



Petition . Nos.982, 983 & 994, of 2014

BEFORE
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW

Date of Order : 14.05.2015

PRESENT:

1. Hon'ble Sri Desh Deepak Verma, Chairman
2. Hon'ble Smt. Meenakshi Singh, Member
3. Hon'ble Sri Indu Bhushan Pandey, Member

IN THE MATTER OF: Review of the Commission's Order dated 3.11.2014 regarding approval of Draft Supplementary Power Purchase Agreements (SPPAs), under MoU as per GoUP Energy Policy 2009, of the coal based thermal power projects who shall be supplying electricity to State Discoms.

AND

IN THE MATTER OF

1. Parekh Aluminex Limited, 601, Auto Commerce House, Kennedy Bridge, Nana Chowk, Mumbai
2. Unitech Machines Limited, U.M. House, Plot No. 35-P, Sector -44, Gurgaon
3. Creative Thermolite Power Limited, 155 Somdutta Chamber-II, 9 Bhikaji Camma Place, New Delhi - 66

----- **Petitioners**

U.P. Power Corporation Ltd.,
(through its Chairman),
7th Floor, Shakti Bhawan,
14, Ashok Marg, Lucknow.

----- **Respondent**

The following were present:

1. Sri Lalit Kumar, CEO, Parkeh Aluminex Limited
2. Sri Ravindra Pratap Singh, Parkeh Aluminex Limited
3. Sri Rajeev Srivastava, Advocate, UPPCL
4. Sri V.P.Srivastava, CE (PPA), UPPCL
5. Sri Kallan Prasad, EE (PPA)
6. Sri S.K. Sinha, SE (PPA), UPPCL
7. Sri Vivek Dikshit, EE, UPPCL
8. Sri Brijesh Tripathi, Unitech Machines Limited
9. Sri NR.B. Singh, Unitech Machines Limited



10. Ms Bhavna Kohli, Advocate Unitech Machines Limited
11. Sri Dhanesh Relan, Advocate, Unitech Machines Limited
12. Sri D.D. Chopra, Advocate, Creative Thermolite Power Limited
13. Sri M. Parvez, Creative Thermolite Power Limited
14. Sri B.S. Dandona, Creative Thermolite Power Limited
15. Ms Karnica Bhurjee, Creative Thermolite Power Limited

Order

(Date of Hearing 30.04.2015)

1. These petitions have been filed for review of the Commission's Order dated 3.11.2014 regarding approval of Draft Supplementary Power Purchase Agreements (SPPAs), under MoU as per GoUP Energy Policy 2009, of the coal based thermal power projects which shall be supplying electricity to State Discoms. Vide this impugned order, the Commission approved SPPA for extension of timelines of four projects but disapproved in case of other four projects. These three subject petitions are filed by those projects for which the SSPA was disallowed by the Commission. While rejecting these SPPAs, the Commission did not approve the extension of 18 months as allowed by GoUP on dated 8.6.2012 with the condition that the increase in IDC due to extension shall not be allowed. The Commission disapproved the Draft Supplementary Power Purchase Agreements (SPPAs) of the petitioners also on the ground that they were not showing sufficient progress and had not been considered for allotment of coal linkage till then. Although the State level environmental clearance on indigenous/imported coal was given but that was not a surety for allotment of coal linkage from Cenral Government in future which is a necessary component for viability of a project in Uttar Pradesh. Therefore, the Commission did not consider it expedient to allow extension in the matter of four projects including these three. Now these petitions have been filed by the project developers requesting the Commission to review its order dated 3.11.2014.
2. **M/s Parekh Aluminex Limited** has filed the review petition on the following grounds:
 - (i) The time of completion of the project and commercial operation date were not of the essence of the contract between the parties. However,
 - a. They were not responsible for delay in grant of coal linkage
 - b. Lack of coal linkage resulted in non attainment of financial closure



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- c. Non attainment of financial closure resulted in delay in execution of EPC contract.
- (ii) The Hon'ble Commission has not considered their legitimate expectation regarding time extension.
 - (iii) UPPCL has erroneously invoked the jurisdiction of the Hon'ble Commission for grant of time extension.
 - (iv) The Hon'ble Commission has not appreciated the milestones achieved by them.
 - (v) Lack of objectivity in examining the case.

