

**BEFORE THE HON'BLE CENTRAL ELECTRICITY REGULATORY
COMMISSION**

PETITION NO. – OF 2025

IN THE MATTER OF:

Petition under with Section 79 (1) (a), (f) and (k) of the Electricity Act, 2003 read with Regulation 102 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 ("CERC Tariff Regulations, 2024) seeking relaxation of the Normative Plant Availability Factor for THDC Koteswar Hydro Electric Project provided in terms of Regulation 71(A)(4) of the CERC Tariff Regulations, 2024

AND IN THE MATTER OF:

THDC INDIA LIMITED

...PETITIONER

Vs.

PUNJAB STATE POWER CORPORATION
LTD & ORS.

...RESPONDENTS

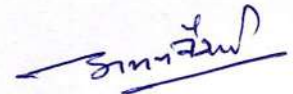
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अजय वैश
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, रीशिकेश
THDC INDIA LIMITED, RISHIKESH

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THDC India Limited



(Ajay Vaish)

DGM (Commercial)

Place: Rishikesh

Date: 27.06.2025

अजय वैश्य
AJAY VAISH
 उप महाप्रबन्धक (वाणिज्यिक)
 Dy. General Manager (Commercial)
 टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
 THDC INDIA LIMITED, RISHIKESH



टीएचडीसी इंडिया लिमिटेड THDC INDIA LIMITED

(अनुसूची-‘क’ मिनी रत्न पीएसयू)
(Schedule - A Mini Ratna PSU)

CIN : U45203UR1988GOI009822



भारत 2023 INDIA
वसुधैव कुटुम्बकम्
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पत्रांक: टीएचडीसी/ऋषि/वाणि./F-122/721

दि. 27.06.2025

सेवा मे,

सचिव,

केंद्रीय विद्युत नियामक आयोग

6वीं, 7वीं और 8वीं मंजिल, टॉवर बी,

वर्ल्ड ट्रेड सेंटर, नौरोजी नगर,

नई दिल्ली- 110029

विषय: Application for relaxation of the Normative Plant Availability Factor for THDC Koteshwar Hydro Electric Project

Sir,

Please find enclosed herewith, Petition under affidavit, Petition under with Section 79 (1) (a), (f) and (k) of the Electricity Act, 2003 read with Regulation 102 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 ("CERC Tariff Regulations, 2024) seeking relaxation of the Normative Plant Availability Factor for THDC Koteshwar Hydro Electric Project provided in terms of Regulation 71(A)(4) of the CERC Tariff Regulations, 2024

‘सादर’

भवदीय

टीएचडीसी इंडिया लिमिटेड की ओर से

(अजय वैश्य)

उप महाप्रबंधक (वाणिज्यिक)

वितरण: सूची के अनुसार।



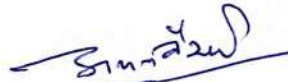
प्रधान कार्यालय : गंगा भवन, प्रगतिपुरम, बाईपास रोड, ऋषिकेश - 249201
Corporate Office : GANGA BHAWAN, PRAGATIPURAM, BYPASS ROAD, RISHIKESH - 249201
पंजीकृत कार्यालय : भागीरथी भवन (टॉप टेरेस), भागीरथीपुरम, टिहरी गढ़वाल-249124
Regd. Office : Bhagirathi Bhawan, (Top Terrace), Bhagirathipuram, Tehri Garhwal-249 124
टेलीफैक्स- 0135-2439463, Telefax: 0135-2439463, Website Address : www.thdc.co.in
("हिन्दी को राजभाषा बनाना, भाषा का प्रश्न नहीं अपितु देशाभिमान का प्रश्न है")

Distribution list:

1.	The Chairman cum Managing Director, Punjab State Power Corporation Limited, The Mall, Patiala – 147001 (Punjab)	8.	The Managing Director, Ajmer Vidyut Vitran Nigam Ltd., Old Power House, Hatthi Bhatta, Jaipur road, Ajmer-305001 (Rajasthan)
2.	The Chairman, Haryana Power Utilities (DHBVNL & UHBVNL), Shakti Bhawan, Sector 6, Panchkula – 134 109 (Haryana)	9.	The Managing Director, Jodhpur Vidyut Vitran Nigam Ltd., New Power House, Industrial Area Jodhpur-342003 (Rajasthan)
3.	The Chairman, Uttar Pradesh Power Corporation Limited, Shakti Bhawan, 14 Ashok Marg, Lucknow – 226001 (UP)	10.	Principal Secretary (Power) Power Development Department (PDD), Govt. of J&K, Civil Secretariat, Jammu -180001 (J&K)
4.	Chief Executive Officer, BSES Rajdhani Power Ltd., BSES Bhawan, Nehru Place, Behind Nehru Place Bus Terminal, New Delhi-110019	11.	Chief Engineer (Trading) Jammu Kashmir Power Corporation Limited (Formerly Jammu Kashmir State Power Trading Company Limited) Gladney Grid Station, Narwal Jammu-180006
5.	Chief Executive Officer, BSES Yamuna Power Ltd., 3rd Floor, Shakti Kiran Building, Karkardooma, Near Court, New Delhi-110092	12.	The Managing Director, Jammu and Kashmir State Power Trading Company Ltd., PDD Complex, Bemina, Srinagar -190010 (J&K)
6.	Chief Executive Officer, TATA Power Delhi Distribution Ltd., 33 KV Grid Sub-Station Building, Hudson Lane, Kingsway Camp, Delhi-110009	13.	The Chief General Manager (Commercial), Madhya Pradesh Power Management Company Limited (MPPMCL), 3rd Floor, Block No. 11, Shakti Bhawan, Rampur, Jabalpur- 482008 (MP)
7.	Secretary (Engineering), Engineering Dept., Chandigarh Administration, 1st Floor, UT Secretariat, Sector 9-D, Chandigarh-160009	14.	The Managing Director, Rajasthan Urja Vikas and IT Services Nigam Limited, Vidyut Bhawan, Jyoti Nagar, Jaipur- 302005 (Rajasthan)


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

15.	Manager (Power Management) Chandigarh Power Distribution Limited (CPDL) 4 th Floor, SCO 33 to 35, Sector 34- A Chandigarh-160022	19.	General Manager (Commerce) Gujarat Urja Vikas Nigam Limited (GUVNL), Sadar Patel, Vidyut Bhawan, Race Course, Vadodara, Gujarat -390007
16.	Managing Director, Uttarakhand Power Corporation Ltd., Urja Bhawan, Kanwali Road, Dehradun-248001 (UK)	20.	Chief Engineer (PMC) Bihar State Power Holding Company Ltd, 5th Floor, Vidyut Bhawan, JLN Marg, Patna, Bihar-800 021
17.	The Chairman, HPSEB Limited, Vidyut Bhawan, Shimla-171004 (HP)	21.	Director (Power)/EE (SLDC) New Delhi Municipal Council, Room No-1901, 19 th Floor Palika Kendra, Sansad Marg, New Delhi-110102
18.	The Managing Director, Jaipur Vidyut Vitran Nigam Ltd., Vidyut Bhawan, Janpath, Jyoti Nagar, Jaipur-302005 (Rajasthan)		



अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
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THDC INDIA LIMITED, RISHIKESH



टीएचडीसी इंडिया लिमिटेड THDC INDIA LIMITED

(अनुसूची-‘क’ मिनी रत्न पीएसयू)
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पत्रांक: टीएचडीसी/ऋषि/वाणि./F-122/722

दि. 27.06.2025

सेवामे,

सचिव,

केंद्रीय विद्युत नियामक आयोग

6वीं, 7वीं और 8वीं मंजिल, टॉवर बी,

वर्ल्ड ट्रेड सेंटर, नौरोजी नगर, नई दिल्ली- 110029

विषय: Letter of Authorization for filing of Petition.

Sir,

This is to inform you that Sh. Sh. Ajay Vaish, Dy. General Manager (Commercial), THDC India Limited, is authorized to sign the Petition under with Section 79 (1) (a), (f) and (k) of the Electricity Act, 2003 read with Regulation 102 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 ("CERC Tariff Regulations, 2024) seeking relaxation of the Normative Plant Availability Factor for THDC Koteswar Hydro Electric Project provided in terms of Regulation 71(A)(4) of the CERC Tariff Regulations, 2024.

This is being issued with the approval of competent authority.

‘सादर’

भवदीय,

टीएचडीसी इंडिया लिमिटेड की ओर से

राज के जमा
27/06/2025
(आर के वर्मा)

अपर महाप्रबंधक (प्रभारी-वाणिज्यिक)



प्रधान कार्यालय : गंगा भवन, प्रगतिपुरम, बाईपास रोड, ऋषिकेश - 249201
Corporate Office : GANGA BHAWAN, PRAGATIPURAM, BYPASS ROAD, RISHIKESH - 249201
पंजीकृत कार्यालय : भागीरथी भवन (टॉप टेरेस), भागीरथीपुरम, टिहरी गढ़वाल-249124
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**BEFORE THE HON'BLE CENTRAL ELECTRICITY REGULATORY
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AND IN THE MATTER OF:

THDC INDIA LIMITED

...PETITIONER

Vs.

PUNJAB STATE POWER CORPORATION

LTD & ORS.

...RESPONDENTS

MOST RESPECTFULLY SHOWETH:

A. EXECUTIVE SUMMARY OF THE PETITION:

(i) Brief Background of Petitioner:

1. THDC India Limited ("**Petitioner**") (earlier known as Tehri Hydro Development Corporation Limited) is a company incorporated under Companies Act, 1956 with its registered office at Bhagirathi Bhawan, Bhagirathi Puram, Tehri Garhwal – 249124, Uttarakhand.


अजय वैश
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

2. The Petitioner is a generating company within the meaning of Section 2(28) of the Electricity Act, 2003 ("**Electricity Act**") formed as a joint venture between Government of India and Government of Uttar Pradesh. A share purchase agreement was executed between NTPC Limited and President of India on 25.03.2020, for acquisition of legal and beneficial ownership of equity held by the President of India in the Petitioner which represents 74.496% of the total paid up share capital of the Petitioner by NTPC Limited. Subsequent to the acquisition by NPTC Limited, the Petitioner is a subsidiary of NPTC Limited having shareholding pattern of 74.496% held by NPTC Limited, 25.504% with Government of Uttar Pradesh.
3. The Koteswar Hydro Electric Project (400 MW) ("**KHEP**") is part of Tehri Hydro Power Complex, which comprises of Tehri HPP Stage – I (1000 MW) ("**Tehri HPP**"), Tehri Pumped Storage Plant (1000 MW) ("**Tehri PSP**") and downstream power station, i.e., the KHEP in Tehri Garhwal in the State of Uttarakhand. The entire Tehri Power Complex has an aggregate capacity of 2400 MW.
4. The KHEP was commissioned by the Petitioner in Tehri Garhwal in the State of Uttarakhand. The four units of the KHEP were put under commercial operation as under:

Unit	Date
Unit I	01.04.2011
Unit II	26.10.2011
Unit III	13.02.2012
Unit IV	01.04.2012

(ii) **Brief Background of Respondents:**


अजय वैश्य
AJAY VAISH
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 TND INDIA LIMITED, RISHIKESH

5. The Respondents No. 1 to 21 are State Distribution Licensees vested with powers to procure electricity from the Petitioner and are *inter alia* are beneficiaries of KHEP.

(iii) **Brief Background of the matter:**

6. The present petition has been filed by Petitioner seeking recoupment of under recovery of capacity charges of INR 8.58 crore for Koteshwar HEP due to shortfall in achieving Normative Annual Plant Availability Factor ("NAPAF") for the reasons beyond the control of the Petitioner during FY 2024 – 25. It may be noted that KHEP recorded Annual Plant Availability Factor ("PAF") of 64.092% which is below the NAPAF of 66 % provided by this Hon'ble Commission vide Regulation 71(A)(4) of CERC Tariff Regulations 2024.
7. The Petitioner recorded low PAF during 2024-25 owing to reasons beyond its control. Despite best efforts, the Petitioner has been able to recover INR 288.24 crore of capacity charges for FY 2024-25 on provisional tariff basis and a shortfall of INR 8.58 crore is yet to be recovered by the Petitioner from its beneficiaries in form of tariff by raising supplementary invoices. However, final amount of shortfall shall be crystallized and finally determined after adjudication of the true up of tariff for period 2024-29. The amount of the recovery therefore shall get adjusted in terms of the order passed by this Hon'ble Commission in the said petition. The details of the capacity loss, computation and any future variation are detailed in **Annexure-1** of the present Petition.
8. The Petitioner recorded low PAF during 2024-25 owing to following issues:
- a. Complete shutdown of Tehri HPP and KHEP for 35 days from 02.06.2024 to 07.07.2024 to accomplish river joining works in Tehri PSP;


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THDC INDIA LIMITED, RISHIKESH

- b. Water regulation restrictions imposed by State Government of Uttar Pradesh in light of Maha Kumbh Mela at Prayagraj.

(iv) **Reliefs sought in brief:**

9. In view of the same, it is prayed that present Petition may be allowed and this Hon'ble Commission be pleased to allow the Petitioner to recovery of INR 8.58 Crore along with carrying cost which is the shortfall in capacity charges in FY 2024 -25 arising due to lower PAF of 1.908 % for reasons beyond its control as indicated in the Annexure-1 of the present Petition. The same may be allowed by raising supplementary bills to the beneficiaries.

B. **DETAILED PETITION:**

(i) **Jurisdiction of the Commission:**

10. The Petitioner declares that the subject matter of the present petitioner is within the jurisdiction of this Hon'ble Commission under Section 79 (1) (a), (f) and (k) of the Electricity Act, 2003 read with Regulation 102 of CERC Tariff Regulations, 2024.

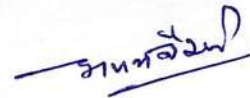
(ii) **Details of documents based on which petition is made:**

11. **Annexure-1 to Annexure-15** have been duly enclosed with the present Petition and have been marked in the Index.

(iii) **Limitation:**

12. The Petitioner declares that the present Petition is within the period of limitation.

(iv) **Facts of the Case:**



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Dy. General Manager (Commercial)
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THDC INDIA LIMITED, RISHIKESH

13. The Petitioner (earlier known as Tehri Hydro Development Corporation Limited) is a company incorporated under Companies Act, 1956 with its registered office at Bhagirathi Bhawan, Bhagirathi Puram, Tehri Garhwal – 249124, Uttarakhand.
14. The Petitioner is a generating company within the meaning of Section 2(28) of the Electricity Act formed as a joint venture between Government of India and Government of Uttar Pradesh. A share purchase agreement was executed between NTPC Limited and President of India on 25.03.2020, for acquisition of legal and beneficial ownership of equity held by the President of India in the Petitioner which represents 74.496% of the total paid up share capital of the Petitioner by NTPC Limited. Subsequent to the acquisition by NPTC Limited, the Petitioner is a subsidiary of NPTC Limited having shareholding pattern of 74.496% held by NPTC Limited, 25.504% with Government of Uttar Pradesh.
15. The Plant in question – KHEP, is a part of Tehri Hydro Power Complex, which comprises of Tehri HPP Stage – I (1000 MW) and Tehri Pumped Storage Plant (1000 MW) and downstream power station, i.e., the KHEP in Tehri Garhwal in the State of Uttarakhand. The entire Tehri Power Complex has an aggregate capacity of 2400 MW.
16. The KHEP was commissioned by the Petitioner in Tehri Garhwal in the State of Uttarakhand. The four units of the KHEP were put under commercial operation as under:

Unit	Date
Unit I	01.04.2011
Unit II	26.10.2011
Unit III	13.02.2012
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THDC INDIA LIMITED, RISHIKESH

(v) **Brief Background of Respondents:**

17. The Respondents No. 1 to 21 are State Distribution Licensees vested with powers to procure electricity from the Petitioner and are *inter alia* are beneficiaries of KHEP.
18. The present petition has been filed by Petitioner seeking recoupment of under recovery of capacity charges for Koteswar HEP due to shortfall in achieving NPAF for the reasons beyond the control of the Petitioner during FY 2024 – 25, whereby the KHEP recorded PAF of 64.092% which is below the NPAF of 66 % provided by this Hon'ble Commission vide Regulation 71(A)(4) of CERC Tariff Regulations 2024. The relevant excerpt of Regulation 71(A)(4) of CERC Tariff Regulations 2024 is reproduced:

“71. Norms of Operation for Hydro Generation Stations: The norms of operation as given hereunder shall apply to hydro generating stations:

(A) Normative Annual Plant Availability Factor (NPAF): (1) The following normative annual plant availability factor (NPAF) shall apply to hydro generating station:

.....

(4) Based on the above, the Normative annual plant availability factor (NPAF) of the hydro generating station already in operation shall be as follows:

Station	Type of Plant	Plant Capacity No. of Units x MW	NPAF (%)
THDC			
....			
KHEP	Storage	4x100	66

.....”


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Dy General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

Copy of relevant excerpt of CERC Tariff Regulations, 2024 is enclosed herewith and marked as **Annexure -2.**

19. It is humbly submitted that the shortfall in PAF was primarily due to complete shutdown of Tehri HPP and the KHEP for 35 days from 00:00 hours of 02.06.2024, which had to be effectuated by the Petitioner to accomplish river joining works in Tehri PSP.
20. Another reason for low PAF was as a result of water regulation restrictions imposed by the State Government of Uttar Pradesh in light of Maha Kumbh (from 13.01.2025 to 26.02.2025) at Prayagraj in the State of Uttar Pradesh which constitutes as a force majeure event.
21. As a result of the occurrence of the above two uncontrollable events there was reduction in PAF of the KHEP and has caused under recovery of capacity charges to the tune of INR 8.58 Crore, which Petitioner deserves to recover from its beneficiaries by raising monthly supplementary bills.

Re: Complete shutdown of Tehri HPP and KHEP for commissioning of Tehri PSP:

22. It is humbly submitted that in order to complete the final works of the Tehri PSP, the Petitioner herein had to effectuate complete shutdown of the Tehri HPP and KHEP, after seeking approval of the Ministry of Power, Government of India ("MoP") and State Government of Uttar Pradesh. Further, intimation relating to the same was also communicated to the beneficiaries during OCC meetings and approved also by NRPC.
23. Tehri PSP is the first pumped storage plant in the central sector of India and has a capacity of 1000 MW. The Petitioner herein undertook rigorous work of timely completing Tehri PSP despite various hurdles such as geological challenges, law and order issues and fund crises etc.


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AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
भारत इलेक्ट्रिक इंडिया लिमिटेड, ऋषिकेश
INDIA LIMITED, RISHIKESH

24. It is relevant to point out that the Petitioner undertook all possible steps to ensure effective completion of final works of Tehri PSP:
- The Petitioner vide its letters/ communications intimated to the Irrigation and Water Resources Department, Uttar Pradesh, ("**State Water Department**") and requested stoppage of water discharge from Tehri HPP for commissioning of Tehri PSP, which was eventually allowed by the State Water Department vide Letter dated 08.06.2024. Copy enclosed as **Annexure-3.**
 - Vide **Letter** bearing no. THDC/RKSH/D(T)Sectt./263 dated 27.03.2024, sought intervention of National Mission for Clean Ganga ("NMCG") for complete shutdown of Tehri HPP and KHEP. The NMCG referred the matter to Central Water Commission ("CWC") vide letter dated 24.04.2024. Copy of letter dated 27.03.2024 enclosed as **Annexure-4.**
 - The Petitioner also proposed the complete shutdown of Tehri HPP and KHEP for 45 days, from 15.05.2024 to 30.06.2024 in 72nd Northern Region Power Committee ("**NRPC**") dated 29.03.2024 and 49th Technical Co-ordination Committee ("**TCC**") dated 30.03.2024. Copy of Minutes of meeting of NRPC and TCC dated 29.03.2024 and 30.06.2024 respectively are enclosed herewith and marked as **Annexure -5.**
 - However, the committees in reference to MoP Letter bearing no. S.NO1/A1/MRP/GM/2023/477-481 dated 15.11.2023, titled, "*No Planned maintenance during March 2024 to May 2024 and to explore possibility of bringing down the forced/ partial outage from 25GW to 15 GW*" suggested the Petitioner to approach the MoP for appropriate directions with respect to complete shutdown of Tehri HPP and KHEP.


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- e. Thereafter Petitioner vide its letter dated 04.04.2024 and 24.04.2024 sought due approval of MoP to issue directives to NRPC for complete shutdown of Tehri HPP and KHEP from 15.05.2024 to 30.06.2024 for completing commissioning of Tehri PSP and river joining works. Copies of Letters dated 04.04.2024 and 24.04.2024 are collectively enclosed herewith and marked as **Annexure -6.**
- f. The MoP thereafter convened a meeting dated 27.05.2024 under the Chairmanship of Secretary (P) to review the Power Supply Position in the Country'. In the said meeting the impact of complete shutdown of Tehri HPP and KHEP was discussed and arrangements for additional allocation of power to State of Uttar Pradesh was also discussed in order to minimize the impact of shutdown:

"4. With respect to the impact of shutdown of Tehri and Koteshwar Hydro Power Stations on generation, Grid India informed that around 800 MW generation may be affected. Secretary (P) was also apprised that a proposal for additional allocation of 300 MW to Uttar Pradesh from unallocated quota of WR and SR pool is under consideration in order to minimize the impact of shutdown on Uttar Pradesh."

Copy of minutes of meeting of MoP dated 27.05.2024 is enclosed herewith and marked as **Annexure – 7.**

- g. The issue of complete shutdown of Tehri HPP and KHEP was deliberated by the CWC vide Letter dated 14.05.2024, copy **enclosed** as **Annexure – 8,** wherein CWC *inter alia* acknowledged and allowed complete shutdown of Tehri HPP and KHEP from 15.05.2024 to 30.06.2024:

"To resolve the matter, 2 meetings were convened by CWC on 26.04.2024 and on 08.05.2024. Based upon the interactions by CWC with the officials of THDC and NMCG,

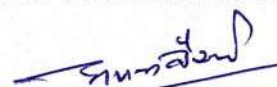

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after thorough examination of facts and figures and upon confirmation by THDC on the quantified discharge from upstream leakages/ flows from intervening rivulets, the recommendations of CWC are as follows

- a. **The proposed shutdown of THDC HPP from 15th May – 30th June 2024 amounting to 45 days cannot be further compressed by THDC, even after taking into account all possible considerations. Hence, the maximum period of shutdown from 15th May – 30th June 2024 amounting to 45 days is considered rational.**
- b. Taking into consideration the proposed shutdown of THDC's hydropower plant for commissioning of Tehri PSP, a reduced discharge of e-flow release of 7 cumecs (approx. 250 cusecs) which includes seepage water from Koteshwar Dam during the shutdown period of 45 days from 15th May 2024 to 30th June 2024 may be considered allowable.
- c. From a technical standpoint and from emergency consideration, the storage of Koteshwar reservoir may not be depressed below the level of EL 589.5 m under any circumstance.
- d. In absence of a powerhouse bypass arrangement, the water from Koteshwar dam may be released from the powerhouse through turbines, under standstill condition.
- e. Regulation of e-flow, reduced or otherwise, shall be responsibility of NMCG.
- f. **Decision/ approval of shutdown of Tehri HPP may be taken by appropriate authority of THDC.**

This issues with the approval of Chairman, CWC.

