such sub-ordinate legislation has the remedy of challenging the same before Hon'ble High Court."

c. That this Hon'ble Commission has consistently held that relaxation of Regulations cannot be granted merely to accommodate the commercial interests of individual consumers. In *M/s NGK Spark Plugs (India) Pvt. Ltd. v. Managing Director, DHBVNL & Ors.* [HERC/ Petition No. 38 of 2022, decided on 09.02.2023], the Hon'ble Commission had refused to grant the relief being contrary to the Regulations while holding as under:

"Further, the Commission observes that under the existing Regulations of 2021, the consumer has liberty to choose among the facility of Net Metering or Gross Metering and as the consumer herein has exercised the option of net metering under the regulations, as per regulation (3.5) he cannot be allowed to exercise the facility of open access simultaneously.

6.7 Accordingly, request of the petitioner for allowing open access in addition of opting for net metering is being devoid of merit in view of regulations as explained above and is rejected."

d. Similarly, in *MM Education Trust v. Uttar Haryana Bijli Vitran Nigam Limited* [HERC/PRO-55 of 2018, decided on 28.03.2019], the Hon'ble Commission held as under:

"ii) The Petitioner has sought relaxation of the limit of 15% on the loading limit of distribution transformer/power transformer as per 2nd proviso of Regulation 6.1 of The Haryana Electricity Regulatory Commission (Rooftop Solar Interactive System based on Net Metering) Regulations, 2014 which has already been amended by the Commission vide its notification dtd. 9/06/2015 and accordingly, ceiling limit of 15% peak capacity of the Distribution Transformer/Power Transformer was increased to 30%

iii) The Petitioner primarily raises a challenge to Haryana Electricity Regulatory Commission (Rooftop Solar Interactive System based on Net Metering) Regulations, 2014 under the garb of seeking relaxation thereto. Any such exercise cannot be undertaken by the Commission in an adjudicatory framework. The same is more in the nature of exercising a power of judicial review that is not conferred on the Commission. Any such relaxation/interpretation as is not within the scope of the Regulatory framework, cannot be undertaken by the Commission. However, while deciding not to look further into the petition on account of lack of jurisdiction, the Commission being in the *process of undertaking amendment in the aforesaid Regulations in performance of its legislative functions, shall take the suggestions into consideration. ... ..."*

6.9 That grant of such relief would further open the floodgates of litigation, as similarly placed consumers would inevitably seek identical deviations from the statutory cap. Once such a precedent is set, there would remain no rational basis to deny similar relief to others, thereby rendering the statutory limit of 500 kW nugatory in practice and undermining the regulatory framework established after due deliberation. The Petitioner has failed to demonstrate any exceptional or compelling circumstance warranting invocation of any relaxation power. The grounds urged are based solely on considerations of commercial convenience and perceived financial advantage, which cannot constitute a valid legal basis for deviation from binding statutory provisions.

6.10 That the Petitioner seeks to justify the present Petition on the basis of alleged approvals, investments and expectations arising during the period 2018-19 under certain administrative circulars, namely DHBVN Circular No. D-18/2016 dated 01.08.2016. However, it is submitted that though as per the said Circular installation of rooftop upto maximum installed capacity of 1MWp was permitted, however, insofar as the net-metering arrangement was concerned it was stated therein- *"The net metering facility shall also be applicable to such consumers who have already installed rooftop solar system <u>subject to compliance of Regulation</u>."*. Similarly, the reliance placed by the Petitioners on Sales Circular No. D-41/2019 dated 27.12.2019 is wholly misconceived, as the Answering Respondent had merely brought to the notice of the concerned the Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering) Regulations, 2019, vide the said Sales Circulars. It is humbly submitted that the Answering Respondents are bound by the Regulations notified by the Hon'ble Commission.

6.11 That the contention of "stranded investment" is equally untenable, both in law and on facts. The Petitioner is neither precluded from operating its installed solar capacity nor from deriving benefit therefrom, as the Regulations expressly provide for gross metering for capacities exceeding 500 kW, enabling injection of generated energy into the grid and receipt of compensation at the applicable tariff. The installed capacity is thus fully utilizable, and the Petition is in substance driven by a desire to avail a more commercially advantageous mechanism rather than any regulatory impossibility.

6.12 That the reliance placed on the Petitioner's status as a Government institution or a "first-of-its-kind" university, as well as the invocation of public interest, is wholly misplaced and legally untenable. The Electricity Act, 2003 and the HERC Regulations, 2021 do not recognize any special category of consumers entitled to preferential treatment in the matter of net metering, and the regulatory framework operates uniformly across all consumers. Acceptance of such pleas would introduce subjective considerations into a rule-based regime, undermine the principle of non-discrimination, and open the floodgates for similarly placed entities to seek analogous exemptions. The claim of public interest must therefore be assessed in the context of the overall regulatory framework, which seeks equitable distribution of costs and benefits, and cannot be invoked to secure a disproportionate advantage for a single entity. In view of the foregoing, the Petitioner cannot claim any vested right or legitimate expectation, nor can considerations of investment, institutional status or public interest justify deviation from the binding provisions of the HERC Regulations, 2021.

6.13 That the Petitioner has further sought to rely upon the Haryana Solar Power Policy, 2016 and Government Direction dated 18.07.2017 issued under Section 108 of the Electricity Act, 2003 to contend that the State intended to promote solar generation without the present restrictions. The Haryana Solar Power Policy, 2016 itself expressly provides that- *“The amendments issued by HERC, in this context, from time to time shall be followed.”* As such, the reliance placed by the Petitioner on the Haryana Solar Power Policy, 2016 is also misplaced. Similarly, the Petitioner’s reliance on the Load Sanction Letter dated 21.05.2020 is wholly misplaced as it has been specifically stated therein that- *“4. This sanction of applied load shall be contingent upon the compliances of the statutory requirements from the applicant as per the instructions/ regulations of nigam stipulated above… …”* Even otherwise, the said letter merely pertains to grant of HT connection for the University campus and does not constitute a net metering approval or confer any right to avail net metering beyond the limits prescribed under the applicable regulatory framework.

6.14 That the Petitioner’s assertion of readiness to comply with all technical, interconnection, safety, transformer loading and grid interface requirements is wholly irrelevant to the determination of the present dispute. The issue at hand does not pertain to technical feasibility but to the enforceability of a binding statutory provision, namely the First Proviso to Regulation 5.3 of the HERC Regulations, 2021.

PARA-WISE REPLY:

1. That the contents of Para no. 1 of the Petition to the extent it pertains to the filing of the present petition, the same is a matter of record. However, rest of the contents of the para w.r.t. the Petitioner's institutional character or its objectives are denied for the want of knowledge. Even otherwise, the same are of no relevance cannot override the binding provisions of the HERC Regulations, 2021.
2. That the contents of Para no. 2 of the Petition, to the extent it relates to the filing of the present Petition the same is a matter of record. However, rest of the contents of the para are wrong and denied as a bare perusal of the purported Authorisation Letter (Annexure P-1) does not authorise IRCON Infrastructure & Services Ltd. to file the present petition on behalf of the Petitioner University.
3. That the contents of Para no. 3 insofar it relates to the filing of the present petition, the same is a matter of record. However, the present

petition is not maintainable under any of the Sections/ Regulations enumerated in the corresponding para. As have been detailed in the preliminary submissions/ objections, the present petition being non-maintainable and also devoid of merits is liable to be dismissed. It is further submitted that the relief sought by the Petitioner i.e., relaxation of the 500 kW net metering cap to 1412 kW, is contrary to binding Regulations notified by the Hon'ble Commission.