M/s Unitech Machines has mentioned the grounds of review petition as follows:

- (i) The finding on status of coal linkage application is at variance with facts and without adequate enquiry.
- (ii) Delay for coal linkage baldly attributed to the petitioner without fact finding.
- (iii) Time was not of the essence of the contract and UPPCL has erred in invoking jurisdiction of the Hon'ble Commission for grant of time extension.
- (iv) The order does not appreciate the coal linkage policy, CEA marking system and recent developments in allocation of coal.
- (v) The Hon'ble Commission has not considered their legitimate expectation regarding time extension.
- (vi) Non recognition of non attainment of financial closure and award of EPC contract due to lack of coal linkage.
- (vii) Non recognition of completed activity
- (viii) Lack of objectivity
- (ix) Factual error regarding acquired land.

M/s Creative Thermolite has stated following grounds for review:

- (i) The petitioner cannot be made solely responsible for not obtaining the coal linkage.
- (ii) UPPCL has erroneously invoked the jurisdiction of the Hon'ble Commission for grant of time extension.
- (iii) Non recognition of completed activity



(iv) Non recognition of the coal linkage policy and recent developments in allocation of coal

3. UPPCL has filed its counter objection dated 22.1.2015, wherein it has stated as follows:

"9. That, now coming upon the subject review Petition filed by the developer making prayer for review of the above said order dated 03-11-14 of the Hon'ble Commission, it is very relevant to contemplate the first and most important issue that as to" what has been progress of the said project" since the same is of direct concern / worry to the procurer in order to ensure the availability of power in the state.

As per provisions of PPA, after accomplishing the preparedness activities including the Financial Closure with in 18 month of PPA ,the developer was required to commission the Plant within 33 months time for delivering the power to the procurer. But the project execution at site could not even take a launch after efflux of more than 4 years over the PPA. Having the Environmental Clearance in hand, they could have taken-up execution at Project site.

Therefore, while the power availability from this project in accordance with pre- decided time lines has not only shaken ,it is even today not certain as to when this project will come in fruition On the other hand , such uncertainty is affecting upon ultimate tariff to the consumers of the state because of the Cost plus tariff based project.

10- That, the second important issue is that as to "whether the developer has been serious enough for the executing the project in the present circumstances of unavailability of coal linkage".

It is worth to take of record that while granting second time extension by GoUP as per order dated 09-12-13, the condition relating to additional 75 % Bank guarantee was incorporated in order to substantiate and ensure the developers' seriousness and commitments towards execution of the project. But even after consistent persuasion over a period of one year, the developer has chosen not to deposit the additional bank guarantee. Therefore, it is averred that first 18 months time extension as per GoUP order dated 08-06-12 has ceased on 31-12-13 and also that the 2nd conditional time extension granted by GoUP as per order dated 09-12-13 has become in fructuous due to non submission of additional Bank Guarantee.

In light of the facts stated at specifically para (9) & (10) above ,it is manifestly and sufficiently demonstrated that the developer have not been keen and serious upto the required scale for execution and implementation of the project and therefore it is contemplated not to favour & applaud the subject review petition filed by the developer. So long as the PPA is existent and not terminated, in case the developer executes and completes the project within the four corners of already approved PPA, we do not have reservation over the same."

It is clear from above that UPPCL propounded that these developers had not been keen and serious upto the required scale for execution and implementation of the project and therefore did not favour the subject review petitions. UPPCL also stated that the power availability from these projects in accordance with pre- decided time lines was not certain. UPPCL added that such uncertainty would ultimately affect the tariff chargeable from the consumers of the state. They, however, also expressed their 'no -reservation' if the projects are executed within four corners of PPA.

4. M/s Parekh Aluminex Limited, in its rejoinder reply dated 9.2.2015 has submitted that the delay in project execution cannot be viewed in isolation without examining the underlying causes as spelt out in the main petition. It has stated that about Rs. 100 Crs has been spent on the project till date.

M/s Unitech Machines has submitted vide its rejoinder reply dated 11.2.2015 that the delay in execution of the project cannot be attributed to them in view of reasons as detailed in the main petition. It has also been stated that about Rs. 68 Crs has been spent on the project till date.