- h. However, the MoP vide Letter bearing no. 22-13/1/2022-OM [262771] dated 21.05.2024 approved the shutdown of Tehri HPP and KHEP w.e.f. 01.06.2024 to ensure timely commissioning of Tehri PSP. Copy of MoP Letter dated 21.05.2024 is enclosed herewith and marked as **Annexure -9.**
- i. The NRPC vide its meeting dated 29.05.2024 discussed the complete shutdown of Tehri HPP and KHEP, wherein it was duly acknowledged by NRPC that the period between 01.06.2024 to 01.07.2024 is an



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optimal time for shut down as minimum generation occurs in the said period and the reservoirs of Tehri dam is lowest during May and June. Further, missing the said window for shutdown would deprive the National Grid of 1000MW PSS capacity till 2025, wherein the expected demand is higher than 2024. The relevant excerpts of minutes of meeting dated 29.05.2024 are reproduced:

"MS, NRPC further mentioned that this issue was thoroughly discussed in the 49th TCC and 72nd NRPC meetings held on March 29th and 30th, 2024, respectively as well as in the 218th OCC meeting of NRPC on April 16, 2024, where the beneficiaries of the hydro projects were also present. During these meetings, the shutdown was not agreed upon due to high summer demand, the ongoing general election, and directives from Ministry of Power (MoP) to avoid shutdowns during summer. The forum suggested that THDC should approach the MoP regarding this matter.

THDC vide letters dated April 4 and April 24, 2024, requested MoP to grant permission for a complete shutdown of Tehri HPP and Koteshwar HEP for 45 days from May 15 to June 30, 2024, to facilitate the commissioning of Tehri PSP and river joining works. Ministry of Power via letter no. 22-13/1/2022- OM[262771] dated May 21, 2024 (Copy enclosed as Annexure-I), has approved the shutdown of Tehri HPP and Koteshwar HEP starting June 1, 2024, to ensure the timely commissioning of Tehri PSP.

THDC representative responded that this period is ideal due to low reservoir levels and the non-monsoon season. Missing this window would delay the next opportunity until the same time next year. He also stated that planning the shutdown in March and April would have negatively impacted the operation of thermal plants taking water from Upper Ganga Canal due to low flow in the Alaknanda River during that period.

NRLDC representative presented the generation pattern of the Tehri plant (1000MW capacity) for the years 2022, 2023, and 2024 (copy attached as Annexure-II). The data shows that minimum generation occurs from June 1 to July 15, and the reservoir level in Tehri Dam is lowest during May and June.


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MS NRPC stated that based on the above information, it seems that this is the optimal window for a complete shutdown of Tehri HPP and Koteshwar HEP to facilitate the timely commissioning of the Tehri PSP. Missing this window would deprive the National Grid of 1000 MW PSS capacity until next year and in the next year similar situation or even higher demand is expected."

Copy of NRPC meeting dated 29.05.2024 is enclosed herewith and marked as **Annexure-10.**

- j. Thereafter, NRPC vide its Letter dated 30.05.2024 informed NRLDC that MoP vide its Letter dated 21.05.2024 had accorded approval to THDC for complete shutdown of Tehri HPP and KHPE w.e.f. 00:00 hours 02.06.2024 for 35 days instead of 01.06.2024. The NRPC directed NRLDC to facilitate complete shutdown of Tehri HPP and KHEP for 35 days. Copy of NRPC Letter dated 30.05.2024 is enclosed herewith and marked as **Annexure -11.**

25. It is noteworthy that the Petitioner undertook all steps to ensure that there is minimal adverse impact upon the energy demand during 35 days of complete shutdown of Tehri HPP and KHEP (from 02.06.2024 to 07.7.2024). Furthermore, the said generating stations were shut-down by the Petitioner in an optimal window when the generation demand is low.
26. It is also very evident that in case the Petitioner had postponed or delayed the commissioning of Tehri PSP to the next financial year, the same would have adversely impacted the increased demand in the next financial year. As result of the complete shutdown of Tehri HPP and KHEP and due to regulation of the water during 'Mahakumbh Mela", the Petitioner incurred a total shortfall of INR 8.58 Crore. In view of the same, the Petitioner deserves to recover shortfall of capacity charges of INR 8.58 Crore along with carrying cost from its beneficiaries as per Annexure-1.


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Re: Regulation of water of Tehri Dam by the State Government of Uttar Pradesh during Mahakumbh Mela:

27. It is a matter of record that Mahakumbh Mela had been organised by the State of Uttar Pradesh between 13.01.2025 to 26.02.2025 at Sangam site in Prayagraj District. The Hon'ble Allahabad High Court ("**Hon'ble High Court**") in Public Interest Litigation No. 4003 of 2006, titled, *Ganga Pollution v. State of Uttar Pradesh & Ors.*, ("**PIL**") had passed various orders and directions to ensure continuous and clean flow of water in the Ganga River. Copies of relevant order passed in PIL are enclosed hereto and marked as **Annexure-12.**
28. In view of the same, the Chief Engineer, Irrigation and Water Resources Department, Meerut ("**IWRD**") vide office memo no. 903 dated 03.09.2024, had issued directions to the Petitioner to provide additional 2000 cusec water from Tehri Dam in addition to the irrigation requirements on priority basis during Mahakumbh.
29. It is relevant to note that the festivities Mahakumbh Mela included bathing ritual and 'Sahi Snans' at Sangam site in District-Prayagraj and included specific occasions, i.e., Paush Purnima on 13.01.2025, Makar Sankranti on 14.01.2025, Mauni Amavasya on 29.01.2025, Basant Panchami on 04.02.2025, Maghi Purnima on 12.02.2025 and Mahashivratri on 26.02.2025.
30. In order to ensure clean and uninterrupted adequate water flow in the Ganga River for bathing at Sangam site on above noted dates the Petitioner


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was directed to continuously release 2000 cusec water in addition to irrigation requirements in the downstream of Bhimgoda Barrage.

31. Pertinently, the water levels for bathing purposes at Sangam site had to be maintained at all times as well as for the irrigation purpose, and in view of the same, the water from Tehri Dam was regulated and directed to Bhimgoda Barrage as and when requested by the Superintending Engineer, First Circle, Irrigation Works, Meerut.
32. It is worth noting that the various communications/ directions issued by IWRD were in reference to directions passed by the Hon'ble High Court as indicated by the IWRD. It would be relevant to point out that in one of such IWRD communication dated 02.01.2025 issued to the Petitioner wherein it is being categorically stated by the IWRD that the Hon'ble High Court has passed directions in for maintenance of continuous and fresh water at Sangam Site in Prayagraj during "Mahakumbh Mela":

"As you are also aware that during Mahakumbh Mela 2025 at the Sangam site in Prayagraj district of Uttar Pradesh state this year, the Hon'ble High Court, Allahabad has passed order in Public Interest Litigation No. 4003/2006 (Re: Ganga Pollution vs. State of Uttar Pradesh and others) to maintain adequate water flow for ensuring continuous and clean water in the Ganga river during the hearings. The Chief Engineer and Department Head through office memo no. 903 dated 03.09.2024 has issued directions to provide additional 2000 cusec water from Tehri Dam besides irrigation requirements on priority basis for bathing during Mahakumbh – 2025 (from January 12, 2025 to February 26, 2025), similar to previous years, for successful and smooth completion of the event."


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33. In view of above, the Petitioner herein was bound by the directions of IWRD to maintain clean and continuous water at Sangam site during Mahakumbh Mela.
34. Communications were issued by the IWRD on 03.12.2024, 12.12.2024, 27.12.2024, 02.01.2025, 31.01.2025, 12.02.2025, 20.02.2025, 24.02.2025, 03.03.2025 requesting Petitioner to release of water from Tehri reservoir in relation to Mahakumbh Mela. Copies of relevant communications are enclosed hereto and marked as **Annexure-13.**
35. Evidently, owing to above instructions / directions of State Government of Uttar Pradesh, the water from the Tehri Dam was regulated which has resulted in shortfall of achieving the NAPAF and ultimately under-recovery of capacity charges which Petitioner deserves to recover.
36. In view of above, present Petition has been filed seeking recovery of total INR 8.58 Crore of capacity charges loss along with carrying cost in terms of Annexure-1. It is humbly prayed that same be allowed in interest of justice and equity.

(vi) **Facts in Issue:**

37. It is humbly submitted that in order to complete the final works of the Tehri PSP, the Petitioner herein had to effectuate complete shutdown of the Tehri HPP and KHEP, after seeking approval of the Ministry of Power, Government of India ("MoP") and State Government of Uttar Pradesh.
38. Tehri PSP is the first pumped storage plant in the central sector of India and has a capacity of 1000 MW. The Petitioner herein undertook rigorous work of timely completing Tehri PSP despite various hurdles such as geological challenges, law and order issues and fund crises etc.


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39. The Petitioner made best efforts to ensure the timely commissioning of Tehri PSP. It is relevant to point out that in order to successfully complete the river linking and other works in relation to Tehri PSP, the Petitioner had to undertake complete shutdown of the Tehri HPP and KHEP.
40. The Petitioner had to meticulously schedule the complete shutdown of the above generating units so as to ensure that the energy demand is not adversely affected. Subsequent to approval of MoP vide Letter dated 21.05.2024, the Petitioner completely shutdown the Tehri HPP and KHEP for 35 days from 02.06.2024 to 07.07.2024.
41. During the period of 35 days, the Petitioner was able to accomplish following landmarks in relation to the commissioning of Tehri PSP:
- Plug Breaking and inter – linking of HRT with upstream reservoir;
 - Construction of 2 number of Baffle Walls in TRC Area;
 - Breaking of Flood Protection wall and joining of Tail Race Tunnels outlets with river in the downstream;
 - River Dredging works;
 - Construction of Guide Walls and Raft in River Area.
42. However, the Petitioner despite its best efforts has suffered capacity charges losses which it is yet to recover from its beneficiaries. The Petitioner submits that above works comprise the final stage of construction and commissioning of the Tehri PSP. The commissioning of Tehri PSP mandatorily required timely joining of water conductor with river which mandates zero water release from Tehri HPP and KHEP in order to effectively complete the above works.
43. The pre-commissioning and river joining works were scheduled by the Petitioner during non – monsoon period wherein there is low reservoir level, low irrigation demand and the impact of complete shutdown of Tehri HPP


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and KHEP for a period of 35 days would have minimal impact and could be easily managed by National Regional Load Dispatch Centre ("NRLDC") to avoid any power scarcity during peak demand and to save wastage of precious green power.

44. Evidently, the Petitioner was not in a position to avoid the complete shutdown of Tehri HPP and KHEP, and the situation was beyond the control of the Petitioner. The Petitioner could not have delayed or postponed the pre-commissioning and river joining work.
45. It is very clear from the above that complete shutdown of Tehri HPP and KHEP was crucial for successful commissioning of Tehri PSP and was unavoidable for the Petitioner. Therefore, the shortfall of capacity charges suffered by the Petitioner ought to be allowed to be recovered from the beneficiaries of the Petitioner by raising supplementary bills.
46. That the Petitioner herein has also suffered loss of capacity charges as a result of regulation of Tehri Dam water by the State Government of Uttar Pradesh. The State Government of Uttar Pradesh had organized Mahakumbh Mela between 13.01.2025 to 26.02.2025 at Sangam site in Prayagraj.
47. In view of the said event as highlighted above various orders / directions were passed by the IWRD for provision of 140 cumecs water from Tehri Dam in addition to the irrigation requirements on priority basis during the festivities of Mahakumbh Mela. The water from Tehri dam was to be made available at all times to ensure clear and uninterrupted water flow in the Ganga River for bathing at Sangam site.
48. The Petitioner in compliance with the statutory directions of the State Government maintained the outflow of water to the Bhimgoda Barrage as


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and when required. In view of the same, the Petitioner faced the above restriction resulted in under recovery of the capacity charges

49. In view of the statutory nature of the orders of the IWRD, the Petitioner was bound to comply and could not have disobeyed the orders/ directions with respect to regulations of Tehri Dam. The Petitioner most humbly prays that capacity charges losses has been suffered by the Petitioner. The same ought to be allowed to be recovered from the beneficiaries of the Petitioner. Table demonstrating PAF from April 2024 to March 2025 is enclosed herewith and marked as **Annexure -1.**

(vii) **Questions of Law:**

- A. Whether facts of the present case merits consideration of exercise of power to relax by this Hon'ble Commission under Regulation 102 of CERC Tariff Regulations, 2024?
- B. Whether Petitioner is entitled to recover shortfall in capacity charges in terms of Section 61 (d) of the Electricity Act?
- C. Whether this Hon'ble Commission ought to exercise its power under Regulation 102 of the CERC Tariff Regulations, 2024 to meet ends of justice to ensure recovery of the generation tariff to the Petitioner on account of uncontrollable factors?
- D. Whether compliance of orders/ directions passed by instrumentalities of the State Government constitute sufficient cause to allow recovery of shortfall in capacity charges to the Petitioner and merits exercise of power by this Hon'ble Commission under Regulation 102 of the CERC Tariff Regulations, 2024?

(viii) **Grounds raised with legal provisions:**


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Re: This Hon'ble Commission has powers under Regulation 102 of the CERC Tariff Regulations to allow recovery of shortfall of capacity charges in FY 2024-25:

50. As per Regulation 102 of CERC Tariff Regulations, 2024, this Hon'ble Commission is duly equipped with power to relax any provisions of the CERC Tariff Regulations, 2024 on its own motion or on application made before it by an interested party. The excerpts of Regulation 102 of CERC Tariff Regulations, 2024 are reproduced below:

*"102. **Power to Relax:** The Commission, for reasons to be recorded in writing, may relax any of the provisions of these regulations on its own motion or on an application made before it by an interest person."*

51. Before proceeding further, it is relevant to point out the judgment of Hon'ble APTEL passed in *Tata Power Company Ltd. v. Jharkhand State Electricity Regulatory Commission*, reported as (2012) APTEL 159, wherein the Hon'ble APTEL has laid down the principles governing power to relaxation as under, which are squarely applicable to the present case:

"29. The principles relating to the exercise of power of relaxation laid down in the above decisions referred to above are as follows:

- (a) The Regulation gives judicial discretion to the Commission to relax norms based on the circumstances of the case. Such a case has to be one of those exceptions to the general rules. There has to be sufficient reason to justify relaxation which has to be exercised only in the exceptional case where non exercise of the discretion would cause hardship and injustice to a party.*

..."


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52. In the present context and the observations of the Hon'ble APTEL with respect to the exercise of "*power to relax*", it is very clear that the case of the Petitioner clearly demonstrates the perfect scenario for exercise of discretion by this Hon'ble Commission.
53. The Petitioner herein has suffered Capacity Charges losses of INR 8.58 Crore owing to events which were beyond its control. The said loss has been incurred by the Petitioner as a result of complete shutdown of Tehri HPP and KHEP for a period of 35 days from 02.06.2024 to 07.07.2024 and Water regulation restrictions imposed by State Government of Uttar Pradesh in light of Maha Kumbh Mela.
54. The commissioning of Tehri PSP mandatorily required timely joining of water conductor with river which mandates zero water release from Tehri HPP and KHEP in order to effectively complete the commissioning works of Tehri PSP. The Petitioner had brief window of 35 days to effectively complete the commissioning of Tehri PSP. It is noteworthy that had the delayed or postponed the said works, the same would have resulted in adverse impact in energy demand in the next financial year and delay in commissioning of 1000 MW green power.
55. Clearly, the Petitioner had no control over the said event, and it had to seek permissions/ approvals from the MoP and State Government to effectuate complete shutdown of Tehri HPP and KHEP for 35 days. During the said time period, the Petitioner was not able to achieve NAPAF of 66% as per Regulation 71(A)(4) of the CERC Tariff Regulations, 2024 and it was able to achieve total 64.092% of PAF in FY 2024-25. Owing the said shortfall, the Petitioner has suffered capacity charges loss of INR 8.58 Crore.
56. It is further submitted that undue hardship has been caused to the Petitioner due to regulation of water from Tehri Dam by the State Government of Uttar Pradesh. During the occasion of Mahakumbh Mela, the Petitioner was directed by the State Government to provide 140 cumecs water from Tehri


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Dam in addition to the irrigation requirements on priority basis during the festivities of Maha Kumbh Mela.

57. In view of the said event various orders / directions were passed by the IWRD for provision of 140 cumecs water from Tehri Dam in addition to the irrigation requirements on priority basis during the festivities of Maha Kumbh Mela. The water from Tehri dam was to be made available at all times to ensure clear and uninterrupted water flow in the Ganga River for bathing at Sangam site.
58. The Petitioner in compliance with the statutory directions of the State Government, maintained the outflow of water to the Bhimgoda Barrage as and when required. In view of the same, the Petitioner faced capacity charges losses
59. Evidently, the above events were events beyond the control of the Petitioner. Further, the Petitioner also seeks to point out the observations of the Hon'ble APTEL in *Haryana Power Purchase Centre & Anr. v. Haryana Electricity Regulatory Commission & Ors.*, Appeal No. 107 of 2015, Judgment dated 21.08.2018, wherein the Hon'ble APTEL has *inter alia* observed that:

*"59.3 It is an established fact and also, recognised by the State Commission in their order dated 18.04.2011 that adequate amount for O&M expenses is essential for proper upkeep and maintenance of power plants so far as to drive uninterrupted generation and also optimum efficiency. It is noted that the provision in HRC Regulation, 2008 is only 1% of the capital cost which works out to a meagre amount and not adequate for proper O&M of power plant. **Though, the relaxation is entirely a discretionary power of the Commission but it is a settled law that the discretionary power need to be applied which considering justice and equity without discrimination to any party.**"*

60. In view of above, judgement and binding directions of the Hon'ble APTEL, it is evident that considering the circumstances which resulted into reduction


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of the PAF in the case of the Petitioner, power to relax ought to be exercised to meet justice and equity. Further, as highlighted in the preceding submissions, the commissioning of Tehri PSP necessitated the Petitioner to completely shut down Tehri HPP and KHEP for 35 days w.e.f. 02.06.2024. Additionally, the water from Tehri Dam was strictly regulated in view of the occasion of Mahakumbh Mela. Both reasons caused loss of PAF and which resulted into total loss of INR 8.58 Crore to the Petitioner. It very evident that the case of the Petitioner is fit to be considered for power to relax so as to remove the undue hardship caused to the Petitioner. In view of the same, present Petition may be allowed and Hon'ble Commission may allow Petitioner to recover INR 8.58 Crore along with carrying cost in terms of Annexure-1 by relaxing the norms relating to NAPAF under Regulation 71(A)(4) of the CERC Tariff Regulations, 2024 in terms of power conferred under Regulation 102 of the CERC Tariff Regulations, 2024

Re: The events which led to shortfall in achieving of NAPAF were beyond the control of the Petitioner:

61. It is stated that as per Regulation 71(A)(4) of the CERC Tariff Regulations, 2024 the Petitioner is required to maintain NAPAF of 66%, however, owing to occurrence of following events which were beyond the control of the Petitioner, the PAF of KHEP was 1.908% below the mandated threshold of 66%:
- a. Complete shutdown of Tehri HPP and KHEP for 35 days from 02.06.2024 to 07.07.2024, for timely commissioning of Tehri PSP.
 - b. Water regulation restrictions imposed by the IWRD in connection with preparation for Mahakumbh at Prayagraj, Uttar Pradesh.
62. It is submitted that particularly due to the occasion of Maha Kumbh Mela the water from Tehri Dam was regulated w.e.f. 13.01.2025 to 26.02.2025, during


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which the PAF of the KHEP kept on fluctuating throughout FY 2024-25. It is relevant to note that the State Government, in terms of directions dated 21.07.2023, passed by the Hon'ble High Court in the PIL directed the Petitioner to regulate water from Tehri dam during the Mahakumbh Mela for clean and continuous water at Sangam point. As a result of regulation of water from Tehri Dam, the Petitioner couldn't achieve NPAF of Koteshwar HEP and thus has suffered under recovery of capacity charges which it deserves to recover.

63. That the occasion of Mahakumbh Mela and regulation of Tehri Dam also qualifies as a force majeure event and the loss of Capacity Charges on account of the same is not attributable to the Petitioner. In this regard, it may also be apposite to place reliance on the judgment of the Hon'ble Supreme Court in **Dhanrajmal Gobindram v. Shamji Kalidas & Co., reported as AIR 1961 SC 1285** wherein it was held:

*"17. McCardie, J. in Lebeaupin v. Crispin [(1920) 2 KB 714] has given an account of what is meant by "force majeure", with reference to its history. The expression "force majeure" is not a mere French version of the Latin expression "vis major". It is undoubtedly a term of wider import. Difficulties have arisen in the past as to what could legitimately be included in "force majeure". Judges have agreed that strikes, breakdown of machinery, which, though normally not included in "vis major" are included in "force majeure". **An analysis of rulings on the subject into which it is not necessary in this case to go, shows that where reference is made to "force majeure", the intention is to save the performing party from the consequences of anything over which he has no control. This is the widest meaning that can be given to "force majeure", and even if this be the meaning, it is obvious that the condition about "force majeure" in the agreement was not vague...."***

64. The Petitioner also seeks to point out the observations of the Hon'ble APTEL rendered in *GMR Kamalanga Energy Ltd. & Anr. v. Central Electricity Regulatory Commission & Ors.*, Appeal No. 193 of 2017, Judgment dated 21.12.2018, ("**GMR Judgment**") wherein the Hon'ble APTEL has


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categorically recognised the occurrence of events which are beyond the control of a party as a force majeure events:

*"68. Meanwhile, on 25-8-2014 by virtue of judgment of the Hon'ble Apex Court in the case of Manohar Lal Sharma vs. Principal Secretary & Ors., entire allocation of coal block made by Screening Committee from 14-7-1993 onwards in 36 meetings and allocation made through the Govt. dispensation route held to be illegal. As a consequence, de-allocation order came to be passed on 24-9-2014 which cancelled allocated on 204 coal blocks including Rampia etc. with immediate effect. Therefore, Captive Coal Block came to be cancelled. **Prior to this, the delay between October 2013 till date of judgment, it was on account of Go-No-Go policy of MOEF which was beyond the control of Appellant. Additional 40% or 20% of the base price was payable by the purchasers as "add on price" for coals after normative date of production. On account of reasons mentioned above the scheduled date of coal block and the judgment in Manohar Lal Sharma, it was a case of force majeure and from the date of judgment, it was on account of change in law (due to NCDP of 2013).**"*

65. The Petitioner *submits* that the issue in the GMR Judgment pertained to issue of cancellation of a coal block, however, the principle of force majeure as enunciated and laid down by the Hon'ble APTEL in the said judgment is squarely applicable to the case of the Petitioner. It is also very clear that the Petitioner was unable to operate KHEP at optimal level during the period which has culminated into capacity charges losses of INR 8.58 Crore as detailed in the Annexure-1. It is therefore clear that the regulation of water of Tehri Dam by the State Government of Uttar Pradesh was beyond the control of the Petitioner, and is therefore a force majeure event.
66. The Petitioner states that on resumption of generation at KHEP, all efforts were made to ensure maximum PAF to compensate for loss during 2024 – 25. The same was diligently being undertaken by operating the KHEP most optimally, thereby annual PAF of 64.092% from April 2024 onwards respectively was achieved. Despite all efforts, the Petitioner is yet to recover


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total INR 8.58 Crore of Capacity Charges losses which it deserves to recover from its beneficiaries.