4. That the contents of Para no. 4 do not call for any reply.
5. That the contents of Para no. 5 of the Petition regarding the identity and background of the Petitioner as India's First Skill University established by the Govt. of Haryana are a matter of record. However, it is submitted that the status of the Petitioner as a Skill University or a Government institution does not confers any special right or exemption from the binding provisions of the HERC Regulations, 2021. The Electricity Act, 2003 and the HERC Regulations, 2021 do not create any preferential category of consumer entitled to net metering beyond the 500 kW threshold.
6. That the contents of Para no. 6 are denied for the want of knowledge.
7. That the contents of para no. 7 are a matter of record, however, it is humbly submitted that the sanctioning of HT connection does not in any manner confer any right to avail net metering beyond the regulatory limit of 500 kW prescribed under Regulation 5.3 of the HERC Regulations, 2021.
8. That the contents of para no. 8, insofar as it relates to the sanction letter dated 21.5.2020 and the contents thereof, the same is a matter of record, however, it is wrong and denied that the amended notifications/ amended circulars cannot be made applicable to the case of the Petitioner.
9. That the contents of para no. 9 are a matter of record. It is humbly submitted that the Petitioner is fully entitled to and is not prevented from operating the said solar systems under the gross metering framework.
10. That in reply to the contents of para no. 10, it is submitted that the said alert accurately reflects the binding provision of Regulation 5.3 of the HERC Regulations, 2021 and the Answering Respondent is duty-bound to enforce the same.
11. That the contents of Para no. 11 of the Petition regarding DHBVN Circular No. D-18/2016 dated 01.08.2016 and Sales Circular No. D-41/2019 dated 27.12.2019, are a matter of record. However, it is submitted that the said Circulars pertained to the maximum installed solar capacity permitted under the regime then applicable, and not to the entitlement of net metering. In any event, these Circulars stand superseded by the HERC Regulations, 2021 which are binding in nature.
12. That the contents of para no. 12 insofar as it relates to the issuance of Sale Circular no. D-33/2021, the same is a matter of record.
13. That the contents of para no. 13 are a matter of record.
14. That the contents of Para no. 14 of the Petition are wrong and denied. It is submitted that the Petitioner is not prevented from connecting the

full planned capacity of 1412 kW to the grid. The Regulations expressly provide for gross metering for capacities exceeding 500 kW. The Petitioner's grievance is not about grid connection but about the specific mechanism of metering and the financial benefits thereunder. The relief sought is driven by commercial preference, not regulatory impossibility.

15. That in reply to the contents of Para no. 15, it is submitted that the Answering Respondent has at all times acted in accordance with the binding Regulations. Any discussions held with the Petitioner were within the framework of the applicable Regulations.
16. That the contents of para no. 16 do not relate to the Answering Respondent and are denied for the want of knowledge.
17. That the contents of para no. 17 do not relate to the Answering Respondent and are denied for the want of knowledge.
18. That the contents of Para no. 18 of the Petition regarding the planned 1,412 kW rooftop solar grid interactive system and the history of the project under earlier regulatory regimes, as well as the communications addressed by the Petitioner to the Hon'ble Commission are denied for the want of knowledge. It is submitted that the Petitioner undertook investments at its own risk knowing that the regulatory framework is subject to revision by the Hon'ble Commission from time to time. The Regulations applicable being the HERC Regulations, 2021 which are consistent with the Electricity (Rights of Consumers) Rules, 2020 and are binding on all consumers and distribution licensees.
19. That the contents of Para no. 19 of the Petition regarding the Haryana Government Renewable Energy Department Notification dated 14th March 2016 for Haryana Solar Power Policy, 2016 are a matter of record. However, it is submitted that the said Policy itself provides that net metering shall be governed by the Regulations framed by the Hon'ble Commission.
20. That the contents of Para no. 20 of the Petition regarding Directions No. 1253 dated 18.07.2017 issued under Section 108 of the Electricity Act, 2003 are a matter of record.
21. That the contents of Para no. 21 w.r.t. the claim of legitimate expectation are wrong and denied. The doctrine of legitimate expectation does not apply to vest any right contrary to a subsequent statutory regulation. The Petitioner was at all times aware that the regulatory framework and no estoppel can be raised against a statutory provision. Even otherwise, the commercial expectations of the Petitioner cannot override binding law.
22. That in reply to the contents of Para no. 22 it is submitted that the status of Ircon Infrastructure & Services Limited as a Government of India undertaking or its commitment to Government initiatives does not alter the legal position or entitle the Petitioner to any exemption from the HERC Regulations, 2021. The Answering Respondent humbly submits that the HERC Regulations apply uniformly to all consumers.
23. That the contents of Para no. 23 of the Petition are wrong and denied. The Petitioner's claim of being a "first-of-its-kind initiative" of the

Government of Haryana does not create any exemption from the binding provisions of the HERC Regulations, 2021. National energy security objectives are advanced through the statutory framework as a whole, including the gross metering mechanism which is fully available to the Petitioner for its full 1412 kW capacity.

24. That in reply to the contents of Para no. 24 it is submitted that the Petitioner is eligible to install solar capacity of 1000kW at present as well. However, the same would be covered under the gross metering arrangement.

25. That the contents of Para no. 25 of the Petition are wrong and denied. It is submitted that bona fide conduct does not entitle a consumer to relief contrary to binding Regulations. Section 86(1)(e) of the Electricity Act, 2003 empowers the Hon'ble Commission to promote renewable energy and notify the terms and conditions for connectivity and metering and the said power has been duly exercised through the HERC Regulations, 2021. The said Regulations do not permit net metering beyond 500 kW.

26. That the contents of Para no. 26 of the Petition alleging that the Petitioner's substantial investment will suffer if relief is not granted, and that installed capacity will remain "stranded", are denied. As submitted, the gross metering mechanism is fully available to the Petitioner under the existing Regulations, and the entire 1412 kW capacity can be connected to the grid and operated thereunder. There is no stranding of capacity.

27. That the contents of Para no. 27 of the Petition regarding the Petitioner's readiness to comply with all technical/interconnection/safety/transformer-loading/grid-interface requirements do not call for any reply. However, as submitted, technical compliance is a necessary but not sufficient condition for entitlement. It does not and cannot override the regulatory restriction on net metering capacity under Regulation 5.3 of the HERC Regulations, 2021.

28. That the contents of Para no. 28 of the Petition are wrong and denied. It is submitted, as have been detailed in the preliminary submissions/ objections hereinabove, that the Hon'ble Commission has consistently declined to exercise its relaxation power to override binding statutory provisions, particularly where the relief amounts to an amendment of the Regulations themselves. The claim for case-specific relaxation is not supported by any exceptional or compelling circumstance to provide relaxation.

