

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 302/MP/2022 along with I.A. No. 49/2023 & 52/2023

Subject : Petition under section 79(1)(f) of the Electricity Act 2003 for (i) approval of Change in Law and (ii) seeking an appropriate mechanism for grant of an appropriate adjustment/ compensation to offset financial/commercial impact of change in law events on account of imposition of water tax in relation to Tehri HEP (1000 MW) and Koteswar HEP (400 MW) read with the CERC (Terms and Conditions of Tariff) Regulations, 2019 and Order dated 12.7.2022 passed by Hon'ble High Court of Uttarakhand.

Petitioner : THDC India Limited

Respondents : RUVNL and 15 others

Date of Hearing : **16.7.2026**

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

Parties Present : Shri Tabrez Malawat, Advocate, THDC
Ms. Ankita Bafna, Advocate, THDC
Shri Syed Hamza, Advocate, THDC
Shri Sourajit Sarkar, Advocate, THDC
Ms. Rupali Jain, Advocate, THDC
Shri Aditya Ajay, Advocate, BSES Discoms
Ms. Swapna Seshadri, Advocate, PSPCL
Shri Venkatesh, Advocate, TPDDL
Ms. Priya Dhankhar, Advocate, TPDDL
Shri Punyam Bhutani, Advocate, TPDDL
Ms. Drishti Rathi, Advocate, TPDDL
Shri Abhishek Kumar, Advocate, UPPCL
Ms. Shubham Mudgil, Advocate, UPPCL
Ms. Shraddha Deshmukh, Advocate, RUVNL
Shri Sanchit Singh, Advocate, RUVNL
Shri Sarthak Gupta, Advocate, RUVNL

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted that the Petitioner has filed a Writ Petition before the Hon'ble High Court of Uttarakhand seeking a refund of the amount deposited with the State Government towards water tax. He further submitted that, in terms of the Record of Proceedings (ROP) dated 12.5.2026, the Petitioner has already filed additional information on record. He also sought liberty to place on record, by way of an additional affidavit, further details regarding the said Writ Petition.



2. The learned counsels appearing for the Respondents, while making their respective submissions, broadly supported the principle that the amount deposited should be refunded in a time-bound manner in accordance with the principle of restitution, notwithstanding the pendency of the Writ Petition before the Hon'ble High Court of Uttarakhand.

3. The Commission, after hearing the parties at length, permitted the Petitioner to file the additional affidavit, as prayed for, on or before **31.7.2026**, after serving a copy on the Respondents, who may file their response(s), if any, on or before **14.8.2026**.

4. Subject to the above, the Petition along with the IAs are reserved for orders.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)

