

PETITION FOR SEEKING REVIEW OF TARIFF ORDER DATED 28thMARCH 2025 PASSED BY THE HON'BLE COMMISSION REGARDING BUSINESS PLAN OF NORTH BIHAR POWER DISTRIBUTION CO. LTD. FOR CONTROL PERIOD FY 2025-26 TO FY 2027-28 IN CASE NO. 33/2024 UNDER SECTION 94 (1) (f) AND 94 (2) OF THE ELECTRICITY ACT, 2003, READ WITH REGULATIONS 6(3), 12, 31, 36, 37, 38 AND 39 OF THE BIHAR ELECTRICITY REGULATORY COMMISSION (CONDUCT OF BUSINESS) REGULATIONS, 2005 AND AMENDMENTS ISSUED THEREIN

June 2025

Submitted by:

NORTH BIHAR POWER DISTRIBUTION COMPANY LIMITED

Vidyut Bhawan-I, 3rd Floor, J.L.N. Marg, Patna-800 001, Bihar



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**BEFORE THE BIHAR ELECTRICITY REGULATORY COMMISSION,
PATNA**

Petition No: _____ in Case No. 33/2024

IN THE MATTER OF:

Petition for seeking review of the Tariff Order dated 28th March 2025 passed by the Hon'ble Commission regarding Business Plan of North Bihar Power Distribution Company Limited for the control period for the FY 2025-26 to FY 2027-28 in Case No. 33/2024 under Section 94 (1) (f) and 94 (2) of the Electricity Act, 2003, read with Regulations 6(3), 12, 31, 36, 37, 38 and 39 of the Bihar Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 and amendments issued therein.

NORTH BIHAR POWER DISTRIBUTION COMPANY LIMITED

(Hereinafter referred to as "NBPDC" or 'the Petitioner' which shall mean for the purpose of this Petition), having its registered office at Vidyut Bhawan-I, 3rd Floor, J.L.N. Marg, Patna-800001, Bihar.

.....PETITIONER

The Petitioner hereby submits as under:

1. North Bihar Power Distribution Company Ltd.(NBPDC) is a Company incorporated under the Companies Act, 1956 (now Companies Act 2013) and having its registered office at Vidyut Bhawan III, 4th Floor, J.L.N. Marg, Patna-800001, Bihar. The Petitioner is a distribution licensee under the Fifth Proviso to Section 14 of the Electricity Act, 2003.
2. The Hon'ble Commission under sections 62 and 64 of the Electricity Act, 2003 read with BERC (Multi Year Distribution Tariff) Regulations, 2024 had

approved the ARR including Business Plan of NBPDCCL for the control period for the FY 2025-26 to FY 2027-28 under Case No. 33/2024 on 28th March 2025.

3. Section 94 (1) (f) of the Electricity Act, 2003 stipulates that the appropriate Commission shall review its decisions, directions and orders for the purpose of any inquiry or proceedings under the Act.
4. Section 94 (2) of the Electricity Act, 2003 stipulates that the appropriate Commission shall have powers to pass such interim order in any proceeding, hearing or matter before the Appropriate Commission, as that Commission may consider appropriate.
5. Regulation 6 (3) of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulates that the Hon'ble Commission shall review, revoke, revise, modify, amend, alter, or otherwise change any order issued or action taken by the Secretary or any Officer of the Commission, if considered appropriate.
6. Regulation (12) (1, 2 & 3) of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulates that the Petitioner shall file the Petitions before the Hon'ble Commission in appropriate formats and in accordance with the relevant provisions of the Act.
7. Regulation 31 of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulate that the Hon'ble Commission may within 60 days of the making of any decision, direction, or order, review such decision, directions or orders and pass such appropriate orders as the Commission thinks fit.
8. Section 36 of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulates that subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and directions regarding the implementation of the Regulations and procedure to be followed and various matters which the Commission has been empowered by these Regulations to specify or direct.
9. Regulation 37 of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulates the Hon'ble Commission to limit or otherwise affect the inherent power of the Commission to make such orders.