29. That in reply to the contents of Para no. 29 of the Petition it is humbly submitted that the present petition is not maintainable under any of the provisions cited by the Petitioner in the corresponding para. It is submitted that power to relax cannot be exercised to grant financial benefit to the Petitioner. It is submitted that the cap of 500 kW established in accordance with the Electricity (Rights of Consumers) Rules, 2020. Further, the reliance on an alleged June 2025 HERC order relating to fees/metering agreement for domestic solar consumers under the PM Surya Ghar scheme is misconceived and

distinguishable on facts and law, as detailed in the Preliminary Submissions above.

30. That the sub-para wise reply to the Grounds raised by the Petitioner is as under:

A. That the contents of para A are wrong and denied. It is humbly submitted that the gross metering mechanism fully enables renewable energy generation and grid injection for the Petitioner's full 1412 kW capacity. The objective of promoting renewable energy is not frustrated by the net metering cap; it is met through a balanced regulatory framework that accounts for grid stability and financial viability of the DISCOM.

B. That the contents of para B are wrong and denied. It is humbly submitted that Petitioner invested in the solar project knowing. The doctrine of legitimate expectation cannot be invoked to override a binding statutory Regulation. Commercial hardship alone is not an exceptional circumstance warranting relaxation.

C. That in reply to the contents of para C, it is submitted that the technical readiness of the Petitioner is irrelevant to the issue of net metering entitlement. Technical compliance is a prerequisite for connectivity but cannot be a ground for seeking relaxation/ amendment of the Regulations in vogue.

D. That the contents of para D are wrong and denied. It is humbly submitted that the Hon'ble Commission had consistently held, as cited above, that the power to relax is confined to cases of difficulty in implementing the Regulations and cannot be used to override binding statutory provisions or to accommodate commercial preferences of the consumer.

E. That the contents of para D are wrong and denied as the application of the 500 kW net metering limit is not arbitrary. The same is a binding provision enacted pursuant to the Electricity (Rights of Consumers) Rules, 2020. Even otherwise Gross metering remains fully available for the Petitioner's capacity beyond 500 kW. As such, it is wrong and vehemently denied that ceiling of 500kW would in any manner frustrate the purpose of promoting rooftop solar under the Act or the HERC Regulations.

F. That the contents of para F are wrong and denied. It is submitted that the reliance of the Petitioner on the decision of the Hon'ble APTEL in Patnagiri Gas and Power Pvt. Ltd. vs. CERC is misplaced. It is submitted that it has been well settled that no relaxation can be granted owing to the alleged financial of the Petitioner. It is further submitted that the Hon'ble Commission had consistently held that commercial hardship cannot justify regulatory relaxation.

G. That the contents of para G are misleading in nature, wrong and hence denied. It is reiterated that no relaxation can be granted in the favour of one single consumer solely on the basis of alleged commercial/ financial loss. Detailed reply has already been given in the preliminary submissions/ objections, the contents of which are not being repeated here for the sake of brevity.

H. That the contents of para H are wrong and denied. There is no prejudice to the Petitioner in operating the entire 1412 kW capacity under the gross metering framework. On the other hand, granting the relief sought would prejudice the DISCOM financially, create grid instability, and open the floodgates for similar claims from other large consumers.

31. That the contents of para no. 31 are wrong and denied.

32. That the contents of para no. 32 are denied for the want of knowledge.

33. That the contents of para no. 33 are denied for the want of knowledge.

PRAYER

In view of the foregoing submissions, it is most respectfully prayed that this Hon'ble Commission may be pleased to dismiss the present Petition as not maintainable and devoid of merit, being contrary to the HERC (Rooftop Solar Grid Interactive Systems based on Net Metering/Gross Metering) Regulations, 2021, in the interest of justice.

7. **Rejoinder to reply of DHBVN received on 22/07/2026:**

RESPECTFULLY SHOWETH

7.1 That the Petitioner files the present rejoinder to the reply filed by Respondent No. l. At the outset, the Petitioner reaffirms, reiterates and relies upon the contents of the Petition, the documents filed therewith, and the rejoinder already filed to the reply of Respondent No.2. The contents of the reply filed by Respondent No. l are wrong, misconceived, misleading and contrary to the record, except to the extent specifically admitted herein. No averment, allegation, submission or inference contained in the reply of Respondent No. l may be deemed to have been admitted merely because the same has not been specifically dealt with in the same words or at the same place.

7.2 That It is reiterated that the Petitioner has filed the present Petition under Section 86(1)(e) read with Section 86(1)(a) read with Section 94 of the Electricity Act, 2003 and under Regulations 16, 17, 18 and 19 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/ Gross Metering) Regulations, 2021 and Regulations 16, 18, 19, 22 of the Haryana Electricity Regulatory Commission (Conduct of Business) Regulations, 2019 for relaxation/ amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/ Gross Metering) Regulations, 2021 by grant of approval / relaxation/ amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto.

7.3 That as per the DHBVN Circular No. D-18/2016 dated 01.08.2016, eligible consumers were permitted to install a maximum solar capacity of 1000 kW, with a variation allowance of up to 1050 kW. This cap was revised by DHBVN through Sales Circular No. 1)41/2019 dated 27.12.2019, raising the maximum limit to 2000 kW.

7.4 That it is further reiterated that_the Project has been conceived in the year 2018-19 and based on load requirement of HVSU campus for Phase-I, 5000kW connection was already sanctioned from DHBVN at 11KV level vide DHBVN Memo No. Ch-26/SER-APDRP/OLNC-HT/PWL/SOL-786 dated 2105.2020. Further, the solar panels have started from 1.12.2020.

7.5 That Installation of 1227 KW has been completed on 1.2.2024. A formal No Objection Certificate (NOC) vide Memo No. 1572 dated 07.02.2024 has been duly obtained in this regard from the Executive Engineer, Electrical Inspectorate, Haryana, Gurugram, for the energization of solar power systems totaling 1222 kW (315 kW in Pkg-I, 629 kW in Pkg-2, and 278.12 kW in Pkg-3). The following installations have been already installed and completed detailed as under

315 kW in Package-1
629 kW in Pkg-2
278.12 kW in Pkg-3
90.24 kW in Pkg-6

Additionally, solar power of 35 kW in Pkg-5 and 60 kW in Pkg-6 has been catered but not yet executed by the agencies and are in the process of final execution. Out of the originally catered capacity of 1407.36 kW, a total of 1312.36 kW has been installed on-site.

7.6 That It is a matter of record that upon obtaining the above referred NOC dated 07.02,2024, from Executive Engineer, Electrical Inspectorate, Haryana, Gurugram, efforts were made to apply for Net metering connection at official website of DHBVN i.e esolarconn.dhbyn.orq.in. However, while applying on the website it was observed an alert is indicated i.e. "Net Metering Connection can be applied only up to 500 kW as per HERC Net Gross Metering Regulation". Hence, request for the planned capacity of Solar power Generation System 1412KW was not being accepted by this website.

7.7 That it is matter of record that pursuant to Regulations 2021 issued on 19.7.2021, Sales Circular Now D-33/2021 dated 25.08.2021, was issued and the permissible limit for net metering connections was resfricted to 500 kW for any consumer as per Clause 5.3 of the said circular dated 25.08.2021.