67. In view of the above, it is humbly prayed that this Hon'ble Commission may declare the occasion of 'Mahakumbh Mela' as a force majeure event and allow the Petitioner to recover Capacity Charges losses of INR 8.58 by exercising its power under Regulation 102 of the CERC Tariff Regulations, 2024 caused as a result of regulation of water from Tehri Dam, from its beneficiaries by raising supplementary bills.

Re: The Petitioner duly complied with the statutory directions of the State Government of Uttar Pradesh:

68. It is stated that all through the duration of Mahakumbh Mela, the Government of Uttar Pradesh through IWRD issued directions / orders to the Petitioner to direct the water from Tehri Dam towards Bhimgoda Barrage. Such instructions were issued to the Petitioner by IWRD on 03.12.2024, 12.12.2024, 27.12.2024, 02.01.2025, 31.01.2025, 12.02.2025, 20.02.2025, 24.02.2025, and 03.03.2025 requesting Petitioner to release of water from Tehri reservoir in relation to Mahakumbh Mela.
69. It will be relevant to point out following excerpts of the english translation of letter dated 02.01.2025 issued by Chief Engineer IWRD to the Petitioner in relation to the regulation of water from Tehri Dam:

"As you are also aware that during the Mahakumbh Mela 2025 at the Sangam site in Prayagraj district of Uttar Pradesh state this year, the Hon'ble High Court, Allahabad has passed orders in Public Interest Litigation No. 4003/2006 (Re: Ganga Pollution vs State of Uttar Pradesh and others) to maintain adequate water flow for ensuring continuous and clean water in the Ganga River during the hearings. The Chief Engineer and Department Head through office memo number- 903/ dated 03.09.2024 has issued directions to provide additional 2000 cusec water from Tehri Dam besides irrigation requirements on priority basis for bathing during


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Mahakumbh-2025 (from January 13, 2025 to February 26, 2025), similar to previous years, for successful and smooth completion of the event. A copy of the same has also been endorsed to the Chairman and Managing Director, THDC India Ltd., Rishikesh, Uttarakhand among others.

In this sequence, it is to inform that the main bathing festival dates at Sangam site in district-Prayagraj are fixed as Paush Purnima on 13.01.2025, Makar Sankranti on 14.01.2025, Mauni Amavasya on 29.01.2025, Basant Panchami on 04.02.2025, Maghi Purnima on 12.02.2025 and Mahashivratri on 26.02.2025. It is essential to maintain clean and uninterrupted adequate water flow in the Ganga River for bathing at Sangam site on these dates. To maintain this situation, it is imperative to continuously release 2000 cusec water in addition to irrigation requirements in the downstream of Bhimgoda Barrage.

It may be noted that currently, due to widespread rainfall in the Upper Ganga Canal Command Area, the water demand for irrigation has become very low, due to which excess water is flowing in the downstream of Bhimgoda Barrage, which may lead to increased water levels at Prayagraj affecting the main bathing festivals of Mahakumbh, resulting in an unavoidable situation. In this regard, during Mahakumbh Mela 2025, it is necessary to maintain stable water level at Sangam site for bathing. For this purpose, the water released from Tehri Dam should be provided at Bhimgoda Barrage only as per the demand made by the Superintending Engineer, First Circle Irrigation Works, Meerut under this organization from time to time.

The Superintending Engineer, First Circle Irrigation Works, Meerut has informed that on 27.12.2024, through telegram, the Deputy General Manager (O&M and Q, Security), Rishikesh (Uttarakhand) was requested to provide only 180 cusec water due to negligible water demand following rainfall in Upper Ganga Canal Command Area, and this matter was also discussed over telephone several times, but even after this request, 223 cumec water is still being released from Tehri reservoir, causing excess water flow in the downstream of Bhimgoda Barrage than required.

Therefore, you are requested to kindly ensure that a maximum of 140 cumecs of water is made available at Bhimgoda Barrage from Tehri Reservoir until further notice, considering the minimum water requirement for irrigation in the Ganga Command Area and maintaining a steady water flow for bathing at the Sangam site in Prayagraj during Mahakumbh-2025."


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70. It is pertinent to note that the above letter dated 02.01.2025 duly records the directions of the Hon'ble High Court with respect to availability of clean water during the Mahakumbh Mela. The letter also clearly indicates that the total requirement of fresh water for bathing purposes at Sangam point was 2000 cusec out of which 140 cumecs was to be provided from Tehri Dam of the Petitioner.
71. The water from Tehri dam was regulated by the IWRD vide various communications whereby water from Tehri dam was to be made available at Bhimgoda Barrage to ensure clean water at all times during Maharkumbh Mela.
72. It is important to point out that said instructions/ direction of IWRD flows from the order dated 21.07.2023 in PIL Hon'ble High Court vide order dated 21.07.2023 in PIL, wherein the Hon'ble High Court *inter alia* instructed that clean water be made available during the Mahakumbha Mela. Relevant excerpts of order dated 21.07.2023 is reproduced:

"20. However, at this stage, we may also hold that matters relating to illegal development activities being carried out against master plan of Prayagraj Development Authority, encroachment of public places, roadside lands, discharge of statutory duties by Municipal Corporations of different districts and municipalities, in the field of civic administration and other 'incidental' and allied issues related to it, will still be cognizable by this Court. Likewise activities of Mela Authority, Prayagraj during Magh Mela, Ardhkumbh/ kumbh and Mahakumbh may also be subject matter of monitoring by this court, of Public Interest Litigation petitions are filed by the aggrieved parties because these all would involve local issues relating to allotment of land, cleanliness in the Magh Mela area, basic amenities to be made available to kalpwasis etc. and also if there arises any complaint in respect of administration of the Mela Authority, Prayagraj.

21. We may also add here that in order to ensure speeding up of the work of tapping of drains in the city of Prayagraj and ensuring that untreated sewage water does not flow into rivers during Magh Mela, Ardhkumbh/ Kumbh/Mahakumbh Mela, such matters may


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overlap a little bit with pending matters before National Green Tribunal, but for this limited mela purposes. This Court would certainly not shrink away from its constitutional duty in entertaining petitions during Mela period as object is only there to ensure that Clean Ganga and Yamuna water is available for bathing purposes for Kalpwasis during one of the world's largest religious congregation held here at Prayagraj during the month of Magh."

73. Evidently, the instruction/ directions of the IWRD regulating the water from Tehri dam flows from the categoric instructions of the Hon'ble High Court vide order dated 21.07.2023, whereby clean water availability has been stressed upon by the Hon'ble High Court during various religious events, particularly Mahakumbh Mela. Therefore, Petitioner had no option but to comply with directions of the Hon'ble High Court which resulted into non-achievement of NAPAF.
74. Further, the Petitioner could not have exercised discretion with respect to compliance with the water regulation instructions issued by IWRD, the Petitioner was under statutory and legal compulsion to make the water from Tehri dam available at Bhimgoda Barrage in order to comply with directions of the Hon'ble High Court and other statutory authorities.
75. The Petitioner humbly states that water regulation instruction during Mahakumbh Mela culminated into Capacity Charges loss. Evidently, the same was beyond the control of the Petitioner and the Petitioner was obligated to comply with the statutory directions issued by State Government of Uttar Pradesh. In view of the same, it is humbly prayed that this Hon'ble Commission may be pleased to allow present Petition and permit the Petitioner to recover the said losses from its beneficiaries.

Re: The Petitioner deserves to recover the shortfall of capacity charges in terms of Section 61 (d) of the Electricity Act:


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76. The Petitioner submits that Section 61 (d) of the Electricity Act enjoins upon the appropriate commission to safeguard consumer interest and at the same time, ensure recovery of cost of electricity in a reasonable manner.
77. Section 61 (d) of the Electricity Act obligates the Commission to provide cost reflective tariff. The relevant portion of the Section 61 (d) of the Electricity Act is reproduced:

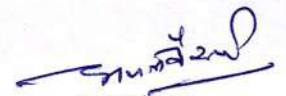
*"61. The Appropriate Commission shall, subject to the provisions of this Act, specify the terms and conditions for the determination of tariff, and in doing so, shall be guided by the following, namely:
(...)*

(d) safeguarding of consumers' interest and at the same time, recovery of cost of electricity in a reasonable manner.

(2) The promotion of co-generation and generation of electricity from renewable sources of energy;

(2) The National Electricity Policy and Tariff Policy."

78. In the present case, during FY 2024-25, the Petitioner has been deprived of its actual tariff determined by this Hon'ble Commission vide Tariff Order. The said deprivation has not occasioned as a result of actions of the Petitioner, rather the events as narrated in the preceding submissions, which culminated into low PAF which were beyond the control of the Petitioner.
79. It is further submitted that that the cost of hydropower plants in the form of annual fixed costs ("AFC") is recovered from the beneficiary Discoms by a generating station in two parts, i.e., capacity charges (i.e., 50% of AFC) and energy charges (i.e., 50% of AFC). The present petition is being preferred by the Petitioner to recover the shortfall of 1.260 % in the capacity charges which is a part of AFC. The Petitioner was unable recover the said charges from the tariff due to reasons beyond its control.



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80. This Hon'ble Commission vide order dated 08.11.2024 in Petition No. 60/GT/2024 (Interim Truing-up) had allowed AFC for the period of FY 2019–2024 ("**Tariff Order dated 08.11.2024**") in following terms:

"Annual Fixed Charges

56. Based on the above, the annual fixed charges approved for the generating station for the 2019-24 period are summarized as under:

	2019-20	2020-21	2021-22	2022-23	2023-24
Depreciation	1357.67	13602.34	13625.22	13636.41	14762.37
Interest on loan	11235.24	10050.09	8815.73	7592.94	7822.44
Return on Equity	13203.80	13248.51	13265.47	13273.20	14700.08
Interest on Working Capital	1323.48	1255.05	1187.34	1205.83	1276.10
O&M Expenses	17268.39	18091.63	18954.12	19857.71	20804.39
Total	56558.59	56247.63	55847.87	55566.19	59365.38

Copy of relevant excerpt of Tariff Order dated 08.11.2024 is enclosed hereto and marked as **Annexure-14.**

81. It is humbly submitted that as on date of filing of the present Petition tariff proposal of the Petitioner for period 2024-25 is pending before Hon'ble Commission. This Hon'ble Commission has allowed provisional tariff to the Petitioner vide order dated 08.11.2024 in Petition No. 60/GT/2024 based on AFC, in terms CERC (Terms & Conditions of Tariff), Regulations, 2024 for FY 2024-25. In terms of the said order the Petitioner could recover capacity charges amounting to INR 288.24 Crore as per provisional Regional Energy Accounts against the capacity charges of INR 296.82 Crore which Petitioner is actually entitled to recover as capacity charges. Hence there is an under recovery of capacity charges amounting to INR 8.58 Crore in FY 2024-25 which may be allowed to be recovered.


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82. It is relevant to point out that the tariff of the Petitioner is determined and fixed in terms of Section 62 and has not been fixed under Section 63 of the Electricity, therefore this Hon'ble Commission may be please to allow the Petitioner to recover the loss of capacity charges to INR 8.58 Crore suffered by the Petitioner in FY 2024-25 from its beneficiaries.

83. It is submitted that the Petitioner has preferred petition no. 485/GT/2024 for truing up of the tariff allowed by this Hon'ble Commission vide order dated 08.11.2024 in Petition no. 60/GT/2024 and seeking determination of tariff for FY 2024-29 ("**True up /Tariff Proposals**") which as on date is pending disposal before this Hon'ble Commission. It is pertinent to point out that vide the present petition the Petitioner seeks recovery of INR 8.58 Crore along with carrying cost from its beneficiaries. However, the final capacity charge shortfall for FY 2024-25 shall be crystalised in the truing up of tariff for period 2024-25.

84. It is humbly prayed that this Hon'ble Commission may be pleased to allow the Petitioner to recover shortfall of INR 8.58 Crore along with carrying cost from its beneficiaries by raising supplementary bills to converge with statutory obligations under Section 61 (d) of the Electricity Act.

(ix) **Matters not previously filed or pending with any other court:**

85. The Petitioner has not filed any other application / petition before any other court, tribunal or commission in relation to the issues raised herein.

86. The Petitioner pleads to file any further details as may be required by the Hon'ble Commission or to substantiate its claims.

87. The present petition is Bonafide and filed in the interest of justice.

(x) **Filling fee:**


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88. It is submitted that the Petitioner has already paid the requisite filing fee through SAUDAMINI portal as per the provisions of the CERC (Payment of Fees) Regulations, 2012 as amended.
89. It is submitted the Petitioner has served the copy of the Petition to the Respondents mentioned herein above and has uploaded the Petition on the company website i.e. www.thdc.co.in.
90. THDCIL has deposited the requisite filing fee in accordance with CERC (Payment of Fees) Regulations, 2012 & details of the same are being filed in Form-I accompanied with this petition.

(xi) **Reliefs Sought:**

PRAYER

The Petitioner most humbly and respectfully prays that this Hon'ble Commission may be pleased to adjudicate upon the present petition to:

- (i) Allow the present petition and relax Normative Plant Availability Factor norms for Koteswar Hydro Electric Project from 66% to 64.092% for the Financial Year 2024-2025 to enable the Petitioner to recover entire capacity charges and pass consequential reliefs in relation to the same;
- (ii) Permit the Petitioner to recover loss of capacity charges on the basis of NAPAF of 64.092% which is presently works out to INR 8,58,19,693/- (Rupees Eight Crore Fifty-Eight Lakh Nineteen Thousand Six Hundred and Ninety-Three only) in terms of **Annexure-1** from its beneficiaries/respondents by raising supplementary bills in proportion to their respective power share along with carrying cost;


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(iii) Pass such other order(s) as this Hon'ble Commission may deem just in the facts and circumstances of the present case.

(xii) Interim reliefs sought, if any:

N/A

(xiii) List of enclosures:

Date: 27.06.2025

Counsel for the Petitioner


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DECLARATION

The Petitioner above named hereby solemnly declares that nothing material has been concealed or suppressed and further declares that the enclosures and typed set of material papers relied up and filed herewith are true copies of original/ fair representation of originals/ true translation thereof.

Verified at Rishikesh on the ^{27th}~~27th~~ day of June, 2025.

Counsel for the Petitioner


Petitioner

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ANNEXURE - 1

Calculation of Shortfall in Capacity Charge

Name of Company THDC INDIA LIMITED
Name of Project Koteshwar HEP (400MW)
Period FY 2024-25

Sl. No.	Month	No. of days in the Month	Provisional AFC allowed by Hon'ble CERC as per order dated 08.11.2024 (₹)	NAPAF Approved by Hon'ble CERC in CERC Tariff Regulation, 2024 (%)	PAF achieved during FY 2024-25 (%)	Capacity Charge to be recovered on the basis of NAPAF (i.e. 50% of AFC) (₹)	Capacity Charge recovered on the basis of actual PAF achieved during FY 2024-25 (₹)	Total Capacity Charge recovered during FY 2024-25 on the basis of actual PAF (₹)	Shortfall in Capacity Charge (₹)
1	2	3	4	5	6	7	8=(7*6*3/5*365)	9	10=7-9
1	April'24	30	5936538000	66	42.621	2968269000	157547438	2882449307	85819693
2	May'24	31			28.378		108395171		
3	June'24	30			1.164		4302696		
4	July'24	31			73.361		280216299		
5	Aug'24	31			99.12		378607701		
6	Sep'24	30			94.848		350603211		
7	Oct'24	31			58.407		223096651		
8	Nov'24	30			38.861		143648694		
9	Dec'24	31			84.702		323535407		
10	Jan'25	31			56.199		214662774		
11	Feb'25	28			98.697		340508878		
12	Mar'25	31			93.548		357324387		
Total		365	5936538000	66	64.092	2968269000	2882449307	2882449307	85819693

19/06/25
19.06.2025

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**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

No.L-1/268/2022/CERC

Dated 15th March, 2024

(NOTIFICATION)


In the exercise of powers conferred under section 178 of the Electricity Act, 2003 (36 of 2003) read with Section 61 thereof and all other powers enabling it in this behalf, and after previous publication, the Central Electricity Regulatory Commission hereby makes the following regulations, namely:

CHAPTER – 1

PRELIMINARY

1. **Short title and commencement.** (1) These regulations may be called the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024.
- (2) These regulations shall come into force on 1.4.2024, and, unless reviewed earlier or extended by the Commission, shall remain in force for a period of five years from 1.4.2024 to 31.3.2029:

Provided that where a generating station or unit thereof and transmission system or an element thereof, has been declared under commercial operation before the date of commencement of these regulations and whose tariff has not been finally determined by the Commission till that date, tariff in respect of such generating station or unit thereof and transmission system or an element thereof for the period ending 31.3.2024 shall be determined in accordance with the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019 as amended from time to time.



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$$[62.9 \times S \times \text{SHR} / \text{CVPF}] \times [85 / \text{LP}]$$

Where

S = Sulphur content in percentage,

LP = Limestone Purity in percentage,

SHR = Gross station heat rate, in kCal per kWh,

CVPF = (a) Weighted Average Gross calorific value of lignite as received, in kCal per kg as applicable for lignite based thermal generating stations;

(e) For Sea Water based Flue Gas Desulphurisation (FGD) system: The reagent used in sea water based Flue Gas Desulphurisation (FGD) system shall be NIL

(2) The normative consumption of specific reagent for various technologies for the reduction of emission of oxide of nitrogen shall be as below:

(a) For Selective Non-Catalytic Reduction (SNCR) System: The specific urea consumption of the SNCR system shall be 1.2 g per kWh at 100% purity of urea.

(b) For Selective Catalytic Reduction (SCR) System: The specific ammonia consumption of the SCR system shall be 0.6 g per kWh at 100% purity of ammonia.

71. Norms of Operation for Hydro Generating Stations: The norms of operation as given hereunder shall apply to hydro generating stations:

(A) Normative Annual Plant Availability Factor (NAPAF): (1) The following normative annual plant availability factor (NAPAF) shall apply to hydro generating station:

(a) Storage and Pondage type plants with head variation between Full Reservoir Level (FRL) and Minimum Draw Down Level (MDDL) of up to 8%, and where plant availability is not affected by silt: 90%;

(b) In the case of storage and pondage type plants with head variation between full reservoir level and minimum draw down level is more than 8% and when plant availability is not affected by silt, the month-wise peaking capability as provided by the project authorities in the DPR (approved by CEA or the State Government) shall form the basis of fixation of NAPAF;

(c) Pondage type plants where plant availability is significantly affected by silt: 85%.

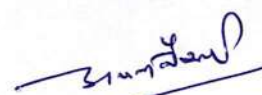
Run-of-river generating stations: NAPAF to be determined plant-wise, based on 10-day design energy data, moderated by past experience where available/relevant.

(2) A further allowance may be made by the Commission in NAPAF determination under special circumstances, e.g. abnormal silt problem or other operating conditions, and known plant limitations.

(3) A further allowance of 5% may be allowed for difficulties in North East Region.