10. Regulation 38 of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulate that the Hon'ble Commission has power to rectify any defect or error in any proceeding before it, and all acts shall be done for the purpose of determining the real question or issue arising in the Proceedings.
11. Section 39 of the BERC (Conduct of Business Regulation, 2005) and its amendments issued therein stipulates that if any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.
12. In view of the above, the Petitioner hereby submits that the Tariff Order on 28th March 2025 passed by the Hon'ble Commission in Case No. 33/2024 suffers from a few unreasonable disallowances, errors apparent and typo errors and requires modification of the said order on certain specific aspects as detailed herein.
13. The Petitioner states that the present review petition is being filed on the following points:

A. Error in arriving the Capex and Capitalization for the FY 2025-26 to FY 2027-28

14. Accordingly, the Petitioner requests and prays to the Hon'ble Commission to:

- A. Admit this Petition on record and treat it as complete.
- B. Review and modify the Order dated 28th March 2025 passed in Case No. 33/2024 on the aforesaid points.
- C. Examine the proposal submitted in the enclosed Review Petition for a favorable dispensation.
- D. Condone for the delay of 06 day in filing this petition
- E. Condone any inadvertent omissions/errors/shortcomings and permit the Petitioner to add/change/modify/alter this filing and make further submissions as may be required at a future date. The Petitioner's believes that such an approach would go a long way towards providing a fair treatment to all the stakeholders and may eliminate the need for a review

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or clarification.

F. Pass such further Order, as the Hon'ble Commission may deem fit and appropriate keeping in view the facts and circumstances of the case.

North Bihar Power Distribution Company Limited


Petitioner

Location: Patna

Date: ___/06/2025

1. Introduction

1. The present review petition is being filed by the Petitioner, North Bihar Power Distribution Company Limited (NBPDCCL or the Petitioner) against the Tariff Order dated 28thMarch 2025 passed by the Bihar Electricity Regulatory Commission (BERC or the Hon'ble Commission) regarding the ARR including Business Plan for the FY 2025-26 to FY 2027-28. The Hon'ble Commission under sections 62 and 64 of the Electricity Act, 2003 read with BERC (Multi Year Distribution Tariff) Regulations, 2024 respectively has passed on the Tariff Order on 28thMarch 2025.
2. The Petitioner hereby submits that the Tariff Order on 28thMarch 2025 passed by the Hon'ble Commission in Case No.33/2024 suffers from a few unreasonable disallowances, errors apparent and typo errors and requires modification of the said order on certain specific aspects as detailed herein.

Maintainability of Review Petition

3. The present Review Petition has been filed within 60 days from the date of the Tariff order dated 28thMarch 2025 granting liberty to the Petitioner to approach this Commission and is within limitation.
4. The Hon'ble Commission can exercise the power of review under Section 94 of the Electricity Act on the principles contained in Order 47 Rule I of the CPC, 1908. The Petitioner has demonstrated in this Review Petition sufficient cause for the Hon'ble Commission to review and rectify the errors mentioned in the impugned order dated 28thMarch 2025.
5. Under Order 47 Rule 1 of CPC, a person aggrieved by the order of a Court can file a review on the following grounds:

"1. Application for review of judgment. (1) Any person considering himself aggrieved—

- a. by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,*
- b. by a decree or order from which no appeal is allowed, or*

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c.by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment to the Court which passed the decree or made the order.”

6. The judgments of the Hon'ble Supreme Court unequivocally establish that a Review Petition is not only maintainable for error apparent on the face of the record but would also be maintainable on grounds that the impugned order would not have been passed but for erroneous assumption, which in fact did not exist, some mistake or for any other sufficient reason. The word 'sufficient reason' is wide enough to include a misconception of fact or law by a court. The power to exercise the review jurisdiction has been specifically vested with the Commission under Section 94(1)(f) of the Electricity Act 2003.
7. It is a settled principle of law that an application for review would be maintainable not only upon discovery of a new and important piece of evidence or when there exists an error apparent on the face of record but also if the same is necessitated on account of some mistake or for any other sufficient reason.
8. Section 94 of the Electricity Act 2003 provides that the Appropriate Commission shall, for the purposes of any inquiry or proceedings under the Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, in respect of the matters specified in that Section. Sub-section 1(f) of Section 94 deals with the review of decisions, directions, and orders.
9. Further, while addressing the issues raised by Patna Metro Rail Corporation Limited in the tariff order dated 28th March 2025, the Hon'ble Commission

has specified that those issues shall be addressed afterwards separately. This entails that the said order dated 28.03.2025 is already under review by the Hon'ble Commission.

