



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2384 of 2026

QUORUM:

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

Hon'ble Shri Griesh Kumar Vaish, Member (Law)

IN THE MATTER OF:

Petition under section 86(1)(f) of the electricity Act, 2003 read with regulation 57 of UPERC (Conduct of Business) Regulations, 2019 seeking appropriate orders and/or directions against Uttar Pradesh Power Corporation Limited in terms of the order dated 18.08.2021 passed in Petition No. 1484 of 2019 by this Commission.

AND

IN THE MATTER OF

Prayagraj Power Generation Company Ltd., (PPGCL)

P.O. Lohgara, Tehsil, Bara, Prayagraj (Allahabad) UP- 212107

.....Petitioner

Versus

1. Uttar Pradesh Power Corporation Limited (UPPCL),

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

2. Paschimanchal Vidyut Vitran Nigam Ltd.(PVVNL)

Urja Bhawan, Victoria Park, Meerut-250001

3. Poorvanchal Vidyut Vitran Nigam Ltd.(PuVVNL)

DLW, Bhikaripur , Vidyut Nagar, Varanasi-221004

4. Madhyanchal Vidyut Vitran Nigam Ltd.(MVVNL)

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4-A, Gokhale Marg, Lucknow-226001.

5. Dakshinachal Vidyut Vitran Nigam Ltd.(DVVNL)

Urja Bhawan, NH-2, Sikandara Road, Agra-282007.

6. Kanpur Electricity Supply Company Ltd.(KESCO)

Headquarter, Kesa House, 14/71 Civil Lines, Kanpur-208001

..... Respondents

THE FOLLOWING WERE PRESENT

1. Shri. Vipul Raval, Chief O&M Services, PPGCL
2. Shri. Anurag Shukla, Head-Comm.& Reg., PPGCL
3. Shri. Venkatesh, Advocate, PPGCL
4. Shri. Suhael Buttan, Advocate, PPGCL
5. Shri. Vineet Kumar, Advocate, PPGCL
6. Shri. Dilip Kumar, Head-Regulatory, Tata Power
7. Shri.Ms. Kavita Singh, SE(Planning), UPPCL
8. Shri. Amit Kumar Gautam, SE(Planning), UPPCL
9. Shri. Rajiv Kumar Srivastava, EE(Planning), UPPCL

**ORDER
(DATE OF HEARING : 16.07.2026)**

1. The petitioner has filed this Petition under section 86(1)(f) of the Electricity Act, 2003 read with regulation 57 of UPERC (Conduct of Business) Regulations, 2019 seeking appropriate orders and/or directions against Uttar Pradesh Power Corporation Limited in terms of the order dated 18.08.2021 passed in the Petition No. 1484 of 2019 by this Commission.
2. The prayers of the petitioner are as follows:
 - (a) Allow the present petition
 - (b) Direct UPPCL to allow plant shutdown for connecting FGD system with the Power Plant/Project in terms of directions passed in Order dated





18.08.2021 passed in Petition No. 1484 of 2019 by this Hon'ble Commission or in the alternate.

(c) Pass Order(s) allowing capitalization of the FGD system without its Commissioning.

(d) Pass any other Order(s) as it may deem fit in the interest of Justice.

3. The learned counsel Shri. Venkatesh on behalf of the petitioner submitted that the Commission vide its order dated 18.8.2021 has already recognized MOEF&CC Notifications dated 7.12.2015 regarding requirement of FGD installation as a Change in Law event. The Commission in its order, while declining in-principle approval of estimated capital cost, had held that capital cost would be considered after installation of FGD and compliance to the environmental norms subject to prudence check. The Commission had also directed the petitioner to synchronize the inter-connection of FGD system during plants annual overhaul in consultation with beneficiaries. The order of the Commission was affirmed by the Hon'ble APTEL vide its judgement dated 29.7.2024 in Appeal no.370/2022.
4. He further submitted that the petitioner has written several letters to UPPCL, soliciting its consent for the interconnection of the FGD System. However, UPPCL has not provided its consent thereby delaying the synchronization and commissioning of FGD system. He further argued that 90% of estimated cost of Rs.1500 Cr., approximately, has been incurred yet capitalisation of incurred expenditure is prevented on account of delay caused by UPPCL, which is causing financial consequences to the petitioner. The counsel further apprised the Commission that UPPCL, vide its letter dated 11.2.2026 to PPGCL, has rejected PPGCL's claim regarding a change in law, citing a change in managerial ownership. UPPCL contended that the project was acquired on 04.12.2019, however, the MOEFCC's Notifications were issued on 07.12.2015 and 28.06.2018.
5. The Commission admits the petition and directs UPPCL to file its reply within 6 weeks and one week to petitioner for filing rejoinder.





List the matter on 15.09.2026


(Griesh Kumar Vaish)
Member (Law)


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman



Place: Lucknow

Dated: 31.07.2026