5. UPPCL has filed additional submission on March 4th, 2015 through which it has substantially deviated from its earlier submission dated 22.1.15. In this they have stated that these projects are being set up with the aim to encourage the capacity addition in the State of U.P. as per objectives laid down in GoUP Energy Policy-2009 and therefore requested the Hon'ble Commission to approve the time extension in the subject Petitions which has already been granted by GoUP as per order dated 08-06-12. The written submission is as follows:

- “ 1. That subsequent to signing of MoUs between the Developers and GoUP followed by PPAs with PPCL I the Developers took up the preparedness activities for implementation of respective projects including for acquisition of the required land, water linkage, coal linkage as well as the environmental clearances.*
- 2. That amongst various conditions stipulated at Cl.(3.1.2) of PPA , two most important conditions viz. long term coal linkage and financial closure (which*

are inter linked) could however not been fulfilled within the time limit prescribed in PPA due to which the GoUP vide G.O. dated 08-06-12 initially permitted the time extension upto 18 months and thereafter vide G.O. dated 09-12-13 allowed further time of 18 months subject to certain conditions including the submission of Additional Bank Guarantees depending upon the status of land acquisition at that stage. 50% additional Bank Guarantee was asked from those Developers, who had acquired complete land in the project. 75% was asked from the Developer who had partial acquisition and 100 B.G.was asked who had no land.

3. That main reason of both the aforesaid time extension by GoUP was that Ministry of Coal, of India did not conduct coal linkage committee meeting from many years due to resulting that the Developers could not obtain long term coal linkage for the projects.
4. That since Projects are being set up with the aim to encourage the capacity addition in the State of U.P. as per objectives laid down in GoUP Energy Policy-2009 , we therefore, request Hon'ble Commission to approve the time extension in the subject Petitions which has already been granted by GoUP as per Order dated 08-06-12 subject to the following :-

- a- Land should be available for the project
- b- Additional Bank Guarantee as required by GoUP order dated 09-12-13 should be submitted by the Developer.
- c- Additional IDC due to time extension should not be admissible to them.”

6. Sri Awadhesh Kumar Verma, Chairman, UP Rajya Vidyut Upbhokta Parishad, raised the points as earlier submitted by him on 07.11.2014 through a letter as follows:

- (i) As the coal linkage has not been allotted to eight MoU route project, except Lalitpur Power Ltd. which has shown some progress, the extension allowed to the four projects may also be reviewed. Provision for CAG audit and enquiry by High Level Committee in the cost of these projects may be made in the interest of the consumer.
- (ii) As extension has been rejected by the Hon'ble Commission, the PPA itself becomes void and so deposited bank guarantee of four projects may be seized.
- (iii) Private power producers may not be encouraged.
- (iv) The higher cost of energy from existing private power producers in the state is burdening consumers of the State.



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- (v) The discussions about MoU route may be done in State Advisory Committee.
- (vi) In future these projects would give costly power and ultimately the consumer may suffer.
7. The Commission vide order dated 23.3.15 directed the petitioners to file their replies in reference to UPPCL's additional submissions dated 4.3.2015 specially on point 4 (a,b&c) as above. The Commission also directed UPPCL to clarify the clause 4c i.e. non admissibility of IDC due to time extension in reference of COD as agreed in PPA and also in reference to SCOD/Zero Date as provided in the Regulations.
8. In its reply dated 23.3.2015 on UPPCL's additional submissions, M/s Parekh Aluminex Limited has submitted that they have purchased and taken possession of the entire land required for the project and they have also submitted the additional Bank Guarantee. Regarding non admissibility of IDC, they submitted that it has been prematurely raised in the petition.

M/s Unitech Machines has filed its additional submission dated 25.03.2015 wherein it has mentioned that total required area of land as shown in main review petition was 334 acres. However, during the hearing on 30.3.2015 it was clarified by Ms. Bhavna Kohli, Advocate for Unitech Machines Limited, that the total land required for their project was 200.76 acres only which was also intimated to UPPCL. The Commission noted the land requirement of Unitech Machines Limited as 200.76 Acres for the project and desired this to be placed on record. Regarding additional BG, the petitioner has submitted that PPA does not have any such clause but as such, if at all a demand for additional BG is tenable, the same should be 50% of the original BG whereas, they have been asked to furnish 75% of the original BG. About non admissibility of IDC, vide their letter dated 23.7.2013, they have communicated that for extended period they would not claim IDC.

M/s Creative Thermolite has submitted reply on 24.3.2015 wherein it has stated that land required to start construction at site is available with them. Regarding

additional BG, it has been stated that it should be reduced to 50% instead of 75%. The petitioner has not made submission on non admissibility of IDC.