(4) Based on the above, the Normative annual plant availability factor (NAPAF) of the hydro generating stations already in operation shall be as follows: -

Station	Type of Plant	Plant Capacity No. of Units x MW	NAPAF (%)
THDC			
THPS	Storage	4x250	77
KHEP	Storage	4x100	66
NHPC			
Station	Type of Plant	Plant Capacity No. of Units x MW	NAPAF (%)
Bairasul	Pondage	3x60	85
Loktak	Pondage	3x35	88
Salal	ROR	6x115	70
Tanakpur	ROR	3x31.4	70
Chamera-I	Pondage	3x180	90



अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

संख्या- 1038/ 24-27-सिं0-4 -33(डबल्यू)/88टी0सी0-C.N-1813461

प्रेषक,

अमित प्रणव ,
संयुक्त सचिव,
उत्तर प्रदेश शासन।

सेवा में,

प्रमुख अभियन्ता एवं विभागाध्यक्ष,
सिंचाई एवं जल संसाधन विभाग,
उ०प्र० लखनऊ।

सिंचाई एवं जल संसाधन अ०न०भाग-4 लखनऊ दिनांक 08 जून, 2024

विषय- निर्माणाधीन टिहरी पीएसपी की TRTs को नदी से संयोजित करने के लिए टिहरी जलाशय से जल निकासी बाधित होने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक मुख्य अभियन्ता (जल संसाधन) सिंचाई एवं जल संसाधन विभाग, उ०प्र० लखनऊ के पत्र संख्या-498/मु०अ०ज०सं०/टी०एच०डी०सी०/अनिम-प्र०/पी०पी०-2, दिनांक 16.05.2024 का कृपया सन्दर्भ ग्रहण करने का कष्ट करें।

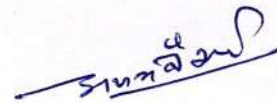
2. इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि टिहरी पम्प स्टोरेज प्लांट (4X250=1000 मेगावाट) की कमीशनिंग हेतु टिहरी परियोजना के जलाशय से तत्काल प्रभाव से 30 जून, 2024 तक जल निकासी निम्नलिखित शर्तों के अधीन बन्द किये जाने का निर्णय लिया गया है :-

- (I) टिहरी हाइड्रो डेवलपमेन्ट कारपोरेशन द्वारा शटडाउन के दौरान अलकनन्दा नदी का जल अविरल उपलब्ध कराया जाएगा।
- (II) टिहरी हाइड्रो डेवलपमेन्ट कारपोरेशन द्वारा शटडाउन के दौरान पेयजल हेतु दिल्ली राज्य को 300 क्यूसेक व उत्तर प्रदेश को 200 क्यूसेक जल की उपलब्धता सुनिश्चित की जाएगी।
- (III) उक्त अवधि के दौरान टिहरी हाइड्रो डेवलपमेन्ट कारपोरेशन द्वारा 15 क्यूसेक जल की आपूर्ति भागीरथी नदी से सुनिश्चित करते हुए समस्त कार्य पूर्ण करा लिया जाएगा।
- (IV) सिंचाई की जल मात्रा में होने वाली कमी को U.G.C, L.G.C & Agra Canal Interlinking System standing order on distribution of Supplies, During Kharif Fasal, March 1951 के अनुरूप समायोजित किया जाना होगा।

Signed by,

Amit Pranav

(अमित प्रणव)
Date: 08-06-2024 19:03:45
संयुक्त सचिव।



अजय वैश्य
AJAY VAISH

उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

संख्या -1038 (1)/24-27 सिं0-4, तददिनांक

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. स्टॉफ ऑफिसर, मुख्य सचिव, उ०प्र० शासन।
2. निजी सचिव, अपर मुख्य सचिव(ऊर्जा), उ०प्र० शासन।
3. निजी सचिव, प्रमुख सचिव, सिंचाई एवं जल संसाधन विभाग, उ०प्र० शासन।
4. अध्यक्ष, पावर कॉरपोरेशन लिमिटेड, शक्ति भवन, उ०प्र० लखनऊ।
5. अध्यक्ष एवं प्रबन्ध निर्देशक, टी०एच०डी०सी० इण्डिया लिमिटेड, गंगा भवन प्रगतिपुरम, वाईपास रोड ऋषिकेश-249201।
6. मुख्य अभियन्ता (जल संसाधन), सिंचाई एवं जल संसाधन विभाग, उत्तर प्रदेश, लखनऊ।
7. मुख्य अभियन्ता (गंगा) सिंचाई एवं जल संसाधन विभाग, उत्तर प्रदेश, मेरठ।


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

आज्ञा से ,

Signed by

Vichitra (विचित्रा निवारि)

Date: 08-06-2024 19:08:14



टीएचडीसी इंडिया लिमिटेड THDC INDIA LIMITED

(अनुसूची-‘क’ मिनरी रत्न पीएसयू)
(Schedule - A Mini Ratna PSU)

CIN : U45203UR1988GOI009822



भारत 2023 INDIA

वसुधैव कुटुम्बकम्

ONE EARTH • ONE FAMILY • ONE FUTURE

No. THDCIL/RKSH/D(T) Sectt./ 263

Date: 27.03.2024

The Director General,
National Mission for Clean Ganga,
Ministry of Jal Shakti,
Department of Water Resource,
River Development & Ganga Rejuvenation
1st Floor , Major Dhyan Chand National Stadium
India Gate, New Delhi –110002
Tel : 011-23072900/901
Email: admn.nmcg@nic.in

Sub : Shutdown of Tehri HPP and zero release of water from Tehri Reservoir to accomplish construction/commissioning of Tehri PSP(4x250MW) -regarding

Sir,

Tehri Hydropower Complex (Tehri HPC) is a multipurpose scheme on river Bhagirathi, a tributary of river Ganges. It is designed for storing surplus water of river Bhagirathi during monsoon (21st June to 31st Oct.) and releasing the stored water to fulfil the irrigation and drinking water needs of the population in the Gangetic plains of Uttarakhand and Uttar Pradesh during non-monsoon period (1st Nov to 20th June) while generating 2400MW of peaking power. Tehri HPC consists of the following three plants:

1. Tehri Hydro Power Plant (Tehri HPP) - 1000 MW (4x250MW) – *In Operation*
2. Koteshwar Hydro Electric Project (Koteshwar HEP) - 400 MW (4x100MW) – *In Operation*
3. Tehri Pumped Storage Plant (Tehri PSP) - 1000 MW (4x250MW) ~ *Under Construction and expected to be commissioned in 2024-25.*

Tehri PSP (4x250MW) of Tehri HPC is in advance stage of commissioning and its Unit-01 and Unit-02 are targeted to be completed in Jul'24 and Sep'24 whereas Unit 03 and 04 are targeted to be completed by Nov'24 and Dec'24. As, Tehri PSP being an integral part of Tehri Hydro Power Complex, it shares common infrastructure with operational plants Tehri HPP(4x250MW) and Koteshwar HEP(4x100MW) which includes upstream Tehri Reservoir and downstream Koteshwar Reservoir. Hence, final stage of construction and commissioning of Tehri PSP requires timely joining of water conductor system with the upstream reservoir by removing existing plug in HRT and downstream reservoir which involves breaking of flood protection wall at TRT outlet. These are mandatory pre-commissioning activities.

प्रधान कार्यालय : गंगा भवन, प्रगतिपुरम, बाईपास रोड, ऋषिकेश - 249201

Corporate Office : GANGA BHAWAN, PRAGATIPURAM, BYPASS ROAD, RISHIKESH - 249201

अजय वैश्य
AJAY VAISH

उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH



The pre-commissioning activities require complete Shutdown of Tehri Plant for a period of 45 Days, for construction works of Baffle wall and breaking of Flood Protection wall at TRT outlet. The required 45 days complete shutdown is proposed from 15th May to 30th Jun '2024 . In this context, THDCIL also sought the NOC from Govt of UP for complete shutdown of Tehri HPP and KHEP and zero release from Tehri reservoir as water released from Tehri reservoir is regulated by UPID for the purposes of irrigation and drinking at Bhimgoda Barrage in Haridwar.

In order to facilitate the seamless execution of construction and commissioning activities of Tehri PSP, while closely considering their implication on water release, THDCIL did a meticulous analysis, based on historical data of Inflow, Irrigation Demand, Operational Limitations, and the associated risks. In this context the following is submitted.

- Proposed period from mid of May to Jun is opportune time for execution of pre-commissioning activities, due to very low demand of water for irrigation.
- Normally, monsoon cycle commences from last week of June and intensifies in the subsequent months. Any construction activity in the river and on its banks during the monsoon poses considerable risks, particularly due to engagement of substantial manpower and material resources. Therefore, it would be prudent to complete proposed construction and commissioning activities before the onset of monsoon. These activities are mandatory for commissioning of Tehri PSP and can only be carried out during a specific time period of the year, particularly when the reservoir level is low, irrigation demand is low and non-monsoon period. If this time period is missed, the next suitable opportunity won't arise until the following year during the same time period. This delay would lead to unnecessary project delays and cost overruns, and result into generation loss..

In view of the above, it is evident that commissioning of Unit-01 can be achieved in July'24, if all the pre-commissioning activities as mentioned above are completed by 30th Jun, else it has to be postponed during subsequent months of monsoon which would be an unfavorable time period. After monsoon, reservoir will be at its highest level having no cushion for storage and thereafter demand for water will be high on account of irrigation, drinking and Magh Mela etc. Hence, after monsoon and subsequent months restrictions over release may affect larger public interest in downstream and plant shut-down will not be possible due to exhaustion of storage capacity.

Considering the above, benevolent intervention of your esteemed office in the matter is earnestly implored to allow THDCIL to do complete shutdown of plant and zero release from the Tehri reservoir from 15th May to 30 Jun '24 (45 Days).



THDCIL also assures to explore possibilities to release 2-4 Cumecs water from Koteswar reservoir. THDCIL's team will also closely co-ordinate with NMCG to proactively manage specific water release in river up to the extent possible.

Furthermore, timely commissioning of Tehri PSP and its importance as emphasized above becomes more important with the fact that Tehri PSP stands as a cornerstone in our nation's interest, the completion of Tehri PSP will usher in a substantial increase of 1000MW in installed energy storage capacity on the national Grid effectively catering to the rising demand, thereby serving the greater national interest.

Kind Regards,

अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

Yours Sincerely,

(Bhupendra Gupta)
Director (Technical)
THDCIL, Rishikesh



भारत सरकार
Government of India
विद्युत मंत्रालय
Ministry of Power
उत्तर क्षेत्रीय विद्युत समिति
Northern Regional Power Committee

सं. उक्षेविस/वाणिज्यिक/ 209/ आर पी सी (72)/ 2024

दिनांक: 19 अप्रैल, 2024

सेवा में/To,

एनआरपीसी एव टीसीसी के सभी सदस्य एवं विशेष आमंत्रित (संलग्न सूचीनुसार)
Members of NRPC & TCC & Special Invitees (As per List)

विषय: उत्तर क्षेत्रीय विद्युत समिति (एनआरपीसी) की 72 वीं और तकनीकी समन्वय समिति (टीसीसी) की 49 वीं बैठक का कार्यवृत्त।

Subject: MoM of 72th Northern Regional Power Committee (NRPC) & 49th Technical Co-ordination Committee (TCC)-reg

महोदय/महोदया,

तकनीकी समन्वयन समिति (टीसीसी) की 49 वीं बैठक दिनांक 29.03.2024 (सुबह 09:30 बजे) एवं उत्तर क्षेत्रीय विद्युत समिति की 72 वीं बैठक दिनांक 30.03.2024 (सुबह 09:30 बजे) को लखनऊ, उत्तर प्रदेश में आयोजित की गयी थी। बैठक का कार्यवृत्त संलग्न है। यह उक्षे.विस की वेबसाइट (<http://164.100.60.165/>) पर भी उपलब्ध है।

49th meeting of Technical Co-ordination Committee (TCC) was held on 29.03.2024 (09:30 AM) and 72th meeting of Northern Regional Power Committee (NRPC) was held on 30.03.2024 (09:30 AM) at Lucknow, Uttar Pradesh. MoM of the same is attached herewith. The same is also available on NRPC Sectt. Website (<http://164.100.60.165/>).

भवदीय

Yours faithfully

(वी.क. सिंह)

(V.K. Singh)

सदस्य सचिव

Member Secretary

प्रतिलिपि: एमडी, एचवीपीएनएल एवं अध्यक्ष, एनआरपीसी (md-nrpc@nic.in)

List of addressee (via mail)				
NRPC Members for FY 2023-24				
S. No.	NRPC Member	Category	Nominated/ Notified/Delegated Member	E-mail
1	Member (GO&D), CEA	Member (Grid Operation & Distribution), Central Electricity Authority (CEA)	Member (GO&D), CEA	member_god@cea.nic.in
2	Member (PS), CEA	Nodal Agency appointed by the Government of India for coordinating cross-border power transactions	Member (PS), CEA	memberps@cea.nic.in
3	CTUIL	Central Transmission Utility	Chief Operating Officer	coo@powergrid.in
4	PGCIL	Central Government owned Transmission Company	Director (Operations)	tyagar@powergrid.in
5	NLDC	National Load Despatch Centre	Executive Director	sdaxena@grid-india.in
6	NRLDC	Northern Regional Load Despatch Centre	Executive Director	nroy@grid-india.in
7	NTPC	Central Generating Company	Director (Finance)	jakumar@ntpc.co.in
8	BBMB		Chairman	cmn@bbmb.nic.in
9	THDC		CGM (EM-Design)	rsenwal@thdc.co.in
10	SJVN		CMD	sect1.cmd@svn.nic.in
11	NHPC		Director (Technical)	rajkumar2510.1ko@gmail.com
12	NPCIL		Director (Finance)	df@npcil.co.in
13	Delhi SLDC		General Manager	gm@delhi.sldc.org
14	Haryana SLDC		Chief Engineer (SO&C)	ceescomml@haryana.sldc.org
15	Rajasthan SLDC		Chief Engineer (LD)	ce.ld@rtpn.co.in
16	Uttar Pradesh SLDC		Director	director.sldc@up.sldc.org
17	Uttarakhand SLDC	State Load Despatch Centre	Chief Engineer	anupam_singh@ptou.org
18	Punjab SLDC		Chief Engineer	ce.sldc@punjab.sldc.org
19	Himachal Pradesh SLDC		Managing Director	md@hpsldc.org
20	DTL		CMD	cmd@dtl.gov.in
21	HVPNL		Managing Director	md@hvpn.org.in
22	RRVNL		CMD	cmd.rvn@rvn.co.in
23	UPPTCL		Managing Director	md@upptcl.org
24	PTCUL		Managing Director	md@ptcul.org
25	PSTCL		CMD	cmd@pstcl.org
26	HPPTCL		Managing Director	md.tri@hpmail.in
27	IPGCL	State Generating Company	Managing Director	md.ipgp@nic.in
28	HPGCL		Managing Director	md@hpgcl.org.in
29	RRVUNL		CMD	cmd@rrvun.com
30	UPRVUNL		Director (Technical)	director.technical@uprvunl.org
31	UJVNL		Managing Director	md@ujvnl.com
32	HPPCL		Managing Director	md@hpgcl.in
33	PSPCL		CMD	cmd.pstcl@pstcl.in
34	DHBN	State owned Distribution Company (alphabetical rotational basis/nominated by state govt.)	Director (Projects)	directorprojects@dhbn.org.in
35	Jaipur Vidyut Vitran Nigam Ltd.		Managing Director	md@jvnl.org
36	Madhyanchal Vidyut Vitaran Nigam Ltd.		Managing Director	md@mvnl@gmail.com
37	UPCL		Managing Director	md@upcl.org
38	HPSEB		Managing Director	md@hpsb.in
39	Prayagraj Power Generation Co. Ltd.		Head (Commercial & Regulatory)	sanjay.bhatnagar@tatapower.com
40	Aravali Power Company Pvt. Ltd.		CEO	SBODANKI@NTPC.CO.IN
41	Apraava Energy Private Limited		CEO	rajneesh_singh@apraava.com
42	Talwandi Sabo Power Ltd.		COO	Vibhav.Agarwal@vibhavanta.co.in
43	Nabha Power Limited		CEO	sh.narang@larsentoubro.com
44	Lanco Anpara Power Ltd.	IPP having more than 1000 MW installed capacity	President	sudheer.kothapuri@lancoparapower.com
45	Rosa Power Supply Company Ltd.		Station Director	hirday.tomar@rahantecda.com
46	Lalitpur Power Generation Company Ltd.		Managing Director	ksbhatkoti@bajajenergys.com
47	MEJA Urja Nigam Ltd.		CEO	hoptmeja@ntpc.co.in
48	Adani Power Rajasthan Limited		COO, Thermal, O&M	jayadeb_nanda@adani.com
49	JSW Energy Ltd. (KWHEP)		Head Regulatory & Power Sales	jyoti@prakash.pandita@jsw.in
50	RENEW POWER		CEO	sumant@renew.com
51	UT of J&K	From each of the Union Territories in the region, a representative nominated by the administration of the Union Territory concerned out of the entities engaged in generation/ transmission/ distribution of electricity in the Union Territory.	Chief Engineer, JKSPDCL/JKPPD	telod@emai.com/cn/ckspcl2@gmail.com
52	UT of Ladakh		Chief Engineer, LPDD	ce@ladakh@gmail.com
53	UT of Chandigarh		Executive Engineer, EWEDC	etop2-chd@nic.in
54	BYPL	Private Distribution Company in region (alphabetical rotational basis)	CEO	Amarjeet.Sheoran@relianceeda.com
55	Bikaner Khetri Transmission Limited	Private transmission licensee (nominated by central govt.)	Vice-President	nihar.rao@adani.com
56	Adani Enterprises	Electricity Trader (nominated by central govt.)	Head Power Sales & Trading	anishul.gara@adani.com
57	Ajmer Vidyut Vitran Nigam Ltd.	Special Invitee	Managing Director	md.avnl@rajasthan.gov.in
Special Invitees:				
RE Holding companies in NR with installed capacity of more than 1000 MW (provisional members as decided in 59th NRPC meeting)				

49th TCC & 72th NRPC Meeting (29-30 March 2024)-MoM



उत्तर क्षेत्रीय विद्युत समिति

NORTHERN REGIONAL POWER COMMITTEE



Minutes of
The 49th meeting of Technical Coordination
Committee &
The 72th meeting of
Northern Regional Power Committee

Date: 29th & 30th March 2024

Time: 09:30 AM

Venue: Hotel Hyatt Regency
Lucknow, Uttar Pradesh

अजय वैश्य
AJAY VAISH

उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

49th TCC & 72th NRPC Meeting (29-30 March 2024)-MoM

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49th TCC & 72th NRPC Meeting (29-30 March 2024)-MoM

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A.29 Commissioning work of Tehri PSP and its impact on operation of Tehri HPP and Koteshwar HEP (agenda by THDCIL).....	65
A.30 Supply & Installation of AMR Compatible ISTS Interface Energy Meters along with AMR (Automatic Meter Reading) System under the scheme "5 min Interface Energy Meter along with AMR system"-For all five regions as PAN India level (agenda by CTUIL).....	67
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49th TCC & 72th NRPC Meeting (29-30 March 2024)-MoM

- A.28.7 CTUIL representative informed that subsequent to notification of GNA regulations by CERC on 19.07.2022, CTUIL has sent multiple reminders (starting with 03/10/22 onwards) to all STUs to provide segregation of GNA as per 18.1. The matter was also deliberated in the 46th commercial subcommittee meeting held on 28.11.2022 to provide above segregation. However, despite multiple reminders, segregation of GNA from HVPN was not received by CTUIL. In view of the above, the segregation of GNA to each intra-State entity was done on pro rata basis of LTA & MTOA as per 18.1 (e) of GNA Regulations.
- A.28.1 CTUIL representative also clarified that in HVPN e-mail dtd 30/09/23 to Grid-India, CTUIL was not marked copy. HVPN also concurred to above, that they sent mail to Grid-India only. Further Grid-India (NRLDC/NLDC) have also not sent HVPN mail to CTUIL. Therefore, CTU have come across this issue very recently only.
- A.28.8 CTUIL representative also stated they have informed CERC on 11/03/24 regarding requests of other SLDC/STUs (like Gujarat, Jharkhand, DVC, Odisha, Rajasthan) for retrospective revision of GNA segregation. The matter is currently pending with CERC.
- A.28.9 Chairperson, TCC advised CTUIL that as it is not a retrospective revision as HVPN intimated Grid-India for segregation in Sep'23 however due to communication gap it didn't reach CTUIL therefore, same may be positively looked into.

NRPC Deliberation

Forum was in consonance of discussion held in TCC meeting.

Decision of Forum

Forum directed CTUIL to resolve the above matter.

- A.29 **Commissioning work of Tehri PSP and its impact on operation of Tehri HPP and Koteswar HEP (agenda by THDCIL)**

TCC Deliberation

- A.29.1 THDCIL representative apprised that The Civil, EM & HM works of Tehri PSP is in full swing and as per the present pace of work, the likely commissioning date of 1st Unit is July-2024. However, before commissioning of Tehri PSP, the following river joining works are required to be completed:

49th TCC & 72th NRPC Meeting (29-30 March 2024)-MoM

- Two nos. baffle walls are required to be constructed to avoid the entry of debris etc in the water conductor system of PSP from TRT side during Pumping Mode of operation. The location of the proposed baffle wall is as below:
 - U/s of HPP TRT from EL.600.00m to EL.607.00m.
 - U/s of PSP TRT from EL.597.00m to EL.603.00m.
- During operation of HPP & KHEP, the water level is generally above EL.603.00m. Hence, the above two nos Baffle wall cannot be constructed without partial & complete shutdown of HPP & KHEP.
- The adjacent rock condition of river valley near U/s of PSP TRT area is filled with loose materials & required to be protected before operation of PSP. Further, the proposed approach road for the treatment (left & right bank) is required upto EL.597.00m. Hence, to take up the work of slope protection with construction of approach road for baffle wall & as well as for slope protection works, the proposed partial & complete shutdown of HPP & KHEP is required.
- The existing Flood protection wall at PSP TRT outfall area (from EL.616.00m to EL.597.00m) is required to be removed before operation of PSP and subsequently raft at EL. 598.00m and U/s & D/s guide walls upto EL.616.00m are required to be constructed.

A.29.2 In order to complete the above work, the following nature of shutdown of Tehri HPP & Koteshwer HEP is required:

- a. Partial Shutdown (THPP & KHEP): 1st April-24 to 14th May-24.
- b. Complete Shutdown (THPP & KHEP): 15th May-24 to 30th Jun-24.

A.29.3 He stated that the schedule of the activities from 1st April-24 to 30th Jun-2024 is placed at **Annexure-XXXIV**. Further, detailed proposed works of Tehri PSP to be carried out is attached as **Annexure-XXXV**.

A.29.4 THDCIL representative informed that they got delayed in raising the matter due to delayed consent from UP Irrigation Department.

A.29.5 UPSLDC and Delhi SLDC (beneficiaries of Tehri), mentioned that they will not be in a condition to allow the asked outage for Tehri.

A.29.6 MS, NRPC highlighted that there is direction issued from MoP for not giving shutdown in summer months due to likely high demand and also due to general election in the country. THDC also not informed CEA/NRPC during preparation of

49th TCC & 72th NRPC Meeting (29-30 March 2024)-MoM

LGBR for 2024-25 regarding their plan for proposed shutdown. Moreover, proposal involves long outage of two hydro power plants totaling to 1400 MW and beneficiary States are also not agreed for the proposed shutdown. In view of above, shutdown may not be given at this time.

- A.29.7 He suggested THDCIL to apply for outage in monthly OCC meeting.
- A.29.8 THDCIL was also suggested to approach MoP for their requirement of shutdown in this summer.

NRPC Deliberation

- A.29.9 Forum approved the deliberation held in TCC and denied the desired outage.

Decision of Forum

Forum suggested THDC to apply for outages in monthly OCC meetings so that outage can be provided at the earliest feasible time and also recommended THDC to approach MoP on this matter as commissioning of PSP is also very crucial.

- A.30 **Supply & Installation of AMR Compatible ISTS Interface Energy Meters along with AMR (Automatic Meter Reading) System under the scheme "5 min Interface Energy Meter along with AMR system"-For all five regions as PAN India level (agenda by CTUIL)**

TCC Deliberation

- A.30.1 CTUIL representative apprised that a Joint Committee (JC) comprising the members from each RPC, CEA, CTU/PGCIL & POSOCO has been prepared Technical Specifications (TS) of the "5/15 Minute Interface Energy Meters (IEMs) with Automatic Meter Reading (AMR) and Meter Data Processing (MDP)" for interstate transmission system at PAN India basis. NPC Division, CEA vide letter dated 6th July 2022 had circulated the final copy of the TS. This Technical specification includes:

- All the procured IEMs shall be configured as 5 min time block. These meters shall record and send 5 min block data to regional AMR system for necessary



टीएचडीसी इंडिया लिमिटेड THDC INDIA LIMITED

(अनुसूची 'क' गिनी रत्न पीएसयू)
(Schedule - A Mini Ratna PSU)

CIN : U45203UR1988GOI009822

ANNEXURE-6



गणतन्त्र 2023 INDIA

वसुधैव कुटुम्बकम्

ONE EARTH • ONE FAMILY • ONE FUTURE

No: THDC/RKSH/CMD/2469

Date: 04th April 2024

To,

The Secretary

Ministry of Power

Govt of India

Shram Shakti Bhawan,

Rafi Marg,

New Delhi-110016

Email: secy-power@nic.in

Sub: Commissioning of Tehri Pumped Storage Plant (PSP) and river joining works
- regarding.

