



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2396 of 2026

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 under Section 86(1)(b) of the Electricity Act, 2003 read with the applicable Regulations of the UPERC (Conduct of Business) Regulations, 2019 on behalf of Uttar Pradesh Power Corporation Limited seeking approval of Amended Power Purchase Agreement (APPA) dated 21.04.2026 for extension of the term of Power Purchase Agreement (PPA) dated 05.04.2007 for supply of 25 MW power from the Respondent's 25 MW Bagasse based power plant situated at village Ramgarh, Tehsil-Misrikh, District Sitapur, Uttar Pradesh and approval for the change in name of the Generating Company from M/s Dalmia Chini Mills, Unit- Ramgarh [Prop. Dalmia Cement (Bharat) Limited] to M/s Damia Bharat Sugar and Industries Limited, Unit- Ramgarh.

AND

IN THE MATTER OF

Uttar Pradesh Power Corporation Limited (UPPCL),

14th Floor, Shakti Bhawan Extension, 14- Ashok Marg, Lucknow – 226001 ...Petitioner

VERSUS

M/s Dalmia Bharat Sugar and Industries Limited, Unit-Ramgarh (DBSIL),

Dalmia Puram, District Tiruchirappalli, Tamil Nadu-621657 ...Respondent





FOLLOWING WERE PRESENT

1. Sh. Divyanshu Bhatt, Advocate, UPPCL
2. Sh. Prakher Shukla, Advocate, UPPCL
3. Sh. Manish Dwivedi, CE (PPA), UPPCL
4. Sh. Vikash Gupta, EE, UPPCL
5. Sh. Srijan Singh, AE, UPPCL
6. Sh. Kanwar Pal Singh, Sr. G.M (Legal), DBSIL
7. Sh. Manoj Kumar Tripathi, AGM (Electrical), DBSIL

ORDER

(DATE OF HEARING: 06.08.2026)

1. The Petitioner has filed instant Petition for approval of APPA dated 21.04.2026 regarding tenure extension of the PPA dated 05.04.2007 till 31.03.2029 and approval for name change of the Generating Company from M/s Dalmia Chini Mills, Unit- Ramgarh [Prop. Dalmia Cement (Bharat) Limited] to M/s Damia Bharat Sugar and Industries Limited, Unit- Ramgarh. The prayers of the Petitioner are as follows:
 - a) Admit the instant petition on record.
 - b) Pass an order or direction(s) to grant its approval to the Amended Power Purchase Agreement dated 21.04.2026 between the Petitioner and the Respondent thereby permitting the extension of the tenure of supply of power under the PPA till 31.03.2029.
 - c) Pass an order or direction(s) to direct that the said APPA shall be effective from the date of the execution of the APPA i.e. 21.04.2026.
 - d) Pass an order or direction(s) to grant its approval to change in name of the Generating Company from Dalmia Chini Mills, Unit-Ramgarh [Prop. Dalmia Cement (Bharat) Limited] to Dalmia Bharat Sugar and Industries Limited, Unit-Ramgarh.
 - e) Pass any further Order(s) as this Commission may deem fit in the facts and circumstances of the case.





2. During the hearing, Shri Divyanshu Bhatt, learned Counsel of UPPCL, submitted that present Petition pertains to approval of the APPA dated 21.04.2026. The Commission expressed its displeasure over the conduct of the Petitioner and observed that in the past also, Petitioner was directed to place on record all relevant supporting documents in a similar matter, however, the complete records have not yet been furnished in the matter. The learned Counsel of UPPCL requested that an additional affidavit would be filed in the matter for the required information.
3. On the specific query of the Commission regarding reason behind APPA dated 21.04.2026 executed by UPPCL instead of MVVNL, Sh. Bhatt responded that recitals of the APPA as well as the PPA specified that DISCOMs had authorized UPPCL to execute PPAs on their behalf pursuant to the resolutions passed by their respective Boards of Directors. Sh. Bhatt further submitted that a detailed justification in this regard shall be furnished through an additional affidavit.
4. On query of the Commission regarding generating units from which contracted power had been supplied to UPPCL, Sh. Bhatt responded that Commissioning Certificate dated 05.08.2011 records commissioning date of the 25 MW Bagasse-based Unit as 16.10.2007 from which 25 MW power has been supplied to UPPCL. Further, the Commission queried about the existing 9.75MW unit, thereupon representative of Respondent responded that such generating unit does not exist in the power station. The Commission observed that the submission of the Respondent appears inconsistent with the details specifically recorded in Annexure-I of the PPA dated 05.04.2007. Sh. Bhatt submitted that the factual position shall be verified and clarified through an additional affidavit. He further submitted that due diligence shall be exercised in future Petitions to ensure that such information is furnished in a clear and comprehensive manner.
5. After hearing the parties, the Commission directs UPPCL to furnish, by way of an additional affidavit, following information along with supporting documents:
 - a) Details of the Commission's approval for the PPA dated 05.04.2007 executed between M/s Dalmia Chini Mills, Unit- Ramgarh and Madhyanchal Vidyut Vitran Nigam Ltd.

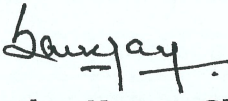




- b) Copy of the Commission's Order dated 26.03.2007 as mentioned in Annexure P2 of the Petition.
- c) Justification for delay in approaching the Commission for approval of name change of generating company.
- d) Justification along with supporting documents for the claim of name change from M/s Dalmia Chini Mills, Unit- Ramgarh to M/s Damia Bharat Sugar and Industries Limited, Unit- Ramgarh (Certificate of Incorporation dated 17.09.2010 shows name changes from M/s Dalmia Cement (Bharat) Ltd. to M/s Damia Bharat Sugar and Industries Limited.
- e) Justification as to why the APPA dated 21.04.2026 has been executed by UPPCL, when the PPA dated 05.04.2007 was executed with MVVNL.
- f) Details of the generating Unit configuration and from which unit this 25 MW contracted capacity is being supplied under the PPA dated 05.04.2007.

The Commission will take appropriate decision upon aforementioned submission of UPPCL.


(Griesh Kumar Vaish)
Member (Law)


(Sanjay Kumar Singh)
Member


(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 18.08.2026

