



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 1830 of 2022 along with IA/2024

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition for seeking an approval of the estimated additional Capital Expenditure to be incurred on account of installation of De-NOx System for Unit 2 necessitated by a 'Change in Law' event i.e. Environment (Protection) Amendment Rules, 2015 dated 07.12.2015, Environment (Protection) Amendment Rules, 2018 dated 28.06.2018, Environment (Protection) Amendment Rules, 2020 and Environment (Protection) Amendment Rules, 2021 issued by the Ministry of Environment, Forest and Climate Change read with the letter dated 01.10.2021 issued by Maharashtra Pollution Control Board.

AND

IN THE MATTER OF

Dhariwal Infrastructure Ltd. (DIL)

CESC House, Chowringhee Square, Kolkata – 700001, West Bengal

..... **Petitioner**

VERSUS

Noida Power Company Ltd. (NPCL)

Electric Sub-station, Knowledge Park-IV, Gr. Noida, Gautam Buddha Nagar, Uttar Pradesh,
Pin- 201301

..... **Respondent**

THE FOLLOWING WERE PRESENT

1. Ms. Shikha Ohri, Advocate, DIL
2. Shri Shubhayu Sanyan, Officer, DIL

by



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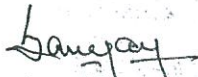
3. Ms. Srishti Rai, Advocate, NPCL

ORDER

(DATE OF HEARING: 12.11.2024)

1. The Petitioner, Dhariwai Infrastructure Limited, has filled the instant Petition for approval of the estimated additional Capital Expenditure to be incurred on account of the installation of NOx Abatement (De-NOx) system for Unit 2 of the Petitioner's 2 x 300 MW Coal-based generating station necessitated by Change-in-Law event, i.e. Environment (Protection) Amendment Rules, 2015 dated 07.12.2015, Environment (Protection) Amendment Rules, 2018 dated 28.06.2018, Environment (Protection) Amendment Rules, 2020 dated 19.10.2020 and Environment (Protection) Amendment Rules, 2021 dated 31.03.2021 issued by the Ministry of Environment, Forest and Climate Change (MoEF) read with the letter dated 01.10.2021 issued by the Maharashtra Pollution Control Board (MPCB).
2. During the admission hearing on 25.08.2022, the Commission, upon the request of the Petitioner, decided to keep the matter in abeyance since the judgement in the related matter was pending before the Hon'ble Supreme Court. The Commission granted liberty to the parties to approach the Commission after Judgement in the related matter.
3. Subsequently, the Petitioner filed an IA in the matter which came up for hearing today along with the Petition filed by the Petitioner for capex recovery towards the installation of De-NOx system. Ms. Shikha Ohri, counsel for the Petitioner, sought to withdraw the present Petition pending before the Commission in view of the fact that it has already incurred the capital expenditure towards the installation of De-NOx system and has filed a separate Petition before the Commission for approval of the same.

Accordingly, the Commission disposes off the Petition No. 1830 of 2022 along with IA/2024 as withdrawn.


(Sanjay Kumar Singh)
Member




(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 18.11.2024