Request to condone the delay in filing Review Petition:

10. The present petition has been filed for seeking review of Tariff Order dated 28th March 2025 passed by the Hon'ble Commission for Truing up of FY 2023-24, Annual Performance Review (APR) for FY 2024-25, Business Plan and Annual Revenue Requirement for the MYT Control Period of FY 2025-26 to FY 2027-28 and determination of tariff for the FY 2025-26 under section 94 (1) (f) and 94 (2) of the Electricity Act, 2003, read with Regulations 6(3), 12, 31, 36, 37, 38 and 39 of the Bihar Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 and amendments issued therein which stipulates that the Hon'ble Commission may within 60 days of the making of any decision, direction, or order, review such decision, directions or orders and pass such appropriate orders as the Commission thinks fit. The Petitioner hereby request seeking condonation of delay of **6 days** in filing the petition.
11. It is pertinent to mention that the Hon'ble Commission has issued the tariff order on 28th March 2025. Subsequently, the Petitioner analysed the said tariff order in accordance with the relevant rules and Regulations along with vetting and verification of data by various departments which consumed substantial time.
12. In view of the above, it is submitted that the aforesaid exercise and discussions with several departments and external stakeholders, took substantial time for the Petitioner. Further, it is pertinent to mention that Regulation 31 of BERC (Conduct of Business Regulation, 2005) and its amendments issued therein specifies that the Review petition may be filed within 30 days beyond the period of 60 days after the order of the Commission in some circumstances.

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13. It is pertinent to mention that aforesaid delay is neither willful nor intentional and is caused solely due to undertaking such exercise on account of issue faced by the petitioner. Thus, the petitioner by way of the present petition and in the interest of justice, equity and good conscience prays to condone the delay of **6 days** and allow the Hon'ble Commission to admit the captioned petition.

The Petitioner states that the present review petition is being filed on the following points:

A. Error in arriving the Capex and Capitalization for FY 2025-26 to FY 2027-28

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2. Detailed description

The reasons and grounds for review of the Tariff Order dated 28th March 2025 regarding Business Plan of NBPDCCL for FY 2025-26 to FY 2027-28 are detailed hereunder:

A. Error in arriving the Capex and Capitalisation for the FY 2025-26 to FY 2027-28

- i. The Petitioner has projected the Capitalization for FY 2025-26 to FY 2027-28 as given hereunder:

Table: 2.1: Capitalisation Claimed by NBPDCCL Vs Approved by BEREC for FY 2025-26 to FY 2027-28

Year	NBPDCCL (Rs Cr)		
	Claimed	Approved	Disallowance
2025-26	3,836.90	2,165.98	1,670.92
2026-27	2,298.13	1,319.66	978.47
2027-28	593.45	344.96	248.49

The Commission in the tariff order dated 28th March 2025 has cited the following reason for disallowing the capitalization in FY 2025-26 to FY 2027-28, however, the Hon'ble Commission has not provided detailed scheme wise & year wise break-up of approved capex and capitalization:

".....It has been observed that, in true-up of FY 2023-24, NBPDCCL and SBPDCL has achieved capitalization of only 55% and 71% in comparison to the capitalization proposed in its Petition of ARR for FY 2023-24. The Commission notes that Allowing un-realistic capex and capitalization results in corresponding increase in retail supply tariff of consumers. Hence, considering the past trend of capitalization and observation of the Stakeholders, the Commission considers it appropriate to approve the capitalization to the tune of only 55% and 71% of the projected capitalization of NBPDCCL and SBPDCL respectively during the control period. The

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Commission will review the actual capitalization of both DISCOMs for the truing up of FY 2025-26 when the audited account will be available.”