7.8 That thus, it is evident that at the time of conceiving the project in the year 2018-2019 and at the time of sanction of Load on 21.5.2020, and at the time of installation of Solar Panels on 1.12.2020, DHBVN Circular No. D-18/2016 dated 01.08.2016, permitting to install a maximum solar capacity of 1000 kW and DHBVN through Sales Circular No. D-41/2019 dated 27.12.2019 raising the maximum limit to 2000 kW were in Operation and applicable to the Petitioner. which existed at the time of sanction of the Load and hence subsequent amended Notifications/ amended Circulars are not to be made applicable.

7.9 That any subsequent change in the Regulations reducing the Net Metering to 500 KW, thus can not be made applicable to the petitioner retrospectively. The Petitioner seeks the liberty to rely upon various precedents/judgments of the Hon'ble Supreme Court of India/ Hon'ble High Courts on this issue at the time of making its oral/ written submissions,

7.10 That Respondent Noel has sought to reduce the controversy to a mechanical plea that Regulation 5.3 imposes a 500 kW cap and, therefore, the Petition must be dismissed. The said approach is equally and factually unsustainable. The Petitioner has not approached this Hon'ble Commission for a routine commercial preference, nor has the Petitioner challenged the validity of the Regulations. The present Petition is founded upon an exceptional factual matrix where the project was conceived in 2018-19, power load of 5000 kW was sanctioned on 21.05.2020, solar panels started being installed from 01.12.2020, substantial investment of public funds was made, a major portion of the project was installed, and NOC for energization of 1222 kW was issued by the Electrical Inspectorate on 07.02.2024. Therefore, the Petition seeks case-specific relaxation/ direction so that an already conceived, sanctioned, invested and substantially completed public institutional rooftop solar project is not rendered stranded.

7.11 That Respondent No.l has repeatedly suggested that the Petitioner is merely seeking a financially more beneficial mechanism. The said allegation is denied. The Petitioner is a Government University, established for public educational and skill development purposes, and the project forms part of a larger public infrastructure project. The relief sought is not based on commercial speculation, but on public interest, renewable energy promotion, legitimate expectation, prior policy reliance, and the statutory mandate contained in Section 86(1)(e) of the Electricity Act, 2003.

7.12 That the reply of Respondent No. l proceeds on the erroneous assumption that the only relevant date is the date of commissioning or the date of online application in 2024. This is incorrect. In the present case, the relevant dates are the conception of the project in 2018-19, the agreement and DPR for establishment of the campus, the sanction of 5000 kW load on 21.05.2020, the commencement of installation of solar panels from 01012.2020, and the fact that the earlier regime permitted higher capacity. The subsequent 2021 restriction cannot be applied so mechanically as to defeat the rights, investments and legitimate expectations already crystallized under the earlier policy framework.

7.13 That the contents of the reply are also inconsistent with the stand of Respondent No.2/HAREDA, which itself has acknowledged the objective of the Haryana Solar Power Policy, 2016 to promote green and clean power, the success of grid connected rooftop solar plants with net metering, and the potential of such projects to add installed capacity within Haryana. Respondent No.l, instead of facilitating the same objective, has adopted a rigid technical objection which frustrates the very object of the Solar Policy and Section 86(I)(e) of the Electricity Act, 2003.

7.14 That as a matter of fact, the Respondent No. 2 in its reply has made the following admissions:-

Para 2 - The Grid Comected Roof Top (GCRT) Solar Power Plants with Net Metering arrangement has proved to be very successful technology and has attracted interest of Industrial, Commercial and residential units for getting affordable electricity.

Para 3 & 4 - In this Paras, the Respondent No. 2 has categorically admitted that promoting GCRT Solar Power Projects with Net metering arrangement has potential to add substantial installed capacity within Haryana.

However, the Respondent No. 2 has expressed its inability to grant permission to the Petitioner in view of the capping fixed by this Hon'ble Commission vide 2021 Regulations dated 19.07.2021 but has itself categorically prayed before this Hon'ble Commission to review and decide to revise/increase the cumulative capacity of roof top solar systems and capping of limit of net metering in the state and that this shall increase the installed capacity of renewal energy within the State.

7.15 That the petitioner has acted upon on the legitimate expectation and therefore any subsequent capping on the Net Metering to 500 KW can not be made applicable to the project of the petitioner.

7.16 That the factual position regarding the Notification of Haryana Solar Energy Policy, 2016 dated 14.03.2016 and the Haryana Electricity Regulatory Commission (rooftop Solar Grid Interactive System based on Net Metering/ Gross Metering) Regulations, 2021 notified by this Hon'ble Commission on 19.072021 and its clauses 4.4. and Clause 5.3 are a matter of record. However, it has been wrongly submitted that in the light of Clause 5.3 of_Haryana Electricity Regulatory Commission (rooftop Solar Grid Interactive System based on Net Metering/Gross Metering) Regulations, 2021, notified on 19.7.2021, the petitioner is not entitled for Net Metering because at the time of commissioning and filing of application in the year 2024, the Regulations dated 19.07.2021 was operational. Such a contention is not only incorrect but is also not legally unsustainable.

7.17 That the Petitioner reiterates that if the relief is not granted, the Petitioner's, which is an instrumentality of State of Haryana, substantial investment in rooftop solar will suffe installed capacity will remain "sfranded" without gridinterconnection or proper metering and the objective of promoting renewable energy, institutional rooftop generation, and surplus injection into grid will be frustrated and the Petitioner will suffer undue hardship, and the environment / renewable energy targets will also be adversely affected.

REJOINDER TO PRELIMINARY SUBMISSIONS / OBJECTIONS

1. That in reply to para 1 of the preliminary submissions, it is submitted that the fact that the reply has been filed through an officer of Respondent No.l is a matter of record. However, the Petitioner does not admit the correctness of the contents of the reply merely because the same has been filed through an officer of Respondent Non. The

reply contains legal submissions and conclusions which are wrong, misconceived and contrary to the record.

2. That in reply to para 2, the contents to the extent they refer to the nature of the Petition are a matter of record. However, it is wrong and denied that the Petition is not maintainable or that the Petitioner is not entitled to relaxation/ amendment/ approval as prayed. The Petition has been filed under the statutory and regulatory provisions specifically empowering this Hon'ble Commission to consider such matters, including Sections 86(1)(a), 86(1)(e), 94 of the Electricity Act, 2003 and Regulations 16, 17, 18, 19 and 22 of the Conduct of Business Regulations, 2019.
3. That in reply to para 3, it is denied that the Petition deserves dismissal merely because Respondent No.l relies upon the 2021 Regulations. The Petitioner is not disputing the existence of the 2021 Regulations. The Petitioner's case is that the peculiar facts of the present case warrant case-specific relaxation, appropriate directions and/or transitional protection, because the project was conceived, sanctioned and substantially acted upon prior to the 2021 restriction of 500 kW.
4. That in reply to para 4, the reproduction of Regulation 5.3 is a matter of record. However, Respondent No.l has selectively relied upon the said Regulation while ignoring the object of the Regulations, the statutory duty of this Hon'ble Commission to promote renewable energy, the power to relax, and the peculiar facts of the present case. It is specifically denied that Regulation 5.3 bars this Hon'ble Commission from granting appropriate relief in an exceptional and pre-existing public institutional project.
5. That in reply to para 5, the reference to Rule 11(4) of the Electricity (Rights of Consumers) Rules, 2020 as amended in 2021 is a matter of record. However, Respondent No.l has misconstrued the said provision. The said Rules do not prohibit this Hon'ble Commission from considering exceptional cases. Rather, the framework itself recognizes that arrangements for net-metering, gross-metering and allied mechanisms are to be in accordance with regulations made by the State Commission.

