**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION**

**LUCKNOW**

**Petition No. 2190 of 2025**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

Petition under section 86(1)(c) and (f) of the Electricity Act, 2003 read with Regulation 57 of UPERC (Conduct of Business) Regulation, 2019 seeking declaration/Clarification from this Hon'ble Commission regarding the Transmission charges Applicable on the Group-1 & Group-2 Elements of the Project.

**AND**

**IN THE MATTER OF**

**South East U.P. Power Transmission Company Limited**
Through its CEO,
Plot No. 409, 4th Floor, Shalimar Titanium
Vibhuti Khand, Gomti Nagar, Lucknow, UP - 226010

..... **Petitioner**

**VERSUS**

1. **Uttar Pradesh Power Transmission Corporation Limited,**
   Through its Managing Director,
   7th Floor, Shakti Bhawan, 14, Ashok Marg,
   Lucknow - 226001
2. **Paschimanchal Vidyut Vitran Nigam Limited**,
   Through its Managing Director,
   Urja Bhawan, Victoria Park
   Meerut, Uttar Pradesh– 250001

3. **Dakshinanchal Vidyut Vitran Nigam Limited,**

   Through its Managing Director,

   Urja Bhawan, Sikandara, NH-2, (Agra Delhi bypass road)

   Agra, Uttar Pradesh – 282002

4. **Purvanchal Vidyut Vitran Nigam Limited,**

   Through its Managing Director,

   Bhikharipur, P.O DLW Varanasi – 221010

5. **Madhyanchal Vidyut Vitran Nigam Limited,**

   Through its Managing Director,

   4-A Gokhale Marg, Lucknow – 226001

6. **Uttar Pradesh Power Corporation Limited,**

   Through its authorised representative ,

   Shakti Bhawan, 14, Ashok Marg, Lucknow - 226001

**..... Respondents**

**THE FOLLOWING WAS PRESENT**

1. Sh. Divhansh Kasana, Advocate, Petitioner
2. Sh. Abhishek Kumar, Advocate, UPPCL & Discom's
3. Md. Altaf Mansoor, Advocate, UPPTCL
4. Sh. Tanay Chaudhary, Advocate, UPPTCL
5. Sh. Rakesh Kumar, SE, UPPTCL
6. Sh. Rajiv Singh, EE, UPPCL
7. Sh. Shetanshu Yadav, EE, UPPTCL

**ORDER**

**(DATE OF HEARING: 30.10.2025)**

1. Sh. Divhansh Kasana, Counsel appearing on behalf of the Petitioner, submitted that due to certain circumstances, the Petitioner could not file the rejoinder to the replies filed by the Respondents i.e., UPPCL and UPPTCL therefore, sought an extension of one week time for filing the same.

2. During the hearing, the Commission observed that since the matter is adjudicatory in nature, being filed under Section 86 (1) (f) of the Electricity Act, 2003, it is mandatory to have presence of Member (Law) in the quorum. In this regard, Hon'ble Supreme Court vide its judgement dated. 12.04.2018 in Civil Appeal No. 14697 of 2015, has laid down the ratio that in any adjudicatory issue covered under Section 86 (1) (f) of Electricity Act, 2003 , it is mandatory that there should be a person of law as a Member of the Commission.

3. In view of above, and owing to vacancy in the position of Member (Law), the Commission directs to keep the matter in abeyance and list the matter subsequent to appointment of the Member (Law). The Petitioner is further directed to file its rejoinder within two weeks.

**(Sanjay Kumar Singh)**
**Member**

**(Arvind Kumar)**
**Chairman**

Place: Lucknow
Dated: 06 .11.2025