- ii. It is pertinent to mention that the Petitioner has provided the detailed scheme wise and year wise capex and capitalization for FY 2025-26 to FY 2027-28 in the tariff Petition dated 15th November 2024. The detail of a few of the schemes along with its benefits is reproduced hereunder:

1.1. Other Projects under State Plan

- 1.1.1. Projects related to the construction of the new 33 KV line, 33 kV reconductoring from Dog to wolf, 33 kV bay extension with conventional/RMU, Augmentation and additional Transformer for system strengthening etc. are proposed in new scheme which under sanction form Govt of Bihar Energy Department. List of new proposed scheme under State Plan along with proposed CAPEX and Capitalization is as follows:

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Table 1 Projected CAPEX and Capitalization new Scheme for FY 2025-26 to FY 2027-28

Particulars	Quantity	FY 2025-26		FY 2026-27		FY 2027-28	
		CAPEX	Capitalization	CAPEX	Capitalization	CAPEX	Capitalization
New Scheme							
Project Sanctioned							
Mukhya Mantri Vidyut Sambandh Nishchay Yojna (MKVSY)- Phase II	2.90 Lakhs	800.00	600.00	234.29	460.57	-	93.72
New 33 kV Lines	30 Nos. + 12 Nos. WIP)	82.86	87.22	-	-	-	-
Construction of 15 Nos. of New 33 kV lines at different locations of NBPDC	15 Nos.						
Construction of Two no. 33 kV Line	2 Nos.	17.67	19.63	-	-	-	-
Construction of 3 Nos. New 33 kV Line in Chapra Circle	3 Nos.	7.23	9.04	-	-	-	-
New 33/11 KV PSS (2x10 MVA) with associated lines	6 Nos.	71.94	79.93	-	-	-	-
New PSS Under State Plan (Construction of 2X10 MVA PSS at different Location)	16 Nos. +7 PSS to be inaugurated	193.01	214.46	-	-	-	-
Capacity enhancement of existing Power Sub Stations							
Augmentation of 3.15 MVA Power Transformers with 10 MVA Power Transformers	2 Nos.	-	-	-	-	-	-
Augmentation of 5 MVA Power Transformers with 10 MVA Power Transformers	115 Nos.	-	58.55	-	-	-	-
Additional 10 MVA Power Transformers in existing PSS	6 Nos.	-	3.73	-	-	-	-
Re-conductoring of 33 KV Lines from ACSR Dog to Wolf Conductors	74 Nos.	-	54.27	-	-	-	-
Project under sanction Process							
New 33/11 KV 2X10 MVA PSS	40 Nos.	115.96	34.79	115.96	115.96	-	81.17
33/11 kV PSS-GIS	2 Nos.	8.00	2.40	8.00	8.00	-	5.60
33 KV New Line (Wolf Conductor on Rail Pole)	2530.55 CKM	306.20	91.86	306.20	306.20	-	214.34
33 kV Reconductoring from Dog to Wolf	1143 CKM	67.84	20.35	67.84	67.84	-	47.48

33 KV XLPE 400 Sqmm UG Cable for replacement of Existing Defective Railway Crossing	8.37 CKM	2.10	0.63	2.10	2.10	-	1.47
33 KV New Railway Crossing	10 Nos.	0.97	0.29	0.97	0.97	-	0.68
33 KV Bay extension with conventional/RMU	207 Nos	34.98	10.49	34.98	34.98	-	24.48
11 KV Line (Rabbit Conductor on PSC 9 Mtr Pole)	900 CKm	26.78	8.03	26.78	26.78	-	18.74
11 KV XLPE 300 sqm UG cable	5 Nos	0.86	0.26	0.86	0.86	-	0.60
11 KV Bay extension with conventional/RMU	100 Nos	6.40	1.92	6.40	6.40	-	4.48
		-	-	-	-	-	-
Augmentation & Additional Distribution Transformers		200.00	160.00		80.00	-	-
Protective Equipment i.e. VCBs, CTs & PTs, Lightning Arrestors etc.		40.00	48.00		16.00	-	-
Construction of 12 Nos Divisional and 51 Nos Sub-divisional Control room building cum Customer facilitation center at different locations under NBPDCCL		60.00	56.00		24.00	-	-
Construction of New Control Room, PCC & Gravel filling for old PSS, Boundary wall of different PSS, Offices, Colony and Open lands under five Civil Circles of NBPDCCL.		35.00	33.00		14.00	-	-
Construction of Sheds, Platforms, Approach Road and allied components at TRWs under NBPDCCL		45.00	33.00		18.00	-	-
Total		2,122.77	1,637.21	804.35	1,182.63	-	492.76