   The Petitioner is before the Hon'ble Commission precisely for such regulatory consideration.
6. That in reply to para 6, it is denied that the 500 kW cap, in the facts of the present case, must be applied mechanically to defeat the Petitioner's project. The generalized plea of balancing consumer interest with DISCOM viability cannot override the peculiar facts of this case where the campus has sanctioned load of 5000 kW, the solar capacity is well within the sanctioned load, NOC for 1222 kW has already been issued, and the project is a Government University project. The allegations regarding reverse power flow, voltage fluctuation and grid instability are vague and unsupported by any project-specific technical study. Respondent Noel has not placed on record any feasibility report, inspection report or technical objection showing that the Petitioner's 1412 kW system is unsafe or technically impossible.

7. That in reply to para 7, it is denied that availability of gross metering is a complete answer to the grievance of the Petitioner. The project was conceived, designed and implemented under a framework where net-metering for higher capacity was permissible. Gross metering materially alters the economics and utility of the project and cannot be forced upon the Petitioner after substantial public investment has already been made on a different regulatory premise. In any case, without prejudice, the Petitioner has already prayed for appropriate interim/ adinterim or alternative arrangements as this Hon'ble Commission may consider just and equitable.
8. That in reply to para 8, the reliance placed by Respondent No.l on previous orders of this Hon'ble Commission is misplaced. The Petitioner submits that each case has to be examined on its own facts. The present case is not a routine case of a consumer seeking relaxation for future commercial benefit. It is an exceptional case involving a Government University, pre-2021 conception, pre-2021 sanction of 5000 kW load, substantial public investment, installation of more than 1300 kW, and NOC for 1222 kW. The previous orders relied upon by Respondent No,l are distinguishable on facts and do not bar this Hon'ble Commission from granting case-specific relief.
9. That in reply to para 8(a), it is submitted that if Respondent No.l has relied upon an order where relaxation was refused because it would have amended the Regulations, the same does not apply to the present case. The Petitioner is not seeking removal of difficulty for all consumers, nor a general amendment to Regulation 5.3. The Petiåoner seeks a limited project-specific dispensation/ fransitional protection on account of facts already crystallized before the 2021 restriction.
10. That in reply to para 8(b), it is denied that the prayer of the Petitioner would have the effect of amending the Regulations. A case-specific relaxation for a pre-existing public institutional project, with reasons recorded by this Hon'ble Commission, would not amount to amendment of the Regulations. It would be an exercise of regulatory discretion to prevent manifest hardship, wastage of public funds and frustration of renewable energy objectives.
11. That in reply to para 8(c), the reliance upon M/S NGK Spark Plugs (India) Pvt. Ltd. v. Managing Director, DHBVN & Ors. is misconceived. That case, as cited by Respondent No.l, related to a request for open access in addition to net metering. The present Petition does not involve simultaneous open access and net metering. It concerns a public university rooftop solar project conceived and sanctioned prior to the 2021 cap. Hence, the said case is factually and legally distinguishable.
12. That in reply to para 8(d), the reliance upon MM Education Trust v. Uttar Haryana Bijli Vitran Nigam Limited is also misplaced. That case concerned relaxation of loading limit of distribution transformer/ power transformer. The present case concerns a rooftop solar project installed within the sanctioned load of 5000 kW and supported by Electrical Inspectorate NOC.

    Therefore, the said order does not decide the present issue.

13. That in reply to para 8(e), if Respondent No.l has relied upon any further order to contend that relaxation cannot be granted, the same is denied as being inapplicable. The Petitioner reiterates that relaxation is not sought as a matter of routine, but to protect a project which was conceived, sanctioned and substantially implemented under the earlier regime.

14. That in reply to para 9, it is denied that grant of relief to the Petitioner would open floodgates. The present case is unique and distinguishable. The Petitioner is a Government University; the project was conceived in 2018-19; load of 5000 kW was sanctioned on 21.05.2020; installation commenced from 01.122020; substantial capacity has already been installed; NOC for 1222 kW has been obtained; and the relief is sought for an institutional public project. This Hon'ble Commission can always confine the relief to the peculiar facts of the case.

    Therefore, the apprehension of floodgates is imaginary.

15. That in reply to para 10, it is admitted only to the extent that DHBVN Circular No. D-18/2016 dated 01.08.2016 permitted installation up to 1 MWp and further that the subsequent circular dated 27.12.2019 increased the limit to 2 MW. However, the remaining submissions are denied. The said circulars and the sanction letter dated 21.05.2020 created a legitimate regulatory foundation on which the Petitioner acted. The Petitioner's project was not conceived after the 2021 cap but much prior thereto. Therefore, the subsequent restriction cannot be applied to defeat an already conceived and acted upon project.

16. That in reply to para 11, it is denied that the Petitioner is merely seeking a commercially advantageous mechanism. The Petitioner is seeking protection of a public institutional project and public investment. The fact that gross metering may technically allow injection into the grid does not answer the Petitioner's grievance. Gross metering is a different commercial and regulatory mechanism and cannot be imposed retrospectively upon a project conceived and implemented under a different framework. In any event, Respondent No. 1 has not shovyn that permitting net-metering in this case would cause any actual loss, instability or technical prejudice.

17. That in reply to para 12, it is denied that the Petitioner's status as a Government University is legally irrelevant. The Petitioner does not seek arbitrary preferential treatment. It seeks consideration of relevant facts, namely public character, public investment, renewable energy objective, prior policy reliance, and absence of technical prejudice. Uniform application of Regulations does not mean mechanical and blind application in disregard of exceptional facts. Equality permits reasonable classification and case-specific relief where factual circumstances justify the same.

18. That in reply to para 13, it is denied that the load sanction letter dated 21.052020 merely granted HT connection and did not create any right. The Petitioner specifically relies upon Clause IX of the sanction letter, which referred to the then applicable renewable energy policy circulars. The said sanction letter, read with the then existing circulars

permitting higher rooftop solar capacity, forms an important part of the factual and legal foundation of the Petitioner's legitimate expectation. The Petitioner does not say that the sanction letter alone grants net metering approval; rather, the Petitioner submits that it is one of the crucial acts under the earlier regime on which the Petitioner acted.

19. That in reply to para 14, it is denied that technical readiness is irrelevant. On the contrary, technical readiness is highly relevant because Respondent No.1 has attempted to justify the cap on the ground of grid stability, reverse power flow and voltage fluctuation. Once the Petitioner has sanctioned load of 5000 kW and NOC for 1222 kW, Respondent Noel cannot rely on generalized technical apprehensions without producing any project-specific study. The Petitioner is ready and willing to comply with all safety, interconnection, transformer loading, metering and grid-interface requirements.

