



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2116 of 2024**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

Petition for truing-up in compliance of the directive of this Hon'ble Commission vide the Order dated 29.05.2020 in Petition No. 1440 of 2019 for claiming additional recurring/non-recurring expenditure incurred by Dhariwal Infrastructure Limited on account of occurrence of various 'Change in Law' events during the period FY 2023-24.

**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

..... Respondents

**THE FOLLOWING WERE PRESENT**

1. Ms. Shikha Ohri, Advocate, DIL
2. Shri Rahul Mukherjee, Deputy Manager, DIL
3. Ms. Srishti Rai, Advocate, NPCL

54



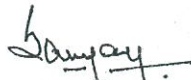
23



**ORDER**

**(DATE OF HEARING: 10.12.2024)**

1. During the last hearing, Ms. Shikha Ohri, counsel for Petitioner (DIL), submitted that present petition was filed for truing up the expenses corresponding to the 'Change in Law' events for FY 2023-24. Ms. Srishti Rai, Counsel for Respondent (NPCL) sought three weeks' time to file their reply. The Commission allowed three weeks' time for Respondent to file its reply and two weeks' time thereafter to the petitioner for filing rejoinder. Subsequently, Respondent filed its reply on 21.11.2024 and Petitioner filed its rejoinder on 05.12.2024. The matter came up for hearing today.
2. During the hearing, Ms. Shikha Ohri, counsel for Petitioner (DIL), submitted that Commission vide its Order dated 29.05.2020 in Petition No. 1440 of 2019 had approved certain 'Change in Law' events and revision in the rates of Chhattisgarh Environment Cess and Development Cess was also recognised as 'Change in Law' event vide Order dated 02.08.2022 in Petition No. 1655 of 2020. Ms. Ohri further submitted that total compensation on account of 'Change in Law' for FY 2023-24 was Rs. 5.05 Crore and Respondent has already made a payment of Rs. 4.95 Crore after accounting applicable rebate.
3. Further, Ms. Ohri drew attention of the Commission to the prayer no. (d) of the Petition to allow the Petitioner for claiming the compensation on account of 'Change in Law' for the next control period i.e. FY 2024-29 as per earlier directions of the Commission vide Order dated 29.05.2020 in Petition No. 1440 of 2019. In this regard, the Commission asked the parties whether they were agreeable to deal the issue of true-up of claims on account of 'Change in Law' at the time of truing up at the end of the tariff control period 2024-29. In response, the counsels for Petitioner and Respondent sought the time to file their submissions. The Commission allowed three weeks' time to parties to file their submissions. List the matter on 23.01.2025.

  
(Sanjay Kumar Singh)  
Member



  
(Arvind Kumar)  
Chairman

Place: Lucknow

Dated: 23.12.2024