- iii. Further, it is pertinent to mention that the aforesaid scheme, such as, creation of new lines, system augmentation etc. is of larger significance for the state and central government as successful implementation of such scheme would enhance the socio-economic condition of the inhabitants of the region. Therefore, deduction of capex and capitalization for such a scheme is detrimental for the development of those regions. Further, consideration of the Hon'ble Commission for allowing 71% of the projected capitalization for FY 2025-26 to FY 2027-28 relying on the past year trend and assumption is not appropriate.
- iv. Further, it is humbly submitted that the petitioner undertakes several technological interventions for reduction of distribution loss, system strengthening and operational improvements, such as smart metering, energy accounting, reconductoring etc. Moreover, the Hon'ble Commission directs the petitioner for loss reduction and improvement in operational parameters. It may be noted that system improvement and to achieve reduction in losses requires adequate capex and capitalization.
- v. Furthermore, Regulation 6.2 (c) of Bihar Electricity Regulatory Commission (Procedure for filing Capital investment and Capitalization plan) Regulations, 2018 stipulates that petitioner needs to submit capital investment plan for the subsequent years which may be revised afterwards based on the actual figure. The relevant extract of the same is provided hereunder:

“6.2 The Licensee(s) shall submit the Capital investment Plan every year with the ARR/Multiyear ARR petition and it should inter-alia contain:—

.....

(c) Scheme wise Source wise capital investment plan containing year wise schedule of capital expenditure and capitalization for next ten years starting from ensuing years. Based on actual expenditure and capitalization the rolling plan may get revised in subsequent filings.”

- vi. Moreover, it is important to mention the case of Madhya Pradesh DISCOMs wherein Madhya Pradesh Electricity Regulatory Commission has accorded in-principal approval to the proposed Capex plan for all three DISCOMs for the period from FY 2022-23 to FY 2025-26 with the remark that it will carry out prudence check of actual

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capitalization at the time of true up. The relevant extract of the MP DISCOMs tariff order for FY 2025-26 is provided hereunder:

*“2.140 The Commission vide order dated 30thDecember 2022 read with Order dated 04th September 2024 has accorded in-principal approval to the proposed Capex plan for all three DISCOMs for the period from FY 2022-23 to FY 2025-26, which includes RDSS scheme. Therefore, the **Commission finds it appropriate to consider the capitalization plan as submitted by the Petitioners on a provisional basis. The Commission will carry out prudence check of actual capitalization at the time of true subject to achievement of physical and financial of targets approved by the Commission in respective schemes based on the outcome of the final approved capex Order for FY 2025-26. Accordingly, the capitalization plan provisionally considered by the Commission for FY 2025-26 is shown in the table below:**”*

(Emphasis added)

- vii. Accordingly, the Petitioner requests the Hon'ble Commission to kindly reconsider the aforesaid disallowance made for FY 2025-26 to FY 2027-28 in the case of NBPDCCL.
- viii. Further, it is requested that Hon'ble Commission may also specify the detailed scheme wise break-up of approval of capex and capitalization for FY 2025-26 to FY 2027-28.
1. In the facts and circumstances mentioned herein above, the Petitioner submits that the Hon'ble Commission may examine the claim of the Petitioner under such heads afresh without being influenced by the decision taken in the earlier orders. In this regard it is well settled that there is no res judicata applicable in tariff matters and each tariff period need to be independently assessed and decided.
 2. In view of the above, the Petitioner submits that there are errors apparent on the face of the record in the Order dated 28th March 2025. There is otherwise sufficient cause

for review and reconsideration of the Order dated 28th March 2025 passed in Case no. 33/2024.

3. The Petitioner has not filed any appeal against the Order dated 28th March 2025 passed in Case no. 33/2024. The Petitioner has also not availed any other remedy or proceedings other than the present review petition as on date.
4. For the reasons mentioned herein above, the Hon'ble Commission may be pleased to review the order dated 28th March 2025.
5. Accordingly, the Petitioner requests and prays the Hon'ble Commission to:
 - a) Admit this Petition on record and treat it as complete.
 - b) Review and modify the Order dated 28th March 2025 passed in Case No.33/2024 on the below mentioned points:
 - Error in arriving Capex and Capitalization for FY 2025-26 to FY 2027-28
 - c) Examine the proposals submitted in the enclosed Review
Petition for a favorable dispensation.
 - d) Condone for the delay of 06 days in filing this petition.
 - e) Condone any inadvertent omissions/errors/shortcomings and permit the Petitioner to add/change/modify/alter this filing and make further submissions as may be required at a future date. The Petitioner's believes that such an approach would go a long way towards providing a fair treatment to all the stakeholders and may eliminate the need for a review or clarification.
 - f) Pass such further Order, as the Hon'ble Commission may deem fit and appropriate keeping in view of the facts and circumstances of the case.