9. Since UPPCL did not file reply clarifying their stand on clause 4c of additional submissions dated 04.03.2015 i.e. non admissibility of IDC due to time extension in reference of COD as agreed in PPA and also in reference to SCOD/Zero Date as provided in the Regulations, the Commission again directed them through its order dated 30.3.15 to file reply. In the hearing on 30.3.2015, the Commission wished to know the latest position of coal availability to MoU projects and also whether there was any certainty on that count. The representatives of the petitioners optimistically submitted that with the new coal allotment policies of GoI, the power projects supplying to public utilities would get coal soon. Shri Verma, UPRVUP cited MERC order on MoU route projects and submitted that only bidding route projects would be beneficial for the consumer. UPPCL raised the issue of requirement of land for the project of Unitech Machines Limited. Ms. Bhavna Kohli, Advocate for Unitech Machines Limited, again clarified that the total land required for their project is 200.76 acres which she requested the Hon'ble Commission to take on record. The Commission again directed UPPCL to clarify their stand in writing on clause 4c of their submission dated 4.3.2015 i.e. non admissibility of IDC due to time extension in reference of COD as agreed in PPA and also in reference to SCOD/Zero Date as provided in the Regulations.
10. The Commission understands that the grounds of review should be consistent with the law provided in order 47 Rule-1 of the Code of Civil Procedure. The powers of review as per this provision, can be exercised either on the discovery of new and important matter or evidence which after exercise of due diligence was not within the knowledge or could not be produced before the Court by the applicant or on account of some mistake or any manifest error apparent on the face of the record or for any other sufficient reasons. It has been asserted by the petitioners which has been supported by UPPCL as well, that the scenario for availability of coal for power generation in India would improve with the measures taken by the Central Government subsequent to the orders of the Hon'ble Supreme Court. With this the coal supplies to existing as well as new and up-coming power projects are likely to improve. The GoUP's vision is for reducing the demand – supply gap in power

starved U.P. for which capacity would be fulfilled with better coal supplies and enhanced power generation. The coal block auctions to the power generators through transparent process of bidding finalized during the initial months of 2015, have given strength to this hope. This is an important fact that did not exist at the time when the decision in order dated 3.11.2014 was taken and therefore is a sufficient reason for reviewing the decision. UPPCL has also conceded this and requested the Commission to review its earlier order and to approve the time extension in these projects being set up with the aim to encourage the capacity addition in the State of U.P. as per the objectives laid down in GoUP Energy Policy-2009. The Commission, therefore, concludes that the review petitions are admissible. Nevertheless, before taking final decision on approval of extension of timeline, some important aspects are required to be discussed like Date of Commissioning, Capital Cost, Fuel and Variable Cost.

(i) Date of Commissioning:

The Commission, vide clause 7(d) of the order dated 3.11.2014, has observed as follows:

“ The projects were envisaged under the GoUP Energy Policy, 2009 to cater the energy demand of the State by the year 2017. As per the approval of the Commission, the dates of commissioning, vide order dated 18.11.2010, are as below:

“The Commission considers that in any case 18 months from the date of signing of PPA, which is the effective date, would be appropriate and sufficient for a 660 MW project for fulfilling the conditions precedent.

Thus the COD for the first 660 MW unit shall be 52 months from the date of financial closure as provided in the Regulations and for the subsequent units it shall be at intervals of six months i.e. for the second unit the COD shall be 58 months from the date of financial closure and for the third unit it shall be 64 months from the date of financial closure.

In case of 45 MW units, the COD for the first unit shall be 24 months and for the second unit it shall be 28 months from the date of MoU.”

The projects have been delayed and therefore extension has been sought. As most of the projects have not even achieved their financial closure and the requirement of energy can not be postponed, it is the need of hour that these projects should be restricted to perform within the due timeframe. Therefore, the



Commission considers that there shall be a Scheduled Commercial Operation Date (SCOD) and Zero Date as below:

‘Scheduled Commercial Operation Date or SCOD’ shall mean the date(s) of commercial operation of a generating station or generating unit or block thereof as indicated in the Investment Approval or as agreed in power purchase agreement whichever is earlier.”

