



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 Amarjeet Singh Rakhra, Advocate, PVVNL
3. Shri Vivek Saxena, Petitioner's representative
4. Shri Ajay Vikram Singh, Advocate, Petitioner



ORDER
(DATE OF HEARING: 26.08.2025)

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 its Order dated 24.07.2025, the Commission had 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.
4. A written submission dated 14.08.2025 had been filed by the Respondents wherein they have submitted that at the time the Petitioner had applied for an electricity connection of Unit 2, the merino Industries Biotech was not shown as a part of it. It has been further highlighted in their submission that in July 2024 i.e. prior to the date of permanent disconnection of Merino Unit 2 on 30.09.2024, the Petitioner had applied for and was sanctioned a separate 50 KVA connection for Merino Industry Limited Biotech Division and from the perusal of the documents submitted by the

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Petitioner, at the time of seeking the said connection of 50 KVA, it is clear that m/s Merino Industry Limited Biotech Division is a separate premise than Merino Unit-2 thus, they have approached the Commission with unclean hands.

5. A rejoinder dated 25.08.2025 had been filed by the Petitioners wherein they have submitted that the Biotech division is and was always part of Merino Industries Unit 2. The petitioner has also annexed a copy of the Certificate of Recognition issued by the Department of Biotechnology Government of India dated 18.04.2023 claiming that the address of Biotechnology Division has been mentioned as Merino Industries Unit II, Vill. Achheja, Delhi Road, Hapur in the certificate.
6. During the hearing, counsel for the Petitioner, while referring to the B&L form annexed with the Petition, submitted that 'Agro-Field' as mentioned in the said B&L form refers to the Biotech Division of Unit-2. However, the Commission observed that there is no material on record to show that 'Agro Field' as mentioned in the B&L form is same as the Biotech Division of Unit-2. Counsel for the Petitioner further referred to the Certificate of Recognition issued by the Department of Biotechnology Government of India, which according to Petitioner links the Biotech Division with Unit-II.
7. The Commission observed that while seeking enhancement of load in pursuance of the Commission's Order dated 15.09.2023, the Petitioner had applied only for an increase of 900 KVA against the requirement of 1718 KVA, as shown in the B&L form annexed with their own Petition. The Commission, when queried that if the Biotech Division had been operating since 2007, why the Petitioner sought to only an increase of 900 kVA against their load requirement of 1718 KVA, the counsel and the Petitioner's representative could not reply. The Commission, further queried about the ownership of the land in between the Biotech Division and Unit-2, as shown in the map submitted by the Respondents with their written submission. The counsel for the Petitioner sought time for submitting the reply to the above queries.

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8. The Commission directs the Petitioner to file a detailed response clarifying the issues raised during the hearing along with a map clearly showing Unit-2 and also the Biotech Division.
9. The next date of hearing is scheduled on 07.10.2025.

(Sanjay Kumar Singh)

Member

Place: Lucknow

Dated: 29.08.2025



(Arvind Kumar)

Chairman