



**Petition No. 1630 of 2020**

**BEFORE  
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Date of Order: 05.07.2021**

**PRESENT:**

Hon'ble Shri Raj Pratap Singh, Chairman  
Hon'ble Shri Kaushal Kishore Sharma, Member  
Hon'ble Shri Vinod Kumar Srivastava, Member (Law)

**IN THE MATTER OF**

Miscellaneous Petition under Regulation 28 (iv) of UPERC (Terms and Conditions of Generation Tariff) Regulations, 2019 as amended from time to time and the PPA dated 26.09.2014, approved by this Hon'ble Commission vide its Order in Petition No. 971 of 2014 dated 20.04.2016 read with the Order dated 15.01.2016 along- with Addendum No.01 dated 04.09.2019, the Order dated 05.02.2019 in Petition No. 1235 of 2017 and the Order dated 06.05.2020 in Petition No 1438 of 2019 for carrying out prudence check of the cost for procurement and use of Additional Coal on account of shortfall in supply of FSA Grade coal in FY 2019-20 for the supply of 187 MW Gross Contracted Capacity to NPCL from Unit 2 of 2 X 300 MW Coal based thermal generating station of Dhariwal Infrastructure Limited located at Tadali, Chandrapur in the State of Maharashtra

Dhariwal Infrastructure Limited (DIL),  
Registered Office: CESC House, Chowringhee Square,  
Kolkata - 700 001

..... **Petitioner**

AND

Noida Power Company Limited (NPCL),  
Electric Sub-Station, Knowledge Park - IV,  
Gautam Buddha Nagar, Greater Noida - 201 310

..... **Respondent**

The following were present:

1. Shri. Aveek Chatterjee, DIL
2. Shri. Bhaskar Ganguly, DIL
3. Shri. Sanjay Sen, Sr. Counsel, DIL
4. Shri. Abhishek Anand, Counsel, DIL
5. Ms. Mandakini Ghosh, Counsel, DIL
6. Shri. Divyanshu Bhatt, Counsel, Shri. R. S. Awasthi
7. Shri. Alok Sharma, Head - Legal, NPCL
8. Ms. Divya Chaturvedi, Advocate, NPCL
9. Shri. Sanket Srivastava, NPCL Representative



**Order**  
**(Date of Hearing: 23.06.2021)**

1. The last hearing in the matter was held on 10.06.2021 and the Commission Order was issued on 18.06.2021. The Petitioner (DIL) has submitted rejoinder to Shri Awasthi's Response.

The matter came up for the hearing today.

2. During the proceedings of the hearing, the Commission directed the Petitioner to submit certain additional information to be placed on record for Prudence Check of cost of additional coal with the Respondent (NPCL) and to Shri. R. S. Awasthi. The information to be submitted by the Petitioner are as below:
- a. CIMFR Reports on Procurement of Additional Coal.
  - b. Invoice Copy from Suppliers for Additional Coal Purchased by the Petitioner.
  - c. S. K. Mitra Test Certificate Copies for the Coal received during each month of FY 2019-20.
  - d. Actual utilization of coal for supply of power to the Respondent.
3. Once the aforesaid information is received by the Petitioner, the Respondent and Shri. R.S. Awasthi to file a reply on it within 3 weeks' time and thereafter the Petitioner to file a rejoinder on it within 2 weeks' time.

List the matter on 12<sup>th</sup> August 2021.

**(Vinod Kumar Srivastava)**  
**Member**

**(Kaushal Kishore Sharma)**  
**Member**

**(Raj Pratap Singh)**  
**Chairman**

**Place:** Lucknow

**Dated:** 05.07. 2021