‘Start Date or Zero Date’ means the date indicated in the Investment Approval for commencement of implementation of the project and where no date has been indicated, the date of investment approval shall be deemed to be Start Date or Zero Date;”

As per regulations, the time schedule for COD of first unit of 250/300 MW unit is 33 months.

The first extension of 18 months has been granted by GoUP with the condition that for the extended period, IDC would not be admissible. Since it was not clear from the submissions that how this 18 months will be calculated, the Commission vide orders 23.3.2015 and 30.3.15 directed UPPCL to clarify non admissibility of IDC due to time extension in reference of COD as agreed in PPA and also in reference to SCOD/Zero Date as provided in the Regulations for these projects.

MD, UPPCL, vide reply dated 29.4.2015, has clarified its stand as follows:

“Since the sellers have to achieve their financial closure within 18 months from the effective date i.e. the date of signing of PPA (Which is 01.01.2011 for Parekh Aluminex 250 MW – 33 months, 31.12.2010 for U.M. Power 250 MW – 33 month & 31.12.2010 for Murka Creative Thermolite 2 x 300 MW - 33/37 months). Further to this period, these projects were supposed to achieve their COD within 33 months for Parekh Aluminex & for U;M. Power and within 33/37 months for Murka Creative Thermolite. Accordingly, IDC should not be provided beyond 51 (18 + 33) months i.e. IDC may not be allowed for extended period i.e. the period going beyond the time frame arrived at after adding specified period for financial closure and period between such financial closure & COD as laid down under PPA.”

In view of above, the Commission deems it proper that commissioning of the MoU route projects, as envisaged by GoUP/UPPCL under MoU/PPA, are necessary to ascertain the requisite supply of power to the State at the point in time. In respect of admissibility of IDC, the petitioners have argued that it is premature at this stage which was also seconded by UPPCL. Therefore, the Commission takes on record



the above averment of UPPCL on the issue of IDC in respect of these projects and decides that the matter would be completely and finally decided at the appropriate time.

(ii) Capital Cost:

In regard to Capital Cost, vide clause 7(h) of the order dated 3.11.2014, the Commission has taken following view:

“The capital cost of the project is an important element which requires a detailed discussion. The projects are getting delayed. No capital cost has been agreed in the PPA. In such a situation, it is not known to the distribution licensee that at what cost they would get electricity from these plants. In this context, the Commission has already made its observation vide order dated 20.5.2013 in petition nos. 825,826,827,828 & 829 of 2012 as follows:

“In this matter, it is again to elucidate that under Reg -17 of UPERC Generation Regulation 2009, the actual expenditure incurred on completion of the project shall form the basis for determination of tariff subject to prudence check by the Commission. For submission of project cost, since there was no agreed capital cost in the PPA, the mode has been directed by the Commission vide its orders dated 22.12.11, 5.11.12 and 28.1.13. But, despite repeated directions of the Commission, UPPCL has not filed the verified and agreed capital cost till date. To provide a last chance, the Commission allows three months time to UPPCL to complete the job otherwise it would be treated as non-compliance of the Commission’s orders and would be considered under the respective provisions of the Act.

Since there are many power projects for procurement of power for the Discoms under MoU with the GoUP and under PPA with UPPCL, it is necessary to evolve the mode so that the intent of the Act and the Regulations may not be misunderstood. The reluctance shown by UPPCL in this matter, which has caused enough delay in initiating the process for prudence check of capital cost and subsequent determination of tariff by the Commission, hammer the requirement of making the agreed cost as an essential part of PPA.

Therefore, it is directed that for all MoU Route projects who are under PPA with UPPCL, the agreed ceiling capital cost shall be brought to the Commission for approval and the approved cost shall be a part of PPA. The actual capital cost, if it is equal to the approved ceiling capital cost, shall form the basis for prudence check and determination of tariff by the Commission.



If the actual cost is lower then the lower cost would be taken and if it is higher then the additional cost would first be verified and agreed by UPPCL/GoUP then shall be taken up by the Commission for consideration and approval. The necessary changes to remove the ambiguity in the Regulations shall be made accordingly.

However, in this case, since the projects are operational, the direction given in earlier orders shall be applicable. UPPCL and M/s Bajaj Energy Pvt. Ltd. will have to arrive on agreed/admitted capital cost without further delay as per the directions of the Commission. The Petitioner is directed to file the petitions for determination of final tariff afresh subsequently.”

In this reference it is further required to be elucidated that while approving the agreed capital cost, the Commission shall also take into consideration the available bench mark norms.”