ADDITIONAL SUBMISSIONS

i. That it is a settled principle of law that where a party has acted upon an existing policy framework and altered its position, subsequent change in policy cannot be mechanically applied to defeat accrued rights, legitimate expectation and public investment. The Petitioner relies upon the principles laid down in Motilal Padampat Sugar Mills Co. Ltd. v. State of Uttar Pradesh, (1979) 2 SCC 409; Pawan Alloys & Casting Pvt. Ltd. v. U.P. State Electricity Board, (1997) 7 SCC 251; State of Punjab v. Nestle India Ltd., (2004) 6 SCC 465; Bannari Amman Sugars Ltd. v. Commercial Tax Officer, (2005) 1 SCC 625; and Manuelsons Hotels Pvt. Ltd. v. State of Kerala, (2016) 6 SCC 766.

ii. That the Petitioner submits that the 2021 Regulations may operate prospectively for projects conceived thereafter. However, in the facts of the present case, where the project was conceived and substantially acted upon prior to the 2021 restriction, the Petitioner deserves transitional/ project-specific protection.

iii. That Respondent No.1 has not denied the most material facts: sanctioned load of 5000 kW; earlier circulars permitting higher capacity; NOC dated 07.022024 for 1222 kW; substantial installation on site; and the public institutional nature of the project. These admitted/ undisputed facts are sufficient to grant appropriate relief.

iv. That the reply of Respondent No.1 is also contrary to the broader renewable energy policy of the State. Respondent No.2/HAREDA has itself acknowledged that rooftop solar power plants with net metering have been successful and have potential to add substantial installed capacity within Haryana.

Therefore, denial of relief would frustrate State policy.

v. That the Petitioner is ready and willing to comply with any condition imposed by this Hon'ble Commission, including technical feasibility certification, transformer loading assessment, interconnection conditions, metering arrangement, accounting mechanism, injection limits, banking terms, or any other regulatory safeguard.

vi. That without prejudice to the main prayer for net-metering up to 1412 kW, the Petitioner submits that this Hon'ble Commission may, in the alternative, direct Respondent No.l to process the application manually, permit provisional interconnection/ synchronization, allow 500 kW under netmetering and balance under such appropriate mechanism as this Hon'ble Commission may determine, or pass any other equitable arrangement to prevent wastage of public investment and renewable energy generation.

PARA-WISE REJOINDER TO REPLY ON MERITS

1. That in reply to para 1 on merits, the contents to the extent they refer to filing of the Petition are a matter of record. It is denied that the institutional character and objectives of the Petitioner are irrelevant. The Petitioner's public character, educational purpose, and renewable energy project are relevant considerations for the exercise of regulatory discretion by this Hon'ble Commission.
2. That in reply to para 2, it is denied that the authorization is defective or that the Petition is not maintainable. The Petitioner has filed the Petition through its duly authorized Project Management Consultant, Ircon Infrasfructure & Services Limited, and the authority letter has been placed on record. The Respondent has not shown any legal defect which affects maintainability.
3. That in reply to para 3, the contents of the Petition are reiterated. The Petition is maintainable under Sections 86(1) (a), 86(1)(e) and 94 of the Electricity Act, 2003 and the relevant HERC Regulations. The Petitioner is not seeking an impermissible amendment by way of adjudication, but case-specific regulatory relief.
4. That in reply to para 4, the contents of the Petition are reiterated. The factual position pleaded by the Petitioner is necessary for fair adjudication of the present case and cannot be brushed aside as irrelevant.
5. That in reply to para 5, it is denied that the status of the Petitioner as a Skill University or Government institution confers no relevant consideration. While the Petitioner does not claim exemption merely because it is a Government institution, its public character, the nature of the project, and the public investment involved are relevant for equity, public interest and regulatory discretion.
6. That in reply to para 6, the denial for want of knowledge is evasive. The facts regarding conception of the project, DPR, installation and project cost are borne out from the record and documents already filed by the Petitioner.
7. That in reply to para 7, it is admitted that the sanction of HT connection is a matter of record. However, it is denied that the sancåon has no relevance to the present controversy. The 5000 kW sanctioned load demonstrates that the proposed 1412 kW solar capacity is well within the sanctioned load of the campus. It also shows that the project is not technically disproportionate or excessive.
8. That in reply to para 8, it is denied that the subsequent amended notifications/circulars must necessarily apply to the Petitioner. The Petitioner reiterates that Clause IX of the sanction letter dated

21.05.2020 referred to the then applicable renewable energy policy/circulars. The project having been conceived and acted upon under the earlier regime, the subsequent reduction to 500 kW cannot be applied mechanically to defeat the project.

9. That in reply to para 9, it is denied that the Petitioner is fully entitled to and should therefore be confined to gross metering. The Petitioner's grievance is not merely about grid connection but about the metering mechanism applicable to a project conceived under the earlier net-metering regime. Gross metering is not an equivalent substitute for the Petitioner's project.
10. That in reply to para 10, the contents of the Petition are reiterated. The portal rejection itself shows that the Petitioner's application is being blocked mechanically and not on the basis of any reasoned decision or project-specific assessment.
11. That in reply to para 11, it is submitted that the earlier circulars dated 01.08.2016 and 27.122019 are matters of record. These circulars are material because they were in force when the project was conceived, load was sanctioned and installation commenced.
12. That in reply to para 12, the contents are a matter of record to the extent that the 2021 circular/ regulations introduced the 500 kW cap. However, the Petitioner disputes the Respondent's attempt to apply the same retrospectively or mechanically to a pre-existing project.
13. That in reply to para 13, the reproduction of Regulation 5.3 is a matter of record. The legal effect sought to be drawn by Respondent No.l is denied.
14. That in reply to para 14, it is denied that the Petitioner is not prevented from connecting full capacity. The Petitioner is practically prevented from availing the regulatory mechanism under which the project was conceived and implemented. The assertion that the grievance is only about financial benefits is wrong. The project would become commercially and funcåonally distorted if forced into gross metering after bstantial implementation.
15. That in reply to para 15, it is denied that Respondent No.l has at all times acted fairly or in accordance with the larger regulatory object. Meetings and discussions did not resolve the issue, and the Petitioner was compelled to approach this Hon'ble Commission. Respondent No.l cannot hide behind the portal and the 500 kW cap without placing a project-specific technical or legal assessment.
16. That in reply to para 16, the denial for want of knowledge is evasive. The communication dated 12.09.2024 addressed to HERC is on record and forms part of the Petition.
17. That in reply to para 17, the contents are denied to the extent Respondent No.l disclaims knowledge. The Petitioner has placed on record the communication from this Hon'ble Commission dated 11.04.2025 advising filing of a proper petition. This supports maintainability of the present Petition.
18. That in reply to para 18, the contents of the Petition are reiterated. The planned 1412 kW system, history of the project, earlier regulatory

regime, and communications addressed by the Petitioner are matters of record. It is denied that the Petitioner is not entitled to relief.

19. That in reply to para 19, the Haryana Solar Power Policy, 2016 is a matter of record. The said Policy supports the Petitioner's case and demonstrates the State's clear objective to promote rooftop solar generation.

20. That in reply to para 20, the directions dated 18.072017 under Section 108 of the Electricity Act, 2003 are a matter of record. The same reinforce the renewable energy policy objective and support a purposive interpretation in favour of the Petitioner.

21. That in reply to para 21, it is denied that legitimate expectation cannot apply in the present case. The Petitioner's case is not based on vague commercial expectation but on concrete acts under the earlier regime: project conception, DPR, sanction of 5000 kW load, commencement of installation from 01.12.2020, investment of public funds and substantial completion. Therefore, the plea of legitimate expectation, promissory estoppel and fairness is fully available.

