

**BEFORE THE HIMACHAL PRADESH ELECTRICITY  
REGULATORY COMMISSION SHIMLA**

**Petition No: 149 of 2024**  
Instituted on: 30.11.2024  
Heard on: 09.12.2024  
**Decided on: 26.12.2024**

**CORAM**

**DEVENDRA KUMAR SHARMA  
CHAIRMAN**

**YASHWANT SINGH CHO GAL  
MEMBER (Law)**

**SHASHI KANT JOSHI  
MEMBER**

**In the matter of :**

The HP State Electricity Board Limited, thro'  
Sh. Mandeep Singh, Chief Engineer (S.O.),  
Vidyut Bhawan, Shimla-171004.

.....Petitioner

Versus

The Nuclear Energy Corporation of India (NPCIL), thro'  
Station Director,  
Rajasthan Atomic Power Station-7&8,  
Rawatbhata Rajasthan Site, PO-Anushakti, Via-Kota,  
Rajasthan-323303.

.....Respondent

**Petition under Section 86(1)(b) of the Electricity Act, 2003 and Regulation 56 and 57 of the HPERC (Conduct of Business) Regulations, 2024 for the approval of Power Procurement of 26.54MW Nuclear Power from the Nuclear Energy Corporation of India Limited (NPCIL).**

**Present:**

For the Petitioner: Sh. Kamlesh Saklani, Authorized Representative

For the Respondent: None

**ORDER**

This Petition has been filed by the Petitioner i.e. the HP State Electricity Board Limited (HPSEBL for short) under the provisions of the Section 86(1)(b)

of the Electricity Act, 2003 (Act for short) and Regulation 56 and 57 of the HPERC (Conduct of Business) Regulations, 2024 for the approval of Procurement of 26.54MW (allocated capacity of 13.27MW from unit-7 and allocated capacity of 13.27MW from unit-8) Nuclear Power from the Respondent i.e. the Nuclear Energy Corporation of India (NPCIL) for a period of 15 years.

2. The Petitioner /HPSEBL is a company incorporated under the provisions of the Companies Act, 2013. The HPSEBL is the successor of the erstwhile the Himachal Pradesh State Electricity Board and is engaged in the business of distribution of electricity in the State of Himachal Pradesh. The Petitioner has been procuring electricity from various sources, including, from renewable sources of energy to meet the power supply requirements in order to maintain the distribution and retail supply of electricity in the State of Himachal Pradesh.

3. The Respondent/NPCIL is a Public Sector Enterprise under the administrative control of the Department of Atomic Energy (DAE for short), Government of India (GoI for short). The Company was registered as a Public Limited Company under the Companies Act, 1956 in September 1987 with the objectives of operating atomic power plants and implementing atomic power projects for generation of electricity in pursuance of the schemes and programs of the Government of India under the Atomic Energy Act, 1962. NPCIL is responsible for design, construction, commissioning and operation of nuclear power reactors. NPCIL is presently operating 24 commercial nuclear power reactors with an installed capacity of 8180 MW.

4. It is averred by the Petitioner that it has tied up power through long term contract to the tune of 2526 MW (excluding GoHP equity Power-437.53 MW & free power entitlement of 171.27 MW from the projects directly connected to the Petitioner/HPPTCL system, presently available to the Petitioner) from various sources and presently the Petitioner is in overall deficit of 2000MU. Ministry of Power (MoP for short), GoI has allocated firm power capacity of 13.27MW from RAPS 7 and 13.27MW from RAPS 8 to the Himachal Pradesh to cater its increasing demand. The Petitioner has considered this power in its Resource Adequacy Plan under consideration of Central Electricity Authority (CEA for short) for concurrence.

