

---

**BEFORE  
THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 1256/2017 & 1257/2017**  
**(Date of Order : 02.05.2018)**

**PRESENT:**

Hon'ble Sri Suresh Kumar Agarwal, Chairman  
Hon'ble Sri Kaushal Kishor Sharma, Member

**IN THE MATTER OF:** Approval of amended PPA for purchase of power from SLOP  
& Bagasse Based Power Plants

**Petitioner:**

Chief Engineer, PPA  
U.P. Power Corporation Ltd,  
14<sup>th</sup> Floor, Shakti Bhawan Extn.,  
14 Ashok Marg,  
Lucknow-226001

**Respondents:**

1. M/s Balrampur Chini Mills Ltd.,  
(A Unit of Balrampur Chini Mills Ltd.,)  
Distt-Balrampur
2. M/s Mankapur Chini Mills Ltd.  
(A Unit of Balrampur Chini Mills Ltd.,)  
Mankapur, Distt-Gonda, U.P.

In the presence of:

1. Smt Varalika Dubey, CE PPA-RE, UPPCL
2. Sri Rajeev Srivastava, Advocate, UPPCL
3. Sri Sandeep Agarwal, Sr. General Manager, Balrampur Chini Mills Ltd.
4. Sri Pankaj Chaturvedi, Liaison Officer, Balrampur Chini Mills Ltd.
5. Sri D.D. Chopra, Advocate, BCM

**ORDER**  
**(Date of Hearing: 25.04.2018)**

UP Power Corporation Ltd. (UPPCL) has filed Petition nos. 1256/2017 and 1257/2017 for approval of amended Power Purchase Agreement (PPA). Both these

---

amended PPAs relate to purchase of SLOP plus Bagasse based Power from the sugar mills of the respective respondents.

2. The draft PPAs have been signed by both the parties. There is a dispute regarding clause '6' of the amended PPA which provided that any power supplied to UPPCL in off season shall be treated as SLOP plus bagasse based power.

3. The Commission in the last hearing held on 19.12.2017 asked that both the parties should sort out the issue. Further, as the petitioner did not mention in the petition about the original PPA to which the amendment was sought therefore, the petitioner was also directed to submit the details of original PPA.

4. The respondents in their submission dated 25.02.2018 argued that its PPA for bagasse based power was for throughout the year and it has been supplying power in off-season also under this PPA and amended PPA is not with reference to bagasse based PPA.

5. During the hearing, UPPCL stressed the point that Clause 6 of the amended PPA provides for payment at APPC during off season. The Respondents maintained that they did not agree to clause 6 of the amended PPA.

6. After hearing both the parties the Commission observed that since the parties to the submitted amended PPA themselves are not in agreement on its provisions thus the petition is liable to be dismissed. On this, UPPCL requested 15 days' time to negotiate with the respondent and revert back to the Commission. The Respondent did not object to this prayer of UPPCL.

7. Considering all above, the Commission agrees to grant 15 days' time to both the parties to negotiate and submit their stand afresh in the matter. In case, the negotiation fails, the petitions shall be liable to be dismissed.

(Kaushal Kishore Sharma)  
Member

(Suresh Kumar Agarwal)  
Chairman

Place: Lucknow  
Date: 02.05.2018