



THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

LUCKNOW

Petition No. 2296 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

Hon'ble Shri Griesh Kumar Vaish, Member (Law)

IN THE MATTER OF

Petition seeking exemption under Clause 4.46(a) of the Electricity Supply Code, 2005 for supplying energy supplied to the Petitioner by Respondent and / or by licensed electricity (including renewable energy) producer/trader, to its wholly owned subsidiary- Jubilant Biosys Limited and group companies- Jubilant Ingrevia Limited and Jubilant Agri and Consumer Products Limited, situated on the same premises.

AND

IN THE MATTER OF

Jubilant Pharmova Limited,

(Through its Authorised Signatory) Plot-15, Knowledge Park-II, Greater Noida-201306, Uttar Pradesh.

.....Petitioner

VERSUS

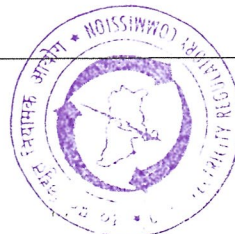
Noida Power Company Ltd.,

(Through its Managing Director) Commercial Complex, H Block Alpha-II Sector, Greater Noida City-201310, Uttar Pradesh.

.....Respondent

THE FOLLOWING WERE PRESENT

1. Shri Amitav Singh, Advocate, Petitioner





ORDER

(DATE OF HEARING: 22.09.2026)

1. The present Petition has been filed by the Petitioner Jubilant Pharmova Ltd. seeking exemption from the Commission under Clause 4.46(a) of the Electricity Supply Code, 2005 to supply energy supplied to the Petitioner by the Respondent and/or by licensed electricity (including renewable energy producer/ trader, to its wholly owned subsidiary, Jubilant Biosys Limited (JBL) and group companies, Jubilant Agri and Consumer Products Limited (JACPL), Jubilant Ingrevia Limited (JVL) situated on the same premises.
2. The Petitioner has submitted that it is a public listed company incorporated under the Companies Act, 1956 and is a part of Jubilant Bhartia Group. It is further submitted that the Petitioner executed a registered lease deed on 19.03.2004 with Greater Noida Industrial Development Authority for a period of 90 years and pursuant to agreement dated 06.06.2011, NPCL had been supplying energy to the Premises.
3. The Petitioner also submitted that in order to meet the additional demand, they had executed a Power Supply and Offtake Agreement with Isharays Energy Two Pvt. Ltd. also, for supply of 5.89 MWAC of solar energy from the captive generation plant.
4. The Petitioner further submitted that some portions of their Premise were sub-leased to its wholly owned subsidiary JBL and group companies JVL and JACPL for undertaking research and development activities and through this Petition, they sought exemption to supply energy received from the Respondent and/or by licensed electricity (including renewable energy) producer/ trader, to its associate companies JBL, JVL and JACPL, who were sub-lessees on its Premises.
5. In the present Petition, the Petitioner made the following prayer:





"Exempt the Petitioner under Clause 4.46(a) of the Electricity Supply Code, 2005 and permit the Petitioner to supply the energy, supplied to the Petitioner by the Respondent and/or by licensed electricity (including renewable energy) producer/ trader, to its associate company, JBL, JVL and JACPL, situated on the same Premises;"

6. During the hearing on 06.01.2026, the Commission had observed that Clause 4.46(a) of the Electricity Supply Code, 2005, referred to by the Petitioner for seeking the exemption, empowers the Commission to exempt a consumer to supply the energy, supplied to him only by the Licensee and the stated provision of Supply Code, 2005 did not apply to the energy received from the solar captive generator under Open Access. In this context, the Petitioner was questioned that how the Petitioner would differentiate between the energies being received from two different sources. The counsel for the Petitioner had sought time to seek instructions on these queries raised by the Commission, which was granted by the Commission.
7. In subsequent hearing on 27.01.2026, Ld. counsel for the Petitioner submitted that the plant of Isharays Energy Two Pvt. Ltd. was a group captive plant and that Petitioner was one of the captive users under the arrangement. The Ld. counsel for the Petitioner further submitted that, with respect to the query raised by the Commission regarding the methodology for differentiation of energy drawn from the Distribution Licensee and the captive generating plant, they required an additional four weeks' time to consult the concerned officials of their licensee (NPCL) and then to file an appropriate submission.
8. The learned Counsel for the Petitioner, in next hearing on 07.04.2026, admitted that they could not find any technically feasible solution for differentiation of energy drawn from the distribution licensee and the CGP. It was further submitted that it came up during their discussions with NPCL, whether any approval in the matter was required from the Commission or not, as the Petitioner and the Group companies, for whom permission had been sought, are situated in the same premise. The Ld. counsel for

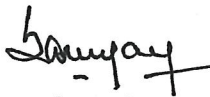




the Petitioner, however, submitted that they did not wish to withdraw the Petition as they desire to seek directions from the Commission in this regard. In view of the above, the Commission directed the Petitioner to file an amendment application for amending the prayers, before the matter is taken up for further proceeding.

9. Following the Commission's Order dated 08.04.2026, hearings were held on 12.05.2026 and 23.07.2026 however, the Petitioner did not file a revised Petition or sought any amendment to the prayers. Consequently, on 23.07.2026, the Commission granted the Petitioner one final opportunity to do so.
10. During the present hearing the Ld. counsel for the Petitioner, while admitting that the Petitioner has yet not made any submission following the Commission's Order dated 08.04.2026, requested one more opportunity, which the Commission declined.
11. In light of the foregoing, the Ld. Counsel for the Petitioner sought leave to withdraw the Petition with liberty to file afresh. The Commission grants the prayer & the Petition is dismissed as withdrawn. The Petitioner can always file a separate Petition if it finds a solution, which can legally conform to the conditions that are essential for invoking clause 4.46(a) of Electricity Supply Code, 2005.


(Griesh Kumar Vaish)
Member(Law)


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 23.09.2026

