



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2106/2024 and Petition No. 2226/2025

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: IN PETITION NO. 2106 OF 2024

Petition filed under Section 86(1)(b) of the Electricity Act, 2003, and Article 14 of the PPA dated 12.11.2006 read with SPPA dated 31.12.2009 executed between the parties and in compliance of the Commission's Order dated 13.06.2023 in Petition No. 1884 of 2022 for reimbursement of expenditure incurred towards transportation of fly ash during FY 2022-23 and FY 2023-24 according to the Notification No. S.O. 5481(E) dated 31.12.2021 issued by the Ministry of Environment, Forest & Climate Change, GoI and the methodology prescribed by the Commission.

AND

IN THE MATTER OF

Lanco Anpara Power Limited (LAPL)

H.No. C/02/P7, Sector C Pocket 2, Sushant Golf City, Lucknow-226030

..... Petitioner

VERSUS

1. U.P. Power Corporation Ltd. (UPPCL)

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

2. Paschimanchal Vidyut Vitran Nigam limited (PVVNL),

Urja Bhawan, Victoria Park, Meerut, U.P. – 250001

3. Purvanchal Vidyut Vitran Nigam Limited (PuVVNL),

DLW Bikharipur, Varanasi, Uttar Pradesh – 221004





4. Madhyanchal Vidyut Vitran Nigam Limited (MNVNL),

4A, Gokhale Marg, Block-I, Gokhale Vihar, Butler Colony, Lucknow – 226001

5. Dakshinanchal Vidyut Vitran Nigam Limited (DVVNL)

Urja Bhawan, Agra Mathura Bypass Road, Agra, Uttar Pradesh - 282007

..... Respondents

AND

IN THE MATTER OF: IN PETITION NO. 2226 OF 2025

Purchase Agreement dated 12.11.2006 read with Supplementary Power Purchase Agreement dated 31.12.2009 executed between the parties and in compliance of this Hon'ble Commission's Order dated 13.06.2023 in Petition No. 1884 of 2022 for reimbursement of expenditure incurred towards transportation of fly ash during FY 2024-25 and according to the Notification No. S.O. 5481(E) dated 31.12.2021 issued by the Ministry of Environment, Forest & Climate Change, Government of India and the methodology prescribed by this Hon'ble Commission.

AND

IN THE MATTER OF

MEIL Anpara Energy Limited

H.No. C/02/P7, Sector C Pocket 2, Sushant Golf City, Lucknow-226030

..... Petitioner

VERSUS

6. U.P. Power Corporation Ltd. (UPPCL)

Shakti Bhawan, 14-Ashok Marg, Lucknow-226001

7. Paschimanchal Vidyut Vitran Nigam limited (PVVNL),

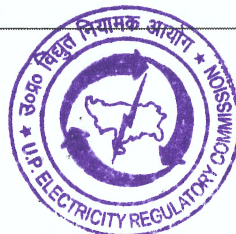
Urja Bhawan, Victoria Park, Meerut, U.P. – 250001

8. Purvanchal Vidyut Vitran Nigam Limited (PuVVNL),

DLW Bikharipur, Varanasi, Uttar Pradesh – 221004

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9. Madhyanchal Vidyut Vitran Nigam Limited (MVVNL),

4A, Gokhale Marg, Block-I, Gokhale Vihar, Butler Colony, Lucknow – 226001

10. Dakshinanchal Vidyut Vitran Nigam Limited (DVVNL)

Urja Bhawan, Agra Mathura Bypass Road, Agra, Uttar Pradesh - 282007

..... Respondents

THE FOLLOWING WERE PRESENT

1. Ms. Puja Priyadarshini, Advocate, UPPCL
2. Shri Deeptanshu Chandak, Advocate, UPPCL
3. Shri Kashi Nath Yadav, EE-PPA, UPPCL
4. Shri Anil Kumar, EE-PPA, UPPCL
5. Shri Sakya Singha Chaudhari, Advocate, MEIL.
6. Shri Avijeet Lala, Advocate, MEIL
7. Shri Arun Tho., ED, MEIL
8. Ms. Sanya Miglani, Advocate, MEIL
9. Shri Kamaljeet Rai, Manager, MEIL

ORDER

(DATE OF HEARING: 22.09.2026)

1. During the hearing, Ms. Puja Priyadarshini, the learned counsel appearing for the Respondent, submitted that during the last hearing, learned counsel for the Petitioner had requested that the file pertaining to Petition No. 1884 of 2022 be kept available for the present hearing. The learned counsel further submitted that the Petitioner ought not to be permitted to rely upon the documents /evidences submitted in Petition No. 1884 of 2022 to support the present case. In this regard, the learned counsel referred to the Commissions' ROP Order dated 14.05.2026, whereby the Commission had allowed the Petitioner to make submissions only based on existing documents, without introducing fresh documents.
2. The Commission observed that the decision with respect to the present Petitions would be based on the submissions that happened in the present Petitions and the evidences





filed in earlier decided Petition No. 1884 of 2022 cannot be considered in the present Petitions since these evidences have not been filed in the present Petitions.

3. Thereafter, Shri Sakya Singh Chaudhari, the learned counsel appearing for the Petitioner, advanced the following arguments:

a) Regarding UPPCL's contention that the bidding process for the selection of transportation agencies, namely, Sudhir Crushing Works and Ashtech India Pvt. Ltd., had not been conducted in a transparent manner, the learned counsel submitted that, during the technical validation session, the Petitioner had explained that it had given all the relevant information to UPPCL vide detailed note dated 18th July 2022 regarding Techno Commercial Evaluation. The learned counsel further submitted that the said note had earlier been filed in Petition No. 1884 of 2022. It is further submitted that UPPCL was aware of the entire bidding process undertaken in July 2022 and, therefore, there was no occasion for UPPCL to question the said process at this stage.

b) With regard to UPPCL's contention that Sudhir Crushing Works and Ashtech India Pvt. Ltd. had quoted excavation rates of Rs. 55/MT and Rs. 53/MT, respectively, whereas work orders had been issued to both entities incorporating an excavation rate of Rs. 56/MT, the learned counsel submitted that the rates quoted by Sudhir Crushing Works and Ashtech India Pvt. Ltd. were applicable only to excavation, whereas the work orders were issued for excavation, transportation, and unloading.

4. The Commission noted that the details submitted vide note dated 18.07.2022, as referred by the Petitioner's counsel, were informative in nature and could not be taken as conclusive argument in favor of the Petitioner. The Commission, further observed that the Petitioner ought to have furnished information regarding:

(i) scope/avenue wise, viz, disposal of fly ash in low-lying areas, road construction and cement industries explaining eligibility criteria of bidders and scope of work,



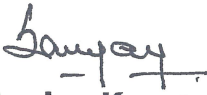


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- (ii) the details of advertisement or/and expression of interest or /and bidding documents, if any, and responses received against these,
 - (iii) the evaluation criteria and bid evaluation process with comparative statement of bidder,
 - (iv) quantity of fly ash proposed to be lifted in each financial year from FY 2022-23 to FY 2024-25 and actual ash quantity lifted,
 - (v) Ash balance statement for FY 2022-23 to 2024-25: opening stock, generation, utilisation by avenue, and closing stock and
 - (vi) payment details including whether GST was attracted and the mechanism of GST payment, if payable by Petitioner.

5. The Commission directs the Petitioner to submit detailed explanation by way of a written submissions and also share it with the counsel of Petitioner.

List both present matters for further hearing on 17.11.2026.


(Griesh Kumar Vaish)
Member (Law)


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 08.10.2026



