Uttar Pradesh Electricity Regulatory Commission

Vidyut Niyamak Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 Phone 2720426 Fax 2720423 E-mail secretary@uperc.org

Sumeet Kumar Agarwal
Secretary

No. UPERC/Secy /D(D)/ 2025-282
Dated: 08 .10.2025

Sir,

Please find enclosed herewith a copy of the Commission's Order dated 08.10.2025 in Petition No. 2247 of 2025 **(M/s Rathi Steel & Power)**.

Yours faithfully,

08/10/2025

(Sumeet Kumar Agarwal)
Secretary

Encls: As above:

1. Managing Director, Uttar Pradesh Power Corporation Ltd., Shakti Bhawan, 14-Ashok Marg, Lucknow-226001
2. Managing Director, Pashchimanchal Vidyut Vitran Nigam Ltd., Urja Bhawan, Victoria Park, Meerut-250001.
3. Executive Engineer, Electricity Urban Distribution Division – V, South Side G.T. Road, PVVNL Ghaziabad-201010.
4. M/s Rathi Steel & Power, Plot No.C-4, South Side G.T. Road, Industrial Area, Ghaziabad-201010.

THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2247 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition in the matter of Application under Clause 9.5 of Uttar Pradesh Supply Code, 2005 for removal of difficulties in application of Clause 4.20 (g) of Supply Code, 2005.

AND

IN THE MATTER OF

M/s Rathi Steel & Powers Ltd.,

(Through its Director), Plot No. C-4, South Side G.T. Road, Industrial Area, Ghaziabad)

.....Petitioner

VERSUS

1. **Uttar Pradesh Power Corporation Ltd.,**
   (Through its Managing Director), Shakti Bhawan Extension, 14- Ashok Marg, Lucknow.
2. **Paschimanchal Vidyut Vitran Nigam Limited,**
   (Through its Managing Director), Urja Bhawan, Victoria Park, Meerut, Uttar Pradesh.
3. **Executive Engineer, Electricity Urban Distribution Division-V,**
   (South Side G.T. Road, PVVNL, Ghaziabad)

.....Respondents

THE FOLLOWING WERE PRESENT

1. Shri Vishal Dixit, Advocate, Petitioner
2. Ms. Shalini Singh, Advocate, Petitioner

ORDER

(DATE OF HEARING: 30.09.2025)

1. The present Petition has been filed under clause 9.5 of UP Electricity Supply Code, 2005 for removal of difficulties in application of clause 4.20(g) of the Supply Code, 2005 as well as provision of Chapter III of Cost Data Book. Accordingly, the present Petition has been filed seeking clear direction on the interpretation of the aforementioned provisions.

2. The Petitioner has submitted that when a refund, as per Clause 4.20(g) of the Supply Code, 2005 was sought from the Licensee, it replied vide its letter dated 01.05.2025 that as per para 1 of Chapter III of the Cost Data Book, there is a requirement to maintain a minimum security deposit and it is bound to retain the prescribed minimum security and since Petitioner's security deposit is only up to that extent, no refund can be made. Therefore, according to the Petitioner, an inconsistency exists between the Supply Code, 2005 and the Cost Data Book.

3. The Petitioner also submitted that the "minimum security" requirement under the Cost Data Book, was applicable only at the time of new connection or the extension of load. The counsel for the Petitioner further submitted that the provisions of Supply Code, 2005 or the Regulations, framed by the Commission by exercising its powers under the Electricity Act, 2003, ought to prevail over the Cost Data Book.

4. The Commission, while admitting the Petition, directs the Petitioner to provide a copy of the Petition to the Respondents. The Commission also directs the Respondents to file their counter affidavit within four weeks' time. Thereafter, one week is granted to the Petitioner to file the rejoinder.

5. The next date of hearing is scheduled on 06.11.2025.

(Sanjay Kumar Singh)
Member

(Arvind Kumar)
Chairman

Place: Lucknow
Dated: 08.10.2025