

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 227/MP/2024

Subject : Petition under Section 79(1) (a) of the Electricity Act, 2003 read with the applicable provisions of the CERC (Terms & Conditions of Tariff) Regulations, 2024.

Petitioner : NTPC Limited

Respondents : UPPCL and 37 ors.

Date of Hearing : **29.4.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Venkatesh, Advocate, NTPC
Shri Nihal Bhardwaj, Advocate, NTPC
Shri Aashwyn Singh, Advocate, NTPC
Ms. Ananya Dutta, Advocate, NTPC
Shri Puneet Ganapathy, Advocate, Bihar Discoms
Ms. Anshula Sinha, Advocate, Bihar Discoms
Shri Ravi Sharma, Advocate, MPPMCL
Shri Aryan Chanda, Advocate, MPPMCL
Shri Vyom Chaturvedi, Advocate, MSEDCL
Shri Sneha Singh, Advocate, MSEDCL
Shri Janmali Manikala, Advocate WBSEDCL
Ms. Sai Snigdha Nittala, Advocate, WBSEDCL
Ms. Anusha Nagarajan, Advocate, TNPDCL
Shri Rahul Ranjan, Advocate, TNPDCL

Record of Proceedings

The case was called out through a virtual hearing.

2. During the hearing, the learned counsel for the Petitioner submitted that the present Petition has been filed seeking recovery of ash transportation charges on a monthly basis for the period 2024-29, in line with the arrangement allowed vide Order dated 28.10.2022 in Petition No. 205/MP/2021. He further submitted that, pursuant to the amendment to the Tariff Regulations notified in March 2026, a mechanism for monthly billing has been provided and, accordingly, the said prayer has become infructuous. However, he pointed out that substantial past dues up to March 2026 (amounting to Rs. 9469 crore) remain outstanding, and to mitigate cash flow restraints, the Commission may consider permitting recovery of these charges in instalments, subject to truing-up.

3. *Per contra*, the learned counsel for the Respondents, BRPL, BYPL, Bihar Discoms, and MPPMCL, submitted that the amendment to the Tariff Regulations notified in March 2026 is prospective in nature and any recovery for the past period cannot be



permitted without detailed consideration. In this regard, the learned counsel for Respondent, Bihar Discoms, sought liberty to file their written submissions.

4. The Commission, after hearing the parties, directed the Petitioner to file the following additional information, on an affidavit, for all generating stations separately, duly audited, on or before **4.6.2026**, after serving a copy to the Respondents:

- a) *Station-wise and month-wise details of the actual ash transportation for the period 2024-25 and 2025-26, indicating quantity, destination, distance, and mode of transport incurred by the Petitioner, along with purpose-wise details of ash utilisation and ash supplied (road, mine void, dam, etc.), and justification demonstrating that such utilisation is for eligible Government/ State-owned infrastructure projects in terms of the applicable Regulations.*
- b) *Furnish utilisation certificates issued by the user agencies indicating quantity and purpose for ash transportation for the period 2024-25 and 2025-26.*
- c) *Provide auditor-certified monthly ash transportation expenses (₹/tonne/km) for the period 2024-25 and 2025-26.*
- d) *Submit the certification that the transport contracts were awarded through transparent competitive bidding.*
- e) *Provide details of revenue earned from ash supply and submit month-wise adjustment against transportation cost, indicating the net amount claimed by the Petitioner.*
- f) *Provide separate details of ash supplied for non-eligible purposes (such as cement and other commercial entities, etc.) along with confirmation that no recovery has been claimed under the monthly mechanism for such quantities.*

5. The Respondents are permitted to file their written submissions and replies, after serving a copy to the Petitioner, by **20.6.2026**, who may file their rejoinder, if any, by **29.6.2026**.

6. The matter shall be listed for hearing on **7.7.2026**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)

