



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2180 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition seeking clarification of Order dated 15-09-2023 passed in Petition no. 1975 of 2023
(Merino Industries Ltd Vs. UPPCL & Others).

AND

IN THE MATTER OF

1. **Merino Industries Limited**, (Through its Authorized Representative), Vill. – Achheja,
Delhi Road, Hapur - 245101.

..... Petitioner

VERSUS

1. **Uttar Pradesh Power Corporation Ltd.**,
(Through its Managing Director) Shakti Bhawan, 14 Ashok Marg, Lucknow, U.P- 226001
2. **Paschimanchal Vidyut Vitran Nigam Limited**,
(Through its Managing Director) Victoria Park, Meerut, Uttar Pradesh – 250001
3. **Executive Engineer (Distribution)**, PVVNL, EDD-1, Town Hall, Hapur

..... Respondents

THE FOLLOWING WERE PRESENT

1. Shri Ashish Kaushal, EE, EDD-1, Hapur, PVVNL
2. Shri Himanshu Sachan, SDO-2, Hapur, PVVNL
3. Shri Amarjeet Singh Rakhra, Advocate, UPPCL/PVVNL
4. Shri Vivek Saxena, Petitioner's representative
5. Shri Ajay Vikram Singh, Advocate, Petitioner

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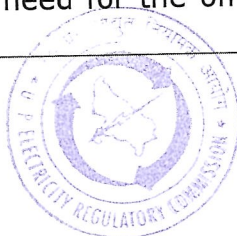
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ORDER
(DATE OF HEARING: 22.07.2025)

1. The Petition has been filed seeking clarification of Order dated 15-09-2023 passed in Petition no. 1975 of 2023. It has been submitted that the Petitioner had filed a Petition No. 1975 of 2023 before the Commission under Clause 4.46(a) of the U.P. Electricity Supply Code, 2005, seeking an exemption from the prohibition mandated in the said provision and also a direction to the Respondents to allow the Petitioner to supply electricity from Unit-1 to Unit-2. The Commission, vide its Order dated 15.09.2023, had allowed the petition. It has been further submitted that at the time of increasing the load, subsequent to the Order of the Commission, the Petitioner had submitted a B&L form providing details of the machineries to be used in Unit-2.
2. It has also been submitted by the Petitioner that after few days of the commencement of electricity supply from unit 1 to unit 2, S.D.O, Hapur objected to the use of electricity, supplied from Unit-1 to the biotech division which, according to the Petitioner, is a part of Unit-2. It has been further submitted that due to this objection, the Petitioner had not been able to use the electricity from Unit-1 to its Biotech division located in unit-2 therefore, in order to meet its day-to-day requirement, Petitioner had to take a separate 50kW connection.
3. In Order dated 10.06.2025, the Commission had directed the Respondent Executive Engineer, EDD-1, Town Hall, Hapur and Sub divisional Officer, Hapur to be personally present during the next hearing and also to file a counter affidavit in the matter.
4. In compliance to the directions of the Commission, Executive Engineer, EDD-1, Town Hall, PVVNL, Hapur and Sub Divisional Officer-2, PVVNL, Hapur were personally present. However, no counter affidavit was filed by the Respondents instead a letter dated 19.07.2025 was e-mailed by the Respondent Executive Engineer.
5. During the hearing, the counsel for the Respondent Shri Amarjeet Singh Rakhra submitted that there is a stern need for the officers of the Discom to take these

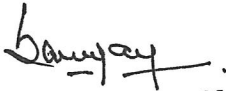
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proceedings seriously and tendered apology on their behalf before the Commission for not filing the counter affidavit within due time. He further submitted that the counter affidavit could not be filed as the instructions were provided to him at the very last moment by the officers of the Discom. The Commission observed that they did not intend to punish the officers of the Discom and thus, warned officers of the Discom to observe timelines in future.

6. The Respondent Executive Engineer submitted that Biotech division is not a part of unit-2 and is situated at a distance from Unit-2 and therefore does not come under the ambit of the Order of the Commission dated 15-09-2023 passed in Petition no. 1975 of 2023, as claimed by the Petitioner. The Commission observed that if the Respondents opine that the Petitioner is Suo-moto extending the benefit of the Commission's previous Order to new premises then they must file counter affidavit stating their concerns.
7. The Commission directs the Respondents to file their counter affidavit within ten days' time. Thereafter, ten days' time is also granted to the Petitioner to file the rejoinder.
8. The next date of hearing is scheduled on 26.08.2025.


(Sanjay Kumar Singh)
Member




(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 24.07.2024