Respected Sir,

Tehri Hydro Power Complex (Tehri HPC) is a multipurpose scheme of installed capacity 2400MW. It comprises three major Hydro Power Projects namely Tehri HPP (4x250MW) & Koteswar HEP(4x100MW) and Tehri PSP(4x250MW). Tehri HPP and Koteswar HEP are under operation and Tehri PSP is under construction stage and in advance stage of commissioning. Its Unit-01 and 02 are targeted to be completed in Jul'24 and Aug'24 whereas Unit-03 and 04 are targeted to be completed by Sep'24 and Oct'24 respectively. Tehri PSP being an integral part of Tehri Hydro Power Complex shares common infrastructure with operational plants Tehri HPP(4x250MW) and Koteswar HEP(4x100MW) which includes upstream Tehri Reservoir and balancing Koteswar Reservoir.

The final stage of construction and commissioning of Tehri PSP mandatorily requires timely joining of water conductor with the river which would require Zero water release from Tehri reservoir and complete shutdown of Tehri HPP & Koteswar HEP, so that the following major works can be executed safely in river area and at power intake for joining the water conductor system:

- Plug Breaking and interlinking of HRT with upstream reservoir.
- Construction of Baffle Wall in TRC Area
- Breaking of Flood Protection Wall and River Joining Works at TRC
- River Dredging



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INFORMATION

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("हिन्दी को राजभाषा बनाना, भाषा का प्रश्न नहीं अपितु देशाभिमान का प्रश्न है")

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The pre-commissioning and river joining works requires complete shutdown of Tehri HPP and Koteswar HEP for a period of 45 Days proposed to be commenced from 15th May – 30th Jun 2024. It is worth to mention that this is opportune window as during this period, there is low reservoir level, low irrigation demand and non-monsoon period. If this time period is missed, the next suitable opportunity won't arise until the following year during the same time period. This delay would lead to unnecessary project delays and cost overruns.

Further, it is evident that commissioning of Unit-01 can be achieved in July'24, if all the pre-commissioning activities as mentioned above are completed by 30th Jun, else it has to be postponed during subsequent months of monsoon which would be an unfavourable time period. After monsoon, reservoir will be at its highest level having no cushion for storage in earlier period and thereafter demand for water will be high on account of irrigation, drinking and 'Magh Mela' etc. Hence, after monsoon and subsequent months, restrictions over release may affect larger public interest in downstream and plant shut-down will not be possible due to exhaustion of storage capacity. Also, delay in project completion will result into loss of generation for the country.

Presently THDCIL is at this juncture wherein dry condition of TRC area is deemed necessary for execution of proposed works, this imperative necessitates the Zero Release from Tehri Reservoir and complete shutdown of Tehri HPP and KHEP for 45 Days commencing from 15th May 2024.

Furthermore, Tehri Project is multi-purpose project and regulate the water of river 'Ganga', which hold religious importance to larger public, hence THDCIL approach following Ministry/Departments for the approval and consent:

- a) Sought NOC from Govt of UP through UPID, as water released from Tehri reservoir is regulated by UPID for the purposes of irrigation and drinking at Bhimgoda Barrage in Haridwar. The approval for NOC is under process as intimated by UPID.
- b) Sought approval from National Mission for Clean Ganga, Ministry of Jal Shakti, Department of Water Resource, River Development & Ganga Rejuvenation for Zero release from Tehri Reservoir during plants shutdown period.

THDCIL is continuously perusing with both Ministries/Departments for the approvals, and update in this context shall be intimated to your esteemed office.

- c) Approval of NRPC for the followings:



SI No	Activities	Proposed Period.
01	Complete Shutdown of Tehri HPP and Koteswar HEP for 45 Days.	15 th May'24 to 30 Jun 24

THDCIL proposed above in 72nd Northern Region Power Committee (NRPC) & 49th Technical Co-ordination Committee (TCC) held on 29th & 30th Mar 2024 at Lucknow.

The Committee acknowledges the necessity of Complete Shutdown of Tehri HPP and KHEP for pre-commissioning works of Tehri PSP, also emphasis the requirement of PSP plant for Grid Operation. However, Committee take the reference of MOP's Letter S.NO1/AI/MRP/GM/2023/477-481 Dt: 15.11.2023 with subject "No Planned maintenance during March 2024 to May 2024 and to explore possibility of bringing down the forced/partial outage from 25GW to 15GW" and suggested THDCIL to approach the Ministry of Power for further directives for such exceptional conditions.

Timely commissioning of Tehri PSP and its importance has been emphasized with the fact that Tehri PSP stands as a cornerstone in our nation's interest, the completion of Tehri PSP will usher in a substantial increase of 1000MW in installed energy storage capacity on the national Grid effectively catering to the rising demand, thereby serving the greater national interest.

THDCIL remains dedicated to serving the nation and upholding their unwavering commitment to operational excellence. In this regard, THDCIL team diligently explores avenues to minimize plant downtime and zero schedules from the Tehri Reservoir and also proactively plan and coordinate with concerned departments & agencies to undertake following measures to ease out the unprecedented situation:

- Co-ordinate with local Jal Nigam / Jal Sansthan to supply drinking water in villages between Tehri HPP and Devprayag along the river.
- Explore possibilities to release 2-3 Cumecs for e-flow during complete shutdown of plants.
- Co-ordinate with UPID so that drinking water requirement in downstream area can be met from tributary river of Bhagirathi during plant shutdown period.
- Utilize shutdown period for maintenance of operational units/plants so that plant can be available for Generation after complete shutdown period.
- Execution of associated works during Zero Injection Schedule from Tehri HPP to reduce complete shutdown period w.e.f. 01st April to 14th May 2024.

These efforts reflect our dedication to mitigating challenges and upholding our commitment to national service.


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Tehri PSP is at its final stage of construction phase and requires exceptional working condition i.e. Zero Release from Tehri Reservoir and complete plant shutdown of Tehri HPP(4x250MW) and Koteswar HEP(4x100MW) for 45 days.

THDCIL earnestly implore your esteemed office to issue directive to NRPC for shutdown requirements of Tehri HPP and Koteswar HEP from 15th May to 30th Jun'24. Your intervention in this matter holds immense significance, ensuring the seamless commissioning of Tehri PSP.

Thank you for your attention to this critical issue.

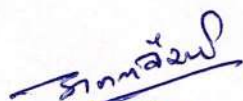
Kind Regards,

Yours Sincerely,


05/04/2024

(Rajeev Kumar Vishnoi)

Chairman & Managing Director



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(भारत सरकार एवं उ.प्र.सरकार का संयुक्त उपक्रम)
(A Joint venture of Govt. of India & Govt. of UP)

CIN : U45203UR1988GOI009822

NCR Office: Plot No. 20, Sector 14, Kaushambi, Ghaziabad-201010 (U.P.)
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No.: THDCIL/NCR/53

Dated: 24.04.2024

To

The Director (O&M)
Ministry of Power
Government of India
Nirman Bhawan
New Delhi – 110 011

Sub: Commissioning of Tehri Pumped Storage Plant (PSP) and River Joining Works – regarding

Ref: THDCIL letter No. THDC/RKSH/CMD/2469 dated: 04.04.2024

Sir,

This has reference to our letter cited above wherein a request has been made to issue directives to NRPC from your esteemed office for shutdown requirement of Tehri HPP (4x250 MW) and Koteshwar HEP (4x100 MW) for 45 days starting from 15th May, 2024 to 30th June, 2024 for the purpose of commissioning of Tehri PSP and river joining works.

Further to discussions held with your goodself, the following is submitted :-

As mentioned in the aforementioned letter, following major works are to be executed safely in river area and at power intake for joining the water conductor system :-

- Plug Breaking and interlinking of HRT with upstream reservoir;
- Construction of Baffle Wall in TRC Area;
- Breaking of Flood Protection Wall and River Joining Works at TRC;
- River Dredging.

Although the volume of the work is quite high but THDCIL is committed to execute the aforementioned necessary works in minimum possible time. We will try to ensure that these works are completed within 35 days from the date of start, however, the shutdown schedule may please be provided for 45 days.


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... 02

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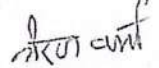
This is to mention again that during this period, there is low reservoir level, low irrigation demand and non-monsoon period and the projected generation capacity is attached at Annexure-I. This clearly implies that the State wise impact is very minimal and can easily be managed by NRLDC to avoid any power scarcity during peak demand, however, this is also to submit that this will not lead to generation loss as the inflow water shall be stored in upper reservoir and enhanced generation shall be achieved after completion of required activities.

In view of above, it is earnestly requested to issue necessary directives to NRPC to allow shut down of Tehri HPP and Koteshwar HEP from 15th May, 2024 to 30th June, 2024.

With Regards,

Yours sincerely,


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THDC INDIA LIMITED, RISHIKESH


(Neeraj Verma)
Chief General Manager (I/C)
मोबा : 9997999111

सं.22/12/2024-ओ एम [271464]

भारत सरकार

Government of India

विद्युत मंत्रालय

Ministry of Power

F-Wing, 2nd Floor, Nirman Bhawan,
New Delhi, the 31st May, 2024OFFICE MEMORANDUM

Subject: Minutes of the meeting held under the chairmanship of Secretary (Power) on 27.05.2024 to review the "Power Supply Position in the Country"- reg.

Please find enclosed herewith a copy of the Minutes of the Meeting held under the chairmanship of Secretary (Power) on 27.05.2024 to review the Power Supply Position in the Country for information and necessary action.

2. It is requested that Action Taken Report (ATR) on the decision taken in the meeting be provided to OM Division within a week.

Encl: As above

Parveen (31/05/24)
(Parveen Dudeja)
Director (OM)
Tel: 23062439
Email: parveen.dudeja@nic.in

To,

1. Shri Ghanshyam Prasad, Chairperson (CEA)
2. Shri A.K Rajput, Member (Power System)
3. Shri. Guradeep Singh, CMD
4. Shri S.R. Narasimhan, CMD (Grid-India)
5. Ms Renu Narang, CEO (NVVN)

Copy to:-

Sr. PPS to Secretary (Power)/Sr. PPS to AS(R&R and Transmission)/PPS to JS(OM)/PS to CE (R&R)

Ajay Vaish
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Minutes of the Meeting held under the Chairmanship of Secretary (P) on 27.05.2024 to review the 'Power Supply Position in the Country'

A meeting was held under the chairmanship of Secretary (P) on 27.05.2024 to review the 'Power Supply Position in the Country'. The meeting was attended by Senior Officers of CEA, Grid India, NTPC, and NVVN. The list of participants is **Annexed**.

2. Grid India made a detailed presentation regarding power supply position in the country, steps taken and intervention required to meet the projected peak demand in June & July 2024. The following points were, inter-alia, highlighted in the presentation:

- (i) As per IMD forecast, the number of heat wave days is likely to be above normal in various parts of the country in May'24. South-west monsoon is likely to hit Kerala on 31st May, 2024.
- (ii) In May'2024 (Till 25th May), Peak demand met was 239.9 GW; 225.9 GW during solar and non-solar hours respectively.
- (iii) In May'24 (till 25th May), growth of 8.48% and 13.77% in All India peak demand and energy met respectively was recorded as compared to the corresponding period last year. Growth of 23.27 % in energy met was recorded in Northern region during this period.
- (iv) All India Hydro generation was slightly less due to low reservoir level while there has been an increase in gas generation in May'2024 compared to same period last year due to issuance of directions under Section -11 of Electricity Act, 2003. Approx. 12 GW (ex-bus) gas-based power is despatched in May' 24 (till date). Remaining 3 GW could not be despatched due: to technical issues; less DC declared due to high ambient temperature and ; non-commissioning of one module of RGGPL etc.
- (v) All India solar generation was higher in May'24 as compared to the corresponding period last year. All India Solar generation of approx. 50 GW has been recorded (excluding embedded solar generation of approx.12GW).
- (vi) Subsequent to the Cyclone "Remal", the availability of wind generation in May'24 has improved and the trend is likely to continue in upcoming monsoon season also. Around 12 to 18 GW of wind generation is providing support during the non-solar hours in May-24.
- (vii) Approx. 15.5 GW Imported Coal Based (ICB) plants capacity is available on bar primarily due to moderate imported coal prices and Section-11 directions. Maximum ex-bus generation was 14.7 GW on 06th May, 2024.
- (viii) All India nuclear generation remained around 5 GW due to shutdown of one unit (1000MW), for refuelling work, of Kudankulam Nuclear Power Plant.



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THDC INDIA LIMITED, RISHIKESH

(ix) Peak demand in June 2024 during non-solar hours is expected to be 237 GW. Considering the net availability from various energy sources : **27 GW from hydro, 17 GW from wind, 10 GW from gas, 5.5 GW from nuclear, 2 GW from other RE sources and 184 GW from thermal**, it was suggested that, for meeting the balance requirement of 7 GW, to increase the gas generation by an additional 3 GW and hydro & thermal each by 2 GW during non-solar hours.

(x) Peak demand in July, August and September' 2024 during non-solar hours is expected to be 227 GW, 239 GW and 248 GW respectively.

3. Regarding thermal capacity addition, it was informed that one unit of North Chennai TPP, Stage-III (TANGENCO) (800MW) and Ghatampur TPP (NUPPL) (660 MW) is expected to be commissioned by June'24.

4. With respect to the impact of shutdown of Tehri and Koteshwar Hydro Power Stations on generation, Grid India informed that around 800 MW generation may be affected. Secretary (P) was also apprised that a proposal for additional allocation of 300 MW to Uttar Pradesh from unallocated quota of WR and SR pool is under consideration in order to minimise the impact of shutdown on Uttar Pradesh.

5. It was briefed that load shedding of upto 1500 MW was observed in Rajasthan, primarily in non-solar hours, due to frequent tripping of State-owned thermal units. Secretary (P) directed that a team, comprising of officers from CEA and NTPC, should visit the thermal power plants of RRVUNL to study their maintenance practices and examine the reasons of repeated outages and further to suggest steps to be taken for reducing/ avoiding these frequent failures.

6. CMD, NTPC stated that all NTPC coal units, irrespective of the size, technology, or age of the machine, are operating up to 55% technical minimum level (TML) in compliance to the existing grid code. With 28% share in overall coal-based capacity in the country, NTPC thermal power stations are contributing to nearly half of the country's flexing requirements on daily basis. It was suggested that Grid-India must establish a robust framework for ensuring compliance to technical minimum and ramp rate from all generators; including States GENCO IPPs.

7. Citing increase in numbers of high stress days, CMD-NTPC requested to allow schedule up to 105% DC (Declared Capacity) in pithead plants so that extra cheap generation could be available for needy States. Secretary (Power) asked GRID-INDIA to assess the possibility to allow 105% DC of pithead plants. However, GRID-INDIA is of the view that during these stress days, all generation including thermal are running to their full capacity and there is a need to keep some margin for primary response during real time contingencies


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THDC INDIA LIMITED, RISHIKESH

Page 2 of 4

8. The issue of Transmission Network constraints of WR-NR and SR-WR was also deliberated. It was informed that NR peak demand has touched 85 GW due to ongoing heat wave whereas SR demand have started declining. Due to high import of NR, TTC/ATC limit of WR-NR and ER-NR corridor limits has breached and likely to be in the same range during summer season. Further, due to high RE generation & low demand in SR, violation has been observed in TTC/ATC limit of SR Export. States like UP, Haryana, Rajasthan, Maharashtra and Chhattisgarh have also breached its TTC/ATC limit. Most of the lines feeding load to Mumbai normally remain highly loaded. **Secretary (Power) directed CEA to examine the issue and carry advance planning to address these constraints for ensuring reliable operation of Grid.**

9. Grid India stressed that expediting the construction of ongoing transmission lines could significantly alleviate congestion issues and bolster system & grid security. Further, CMD, GRID-INDIA suggested that State be included as new bid area in real time. This will lead to easing of constraints in meeting State demand with greater reliability. Also, States will be further motivated to plan and upgrade their transmission network for meeting their demand.

10. After detailed deliberations, the following action points emerged:

- (i) For meeting the balance 7 GW requirement in June'24; additional 3 GW generation from Gas Based Plants and 2 GW each from Hydro & Thermal sources needs to be ensured, during non-solar hours.

(Action: Grid-India and CEA)

- (ii) Feedback on Power rostering methodology to be taken for top five States where there is a gap between demand and supply of power. A report on this issue to be submitted for the perusal of Secretary (Power).

(Action: Grid-India / OM and Distribution Division)

- (iii) Grid-India to examine and consider the rollout of a pilot of allowing a pit head plant to declare their capacity upto 105 %, for a limited period (up to end June-24) & submit a brief report on same.

(Action: Grid India)

- (iv) A team of officers from CEA and NTPC to visit the thermal power plants of RVUNL, which are facing frequent shutdowns, to examine their maintenance practices and study the exact reasons of repeated outages. Further, steps should be suggested to avoid these frequent failures.

(Action: CEA and NTPC)


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- (v) CEA to examine the transmission constraints in the network and carry advance planning to address these constraints for ensuring reliable operation of the Grid.

(Action- CEA/Transmission Division)

- (vi) A DO from Secretary (Power) to ACS (Energy), Maharashtra to be sent for expediting the on-going construction works of power transmission network for Mumbai circle.

(Action:CEA and OM Division)

- (vii) Bidding zone formulation to be reviewed in view of Green Hydrogen perspective and to alleviate constraints in transmission network.

(Action:CEA and Grid India)

- (viii) The proposed planned outage of Tehri complex (1400MW) should be taken from 02-06-2024 at 06:00 Hour.

(Action: OM Divison /THDC)

- (ix) CEA to examine the transmission constraint to utilize generation capacity available in Southern region by Northern region. (i.e. NR-WR corridor, issue related to SR Export and HVDC Raigarh-Pugalur Constraints etc.). CEA will submit the action plan within a month.

(Action:CEA)

- (x) Grid India to submit fortnight wise, solar and non-solar hours all India maximum demand forecast for June'24, July'24, August'24 and September'24.

(Action-Grid India)

- (xi) Grid-India to ensure uniform compliance to technical minimum level (TML) & ramp rate by all the thermal power plants; Central Gencos, State Gencos, and IPPs.

(Action: Grid-India)

11. The meeting ended with thanks to the Chair.


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List of the participants

Ministry of Power

1. Shri Pankaj Agarwal, Secretary (Power) -----In chair
2. Shri Srikant Nagulapalli, Additional Secretary (R&R and Transmission)
3. Shri Piyush Singh, Joint Secretary (OM)
4. Shri Hemant Kumar Pandey, Chief Engineer (R&R)
5. Shri Parveen Kumar Dudeja, Director (OM)

Grid-India

1. Shri S.R. Narasimhan, CMD
2. Shri Rajiv Porwal, Director (SO)
3. Shri Suhas Dambhare, Sr. GM
4. Shri Ashok Kumar, GM

CEA

1. Shri Ghanshyam Prasad, Chairperson
2. Shri A.K Rajput, Member (Power System)
3. Shri Ishan Sharan, Chief Engineer (PSP&A-I)
4. Shri B.S Bairwa, Chief Engineer (PSP&A-II)
5. Shri Y.K Swarnkar, Chief Engineer (PSPM)
6. Shri Lalrinsanga, Chief Engineer (OPM)
7. Shri B. Lyngkholi, Chief Engineer (GM)

NTPC

1. Shri Gurdeep Singh, CMD
2. Shri G S Rao, CGM

NVVN

1. Ms Renu Narang, CEO
2. Shri Shyam Kumar, CGM (Power Trading)
3. Shri Abhishek Garg, Deputy Manager


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ANNEXURE-8

भारत सरकार
केंद्रीय जल आयोग
नदी संरक्षण निदेशालय

विंग-1, प्रथम तल, पश्चिम खंड-2,
आर. के. पुरम, नई दिल्ली-110606
Email: rcddte-cwc@nic.in
Dated: 14/05/2024

To, Executive Director (Tech.)
NMCG, New Delhi

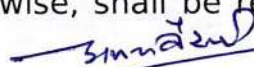
Sub: Shutdown of Tehri HPP and zero release of water from Tehri Reservoir to accomplish construction/commissioning of Tehri PSP (4 X 250MW)-reg.
Ref: NMCG letter no TE-16019/3/2020-o/oRD(Tech) NMCG dt 24.4.2024 and THDC letter no THDCIL/RKSH/OMS QA&Safety/12 dt 9.5.2024

Sir,

Kindly refer to the above letter of NMCG enclosing therein THDC's letter no THDCIL/RKSH/D(T) Sectt/263 dated 27.3.2024 on THDC's proposal for zero e-flow release due to proposed shutdown of Tehri HPP so as to enable the start of commissioning of Tehri Pumped Storage Project.

To resolve the matter, 2 meetings were convened by CWC on 26.4.2024 and on 8.5.2024. Based upon the interactions by CWC with the officials of THDC and NMCG, after thorough examination of facts and figures and upon confirmation by THDC on the quantified discharge from upstream leakages/ flows from intervening rivulets, the recommendations of CWC are as follows:

- The proposed shutdown of THDC HPP from 15th May - 30th June 2024 amounting to 45 days cannot be further compressed by THDC, even after taking into account all possible considerations. Hence, the maximum period of shutdown from 15th May - 30th June 2024 amounting to 45 days is considered rational.
- Taking into consideration the proposed shutdown of THDC's hydropower plant for commissioning of Tehri PSP, a reduced discharge of e-flow release of 7 cumecs(approx 250 cusecs) which includes seepage water from Koteshwar Dam during the shutdown period of 45 days from 15th May 2024 to 30th June 2024 may be considered allowable.
- From a technical standpoint and from emergency consideration, the storage of Tehri reservoir may not be depressed below the level of EL. 589.5 m under any circumstance.
- In absence of a powerhouse bypass arrangement, the water from Koteshwar dam may be released from the powerhouse through turbines, under standstill condition.
- Regulation of eflow, reduced or otherwise, shall be responsibility of



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NMCG.

- f. Decision/approval for shutdown of Tehri HPP may be taken by appropriate authority of THDC

This issues with the approval of Chairman, CWC.

