

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 374/MP/2026

Subject : Petition under section 79(1)(f) of the electricity act, 2003 read with regulation 65 of the central electricity regulatory commission (conduct of business) regulations, 2023 seeking declaratory and consequential reliefs pursuant to the notification dated 11.7.2025 issued by the Government of India, Ministry of Environment, Forest and Climate Change, dispensing with the requirement of flue gas desulfurization (FGD) systems in category-C thermal power generating stations.

Petitioner : PSPCL

Respondent : NTPC Limited

Date of Hearing : **8.10.2026**

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

Parties Present : Ms. Suparna Srivastava, Advocate, PSPCL
Ms. Hitakshi Jain, Advocate, PSPCL
Shri Venkatesh, Advocate, NTPC
Shri Ashutosh K. Srivastava, Advocate, NTPC
Shri Siddharth Nigotia, Advocate, NTPC
Shri R. Jatin Katiyar, Advocate, NTPC

Record of Proceedings

The matter was called out for hearing in virtual mode.

2. During the hearing, the learned counsel for the Petitioner referred to the Ministry of Environment, Forest and Climate Change (MoEF&CC) notification dated 11.7.2025, and mainly submitted as under:

- (a) The said notification removed the applicability of SO₂ emission standards to Category-C thermal power plants.
- (b) Consequently, Category-C generating stations were no longer required to install FGD systems with effect from 11.7.2025.
- (c) The said notification is statutory in nature and, therefore, binding on all the beneficiaries, including the Petitioner.
- (d) The Petition raises a statutory issue arising from the said notification and is therefore maintainable.



(e) The Petition does not seek review of any existing Tariff Order or any station-wise prudence determination.

3. The learned counsel for the Respondent mainly submitted that the said MoEF&CC notification dated 11.7.2025 operates prospectively and does not extinguish the expenditure already incurred or contractual liabilities undertaken towards installation of FGD systems under the earlier statutory regime. He further sought one week's time to file written submissions on the issue of 'maintainability'.

4. The Commission, after hearing the parties, permitted the Respondent to file its written submissions on the issue of 'maintainability', on or before **19.10.2026**, after serving a copy thereof on the Petitioner, who may file its written submissions in response thereto, on or before **30.10.2026**.

5. The Petition shall be listed for hearing on the issue of '*maintainability*' on **3.11.2026**.

By order of the Commission

Sd/-
(T. D. Pant)
Joint Chief (Law)

