



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 1328 of 2018

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition regarding instruction to release tariff payments due since Aug-2017 after commissioning of entire Group-1/COD-1 elements as per clause 6.2 of Transmission Service Agreement dated 20.01.2012/ Supplementary Agreement dated 09.06.2018 entered into between South-East UP Power Transmission Company Ltd. And LTTC's."

AND

IN THE MATTER OF

South- East U P Power Transmission Company Ltd.

Office No. 116, 1st Floor, Levana Cyber Heights,
Vibhuti Khand, Gomti Nagar, Lucknow-226010

..... Petitioner

Versus

1. Uttar Pradesh Power Transmission Corporation Limited

Through its Managing Director, Shakti Bhavan, 14 Ashok Marg,
Lucknow, U.P.- 226001.

2. Paschimanchal Vidyut Vitran Nigam Limited

Through its Managing Director,Hydel Colony, Victoria Park,
Meerut, U.P.- 250001.

3. Madhyanchal Vidyut Vitran Nigam Limited

Through its Managing Director. 4A, Gokhale Marg,
Lucknow, U.P. - 226001.



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4. Purvanchal Vidyut Vitran Nigam Limited

Through its Managing Director, Vidyut Nagar, DLW Bhikharipur,
Varanasi, U.P. – 221010.

5. Dakshinanchal Vidyut Vitran Nigam Limited

Through its Managing Director, Vidyut Bhawan, NH-2
(Agra-Delhi Bypass Road), Sikandra, Agra, U.P. – 282002.

..... Respondents

THE FOLLOWING WAS PRESENT

1. Sh. B.P. Patil, Senior Advocate, SEUPPTCL
2. Sh. Tushar Nagar, Advocate, SEUPPTCL
3. Sh. Shantanu Singh, Advocate, SEUPPTCL
4. Sh. Abhishek Kumar, Advocate, UPPCL
5. Sh. Karan Arora, Advocate, UPPCL
6. Sh. Rajiv Singh, EE, UPPCL
7. Md. Altaf Mansoor, Advocate, UPPTCL
8. Sh. Tanay Chaudhary, Advocate, UPPTCL
9. Sh. A.K. Prabhakar, EE, UPPTCL

ORDER

(DATE OF HEARING: 14.05.2026)

1. Shri Abhishek Kumar, Counsel appearing on behalf of UPPCL, submitted that UPPCL has not been arrayed as a respondent in the present Petition. He further submitted that the Hon'ble APTEL, vide its Order dated 06.04.2026 in Appeal No. 119 of 2019 filed by the Petitioner, had impleaded UPPCL as a party. In view of the said direction, he requested that UPPCL be impleaded as a respondent in the present proceedings.
2. Shri B. P. Patil, learned Senior Counsel appearing for the Petitioner, submitted that the Hon'ble APTEL, while passing its judgment dated 06.04.2026 in Appeal No. 119 of 2019, had observed that this Commission, in its Order dated 13.12.2018, had not finally disposed of the original Petition. He submitted that



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the said order was confined to the limited issue of modification of the earlier Order dated 12.07.2018 with respect to the effective date for payment of transmission charges, i.e., from 27.10.2017 to 27.07.2017.

3. Learned counsel for UPPCL further submitted that this Commission, in its Order dated 12.07.2018, had invoked Clause 6.1.2 of the Transmission Service Agreement (TSA), which provides for deferment of interconnection for a maximum aggregate period of 90 days, and accordingly determined the COD of Group-1 elements as 27.10.2017. He submitted that the limited issue for consideration in the present proceedings is the determination of liability for payment of transmission charges for the intervening period from 27.07.2017 to 27.10.2017. He also submitted that UPPCL is required to seek recovery of amounts paid for the period from October 2017 to March 2018 from Meja, which constitutes a related issue and therefore, M/s Meja Urja Nigam Pvt. Ltd. is a necessary party to the proceedings.
4. In response, Shri B. P. Patil, learned Senior Counsel for the Petitioner, opposed the said submissions and contended that the attempt of UPPCL to implead M/s Meja Urja Nigam Pvt. Ltd. is an unwarranted enlargement of the scope of the present proceedings. He submitted that this Commission, in its earlier orders, had already directed UPPCL/UPPTCL to make payment of transmission charges with effect from 27.10.2017, and the said finding has not been disturbed by the Hon'ble APTEL. He further submitted that UPPCL had neither objected to the said order at the relevant time nor preferred any appeal and had accepted its liability to make payment. He emphasized that the Petitioner's appeal before the Hon'ble APTEL was confined only to the claim for tariff for the period from 27.07.2017 to 27.10.2017.
5. The Commission observed that UPPCL has been making payment of transmission charges to the Petitioner from October 2017 onwards in compliance with the earlier orders of the Commission and had not raised any objection in that regard. The Commission further queried the learned counsel for UPPCL as to whether the claim relating to recovery of amounts for the period October 2017 to March 2018 from Meja formed part of the original prayers in the main Petition. In response, it was submitted that such a prayer does not form part of the present Petition but is linked with UPPCL's entitlement.

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6. The Commission has considered the submissions made by the parties and observes that the distribution licensees were already parties to the proceedings and could have authorised UPPCL to make submissions on their behalf. However, no such authorisation was placed on record. Nevertheless, in view of the fact that the Hon'ble APTEL has formally impleaded UPPCL as a party, the Commission, upon request, formally impleads UPPCL as Respondent No. 6. Further, the Commission also impleads M/s Meja Urja Nigam Pvt. Ltd. as Respondent No. 7. The Notice shall be issued along with a copy of this Order to M/s Meja Urja Nigam Pvt. Ltd. The Copy of the Petition shall also be served by the Petitioner to M/s Meja Urja Nigam Pvt. Ltd. within one week.
7. Accordingly, Respondents shall file their submission in light of the Order issued by the Hon'ble APTEL within a period of four (4) weeks. The Petitioner shall thereafter file its rejoinder, if any, within two (2) weeks.
8. The matter shall be listed for further hearing on 09.07.2026.

(Sanjay Kumar Singh)
Member



(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 27 .05.2026