Yours faithfully,

Signed by Deepak Kumar
Date: 14-05-2024 11:13:01
Reason: Approved
(Director)

Copy for kind information to:

1. PPS to Chairman, CWC
2. PPS to Member(RM), CWC
3. PPS to Member (D&R), CWC


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ANNEXURE-9

सं.22-13/1/2022-OM[262771]

भारत सरकार
Government of India
विद्युत मंत्रालय
Ministry of Power

F-Wing, 2nd Floor, Nirman Bhawan,
New Delhi, the 21st May, 2024

To,

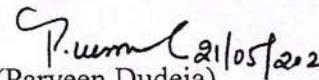
CMD, THDCIL,
Corporate Office, Rishikesh
Ganga Bhawan, Pragatipuram,
Rishikesh, Uttarakhand 249201

Sub: THDCIL request for permission to shutdown Tehri HPP and Koteshwar HEP regarding

The undersigned is directed to refer to THDCIL letters dated 04.04.2024 and 24.04.2024 (copy enclosed) on the subject mentioned above and to convey the approval of the competent authority for shutdown of Tehri HEP & Koteshwar HEP with effect from June 01, 2024 to facilitate the timely commissioning of Tehri Pumped Storage Plant (PSP)

2. THDCIL is directed to mobilize all the resources/facilities for ensuring the completion of the requisite works within the shortest possible time.

Encl. as above


(Parveen Dudeja)
Director (OM)
Tel: 23062439
Email: parveen.dudeja@nic.in

Copy for information to :

1. Chairperson, CEA, Sewa Bhawan, R.K. Puram, New Delhi-110066.
2. Member Secretary, Northern Regional Power Committee (NRPC), Qutab Institutional Area, Katwaria Sarai, New Delhi-110016
3. JS(Hydro) Ministry of Power


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Annexure-B



सत्यमेव जयते

भारत सरकार
Government of India
विद्युत मंत्रालय
Ministry of Power
उत्तर क्षेत्रीय विद्युत समिति
Northern Regional Power Committee

ANNEXURE-10

विषय: Minutes of the meeting to discuss the complete shutdown of Tehri HEP (1000 MW) and Koteshwar HEP (400 MW) from 01st June 2024 for timely commissioning of Tehri Pumped Storage Plant (PSP) (4*250MW) -reg.

Kindly find attached minutes of the meeting held on **29.05.2024 (11:00 AM)** to discuss the complete shutdown of Tehri HEP and Koteshwar HEP from 01st June 2024 for timely commissioning of Tehri Pumped Storage Plant (PSP).

Encl: As above

Signed by Dharmendra
 Kumar Meena
 Date: 29-05-2024 17:27:48

(डी. के. मीना)

अधीक्षण अभियंता (प्रचालन)

To,

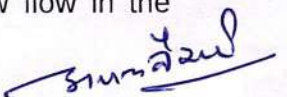
1. CGM(SO), NRLDC
2. Head of Plant, Tehri HEP, THDC
3. Head of Plant, Koteshwar HEP, THDC
4. Head of Plant, Dadri TPS, NTPC
5. Chief Engineer SLDC's of beneficiaries states/UT's of Tehri HPS and Koteshwar HPS.

अजय वैश्य
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Minutes of the meeting held on 29.05.2023 (11:00 HRS) to discuss the complete shutdown of Tehri HEP and Koteshwar HEP from 01st June 2024 for timely commissioning of Tehri Pumped Storage Plant (PSP)

- Member Secretary NRPC welcomed all participants and informed that THDC has requested complete shutdown of Tehri HEP and Koteshwar HEP starting June 1, 2024 to facilitate the timely commissioning of the Tehri Pumped Storage Plant (PSP).
- MS, NRPC further mentioned that this issue was thoroughly discussed in the 49th TCC and 72nd NRPC meetings held on March 29th and 30th, 2024, respectively as well as in the 218th OCC meeting of NRPC on April 16, 2024, where the beneficiaries of the hydro projects were also present. During these meetings, the shutdown was not agreed upon due to high summer demand, the ongoing general election, and directives from Ministry of Power (MoP) to avoid shutdowns during summer. The forum suggested that THDC should approach the MoP regarding this matter.
- THDC vide letters dated April 4 and April 24, 2024, requested MoP to grant permission for a complete shutdown of Tehri HEP and Koteshwar HEP for 45 days from May 15 to June 30, 2024, to facilitate the commissioning of Tehri PSP and river joining works. Ministry of Power via letter no. 22-13/1/2022-OM[262771] dated May 21, 2024 (Copy enclosed as Annexure-I), has approved the shutdown of Tehri HEP and Koteshwar HEP starting June 1, 2024, to ensure the timely commissioning of Tehri PSP.
- During the meeting, the NTPC Dadri representative mentioned that at least 66 cumecs of water is needed from the Upper Ganga Canal Branch for the operation of Dadri Thermal and Dadri Gas plants.
- In response to NTPC's query, THDC explained that currently, one-fourth of the Ganga's discharge is due to water released from the Bhagirathi, while the remaining three-fourths come from the Alaknanda. Presently, the discharge from the Bhagirathi and Alaknanda is 180 cumecs and 620 cumecs respectively, totalling 800 cumecs.
- Chief Engineer of UPSLDC stated that Uttar Pradesh is the major beneficiary of the Tehri and Koteshwar plants, with shares of around 39% and 40% respectively. Given the high demand, UPPCL has denied consent for the shutdown. UPSLDC also mentioned that THDC should have planned the shutdown in March and April months.
- THDC representative responded that this period is ideal due to low reservoir levels and the non-monsoon season. Missing this window would delay the next opportunity until the same time next year. He also stated that planning the shutdown in March and April would have negatively impacted the operation of thermal plants taking water from Upper Ganga Canal due to low flow in the Alaknanda river during that period.



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18-ए, शहीद जीत सिंह मार्ग, कटवरिया सराय, नई दिल्ली

दूरभाष: 011-26513265 ई-मेल: seo-nrpc@nic.in

www.nrpc.gov.in

18-A, Shaheed Jeet Singh Marg, Katwaria Sarai, New Delhi-110016 Phone: 011-26513265 e-mail: seo-nrpc@nic.in

- NRLDC representative presented the generation pattern of the Tehri plant (1000MW capacity) for the years 2022, 2023, and 2024 (copy attached as Annexure-II). The data shows that minimum generation occurs from June 1 to July 15, and the reservoir level in Tehri Dam is lowest during May and June.
- MS NRPC stated that based on the above information, it seems that this is the optimal window for a complete shutdown of Tehri HEP and Koteshwar HEP to facilitate the timely commissioning of the Tehri PSP. Missing this window would deprive the National Grid of 1000 MW PSS capacity until next year and in the next year similar situation or even higher demand is expected.
- Considering aforementioned submissions and the approval from the Ministry of Power, MS, NRPC agreed for the complete shutdown of Tehri HEP and Koteshwar HEP for 35 days starting June 1, 2024 and directed THDC to mobilise all the resources to complete the balance works within above period, so that planned commissioning of all 4 Units of Tehri PSS during July, 24 to October, 24 can be achieved.
- UPPCL requested for restoration of a specific allocation of 300 MW to the Bundelkhand region of Uttar Pradesh from the unallocated quota of NR during the shutdown period.
- MS, NRPC mentioned that allocation from the unallocated quota is managed by the MoP and suggested that UPPCL may approach the MoP for restoration of the specific allocation during the shutdown period.

Meeting ended with vote of thanks to the Chair.


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सत्यमेव जयते

भारत सरकार

Government of India

विद्युत मंत्रालय

Ministry of Power

उत्तर क्षेत्रीय विद्युत समिति

Northern Regional Power Committee

To,
30.05.2024

Date

Executive Director
Northern Regional Load Despatch Center
18-A, Shaheed Jeet Singh Marg, Katwaria Sarai
New Delhi -110016

विषय: **Complete Shutdown of Tehri HEP and Koteswar HEP for timely Commissioning of Tehri Pumped Storage Plant (PSP)-reg.**

Ministry of Power via letter no. 22-13/1/2022-OM [262771] dated May 21, 2024 (copy enclosed as Annexure-A), has approved the shutdown of Tehri HEP and Koteswar HEP starting June 1, 2024, to ensure the timely commissioning of Tehri PSP.

2. Further, a meeting was taken by Member Secretary NRPC with the concerned stakeholders on 29.05.2024 (copy of MoM attached as Annexure-B) to discuss the aforementioned shutdown, wherein it was decided that as per MoP directions shutdown may be allowed from 01st June 2024 for 35 days and all the beneficiaries of above HEPs to manage the demand from all other available resources.
3. Subsequently, MoP vide mail dated 30.05.2024 has **directed that shutdown of aforementioned Hydro Plants should take place from 00:00 hours of 2 June, 2024 instead of June 01, 2024.**
4. In view of the above, kindly facilitate the complete shutdown of Tehri HEP and Koteswar HEP for **35 days from 00:00 hours of June 2, 2024** for timely commissioning of Tehri Pumped Storage Plant (PSP).

Encl: As above

Signed by Vijay Kumar
Singh

Date: 30-05-2024 13:26:50

(वी.के. सिंह)

सदस्य सचिव

अजय वैश्य
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Dy. General Manager (Commercial)

टीएचडीसी इंडिया लिमिटेड, ऋषिकेश

THDC INDIA LIMITED, RISHIKESH

Copy to,

1. Member(G&O), CEA, New Delhi

18-ए, शहीद जीत सिंह मार्ग, कटवरिया सराय, नई दिल्ली दूरभाष:011-26513265 ई-मेल: seo-nrpc@nic.in वेबसाइट:

www.nrpc.gov.in

2. Director (OM), Ministry of Power, New Delhi.
3. Head of Plant, Tehri HEP, THDC
4. Head of Plant Koteswar HEP, THDC
5. Head of Plant, Dadri TPS, NTPC
6. Chief Engineer SLDC's of beneficiaries states/UT's of Tehri HEP and Koteswar HEP.


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THDC INDIA LIMITED, RISHIKESH

Reserved on 01.05.2023

Delivered on 21.07.2023

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 4003 of 2006

Petitioner :- Re Ganga Pollution

Respondent :- State of U.P. and Others

Counsel for Petitioner :- Vijay Chandra Srivastava, A.K. Gupta, A.K. Srivastava, Amit Negi, Amit Shukla, Anil Tiwari, Arun Kumar, Arun Kumar Gupta (Senior Adv.), Arvind Nath Agrawal, Ashfaq Husain, B.P. Singh Kachhawah, Baij Nath Yadav, Baleshwar Chaturvedi, D.B. Mishra, D.S. Mishra, Indramani Tripathi, Jagdish Tewari, K.C. Pandey, P.N. Mishra, Ravi Prakash Pandey, S.K. Srivastava, S.K. Tyagi, Shailesh Singh, Sharad Kr. Srivastava, Sunita Sharma, Surya Pratap Singh Parmar, Tarun Agarwal, Uttar Kumar Goswami, V.B. Singh, V.C. Mishra, Vivek Mishra, Yogesh Krishna Mishra

Counsel for Respondent :- C.S.C., A.K. Mishra, Anjana Singh, Anoop Trivedi, B.D. Shukla, Bal Mukund, Bheem Singh, Bipin Bihari Pandey, C.L. Pandey, Chandan Sharma, Dharmendra Prasad Singh, Dr. H.N. Tripathi, H.N. Singh, H.P. Dubey, Hem Pratap Singh, Iqbal Ahmad, Jyotindra Misra A.G., Kashif Zaidi, M.C. Chaturvedi, M.K. Alam, Mahesh Narain Singh, Manoj Kumar Singh, Mayank Agrawal, Mehboob Ahmad, Mohd. Khursheed Alam, Mridul Tripathi, N. Misra, Omprakash Yadav, P.S. Baghel, Pankaj Kumar Shukla, Prabhash Pandey, Pradeep Pandey, Pranjal Mehrotra, R.B. Shukla, Rajendra Kumar Misra, Rajesh Tripathi, Rajiv Lochan Shukla, Ravi Kant, Ravi Prakash Pandey, S.A. Lari, S.D. Kautilya, S.G. Hasnain Addl. A.G., S.M.A. Kazmi, S.P. Singh, Sanjay Kumar Om, Santosh Kumar Shukla, Saumya Misra, Shiv Om Vikram Singh Chauhan, Shivam Yadav, Sudeep Harkauli, Sudhanshu Srivastava, Suneel Dubey, T.M. Khan, Tahir Husain, Tanmay Agarwal, Tarun Agrawal, Udai Chandani, Udayan Nandan, Umesh Narain Sharma, Vibhu Rai, Vijay Kumar Rai, Vimlesh Kumar Rai, W.A. Hashmi

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Ajit Kumar, J.

In Re: Transfer Application No. 149 of 2023

The State of Uttar Pradesh, the main respondent, who has to carry out various orders passed by this court from time to time in this Public Interest Litigation (PIL petition) aimed at making river water

1 of 14



अजय वैश्व
AJAY VAISH

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Dy. General Manager (Commercial)
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THC INDIA LIMITED, RISHIKESH

of Ganga and Yamuna free from pollutants, securing and restoring floodplains of two rivers from unauthorised construction activities and ensuring that treated domestic sewage and drain water only flows to the rivers in the city of Prayagraj, Varanasi, Kanpur and other districts in the State of Uttar Pradesh, has moved this transfer application seeking transfer of this PIL petition and other similarly connected pending writ petitions to National Green Tribunal at New Delhi (hereinafter referred to as "National Green Tribunal").

2. The Stand taken is that the issues involved in this PIL petition are related to the subject matter falling under one Act or the other given in the Schedule I of the National Green Tribunal Act, 2010 (hereinafter referred to as "Act, 2010").

3. It is argued by the learned Advocate General Shri Ajay Mishra that the order of the National Green Tribunal dated 07.08.2019 gives bullet points to the state respondents to report on them and those bullet points cover the subject matters like CETPs, STPs, drain tapping, unauthorized constructions and other development activities on river banks that are in issue herein this PIL petition as well. He has drawn our attention to the order of the National Green Tribunal in the case of **M.C. Mehta v. Union of India and Others, Original Application No. 200 of 2014**, in which such issues have been covered vide paragraph 13 of the order, which runs as under:

"13. It may be appropriate to note the precise issues which need immediate focus:

i) Prevention of discharge of untreated industrial waste and sewage in the River Ganga and its tributaries, including tapping of drains and bio-remediation, as applicable;

ii) Installation of STPs, CETPs, and making existing CETPs functional (including at Jajmau, Banthar and Unnao) and enhance the capacities, so assessed and monitoring of the standards before discharge of water into Ganga River;

iii) Installation of continuous Emission Monitoring System (CEMS) at appropriate locations and Online Monitoring System (OMS);

iv) Usage of treated waste water, of sludge manure and setting up of bio-digesters and septage management;

v) Preventing dumping of waste and scientific waste management including bio-medical wastes, plastic wastes and decentralizing waste processing, including waste generated from hotels, ashrams, etc.;

vi) Floodplains identification and zone demarcation with restrictions against any development/ construction/ encroachment;

vii) Maintenance of E-flow as notified by Ministry of water Resources including releasing water by Hydel projects and barrages; and

viii) Other directions including displaying water quality data in public domain and at prominent places, development of bio-diversity parks, prohibition of river bed mining, remediation of chromium dumpsites in Uttar Pradesh, collection of compensation from violators and involvement of society including religious, charitable, social and educational institutions for preventing and remedying pollution of River Ganga.

4. Learned Advocate General has also relied upon the judgment of the Supreme Court in the case of **Bhopal Gas Peedith Mahila Udyog Sangathan v. Union of India (2012) 8 SCC 363**. The Supreme Court in the said case has highlighted the prime issues covering environmental laws and these laws being special laws, the NGT to be dealing with them as a judicial body of experts being a specialized National Green Tribunal and so such matters should be referred to the National Green Tribunal. The Court observed that it is also necessary to avoid conflicting approach in terms of orders while dealing with issues concerning environmental laws. The relevant paragraphs relied upon, are reproduced hereunder:

40. Keeping in view the provisions and scheme of the National Green Tribunal Act, 2010, 2010 (for short the 'NGT Act') particularly Sections 14, 29,30 and 38(5), it can safely be concluded that the environmental issues and matters covered under the NGT Act, Schedule 1 should be instituted and litigated before the National Green Tribunal (for short 'NGT'). Such approach may be necessary to avoid likelihood of conflict of orders between the High Courts and the NGT. Thus, in unambiguous terms, we direct that all the matters instituted

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after coming into force of the NGT Act and which are covered under the provisions of the NGT Act and/or in Schedule I to the NGT Act shall stand transferred and can be instituted only before the NGT. This will help in rendering expeditious and specialized justice in the field of environment to all concerned.

41. We find it imperative to place on record a caution for consideration of the courts of competent jurisdiction that the cases filed and pending prior to coming into force of the NGT Act, involving questions of environmental laws and/or relating to any of the seven statutes specified in Schedule I of the NGT Act, should also be dealt with by the specialized tribunal, that is the NGT, created under the provisions of the NGT Act. The Courts may be well advised to direct transfer of such cases to the NGT in its discretion, as it will be in the fitness of administration of justice.

5. Thus, it is prayed that this PIL petition and connected pending petitions be transferred to the National Green Tribunal.

6. Learned Advocates appearing for the petitioner have opposed transfer application on following grounds:

(i) *Transfer application ought to have been made within six months of the NGT coming into existence;*

(ii) *This court will be better able to monitor Ganga Action Plan in terms of locally placed STPs and drainage system to ensure that treated clean water flows to rivers particularly in cities of Prayagraj, Varanasi, Kanpur and Unnao;*

(iii) *The issues relating to Magh Mela, Ardh Kumbh/ Kumbh Mela and Mahakumbh Mela arrangements are directly concerning the city of Prayagraj and for this purpose a local Mela Authority has been constituted and so this court will not only be easily accessible to the citizens and pilgrims coming during mela, for reliefs temporarily and specific to mela arrangements but even working of the Authority can be monitored better on day to day basis;*

7. It is further argued that the local bodies like, Municipal Corporation and Development Authority are under obligation to discharge their duties relating to local issues of citizen of Prayagraj and at times, such issues may remotely or incidentally relate to the river front areas and this court if sends the entire matter, the citizens may be denied remedy available to them through PIL petitions or even individually and upon approaching this Court, State may always take excuses for certain similar matters pending before Tribunal like increasing amount of water in rivers by ensuring release from different barrages.

8. Sri Vijay Bahadur Singh, learned Senior Advocate appearing for a Real State Company namely, Omaxe Pancham Realcom Pvt. Ltd. has argued that Omaxe Housing Project got well approved Housing Scheme by all the Authorities, including Prayagraj Development Authority and so his recall application in respect of interim order 19.08.2011 in this PIL Petition may be allowed first, and then the matter may be transferred. He even argued that this PIL petition looking to the reliefs prayed for, has nothing to do with the housing development scheme of his client facing river front of river Ganga.

9. Sri Singh showed concern that if transfer request was acceded to, his application for recall of the order of the High Court would remain undecided and his clients would continue to be penalised for no fault on their part. He submitted that huge investments made in the housing scheme have cost it very high and those innocent citizens who have already invested their hard earned money to get their dream house a reality, have been made to suffer and all this has also put a severe dent to the reputation of the company besides the fact that a planned development in the city by Omaxe as model housing scheme has been put on hold indefinitely.

10. Having heard learned counsel appearing for the respective parties and their arguments advanced across the bar upon transfer application, we find the only question to be answered; as to whether

the subject matter of this PIL petition and the orders passed therein from time to time deal with the same issues as are involved in the pending matter being OA No. 200 of 2014 before the National Green Tribunal, New Delhi.

11. This PIL petition is pending since 2006 and while it is true that initially prayers made were simply to ensure sufficient and clean water flow in river Ganga, but looking to various orders passed in this petition from time to time over last 17 years, some times on miscellaneous applications moved and at times even *suo motu* taking cognisance on variety of subject matters of public importance that may not be connected with the issue of Clean Ganga Project or issues incidental thereto, we find that over these years this petition acquired importance in large magnitude covering issues of public importance but still, broadly speaking, the orders passed are mainly covering the area of river water pollution and protection of river flood-plains and thus aimed at protecting and conserving the river Ganga in its full breadth and length as a heritage river which is also known as lifeline of this nation.

12. Having closely examined the scope of orders passed in this PIL petition, we can summarize the issues that have been addressed to, by this Court in this petition, as under:

- (i) Protection of river Ganga and Yamuna from flow of untreated sewage water, industrial affluent and domestic wastes etc.
- (ii) Protection of flood plain area of the two rivers from encroachment and unauthorized construction activities.
- (iii) Unauthorized construction activities in the City of Prayagraj.
- (iv) Unorganized and unchecked development activities against the master plan of the development authorities.


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(v) Encroachment of public places.

(vi) Encroachment on roadside lands causing major traffic issues in city areas.

(vii) Magh Mela activity and matters connected with and relating to Mela Authority of Prayagraj.

13. A large number of orders form part of bulky ordersheet of this Public Interest Litigation petition and many of the orders deal with item nos. (iii), (iv), (v), (vi) and (vii), but looking to the entire ordersheet, we find that mainly focus has been to ensure continuous flow of water in the river Ganga and to ensure that ETPs are set up near every industrial area and drains are tapped and connected to STPs in districts through which, the rivers Ganga and Yamnua pass to ensure that no untreated sewage water and water with industrial effluents is flown into the two rivers.

14. The orders passed from time to time by this Court were also to ensure that flood plain areas of two rivers are not subjected to any kind of construction activity or encroachment. In the circumstances, therefore, we are clearly of the view that the above subject matters of item nos. (i) and (ii) are already engaging attention of the National Green Tribunal in the pending case, being OA No. 200 of 2014.

15. We have considered the objections raised by learned counsel for the petitioners. In so far as objection that transfer application having not been filed within six months of the Constitution of Green Tribunal and, therefore, transfer application cannot be entertained is concerned, we do not find merit in this submission. For better appreciation of the argument, we reproduce the provisions as contained under Sections 14 and 29 of the Act, 2010 as under:

"14 Tribunal to settle disputes. -

(1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including

enforcement of any legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I.

(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.

(3) No application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose:

Provided that the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

29 Bar of jurisdiction. -

(1) With effect from the date of establishment of the Tribunal under this Act, no civil court shall have jurisdiction to entertain any appeal in respect of any matter, which the Tribunal is empowered to determine under its appellate jurisdiction.

(2) **No civil court shall have jurisdiction to settle dispute or entertain any question relating to any claim for granting any relief or compensation or restitution of property damaged or environment damaged which may be adjudicated upon by the Tribunal, and no injunction in respect of any action taken or to be taken by or before the Tribunal in respect of the settlement of such dispute or any such claim for granting any relief or compensation or restitution of property damaged or environment shall be granted by the civil court."**

(emphasis added)

16. Upon bare reading of the above provisions, we find that Section 14(3) of the Act, 2010 only provides a period of limitation of six months from the date of cause of action has arisen for the National Green Tribunal to entertain a petition, but proviso added to Sub-section 3 of Section 14 vests discretion in the National Green Tribunal to condone the delay, if sufficient cause is shown by the party approaching it. We further find that Section 29 of the Act, 2010 clearly bars the jurisdiction of civil courts to entertain any matter which the National Green Tribunal is empowered to adjudicate upon and determine the questions arising therein. The civil courts'

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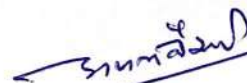

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jurisdiction to settle the dispute that may be adjudicated upon by the National Green Tribunal has thus been clearly barred.