22. That in reply to para 22, it is denied that the public sector character of Ircon or the public nature of the Petitioner is irrelevant. The Petitioner does not seek exemption merely on status; the said facts are relevant when seen with prior policy reliance, renewable energy objective and absence of technical prejudice.

23. That in reply to para 23, it is denied that national energy security and renewable energy objectives are irrelevant. The Petitioner's project directly advances rooftop solar capacity within Haryana. Respondent No.2/HAREDA has itself acknowledged that grid connected rooftop solar projects with net metering have potential to add substantial installed capacity within Haryana.

24. That in reply to para 24, the contents of the Petition are reiterated. The project was conceived and acted upon under the earlier regime. The subsequent regulatory change cannot be applied so as to render the project unviable or sfranded.

25. That in reply to para 25, it is denied that the Petitioner is seeking preferential treatment or regulatory impossibility. The Petitioner seeks a case-specific, reasoned dispensation in an exceptional factual situation. The Commission has jurisdiction to consider such prayer.

26. That in reply to para 26, it is denied that there is no stranding of capacity. The installed capacity is rendered stranded in practical terms if the Petitioner is denied the metering arrangement under which the project was conceived and implemented. Gross metering is not an equivalent substitute and cannot be treated as a complete answer.

27. That in reply to para 27, it is denied that technical compliance is irrelevant. The Petitioner's readiness to comply with all technical requirements, coupled with Electrical Inspectorate NOC and sanctioned load of 5000 kW, shows that there is no technical impediment. If Respondent No.l still alleges technical issues, it must produce a specific technical report.

28. That in reply to para 28, it is denied that the Commission lacks power to grant case-specific relief. The Petitioner is not seeking to override

the Regulations for all consumers. The relief can be confined to the peculiar facts of the present case, with appropriate conditions.

29. That in reply to para 29, the statutory provisions relied upon by the Petitioner are reiterated. Section 86(1)(e) is central to the present case and must be given meaningful effect. The Regulations cannot be applied in a manner that frustrates the statutory object of promoting renewable energy.

30. That in reply to para 30 and sub-paras A to H, the Petitioner replies as under:

A. The contents of para A of the Petition are correct and are reiterated. Respondent No.l wrongly suggests that renewable energy promotion is fully achieved by gross metering alone. The Petitioner's case concerns a project conceived under the earlier net-metering framework and already substantially implemented. The object of renewable energy promotion is defeated if public rooftop solar capacity is rendered economically and functionally unviable.

B. The contents of para B are correct. It is denied that legitimate expectation cannot apply against a binding regulation. The Petitioner is not seeking to strike down the regulation but seeking case-specific protection because the project had already been conceived, sanctioned and acted upon prior to the subsequent cap.

C. The contents of para C are correct, Technical readiness is not irrelevant. It is directly relevant because Respondent No.l has itself raised generalized apprehensions of grid stability. The Petitioner's sanctioned load and NOC rebut such apprehensions.

D. The contents of para D are correct. It is denied that the power to relax is unavailable. The power to relax is meant for exceptional cases. The present case is exceptional because of prior policy reliance, public institutional character, substantial investment and absence of prejudice.

E. The contents of para E are correct. Regulatory gaps and regulatory hardship must be addressed by this Hon'ble Commission in a purposive manner. A rigid application of the 500 kW cap to a pre-existing project would produce arbitrary consequences.

F. The contents of para F are correct. The Petitioner reiterates that judicial and regulatory precedents recognize that power to relax may be exercised where non-exercise causes hardship or injustice. The cases relied upon by Respondent No.l are distinguishable.

G. The contents of para G are correct. The Petitioner has not relied on commercial loss alone. The issue is public investment, renewable energy promotion, legitimate expectation and avoidance of stranded infrastructure.

H. The contents of para H are correct. It is denied that grant of relief would prejudice DISCOM financially, create instability or open floodgates. No project specific data has been filed by Respondent No.l. The Commission may impose any technical, metering, safety or accounting conditions it considers appropriate.

31. That in reply to para 31, the contents of the Petition are reiterated. It is denied that the Petition is barred by limitation. The Petition has been

filed after efforts before the concerned authorities and after communication dated 11.04.2025 from this Hon'ble Commission.

32. That in reply to para 32, it is denied that the Petitioner has concealed any proceeding. The facts regarding earlier representation and communication from HERC have been fairly disclosed.

33. That in reply to para 33, the contents regarding court fee/ payment are a matter of record. The Petition is properly filed.

The Petitioner reiterates and again prays to accept the petition filed by the Petitioner for relaxation/ amendment in application of First Proviso to Regulation 5.3 of Haryana Electricity Regulatory Commission (Rooftop Solar Grid Interactive Systems Based on Net Metering/ Gross Metering) Regulations, 2021 by grant of approval / relaxation/amendment of Net-metering capacity limit from 500 KW to 1412 KW for Rooftop Solar System (1,412 kW) installed / proposed at Shri Vishwakarma Skill University, Palwal (SVSU) and for issuance of requisite directions related thereto and to also grant and allow the other prayers made in the petition, in the interest of justice.

Commission's Order:

1. The case was heard on 13/08/2026, as per schedule, in Court Room of the Commission. Sh. Sh. V.K. Sachdeva Counsel for The Petitioner advanced his arguments in the case and submitted that the petition has been filed for removal of the difficulty arisen due to amendment in the online application portal wherein the petitioner is not able to submit its application due to capping of solar installation upto 500 kVA.
2. Ms. Aerika Singh, Counsel for the Respondents also argued the case and submitted that the petitioner has not included this contention in its prayer clause of the petition.
3. The Commission examined the petition in detail along with the replies and rejoinders on record and heard the arguments of the Petitioner and Respondents in the above matter. The primary dispute pivots on whether the petition seeking relaxation of the net-metering cap is maintainable in an adjudicatory framework before this Commission under the Electricity Act, 2003, and the HERC (Conduct of Business) Regulations, 2019. The respondent distribution licensee, DHBVN, contends that the 500 kW net-metering cap was enacted under Regulation 5.3 of the 2021 Regulations pursuant to the legislative mandate of Rule 11(4) of the central Electricity (Rights of Consumers) Rules, 2020, as amended on 28.06.2021.
4. The respondent argued that the Commission cannot exercise its adjudicatory jurisdiction to grant case-specific exemptions that effectively amend regulations. In support of its objection, DHBVN relies on several precedents of this Commission, including the order dated 23/05/2024 in

Petition No. 72 of 2023 (Delhi Metro Rail Corporation Ltd. Vs. Dakshin Haryana Bijli Vitran Nigam & Ors.), where the Commission declined to relax the 500 kW cap, holding that the "power to relax" is confined to narrow spaces to remove operational difficulties and cannot be exercised to bypass statutory rules or accommodate commercial hardships. DHBVN also cited the order dated 26/06/2019 in Petition No. 13 of 2018 (Haryana Chamber of Commerce and Industries v. UHBVNL & DHBVNL), and the decision in MM Education Trust v. Uttar Haryana Bijli Vitran Nigam Limited (PRO-55 of 2018, decided on 28/03/2019), which held that challenges to regulations under the garb of seeking relaxation cannot be undertaken in an adjudicatory framework.

