



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2305 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition seeking approval for procurement of power from 4 × 20 MW / 320 MWh Standalone Battery Energy Storage System (BESS) to be set up at multiple locations in Greater Noida, Uttar Pradesh, through Tariff-Based Competitive Bidding (TBCB) for a period of 12 years, in line with the Ministry of Power Guidelines dated 10.03.2022.

AND

IN THE MATTER OF

M/s Noida Power Company Limited,

Plot No. ESS, Knowledge Park – IV, Greater Noida – 231301, Uttar Pradesh

.....Petitioner

THE FOLLOWING WERE PRESENT

1. Shri Sanket Srivastava, Dy. General Manager, NPCL
2. Shri Utkarsh Pandey, Senior Executive, NPCL
3. Shri Ankur Dutt, Resident Officer, NPCL
4. Shri Narendra Singh, Senior Project Officer-II, UPNEDA
5. Shri Divyanshu Bhatt, Advocate, UPNEDA

ORDER

(DATE OF HEARING: 26.05.2026)

1. The present Petition has been filed under Section 86(1)(b) of the Electricity Act, 2003, seeking approval of the Commission for procurement of power from 4 × 20 MW / 320 MWh Standalone BESS projects through TBCB for 12 years, in

54



2



accordance with the Ministry of Power's Guidelines dated 10.03.2022 issued under Section 63 of the Act.

2. In the Order dated 06.03.2026, the Commission allowed the modifications made to the tender documents. The Commission also decided to implead UPNEDA in the matter and directed it to make submission on affidavit regarding applicability of capital subsidy for BESS under UP Solar Policy 2022.
3. UPNEDA, vide written submission dated 25.05.2026, has submitted that UP Solar Energy Policy 2022 was originally formulated and notified in Hindi language by the State Government and was translated to English for facilitative purposes. The original Hindi text of the Policy constitutes the authoritative and controlling version of the Government Policy.
4. It is submitted that Clause 11.2 of the English Translated Policy specifically provides that capital subsidy shall be available for standalone battery storage systems energized by solar energy only "for sale of power to Distribution Licensee/UPPCL." However, in the Original Hindi Policy, the term used is UPPCL/Vidyut Vitran Nigam' and hence, it was always the intention of the policy that the benefit of the subsidy should only be passed to UPPCL as well as to its subsidiary corporations.
5. It is further submitted that Clause 4.9 of the Policy defines "DISCOM" to mean distribution companies/utilities of Uttar Pradesh such as Madhyanchal Vidyut Vitran Nigam Limited (MVVNL), Dakshinanchal Vidyut Vitran Nigam Limited (DVVNL), Paschimanchal Vidyut Vitran Nigam Limited (PVVNL), Purvanchal Vidyut Vitran Nigam Limited (PuVVNL), KESCO etc., all of which are State-owned utilities functioning under the umbrella and control structure of UPPCL. The expression "Distribution Licensee/UPPCL" occurring in Clause 11.2 of the translated policy must therefore be interpreted *ejusdem generis* with the scheme, structure and object of the policy. The use of the expression "Distribution Licensee" alongside "UPPCL" indicated that the reference has been made to the State distribution framework under UPPCL and not to every conceivable distribution licensee existing within the State.





6. UPNEDA has further submitted that Uttar Pradesh Solar Energy Policy, 2022 is a State fiscal incentive policy framed primarily to support the State Power sector utilities and the distribution framework operating under Uttar Pradesh Power Corporation Limited (UPPCL). If the intention of the State Government was to extend subsidy benefits universally to all distribution licensees irrespective of their nexus with the State utility structure, the Policy would have expressly used broader terminology. Hence, the benefit of subsidy as requested by NPCL under the UP Solar Policy cannot be granted at this stage.
7. In view of the foregoing, the Commission approves the bidding documents submitted by the Petitioner on 21.04.2026 considering no subsidy shall be available for the given arrangement.
8. With above directions, the Petition is disposed of.

(Sanjay Kumar Singh)
Member



(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 08.06.2026