17. The aforesaid provisions, in our view, cannot be interpreted to mean that there would be bar for constitutional law court from transferring the matter already entertained on merits, to the National Green Tribunal at a later stage. It is always open for the court of law including Constitutional law Court to transfer the case to National Green Tribunal having jurisdiction *qua* the subject matter at any point of time, if it so chooses in its discretion.

18. In so far as the other objection that Clean Ganga Project or Ganga Action Plan/ Namami Gange Project can be better monitored at local level considering the importance of city of Prayagraj, Varanasi and Kanpur being religious and industrial cities is concerned, we are of the view that since Namami Gange Project is a National Level Project, it would involve several States and, therefore, it would be more appropriate that National Green Tribunal that has nationwide jurisdiction in ensuring that river does not get polluted from its source to its end (upstream and downstream) the project is monitored by it. The National Green Tribunal can better bind administration of various districts of various other States at the same time to ensure that Namami Gange Project ultimately achieves its object. While it is true that Magh Mela is organized every year in the city of Prayagraj and so also Ardhkumbh/ Kumbh Mela at every six years and Maha Kumbh at every 12 years but only for that, generally and broadly speaking, we should not invite a situation where our orders may come in conflict with that of National Green Tribunal begetting more and more confusion regarding its enforcement by agencies. After all it is the public interest that is to be served first and it hardly matters whether Clean Ganga or Namami Gange Project is monitored here by this Court or by the Green Tribunal. One is to see only where public interest would be better served and in our considered view, the National Green Tribunal being more equipped with powers relating to environmental laws under the Special Acts

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given in Schedule 1 of the National Green Tribunal Act 2010 covering areas nationwide, it would better serve public interest *qua* Clean Ganga/ Namami Gange Project and Clean Yamuna Project.

19. In view of the above, we find merit in the argument of learned Advocate General that this PIL petition and connected pending PIL petitions may also be transferred to be tagged with Original Application no. 200 of 2014 pending with the National Green Tribunal. In our view, we find support in the observations made vide paragraph nos. 40 and 41 by the Supreme Court in the case of **Bhopal Gas Peedith Mahila Udyog Sangathan** (*supra*).

20. However, at this stage, we may also hold that matters relating to illegal development activities being carried out against master plan of Prayagraj Development Authority, encroachment of public places, roadside lands, discharge of statutory duties by Municipal Corporations of different districts and municipalities, in the field of civic administration and other 'incidental' and allied issues related to it, will still be cognizable by this Court. Likewise activities of Mela Authority, Prayagraj during Magh Mela, Ardhkumbh/ Kumbh and Mahakumbh may also be subject matter of monitoring by this court, if Public Interest Litigation petitions are filed by the aggrieved parties because these all would involve local issues relating to allotment of land, cleanliness in the Magh Mela area, basic amenities to be made available to kalpwasis etc., the requirement of sufficient water in river Ganga in Prayagraj and also if there arises any complaint in respect of administration of the Mela Authority, Prayagraj.

21. We may add here that in order to ensure speeding up of the work of tapping of drains in the city of Prayagraj and ensuring that untreated sewage water does not flow into rivers during Magh Mela, Ardhkumbh/Kumbh/Mahakumbh Mela, such matters may be taken up by this Court during such period even if such issues may overlap a little bit with pending matters before National Green Tribunal, but for this limited mela purposes. This Court would certainly not shirk away



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from its constitutional duty in entertaining petitions during Mela period as object is only there to ensure that Clean Ganga and Yamuna water is available for bathing purposes for Kalpwasis during one of the world's largest religious congregation held here at Prayagraj during the month of Magh.

22. Again city drainage system, its maintenance and supply of clean and potable water to the residents of the city are local issues, and needed to be addressed locally for better administration of justice so as to serve public interest. The Constitutional Law Courts, like, High Courts having their territorial jurisdiction in respect of cities and districts cannot be denied access in the name of larger environmental issues falling within the domain of National Green Tribunal and, therefore, this Court upon being approached, in exercise of its extra ordinary power under Article 226 of the Constitution will certainly be intervening to set right things by asking local bodies and local administration to discharge their duties cast upon them under statutes. Our power of judicial review of legislative action and/ or administrative action does not get divested altogether with Constitution of National Green Tribunal, even under parliamentary legislation. Reiterating doctrine of basic structure of the Constitution as conceived of by Supreme in Kesavanand Bharti's case , the 9 Judges bench in **L.Chandra Kumar v. Union of India and Others(AIR 1997 SC 1125)** held that "*the power of judicial review over legislative action vested in the High Courts under Article 226 and in this Court (Supreme Court) under Article 32 of the Constitution is an integral and essential feature of the Constitution, constituting part of its basic structure.*" The Court further held that "*power vested in the High Courts to exercise judicial superintendence over the decision of all Court and Tribunals within their respective jurisdiction is also part of the basic structure of the Constitution*" and "*this is because a situation where the High Courts are divested of all other judicial functions apart from that of constitutional interpretation, is equally to be avoided.*"

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23. Accordingly, we are of the considered view that these above local issues of Prayagaj and other districts of Uttar Pradesh may well still be within the jurisdiction of this Court and will not be in any manner having any conflict with the issues that are subject matter of adjudication before the National Green Tribunal in OA No. 200 of 2014.

24. We have examined the records of the other Public Interest Litigation petitions that are connected and pending and we find that prayers in most of them are either relating to Prayagraj where the sanction of map has been refused by the development authority on account of places, where constructions are sought to be raised, falling within 500 meters of HFL (High Flood Level) as this Court under its order dated 19.08.2011 has restrained every construction activity within this limit; and in some of Public Interest Litigations, the demolition notices have been challenged as the areas fall within the prohibited distance of 500 meters from rivers Ganga and Yamuna of district Prayagraj and within the prohibited distance of 200 meters from the both side of banks of river Ganga in city of Varanasi.

25. In our view, all these above issues since are related to conserving and maintaining flood plane zones of the two rivers Ganga and Yamuna in various districts of Uttar Pradesh, these would fall within the subject matter of pending O.A No. 200 of 2014 before the National Green Tribunal.

26. We have also considered the grievance of the M/s Omaxe Pancham Realcom Pvt. Ltd., Prayagraj, respondent no. 26 who has moved a miscellaneous recall application in respect of an order of this Court dated 19th August, 2011 that restrains any construction activity within 500 meters from high flood level at the bank of rivers Ganga and Yamuna in the city of Allahabad/ Prayagraj.

27. In the above regard, we find that even the National Green Tribunal has passed an order on 13th July, 2017 in the pending O.A.

No. 200 of 2014 while dealing with solid waste management and its dumping in relation to areas that may fall within flood plain zones in respect of State of Uttarakhand, the National Green Tribunal has already issued directions to the public authorities, Nagar Nigams and Municipalities etc. to ensure that even temporary sites to be used as dumping ground should not be within 500 metres distance from the end of the flood plane of river Ganga or its tributaries. The Tribunal in its order dated 13.07.2017 under direction no. (v) has observed that " the area beyond 100 meters and less than 300 meters would be treated as regulatory zone in the hilly terrain, for which State will comply with the above directions. The area upto 200 meters shall be prohibited area in the plain terrain and more than 200 meters and less than 500 meters would be treated as regulatory zone. Area/ River bank/ flood plain 2 kms upstream to Rishikesh and till border of the State of Uttarakhand towards U.P. in river Ganga would be treated as plain terrain while upstream the above hilly terrain". Even though in respect of State of U.P. there appears to be no such direction by the Tribunal under the order, but in our considered view, since Tribunal is dealing with the matter and certain directions have been issued to the State Government of Uttar Pradesh, U.P. Jal Nigam, U.P. Pollution Control Board and Central Pollution Control Board, Uttar Pradesh, the Tribunal would be in a better position to appreciate the controversy regarding 500 meters from High Flood Zone as prohibited area for raising any temporary or permanent structure. Thus it will be within the domain of the Tribunal to pass appropriate orders and, therefore, in our considered view, it would be more appropriate for the National Green Tribunal to consider the miscellaneous recall application of respondent no. 5 and pass appropriate order.

28. We, therefore, do not see any prejudice going to be caused to the respondent no. 26 in the event matter is transferred to the National Green Tribunal, New Delhi . It will remain open for the respondent no. 26 to move appropriate application before the

National Green Tribunal for early disposal of miscellaneous recall application, if so advised.

29. In view of above, the transfer application moved by the State of Uttar Pradesh stands granted. The Public Interest Litigation No. 4003 of 2006 and other connected pending petitions and PIL petitions are transferred to National Green Tribunal, New Delhi.

30. Registrar General is to ensure that all the records are transmitted to the National Green Tribunal, within a fortnight while retaining a copy of the entire order-sheet and the leading PIL petition in one set. The respective parties are directed to appear before the National Green Tribunal, New Delhi and pursue their matter there.

31. We also find that large number of PIL petitions are being listed with this PIL petition, even though those Public Interest Litigation petitions have been disposed of by this Court previously giving liberty to the petitioners to move their application in the main Public Interest Litigation petition being no. 4003 of 2006 .

32. Registry is accordingly directed to detag the decided PIL petitions and consign them to records.

Order Date :- 21.07.2023

Sanjeev

(Ajit Kumar)
Judge

(Manoj Kumar Gupta)
Judge

(Pritinker Diwaker)
Chief Justice


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कार्यालय प्रमुख अभियन्ता
सिंचाई एवं जल संसाधन विभाग,
उ०प्र०, लखनऊ।

पत्रांक : / मु०अ०ज०सं० / पी०पी०-२ / महाकुम्भ मेला 2025 /

दिनांक: ०३-०९ / 2024

कार्यालय ज्ञाप

महाकुम्भ मेला-2025 के दौरान गंगा नदी में संगम स्थल प्रयागराज में मा० उच्च न्यायालय इलाहाबाद द्वारा जनहित याचिका सं० 4003/2006 रि० गंगा प्रदूषण बनाम उ०प्र० राज्य व अन्य में मा० उच्च न्यायालय द्वारा समय-समय पर सुनवाई के समय गंगा नदी के जल की अविरलता एवं निर्मलता हेतु पर्याप्त जल प्रवाह बनाये रखने के आदेश पारित किये गये हैं। महाकुम्भ-2025 (13 जनवरी 2025 से 26.02.2025 तक) को सकुशल एवं निर्विघ्न सम्पन्न कराने हेतु पूर्व वर्षों की भांति इस वर्ष भी प्राथमिकता के आधार पर टिहरी डैम से 2000 क्यूसेक जल दिनांक 15.12.2024 प्रातः 8:00 बजे एवं नरौरा बैराज से 5000 क्यूसेक जल दिनांक 24.12.2024 से दिनांक 26.02.2025 तक निरन्तर छोड़े जाने की आवश्यकता होगी।

अतः महाकुम्भ मेला-2025 में स्नान हेतु टिहरी डैम से 2000 क्यूसेक अतिरिक्त जल दिनांक 15.12.2024 प्रातः 8:00 बजे से दिनांक 26.02.2025 तक तथा नरौरा बैराज डाऊन स्ट्रीम में गंगा नदी में दिनांक 24.12.2024 से दिनांक 26.02.2025 तक निरन्तर 5000 क्यूसेक जल निस्सरण सुनिश्चित किया जाये :-

क्र०सं०	मुख्य स्नान पर्व		जल छोड़े जाने हेतु प्रस्तावित समय सारिणी		अभ्युक्ति
	नाम	दिनांक/दिन	दिनांक	जल की मात्रा (क्यूसेक में)	
1	पौष पूर्णिमा	13.01.2025 / सोमवार	टिहरी डैम से दिनांक 15.12.2024 को प्रातः 8.00 बजे से	2000	नरौरा बैराज से अवमुक्त जल संगम स्थल प्रयागराज तक पहुँचने में 10 दिन का समय लगना संभावित है।
2	मकर संक्रान्ति	14.01.2025 / मंगलवार			
3	मौनी अमावस्या	29.01.2025 / बुद्धवार			
4	वसंत पंचमी	04.02.2025 / मंगलवार			
5	माघी पूर्णिमा	12.02.2025 / बुद्धवार	नरौरा बैराज से दिनांक 24.12.2024 से दिनांक 26.02.2025 तक	5000	
6	महाशिवरात्रि	26.02.2025 / बुद्धवार			

(अखिलेश कुमार)

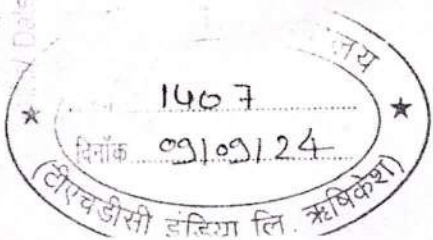
प्रमुख अभियन्ता एवं विभागाध्यक्ष

पृष्ठांकन संख्या: ९०३ / मु०अ०ज०सं० / पी०पी०-२ / महाकुम्भ मेला 2025 / तदिनांक।

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

1. प्रमुख सचिव, सिंचाई एवं जल संसाधन विभाग, उ०प्र० शासन, लखनऊ।
2. प्रमुख सचिव, नगर विकास विभाग, उ०प्र० शासन, लखनऊ।
3. प्रमुख सचिव, पर्यावरण विभाग, उ०प्र० शासन, लखनऊ।
4. आयुक्त, प्रयागराज मण्डल, प्रयागराज।
5. मेलाधिकारी, कुम्भ मेला, प्रयागराज को उनके पत्रांक : 2212/पन्द्रह-महा०मे०-2025 (2024-25) दिनांक 06.08.2024 के क्रम में।
6. जिलाधिकारी, प्रयागराज।
7. अध्यक्ष एवं प्रबन्ध निदेशक, टी०एच०डी०सी० इण्डिया लि०, प्रगतिपुरम, ऋषिकेश, उत्तराखण्ड।
8. निदेशक, तकनीकी, टी०एच०डी०सी० इण्डिया लि०, प्रगतिपुरम, ऋषिकेश, उत्तराखण्ड।

निदेशक (तकनीकी) सचिवालय, ऋषिकेश
Director (T) Sect., Rishikesh
पत्रांक सं/ Dispatch No. 128
दिनांक 10/09/2024

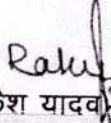


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

कमरा...2...

9. प्रमुख अभियन्ता (परियोजना), सिंचाई एवं जल संसाधन विभाग, उ०प्र०, लखनऊ।
10. मुख्य अभियन्ता (स्तर-1), परि० एवं शोध, सिंचाई एवं जल संसाधन विभाग, उ०प्र० लखनऊ।
11. मुख्य अभियन्ता (स्तर-1)/विन्ध्यांचल/मध्य/पश्चिम/नियोजन, सिंचाई एवं जल संसाधन विभाग, उ०प्र०, प्रयागराज/लखनऊ/मेरठ/लखनऊ।
12. मुख्य अभियन्ता, गंगा/रामगंगा, सिंचाई एवं जल संसाधन विभाग, उ०प्र०, मेरठ/कानपुर को इस निर्देश के साथ प्रेषित है कि गंगा नदी में महाकुम्भ मेला-2025 में उपरोक्तानुसार जल आपूर्ति के साथ-साथ अपने अपने संगठन में रबी फसल की सिंचाई हेतु नहरों में आवश्यक जल की आपूर्ति भी सुनिश्चित की जाये।
13. मुख्य अभियन्ता, मध्यगंगा/सोन, सिंचाई एवं जल संसाधन विभाग, उ०प्र०, अलीगढ़/वाराणसी।
14. अधीक्षण अभियन्ता, प्रथम मण्डल, सिंचाई कार्य, मेरठ/अनु० एवं नियो० (जल संसाधन) मण्डल, मेरठ।
15. अधीक्षण अभियन्ता, सिंचाई कार्य मण्डल, अलीगढ़।
16. अधीक्षण अभियन्ता, सिंचाई कार्य मण्डल, प्रयागराज।
17. अनु० एवं नियो०(जल संसाधन) मण्डल, प्रयागराज।
18. अधिशासी अभियन्ता, उत्तरी खण्ड, गंगा नहर रुड़की।
19. अधिशासी अभियन्ता, नरौरा प्रखण्ड, निचली गंगा नहर, अलीगढ़।
20. अधिशासी अभियन्ता, मध्य गंगा नहर, खण्ड-5, बिजनौर।
21. अधिशासी अभियन्ता, बाढ़ कार्य खण्ड, प्रयागराज।
22. अधिशासी अभियन्ता, (अनु० एवं नियो०), जल संसाधन खण्ड, मेरठ/कानपुर/मिर्जापुर।


अजय वैश्य
AJAY VAISH
 उप महाप्रबन्धक (वाणिज्यिक)
 Dy. General Manager (Commercial)
 टीएचडीसी इंडिया लिमिटेड, रीशिकेश
 THDC INDIA LIMITED, RISHIKESH


 (राकेश यादव) 3/9/24
 मुख्य अभियन्ता (प्र०सं०)

कार्यालय अधीक्षण अभियन्ता
प्रथम मण्डल, सिंचाई कार्य, मेरठ


पत्रांक: 7233/प्रथम/डब्लू 39.

दिनांक: 03/12/2024

विषय: टिहरी जलाशय से जल निकासी के सम्बन्ध में।

महाप्रबन्धक (ओ0एम0एस0क्यू0ए0 एवं सुरक्षा) बाईपास रोड ऋषिकेश।

ऊपरी गंगा नहर प्रणाली, निचली गंगा नहर प्रणाली एवं आगरा नहर प्रणाली में रबी 1432 फसली वर्ष 2024-25 में नहरों को रोस्टर के अनुसार चलाया जाना प्रस्तावित है। अतः टिहरी जलाशय से अग्रिम जल मांग तक दिनांक 4.12.2024 से 160 क्यूमेक के स्थान पर 180 क्यूमेक जल निकासी कराने का कष्ट करें।


03.12.2024
अधीक्षण अभियन्ता
प्रथम मण्डल, सिंचाई कार्य,
मेरठ

पत्रांक: /प्रथम/डब्लू 39.

दिनांक: 2024

प्रतिलिपि मुख्य अभियन्ता, (गंगा) सिंचाई एवं जल संसाधन विभाग उ0प्र0 मेरठ को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

अधीक्षण अभियन्ता
प्रथम मण्डल, सिंचाई कार्य,
मेरठ

No. 16

NO-R/30

MRT

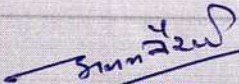
Date 12-12-2024

वि. उप-महाप्रबन्धक (आ. एम. एस. एम. ए. ए. सुखा) बड़वा
से सविज्ञापन पत्र आ. एम. एस. एम. ए. ए. सुखा -

जिसमें जारी सप्ताह में ऊपर की गंगा नहर प्रणाली जमाव
क्षेत्र में जलमय जम है। अतः दिहरी जलाशय से अधिक
जलमय तब 220 क्यूमेक के स्थान पर 190 क्यूमेक जल निक्षेप
कार्य का कार्य करे।

S.E. IMRT

डि. जे. म. म.


