



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2140 of 2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 86(1)(f) of the Electricity Act, 2003 read with Regulation 20 of the UPERC (Terms and Conditions of Generation Tariff) Regulations 2019, on behalf of UPRVUNL for in principal approval of using the third raised Ash Dyke being constructed for Obra-B Thermal Power Project to dump ash generated from Obra-C Thermal Power Project against Capital Cost of 2x660 MW Obra-C TPS.

AND

IN THE MATTER OF

U.P. Rajya Vidyut Utpadan Nigam Ltd.,

Shakti Bhawan, 14-Ashok Marg, Lucknow, U.P.- 226001

..... Petitioner

VERSUS

U.P. Power Corporation Ltd. (UPPCL),

Shakti Bhawan, 14-Ashok Marg, Lucknow - 226001

..... Respondent

THE FOLLOWING WERE PRESENT

1. Shri D.K. Sharma, CE (Commercial), UPRVUNL
2. Shri Hari Shyam, SE (Commercial), UPRVUNL
3. Shri Raj Kumar Verma, AE (Commercial), UPRVUNL
4. Shri Divyanshu Bhatt, Advocate, UPRVUNL
5. Shri Sanjay Chaurasia, SE(PPA), UPPCL
6. Shri Gajendra Singh, EE-PPA, UPPCL
7. Shri Shubham Srivastava, AE(PPA), UPPCL
8. Shri Nitish Gupta, Advocate, UPPCL

by





ORDER

(DATE OF HEARING: 11.02.2025)

1. The Petitioner, Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited, has filed the instant Petition for in principal approval of using the third raised Ash Dyke being constructed for Obra-B Thermal Power Project to dump ash generated from Obra-C Thermal Power Project against Capital Cost of 2x660 MW Obra-C TPS).
2. The Petitioner has made following prayers:
 - (a) Allow the instant petition;
 - (b) Grant liberty to the Petitioner to claim the cost of Third Raising of Ash Dyke to be used for dumping ash generated from combustion of coal in the Unit No.1 & 2 of the Obra-C TPP from the capital expenditure of Obra-C TPP at the appropriate stage; and
 - (c) Pass such orders that this Hon'ble may deem fit in the present facts and circumstances of the present case;
3. During the hearing, Shri Divyanshu Bhatt, Counsel for the Petitioner (UPRVUNL), submitted that Unit No. 1 of Obra-C project has been commissioned on 09.02.2024. However, land required for the construction of the dedicated Ash Dyke for Obra - C project was identified but not yet acquired. The total required land was 112.919 hectares, and 40 hectares of land was under forest department. Therefore, Petitioner has proposed to raise the Obra-B Ash Dyke for dumping ash generated from the Unit No.1 of Obra-C TPP.
4. The Commission observed that UPRVUNL commissioned the project without acquiring the land required for construction of ash dyke, which is a planning failure on part of the UPRVUNL. The Commission further enquired about the implication of raising of Ash Dyke at Obra B on the cost of Obra C, utilization of the same by Obra B and environment clearance for dumping the ash of Obra C in in ash dyke of Obra B. The representative of UPRVUNL submitted that UPRVUNL would not claim the duplication of cost due to such expenditure and would justify each and every cost component during approval of capital cost of Obra C project.
5. The Counsel of the UPPCL submitted that there was no provision for in-principal approval UPERC Generation Tariff Regulations, 2019 and requested to submit its comprehensive reply both on law and facts.



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6. The Commission admitted the petition and allowed UPPCL to file its reply within four weeks' time and thereafter four weeks for UPRVUNL to file its rejoinder.

The matter is listed for next hearing on 22.04.2025.


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 20.02.2025