5. The Petitioner contended that the present petition does not challenge the validity of the 2021 Regulations but invokes the specific discretionary and equitable powers vested in the Commission under Regulation 18 of the HERC (Conduct of Business) Regulations, 2019, and the "power to relax" under Regulation 18 of the Net-Metering Regulations. The regulatory caps are meant to manage grid loads and transformer constraints, but a rigid, mechanical application to a large public institutional campus would frustrate the statutory mandate of Section 86(1)(e) of the Electricity Act, 2003, which obligates the Commission to promote renewable energy generation. The petitioner supported its plea by citing the decision of the Appellate Tribunal for Electricity (APTEL) in Ratnagiri Gas and Power Pvt. Ltd. v. Central Electricity Regulatory Commission (CERC), which held that regulatory commissions possess judicial discretion to relax regulations in exceptional cases where a literal application would result in grave hardship or injustice.
6. The Commission observes that while the "power to relax" must be exercised with extreme caution and cannot be used to routinely bypass subordinate legislation, it is a necessary safety valve designed precisely to address exceptional cases of manifest hardship or public interest. SVSU is a public skill university established by a legislative Act of the State of Haryana, and the solar project represents a substantial investment of public funds. Therefore, the petition is maintainable, and the Commission has the requisite jurisdiction to examine whether the specific facts of this case warrant the exercise of its discretionary powers.
7. The petitioner argued that it conceived the solar project in 2018-19 and commenced the physical installation of panels on 01/12/2020. At that time, DHBVN Sales Circular No. D-18/2016 dated 01/08/2016 permitted

consumers to install rooftop solar systems up to a capacity of 1000 kW, which was subsequently enhanced to 2000 kW by Sales Circular No. D-41/2019 dated 27.12.2019. the petitioner relied on Clause IX of its Load Sanction Letter dated 21/05/2020, which referenced the then-applicable renewable energy notifications. The subsequent notification of the 2021 Regulations on 19/07/2021 and the issuance of Sales Circular No. D-33/2021 on 25/08/2021, which reduced the net-metering limit to 500 kW, cannot be applied retrospectively to alter SVSU's vested rights.

8. The Commission observes that Load Sanction Letter dated 21/05/2020 was issued solely to grant high-tension power supply of 5000 kW to the university campus and does not contain any direction, approval, commitment, or arrangement regarding net metering or gross metering. A load sanction for drawing power from the grid is legally distinct from a grid-interface and metering agreement for injecting solar power into the grid, and thus, SVSU cannot claim that the load sanction letter created any regulatory promise or vested right for net-metering.
9. Under Chapter VI of the Net-Metering Regulations, 2019, which were in force at the time petitioner conceived the project, any consumer intending to install a rooftop solar system was strictly required to apply to the distribution licensee and pay the prescribed processing fee. The 2019 Regulations mandated that installation could only proceed after a technical feasibility check was conducted and a formal Letter of Approval (LoA) was issued by the DISCOM, with the consumer required to complete installation within 180 days of the LoA. By its own admission, petitioner never filed any such application, never paid the processing fee, never underwent a technical feasibility check, and never received an LoA from DHBVN under the 2019 Regulations during the entire period preceding the notification of the 2021 Regulations. Instead, petitioner proceeded to physically install the solar panels commencing 01/12/2020 and has failed to follow the mandatory statutory application process and never obtained any official sanction for net-metering prior to its capital expenditure.
10. The other issue to be addressed is whether the refusal to grant the net-metering facility results in "stranded investment" of public funds, and whether the alternative of gross-metering suggested by DHBVN is an adequate and viable substitute. DHBVN and HAREDA submitted that petitioner is not precluded from operating its installed solar capacity or deriving benefit therefrom, because the HERC Regulations, 2021 and Rule 11(4) of the central Rules expressly permit and facilitate gross-metering

for capacities exceeding 500 kW up to the consumer's contract demand or sanctioned load. Under the gross-metering mechanism, petitoner's entire solar generation of up to 1412 kW can be safely injected into the grid and compensated at the generic tariff determined.

11. Respondent-DHBVN argued that the physical assets are fully utilizable and there is no actual "stranding" of the Rs. 9.88 Crores investment, and petition is driven in substance by commercial preference for a more lucrative billing arrangement rather than any regulatory impossibility.
12. The Commission notes that while gross-metering represents a different commercial structure, it is a legally sound, technically feasible, and regulatorily sanctioned pathway that fully prevents the physical assets from remaining idle or wasted. The sanctioned contract demand of 5000 kW, fully permits to connect its entire installed and proposed capacity of up to 1412 kW under the gross-metering framework ensuring the full utilization of its public solar infrastructure.
13. DHBVN argued that the statutory cap of 500 kW is critical to maintaining grid stability, preventing reverse power flow, voltage fluctuations, and stress on the distribution infrastructure. The petitioner submitted that these concerns are generalized and speculative, as contracted demand of 5000 kW at the 11 kV HT level is more than three times the proposed solar capacity of 1412 kW, meaning that the solar generation is well within the load capability of the university's internal system. Furthermore, petitioner has already obtained a formal safety certificate and NOC vide Memo No. 1572 dated 07/02/2024 from the Executive Engineer of the Electrical Inspectorate, Haryana, for the energization of 1222 kW.
14. The Commission, having considered the petition, written statements, replies, rejoinders, and oral submissions, and having balanced the statutory mandate of Section 86(1)(e) of the Electricity Act, 2003 finds that SVSU is a premier public skill university established by the state. However, the Commission cannot disregard the fact that SVSU failed to comply with the mandatory application and approval process under the 2019 Regulations and has no vested right or direction for net-metering in its load sanction letter. The HERC Net-Metering Regulations, 2021, and its 500 kW cap are binding subordinate legislation consistent with central rules, and case-specific relaxation of net-metering caps for individual commercial interest cannot be granted. At the same time, the Commission is duty-bound to prevent the absolute waste of public infrastructure and to facilitate renewable energy generation. Since the regulations expressly allow and provide for gross-metering up to the consumer's sanctioned

load/contract demand, the appropriate remedy is to permit SVSU to connect its solar capacity under a gross-metering arrangement with following directions to the parties:

14.1 The prayer for the relaxation of the net-metering limit up to 1412 kW is hereby declined in wake of net-metering capped at the statutory limit of 500 kW in accordance with Regulation 5.3 of the HERC Rooftop Solar Regulations, 2021.

14.2 The Petitioner is at liberty to apply under the gross-metering framework as provided under the second proviso to Regulation 5.3 of the 2021 Regulations.

14.3 Respondent-DHBVN, is directed to execute the appropriate gross-metering inter-connection agreements as per regulations and to complete the installation of solar gross meters, and automated meter reading (AMR) and data telemetry equipment at petitioner's premises and successfully synchronize the system with the distribution grid within forty-five days from the date of application to avoid any "stranded investment" of public funds in line with admissions by DHBVN and HAREDA.

15. The petition stands disposed of in above terms.

	Sd/-	Sd/-
Date: 21/09/2026	**(Shiv Kumar)**	**(Mukesh Garg)**
Place: Panchkula	**Member**	**Chairman**