5. The Respondent/ NPCIL has set up Rajasthan Atomic Power Station unit 2 (RAPS-2) at Kota, Rajasthan with designed capacity of 200MWe. The unit was declared on the commercial operation on 01.04.1981. The unit of Rajasthan Atomic Power station (RAPS) 3&4 with installed capacity of 220 MW each were declared on commercial operation on 01.06.2000 & 23.12.2000 respectively. Himachal Pradesh has no share in RAPS unit Nos. 2, 3, & 4. NPCIL has set up Rajasthan Atomic Power Station unit 5 & 6 having designed capacity of 440MWe (2X220) at Quota, Rajasthan adjacent to the existing Rajasthan Atomic Power station Units 2, 3 & 4. Both these units were commissioned during the FY 2008-09. Presently the Respondent/NPCIL is setting up Rajasthan Atomic Power Station unit 7&8 at Rawatbhata near Kota, Rajasthan with designed capacity of

1400MW, consisting of two units each of 700 MW. The unit-7 is likely to be commissioned by the end of January, 2025.

6. It is averred that the capacity of the project, as a whole, has been allocated amongst the bulk power beneficiaries. The allocations made by the MoP, GoI, from time to time, at present indicated by MoP order No. 08/23/2002 - S- Th. dated 17.06.2011 is as given below:

S. No.	Name of the State/ UT	Allocation (MW)
1.	Haryana	44.22MW
<b>2.</b>	<b>Himachal Pradesh</b>	<b>26.54 MW</b>
3.	Jammu & Kashmir	54.29 MW
4.	Punjab	64.55 MW
5.	Rajasthan	700.00 MW
6.	Uttar Pradesh	161.96 MW
7.	Uttarakhand	32.53 MW
8.	Chandigarh	04.80 MW
9.	Delhi	101.11 MW
10.	Unallocated	210.00 MW
	<b>Total</b>	<b>1400.00MW</b>

7. It is averred that the allocated firm Share of Himachal Pradesh from RAPS- 7 is 13.27MW and from RAPS 8 is 13.27MW i.e. a total firm share of 26.54MW has been allocated to Himachal Pradesh which is a clean power.

8. As per the Petitioner, the Power Purchase Agreement is required to be signed between Nuclear Power Corporation of India Limited and Himachal Pradesh State Electricity Board Limited, in respect of M/s Rajasthan Atomic Power Station unit-7 (allocated capacity-13.27MW) & unit-8 (allocated capacity-13.27MW) for a period of 15 years, in line with the allocation made by MoP, GoI, vide letter mentioned at para-6.

9. Further, the charges for supply of energy shall be as per the tariff notification issued by the DAE, GoI from time to time in accordance with the Atomic Energy Act, 1962 (Act 33 of 1962) as amended from time to time. At present, the DAE has not yet determined the tariff for said project i.e. RAPS 7&8.

10. We have heard Sh. Kamlesh Saklani, Authorized Representative for the Petitioner and have perused the entire file with minute care.

11. At the very outset, the Commission has analysed the power supply and demand situation within the State as submitted by the Petitioner and agrees that there shall be demand supply mismatch/gap in the State in the coming years and with the continuous growth in power demand, this gap is going to increase. Therefore, the Petitioner needs to tie up for its power requirement on long term basis. The nuclear power is a clean power.

12. Since, the DAE has not yet determined the tariff for said Project, i.e. RAPS 7 & 8, the Tariff shall be considered as per the Tariff Notification issued by the DAE from time to time in accordance with the Atomic Energy Act, 1962.

13. In view of the above discussions, the Petition succeeds and allowed. Permission is accorded to the Petitioner for procurement of 26.54MW (allocated capacity of 13.27MW from unit-7 and allocated capacity of 13.27MW from unit-8) Nuclear Power from the Respondent i.e. the Nuclear Energy Corporation of India (NPCIL) for a period of 15 years as per the Tariff Notification to be issued by the DAE.

14. The Parties are directed to approach the Commission for approval of the Power Purchase Agreement/ Power Procurement Agreement, on determination of tariff for DAE.

15. The Petitioner is disposed off accordingly.

The file after the needful be consigned to records.

**Announced**  
**26.12.2024**

<b>-Sd-</b> <b>(Shashi Kant Joshi)</b> <b>Member</b>	<b>-Sd-</b> <b>(Yashwant Singh Chogal)</b> <b>Member (Law)</b>	<b>-Sd-</b> <b>(Devendra Kumar Sharma)</b> <b>Chairman</b>
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