The UPERC Generation Regulation, 2014 also provides at clause 19(2) as follows:

“Provided that for all MoU Route projects who are under PPA with UPPCL, the agreed ceiling capital cost shall be brought to the Commission for approval and the approved cost shall be a part of PPA. The actual capital cost, if it is equal to the approved ceiling capital cost, shall form the basis for prudence check and determination of tariff by the Commission. If the actual cost is lower then the lower cost would be taken and if it is higher then the additional cost would first be verified and agreed between the generating company and the beneficiary then shall be taken up by the Commission for consideration and approval.”

Since MoU route projects are cost plus projects, it becomes mandatory to avoid cost overruns due to non performance of parties as it would burden the consumers of the State in shape of the high cost of power. Hence, it becomes necessary at this juncture to consider the ceiling capital cost of the projects for which the provision has already been made by the Commission through orders and regulations. The UPPCL and MoU route projects are required to agree ceiling capital cost at the earliest so that the fixed costs of these projects may be ascertained.



(iii) **Fuel:**

Regarding fuel, the Commission has taken the view in its order dated 3.11.2014 vide clause no.7(a) as follows:

As per the Commission's order dated 18.11.2010,

*“The responsibility for arrangement of fuel shall be with the developer **who shall procure the fuel under coal linkage granted to the Seller by the Central Government on the recommendations of GoUP.** In case of any short supply, procurement of fuel indigenous / imported preferably through long term contract or on spot-purchase / short-term contract / E-auction basis from domestic and/or international suppliers /traders shall be within or from outside India. The Seller shall obtain the prior consent of Lead Procurer about procurement of coal from any source other than coal linkage. In case the permission is not granted by the Lead Procurer within seven (7) working days from the date of receiving the application, it would be considered as deemed permission and if rejected then it would be considered as procurer's inability to procure which would make conditions of clause 4.4.3 of the agreed PPA applicable.”*

From the submissions, it has been observed that some developers have initiated the process for the environmental clearance with the alternate provision of imported coal which is not congruent to the Commission's view as mentioned above. As the projects have been envisaged in a State like Uttar Pradesh having no coastal connection, any alternate arrangement of imported coal would not be a feasible proposition. It is also pertinent with the fact that per capita income and per capita consumption of electricity, both are quite low in comparison to the national figures.

Therefore, the Commission reaffirms that the projects would be feasible only on Indian coal however, the shortage in the due quantities due to coal policies, may be compensated through procurement of fuel indigenous / imported preferably through long term contract or on spot-purchase / short-term contract / E-auction basis from domestic and/or international suppliers /traders within or from outside India as per the Commission's order dated 18.11.2010 and the applicable regulations.

The Commission is of the view that the projects are feasible only on Indian Coal available as per FSA granted by Central Government.



(iv) Variable cost

The Commission further considers that for such MoU route projects there may be some sort of cap to restrict the variable cost especially in wake of uncertainty in availability of coal. The variable cost gets affected not only due to coal cost but also due to inefficiencies in coal procurement methods, improper handling of coal and inefficient operation so as the burden of inefficiencies may not be passed on to the consumers. Therefore, the Commission opines that a ceiling of coal cost based on the coal cost declared by GoI may be considered by GoUP/UPPCL to restrict the increase in variable cost due to varying coal scenario and to avoid inefficient coal procurement methods. This is also in tune with the fact that the MoU route projects have been primarily envisaged on Indian coal only. However, improper handling of coal and inefficient operation can be controlled through the normative parameters as decided in the regulations.

11. It, therefore, appears fair and in the interest of the State, to grant some more time to make definite progress in execution of these projects. Hence, in view of above, the Commission reviews its earlier order dated 3.11.2014 in respect of these three projects and approves the Draft Supplementary Power Purchase Agreements (SPPAs) of Parekh Aluminex Ltd., Barabanki, Creative Thermolite Power Pvt. Ltd. Murka and Unitech Machines Ltd., Auraiya with extension of 18 months as allowed by GoUP on 8.6.2012 with the same terms and conditions as spelt out by GoUP/UPPCL.
12. The petitions are disposed of.

(Indu Bhushan Pandey)
Member
Place : Lucknow
Dated: 14.05.2015

(Meenakshi Singh)
Member

(Desh Deepak Verma)
Chairman