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

No-R/51

MEERUT

DATE 27/12/2024

10, उपमहानगरपालिका (आ.म.प.स.० एच.प.स.०, सुरक्षा) क्र. १०८६

(G) MEERUT -

समस्त अपरि मेत्रा नहर कमाउ क्षेत्र में वर्षा होने के कारण जलमय नशय हो गया है। अतः आप आगम आदेशों तक रिहरी जलाशय से जल निजारी 250 यूनिट के रुझान पर 180 यूनिट करावे का कल्ट करी ताकि अपरि मेत्रा नहर को कम किया जा सके।

S.E. IMRT

27/12/24

Ajay Vaish

अजय वैश्य
AJAY VAISH

उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
श्री हरिजन लिमिटेड, रुषिकेश
SHRI HARIJAN LIMITED, RISHIKESH

310-055 WK 45

FRIDAY

06

प्रेषक,

मुख्य अभियन्ता (गंगा)
सिंचाई एवं जल संसाधन विभाग,
मेरठ।

प्रेषित,

अधिशाली निदेशक,
टिहरी हाईड्रो डेवलपमेंट कार्पोरेशन
न्यू टिहरी (उत्तराखण्ड)।

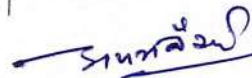
पत्रांक:-12330/मुअगंगा/डब्ल्यू-39/टिहरी जला0(महाकुम्भ-2025), दिनांक: 02/01/2025.
विषय:-महाकुम्भ-2025 के दृष्टिगत टिहरी जलाशय से जल निकासी कम कराने के सम्बन्ध में।

महोदय,

जैसा कि आप भी अवगत हैं कि इस वर्ष उत्तर प्रदेश राज्य के जनपद प्रयागराज में महाकुम्भ मेला 2025 के दौरान गंगा नदी में संगम स्थल पर मा0 उच्च न्यायालय, इलाहाबाद द्वारा जनहित याचिका संख्या 4003/2006 रि0 गंगा प्रदूषण बनाम उत्तर प्रदेश राज्य व अन्य में मा0 उच्च न्यायालय द्वारा समय समय पर सुनवाई के समय गंगा नदी के जल की अविरलता एवं निर्मलता हेतु पर्याप्त जल प्रवाह बनाए रखने के आदेश पारित किये गए हैं। प्रमुख अभियन्ता एवं विभागाध्यक्ष महोदय के कार्यालय ज्ञाप संख्या- 903/ दिनांक 03.09.2024 द्वारा महाकुम्भ-2025 (13 जनवरी, 2025 से 26 फरवरी, 2025 तक) को सकुशल एवं निर्विघ्न सम्पन्न कराने हेतु पूर्व वर्षों की भांति इस वर्ष भी प्राथमिकता के आधार पर स्नान हेतु टिहरी डैम से 2000 क्यूसेक सिंचाई के अतिरिक्त जल उपलब्ध कराने हेतु निर्देश दिये गये हैं, जिसकी प्रति अन्य के साथ अध्यक्ष एवं प्रबन्ध निदेशक, टी0एचडी0सी0 इंडिया लि0, ऋषिकेश, उत्तराखण्ड को भी पृष्ठांकित की गई है।

उक्त क्रम में अवगत कराना है कि जनपद-प्रयागराज के संगम स्थल पर पौष पूर्णिमा दिनांक 13.01.2025, मकर संक्रान्ति दिनांक 14.01.2025, मौनी अमावस्या दिनांक 29.01.2025, बसन्त पंचमी दिनांक 04.02.2025, माघी पूर्णिमा दिनांक 12.02.2025 एवं महाशिवरात्रि दिनांक 26.02.2025 को मुख्य स्नान पर्व की तिथियां निर्धारित हैं। उक्त तिथियों पर संगम स्थल पर स्नान हेतु गंगा नदी में निर्मल व निर्विघ्न पर्याप्त जल उपलब्ध रहना अनिवार्य है। उक्त स्थिति को बनाए रखने हेतु भीमगौड़ा बैराज के डाउन स्ट्रीम में सिंचाई के अतिरिक्त 2000 क्यूसेक जल निरन्तर प्रवाहित किया जाना अपरिहार्य है।

विदित हो कि वर्तमान में ऊपरी गंगा नहर कमाण्ड क्षेत्र में व्यापक रूप से वर्षा हो जाने के फलस्वरूप क्षेत्र में सिंचाई हेतु जल की मांग अत्यन्त अल्प हो जाने के कारण भीमगौड़ा बैराज के डाउन स्ट्रीम में आवश्यकता से अधिक जल प्रवाहित हो रहा है, जिसके कारण प्रयागराज में जल की मात्रा बढ़ जाने की स्थिति में महाकुम्भ के मुख्य स्नान पर्व प्रभावित होंगे, जिससे कि अपरिहार्य स्थिति उत्पन्न हो जायेगी। इस सम्बन्ध में महाकुम्भ मेला, 2025 के दौरान यह आवश्यक है कि स्नान हेतु संगम स्थल पर पानी का लेविल स्थिर बना रहे। उक्त हेतु टिहरी डैम से प्रवाहित होने वाले जल को समय-समय पर इस संगठन के अधीनस्थ अधीक्षण अभियन्ता, प्रथम मण्डल सिंचाई कार्य, मेरठ द्वारा की गई माँग के अनुरूप ही भीमगौड़ा बैराज पर जल उपलब्ध कराया जाये। अधीक्षण अभियन्ता, प्रथम मण्डल सिंचाई कार्य, मेरठ द्वारा अवगत कराया गया है कि दिनांक 27.12.2024 को तार के माध्यम से उपमहाप्रबन्धक (ओ0एम0एस0 एवं क्यू0, सुरक्षा), ऋषिकेश (उत्तराखण्ड) को ऊपरी गंगा नहर कमाण्ड क्षेत्र में वर्षा होने के कारण जल मांग नगण्य होने की सूचना से अवगत कराते हुए मात्र 180 क्यूमेक जल उपलब्ध कराने हेतु अनुरोध किया गया तथा समय-समय पर दूरभाष पर भी इस विषय में वार्ता की गई, परन्तु उक्त अनुरोध के पश्चात भी अभी तक टिहरी जलाशय से 223 क्यूमेक जल प्रवाहित किया जा रहा है, जिसके कारण भीमगौड़ा बैराज के डाउन स्ट्रीम आवश्यकता से अधिक जल प्रवाहित हो रहा है।



अजय वैश्य
AJAY VAISH

उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

कमश:.....(2)

अतएव आपसे अनुरोध है कि गंगा कमाण्ड क्षेत्र में सिंचाई हेतु जल की न्यूनतम आवश्यकता एवं महाकुम्भ-2025 में प्रयागराज के संगम स्थल पर स्नान हेतु जल प्रवाह स्थिर रखे जाने के दृष्टिगत अग्रिम अनुरोध तक टिहरी जलाशय से अधिकतम 140 क्यूमेक जल ही भीमगौड़ा बैराज पर उपलब्ध कराने का कष्ट करें।

भवदीय

मुख्य अभियन्ता (गंगा)
सिंचाई एवं जल संसाधन विभाग,
उ०प्र०, मेरठ।

पत्रांक:-12330 / मुअगंगा / डब्ल्यू-39 / तदिनांक: 02/01/2025

प्रतिलिपि निम्न लिखित को सूचनाथ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. प्रमुख अभियन्ता एवं विभागाध्यक्ष, सिंचाई एवं जल संसाधन विभाग उत्तर प्रदेश, लखनऊ।
2. मुख्य अभियन्ता, स्तर-1 (पश्चिम) सिंचाई एवं जल संसाधन विभाग उत्तर प्रदेश, मेरठ।
3. मुख्य अभियन्ता (रामगंगा), सिंचाई एवं जल संसाधन विभाग उत्तर प्रदेश, कानपुर।
4. अधीक्षण अभियन्ता प्रथम मण्डल सिंचाई कार्य उत्तर प्रदेश, मेरठ।
5. अधीक्षण अभियन्ता गंगा नहर संचालन मण्डल, मेरठ।
6. अधिशासी अभियन्ता उत्तरी खण्ड गंगा नहर, रुड़की।
7. निदेशक, तकनीकी, टी०एच०डी०सी० इण्डिया लि०, प्रगतिपुरम, ऋषिकेश, उत्तराखण्ड।
8. उपमहाप्रबन्धक ओ०एम०एस०क्यू० एवं सुरक्षा बाईपास रोड, ऋषिकेश, उत्तराखण्ड।


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

02/11/2025
मुख्य अभियन्ता (गंगा)
सिंचाई एवं जल संसाधन विभाग,
उ०प्र०, मेरठ


No-R188

MPA

Date 31-01-25

To, उपमहाप्रबन्धक (आ० एम० एस० एवं व्यू० सुरक्षा)
अधिलेख ९० CE(G) MPA -

अपरी ग्रीवा नहर, निचली ग्रीवा नहर व आमशु नहर
प्रणालीयों पर अलम्बाने वाले के इन्जिनर आप रीहरी अलम्बाने
से 220 क्यूमेक के स्थान पर 270 क्यूमेक अवसिलासी करने का
कार्य करे। लवि सिंपाई हेतु कृपको को आवश्यकतानुसार फल
मात्रा उपलब्ध करायी जा सके।


31.01.2025
S.E. J. M. R.
31/1/25


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

No.

Date

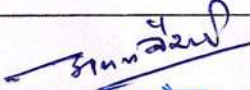
No-R/105

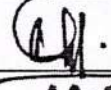
MRT

12/2/2025

To, उपमहाप्रबन्धक (ओ० एम० एस० एं० क्यू० सुरक्षा) ऋषिकेश
व/० एफ(५)एमटी - (आवश्यक/महत्वपूर्ण) (10:00 PM)

महकुश - 2025 में व वर्तमान में तापमान बढ़ने से खिंचाई हेतु
अलमारी की क्रियाशील वृद्धि होने तथा इस सम्बन्ध में उच्चस्तर
पर हुए विचार विमर्श व गारु निदेशों के क्रम में दिहरी अलमारी
से 270 क्यूमेक के हजान पर 4000 क्यूमेक अल निजासी तलाल
उभार से कराने का कष्ट करे।


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH


12.02.2025
S.E.I. MRT
12/2/25

कार्यालय अधीक्षण अभियन्ता
प्रथम मण्डल, सिंचाई कार्य, मेरठ

पत्रांक: 1218 / प्रथम / डब्लू-39.

दिनांक: मेरठ: 20.02.2025

विषय: टिहरी जलाशय से जल निकासी के सम्बन्ध में।

महाप्रबन्धक (ओ.एम.एस., क्यू.ए.एंव सुरक्षा) बाईपास रोड, ऋषिकेश।

ऊपरी गंगा नहर, निचली गंगा नहर, आगरा नहर प्रणाली में जलमांग एवं महाकुम्भ मेला 2025 के दृष्टिगत टिहरी जलाशय से अग्रिम आदेशों तक 400 क्यूमेक के स्थान पर 270 क्यूमेक टिहरी जलाशय से जल निकासी कराने का कष्ट करें।

10.02.2025
अधीक्षण अभियन्ता

प्रथम मण्डल, सिंचाई कार्य,
मेरठ

पत्रांक: / प्रथम / डब्लू-39, तदिनांक: 20-02-2025

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है-

- 1- मुख्य अभियन्ता (गंगा) सिंचाई एवं जल संसाधन विभाग, उत्तर प्रदेश, मेरठ।
- 2- अधीक्षण अभियन्ता, गंगा नहर संचालन मण्डल, मेरठ।
- 3- अधिशासी अभियन्ता, उत्तरी खण्ड, गंगा नहर, रुड़की।


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

अधीक्षण अभियन्ता
प्रथम मण्डल, सिंचाई कार्य,
मेरठ

No-R/III


MRT

Date 24/02/2025

To, उपमहाप्रबन्धक (औद्योगिक एवं वित्त) अधीनस्थ C/P
CE(G) MRT -

महाकुम्भ मेला 2025 लगभग स्थापन होने के दृष्टिकोण
आप आश्रित आदेशों तक दिहरी अलावा से 220 वयस्क के
स्नान पर 220 वयस्क अल निजासी कराने का कष्ट करे।


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, रीशिकेश
THDC INDIA LIMITED, RISHIKESH


24.02.2025
S.E. IMRT
24/2/2025

No-R/120

MRT

Date 03/03/25

16, उपमहाप्रबंधक (आ. (क) एस. एवं वटु सुरक्षा) अधिवक्ता

OP DE (K) MRT -

अपरी. गंगा नहर कोटा, क्षेत्र में अलग-अलग काम होने
के दृष्टिकोण से 220 वटुमेक के स्थान पर
180 वटुमेक अलग निकासी क्रान का काम करे !

Ajay Vaish
अजय वैश्य
AJAY VAISH
उप महाप्रबंधक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडी लिमिटेड, रुषिकेश
THDC INDIA LIMITED, RISHIKESH

103

03.03.25
S.E. IMRT
3/3/25

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.60/GT/2024

Coram:

Shri Jishnu Barua, Chairperson

Shri Ramesh Babu V., Member

Shri Harish Dudani, Member

Date of Order: 8th November 2024

In the matter of:

Petition seeking revision of tariff of Koteswar Hydroelectric Project (400 MW) for the period 2019-24 on account of interim truing-up, limited to meet the liabilities as per the Arbitration award dated 17.12.2010 read with the orders of the Hon'ble Delhi High Court dated 13.12.2019, 12.7.2023, 28.7.2023 paid by THDCIL on 27.1.2020 and 31.8.2023, in terms of Regulation 13(3), Regulations 76 and 77 of the Tariff Regulations, 2019.

And

In the matter of:

THDC India Limited,
Pragati Puram, Bypass Road,
Rishikesh-249201, Uttarakhand

.....Petitioner

Vs

1. Punjab State Power Corporation Limited,
The Mall, Patiala – 147001 (Punjab)
2. Haryana Power Utilities,
Shakti Bhawan, Sector 6,
Panchkula – 134 109 (Haryana)
3. Uttar Pradesh Power Corporation Limited,
Shakti Bhawan, 14 Ashok Marg,
Lucknow – 226001 (UP)
4. BSES Rajdhani Power Limited,
BSES Bhawan, Nehru Place,
Behind Nehru Place Bus Terminal,
New Delhi-110019
5. BSES Yamuna Power Limited,
3rd Floor, Shakti Kiran Building,
Karkardooma, Near Court,
New Delhi-110092


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, रीशिकेश
THDC INDIA LIMITED, RISHIKESH

Total O&M Expenses allowed (A+B)	16317.92	17095.82	17910.80	18764.64	19659.18
Security Expenses allowed separately (C)	950.47	995.81	1043.31	1093.08	1145.22
Total O&M Expenses as allowed (including Water Charges and Capital Spares Consumed) (D) = (A+B+C)	17268.39	18091.63	18954.12	19857.71	20804.39

Interest on Working Capital

35. Accordingly, the interest on working capital has been worked out and allowed as under:

	(Rs in lakh)				
	2019-20	2020-21	2021-22	2022-23	2023-24
Working Capital for O&M expenses (one month)	1439.03	1507.64	1579.51	1654.81	1733.70
Working Capital for Maintenance Spares	2590.26	2713.74	2843.12	2978.66	3120.66
Working capital for Receivables	6953.92	6934.64	6885.35	6850.63	7299.02
Total Working Capital	10983.22	11156.02	11307.98	11484.09	12153.38
Rate of Interest (%)	12.05%	11.25%	10.50%	10.50%	10.50%
Total Interest on Working capital	1323.48	1255.05	1187.34	1205.83	1276.10

Annual Fixed Charges approved for the period 2019-24

36. Based on the above, the annual fixed charges approved for the generating station (after truing up) for the period 2019-24 are as under:

	(Rs in lakh)				
	2019-20	2020-21	2021-22	2022-23	2023-24
Depreciation	13527.67	13602.34	13625.22	13636.41	14762.37
Interest on loan	11235.24	10050.09	8815.73	7592.94	7822.44
Return on Equity	13203.80	13248.51	13265.47	13273.30	14700.08
O&M Expenses	17268.39	18091.63	18954.12	19857.71	20804.39
Interest on Working Capital	1323.48	1255.05	1187.34	1205.83	1276.10
Total	56558.59	56247.63	55847.87	55566.19	59365.38

Note: (1) All figures are on annualized basis. (2) All figures under each head have been rounded. The figure in total column in each year is also rounded. As such the sum of individual items may not be equal to the arithmetic total of the column.

37. The annual fixed charges approved as above are subject to truing up in terms of in terms of Regulation 13(1) of the 2019 Tariff Regulations. Accordingly, the Petitioner shall, at the time of final truing up of tariff, furnish all the relevant details along with the detailed item-wise calculations of the Principal amount bifurcated into the original amount (as per award dated 17.12.2010, as referred in Annexure E of submissions vide affidavit dated

02.07.2024) and the escalation amount (including calculations). Additionally, the interest amount shall also be bifurcated as pre-award and post-award periods, with the year-wise interest calculations. The annual fixed charges approved as above are subject to adjustment in terms of Regulation 13(4) of the 2019 Tariff Regulations and are also subject to the final decision of the Hon'ble Supreme Court in the pending appeal.

38. Petition No. 60/GT/2024 is disposed of in terms of the above.

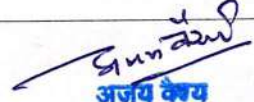
Sd/-
(Harish Dudani)
Member

Sd/-
(Ramesh Babu V.)
Member

Sd/-
(Jishnu Barua)
Chairperson


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
By. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

FORM-I

Particulars	
1. Name of the Petitioner/Applicant	THDC India Limited
2. Address of the Petitioner/Applicant	THDC India Limited, Pragatipuram, Bypass Road, Rishikesh-249201
3. Subject Matter	Fee for the petition of relaxation of the Normative Plant Availability Factor for KHEP (400 MW)
4. Petition No., if any	---/MP/2025
5. Details of generation assets (a) generating station/units (b) Capacity in MW (c) Date of commercial operation (d) Period for which fee paid (e) Amount of fee paid (f) Surcharge, if any	(a)Koteshwar HEP/04 Units (b) 400MW (4X100 MW) (c) 01.04.2012 (d) 2025-26 (e) ₹ 3,00,000/- (Rs. Three lakh only) (f) NA
6. Details of transmission assets	N.A
7. Fee paid for Adoption of tariff for	N.A
8. Application fee for license	N.A
9. Fees paid for Miscellaneous Application	N.A
10. Fees paid for Interlocutory Application	N.A
11. Fee paid for Regulatory Compliance petition	N.A
12. Fee paid for Review Application	N.A
13. License fee for inter-State Trading	N.A
14. License fee for inter-State Transmission.	N.A
15. Annual Registration Charge for Power Exchange	N.A
16. Details of fee remitted (a) Transaction ID/ Reference No./Payment Id. (b) Date of remittance (c) Amount remitted	(a) Transaction ID- bf905060f222ade653c1 Payment Id - 104512706251220431 (b) 27.06.2025 (c) ₹ 300000/- (Rs. Three lakh only)
Signature of the authorized signatory with date	 अजय वाश AJAY VASH उप महाप्रबन्धक (व्यापारिक) Dy. General Manager (Commercial) टीएचडीसी इंडिया लिमिटेड, रीशिकेश THDC INDIA LIMITED, RISHIKESH

Fee Acknowledgement

Counterfoil (Office Copy)

Reference No.: 379/2025

Transaction Id.: bf905060f222ade653c1

Payment 104512706251220431

Gateway ID:

Status: success

Received From : THDC India Limited (THDCIL)

The Sum of Rs. : 300000

Fee Type: Petition Filing Fees

Dated : Jun 27, 2025, 12:50 PM

Fee Mode: Net Banking

Fee Period:

Petitioner/ Organisation Name: THDC India Limited (THDCIL)


अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

Jun 27, 2025, 5:07 PM

BEFORE THE HON'BLE CENTRAL ELECTRICITY REGULATORY

COMMISSION

PETITION NO. – OF 2025

IN THE MATTER OF:

THDC INDIA LIMITED

...PETITIONER

Vs.

PUNJAB STATE POWER CORPORATION

LTD & ORS.

...RESPONDENTS

MEMO OF APPEARANCE

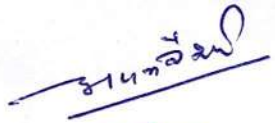
I, Ajay Vaish, DGM (Commercial), THDC India Limited authorized representative of the Petitioner above named, do hereby nominate / appoint, The Guild Advocates & Associate Counsel, with e-portal ID- tabrezmalawat to act, plead and appear on behalf of the Petitioner in the aforesaid matter.

IN WITNESS WHEREOF, I have set and subscribed my hand to this writing on the 27th day of June'2025.

Place: Rishikesh

Date: 27.06.2025

Address for Correspondence
THDC India Limited, Saraswati Bhawan,
Pragatipuram, Bypass Road, Rishikesh-249201



Signature

अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH



सत्यमेव जयते



IN-UK79929305137210X

INDIA NON JUDICIAL

Government of Uttarakhand

e-Stamp

Certificate No.	: IN-UK79929305137210X
Certificate Issued Date	: 17-Mar-2025 01:38 PM
Account Reference	: NONACC (SV)/ uk1388704/ DEHRADUN/ UK-DH
Unique Doc. Reference	: SUBIN-UKUK138870467160527093647X
Purchased by	: THDC INDIA LTD
Description of Document	: Article 4 Affidavit
Property Description	: NA
Consideration Price (Rs.)	: 0 (Zero)
First Party	: THDC INDIA LTD
Second Party	: THDC INDIA LTD
Stamp Duty Paid By	: THDC INDIA LTD
Stamp Duty Amount(Rs.)	: 10 (Ten only)



ARUN KANTWAL
Boos E.J.

Please write or type below this line

BEFORE THE HON'BLE CENTRAL ELECTRICITY REGULATORY COMMISSION PETITION NO. – OF 2025

IN THE MATTER OF:

Petition under with Section 79 (1) (a), (f) and (k) of the Electricity Act, 2003 read with Regulation 102 of Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2024 ("CERC

Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at www.shrestamp.com or using e-Stamp Mobile App of Stock
2. Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
3. The onus of checking the legitimacy is on the users of the certificate.
4. In case of any discrepancy please inform the Competent Authority.

110

अजय वैश्य
AJAY VAISH

उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, रुषिकेश
THDC INDIA LIMITED, RISHIKESH

Tariff Regulations, 2024) seeking relaxation of the Normative Plant Availability Factor for THDC Koteswar Hydro Electric Project provided in terms of Regulation 71(A)(4) of the CERC Tariff Regulations, 2024.

AND IN THE MATTER OF:

THDC INDIA LIMITED

...PETITIONER

Vs.

PUNJAB STATE POWER CORPORATION

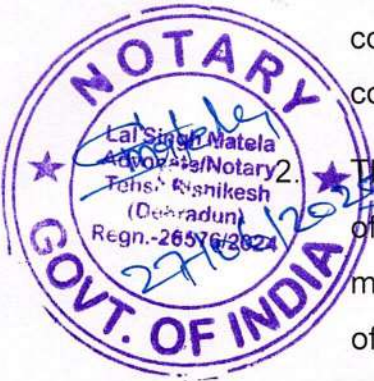
LTD & ORS.

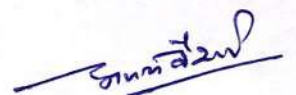
...RESPONDENTS

AFFIDAVIT VERIFYING THE PETITION

I, Ajay Vaish, S/o. Late Sh. Brij Bihari Lal Vaish, aged about 57 years, Dy. General Manager (Commercial), R/o. 57-Ashutosh Nagar, Rishikesh, do hereby solemnly affirm and state as follows:

1. That the deponent is the Dy. General Manager of the Petitioner, and is well conversant with the facts and the circumstances of the case and therefore competent to swear this affidavit.
2. That the accompanying Petition under Section 79 (1) (a), (f) and (k) of the Electricity Act, 2003, has been filed by my nominated counsel under my instructions and the contents of the same are true and correct to the best of my knowledge and belief.
3. That the contents of paragraph 1 to 90 of the facts as mentioned in the Petition are true and correct based on my knowledge, belief and records maintained in the office and the contents of paragraph 1 to 85 of the Petition are believed to be true on the basis of the legal advice received.





अजय वैश्य
AJAY VAISH
रघु महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, रीशिकेश
THDC INDIA LIMITED, RISHIKESH

4. That the annexures annexed to the Petition are correct and true copies of the respective originals.
5. That the Deponent has not filed any other Petition or Appeal before any other forum or court of law with respect to the subject matter of the dispute.




DEPONENT

अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

VERIFICATION

Verified at Rishikesh on the 27 day of June, 2025 that the contents of my above noted affidavit are true and correct to my knowledge and no part of it is false and nothing material has been concealed therefrom.

This affidavit is sworn before me by
Shri. Ajay Vaish
Who is identified by Shri. Satish
At Rishikesh, Dehradun on 27/06/2025

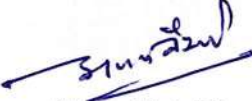

Lar Singh Matela
Advocate/Notary
Tehsil Rishikesh
(Dehradun)
Regn.- 26576/2024


DEPONENT

अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH

**CERTIFICATE FOR SERVING OF PETITION TO RESPONDENTS AND
DISCLOSURE ON WEBSITE**

This is to certify that the copy of Petition for seeking relaxation of the Normative Plant Availability Factor for THDC Koteshwar Hydro Electric Project has been sent through e-mail to each of the beneficiaries of Koteshwar HEP (4X100 MW) and the Petition has been posted on website of THDC India Limited viz. < thdc.co.in>.


(Ajay Vaish)

Dy. General Manager (Commercial)

THDC India Limited-Rishikesh

अजय वैश्य
AJAY VAISH
उप महाप्रबन्धक (वाणिज्यिक)
Dy. General Manager (Commercial)
टीएचडीसी इंडिया लिमिटेड, ऋषिकेश
THDC INDIA LIMITED, RISHIKESH