3. Regulatory Provisions

I. The Electricity Act 2003

Section 94. (Powers of Appropriate Commission): ---

(1) The Appropriate Commission shall, for the purposes of any inquiry or proceedings under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely: -

- a) summoning and enforcing the attendance of any person and examining him on oath.*
- b) discovery and production of any document or other material object producible as evidence.*
- c) receiving evidence on affidavits.*
- d) requisitioning of any public record.*
- e) issuing commission for the examination of witnesses.*
- f) reviewing its decisions, directions, and orders.**
- g) any other matter which may be prescribed.*

(2) The Appropriate Commission shall have the powers to pass such interim order in any proceeding, hearing or matter before the Appropriate Commission, as that Commission may consider appropriate.

II. BERC (Conduct of Business Regulation, 2005) and its amendments issued therein.

Regulation 6. Officers of the Commission

(3) The Commission shall, always, have the authority, either on an application made by any interested or affected party or suo motu, to review, revoke, revise, modify, amend, alter or otherwise change any order issued or action taken by the Secretary or any Officer of the Commission, if considered appropriate.

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Regulation 12. (Petitions and Pleadings before the Commission)

(1) All Petitions to be filed before the Commission shall be typewritten, cyclostyled, or printed neatly and legibly on one side of white paper and every page shall be consecutively numbered and signed. The Commission may in addition, seek copies of



Petitions in electronic form on such terms and conditions, as the Commission direct. The contents of the Petition should be divided appropriately into separate paragraphs, which shall be numbered serially. The Petition shall be accompanied by such documents, supporting data and statements as the Commission may specify.

(2) The Petition as far as possible, shall refer to the relevant provisions of the Act.

(3) On receiving any application or complaint other than the Petition, the Commission shall have a right either to change such application or complaint into a Petition and initiate its proceedings or send such application or complaint to the concerned licensee/utility for appropriate action.

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Regulation 31. Review of the decisions, directions, and orders

(1) The Commission may on its own motion, or on the application of any of the person or parties concerned, within 60 days of the making of any decision, direction, or order, review such decision, directions or orders and pass such appropriate orders as the Commission thinks fit.

Provided that the Commission may, if it is satisfied, that the petitioner was prevented by sufficient cause from filing the review petition within the said period, allow it to be filed within a further period not exceeding 30 days, subject to such terms and conditions which commission may consider appropriate.

(2) An application for such review shall be filed in the same manner as a petition under Chapter II of these Regulations.

(3) The application shall be accompanied by such fee, if any, as may be laid down by the Commission.

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Regulation 36. (Issue of orders and directions)

Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and directions in regard to the implementation of the Regulations and procedure to be followed and various matters which the Commission has been empowered by these Regulations to specify or direct.

Regulation 37. (Saving of inherent power of the Commission)

(1) Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may

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be necessary for ends of justice or to prevent the abuse of the process of the Commission.

(2) Nothing in these Regulations shall bar the Commission from adopting in conformity with the provisions of the Act, a procedure, which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for dealing with such a matter or class of matters.

(3) Nothing in these Regulations shall, expressly or impliedly, bar the Commission to deal with any matter or exercise any power under the Act for which no Regulations have been framed, and the Commission may deal with such matters, powers, and functions in a manner it thinks fit.

Regulation 38. (General Power to Amend)


The Commission may, at any time and on such terms as to costs or otherwise, as it may think fit, rectify any defect or error in any proceeding before it, and all acts shall be done for the purpose of determining the real question or issue arising in the Proceedings.

Regulation 39. (Power to Remove Difficulties)

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order, do anything not being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient for the purpose of removing the difficulties.

Place:

Dated: __ June 2025


PETITIONER
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