



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2398 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)(a) & (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 tenure of Power Purchase Agreement (PPA) dated 05.04.2007, i.e., extended till 31.03.2029 for sale of 25 MW of Power from the Respondent 27 MW Bagasse based power plant situated at village- Kuiyan, Tehsil- Tilhar, Block- Nigohi, Distt- Shahjahanpur, along with approval of the change in the name of the Respondent from "Dalmia Chini Mills, Unit-Nigohi (a unit of Dalmia Cement (Bharat) Limited)" to "Dalmia Bharat Sugar and Industries Limited, Unit-Nigohi.

AND

IN THE MATTER OF

Uttar Pradesh Power Corporation Limited (UPPCL),

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

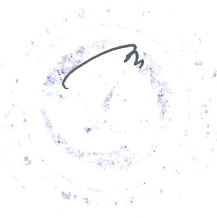
VERSUS

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

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

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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 (PPA), UPPCL
5. Sh. Srijain 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 for tenure extension of the PPA dated 05.04.2007, i.e., till 31.03.2029 along with approval of the change in the name from "Dalmia Chini Mills, Unit-Nigohi (a unit of Dalmia Cement (Bharat) Limited)" to "Dalmia Bharat Sugar and Industries Limited, Unit-Nigohi. 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 sale of power under the PPA.
 - c) Pass an Order or direction(s) approving the change in the name of the Respondent from "Dalmia Chini Mills, Unit-Nigohi (a unit of Dalmia Cement (Bharat) Limited)" to "Dalmia Bharat Sugar and Industries Limited, Unit-Nigohi", and permit the Amended Power Purchase Agreement to be recognized and acted upon in the changed name.
 - d) 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.





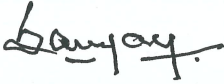
- e) Pass any further Order(s) as this Commission may deem fit in the facts and circumstances of the case.
2. During the hearing, Shri Divyanshu Bhatt, learned Counsel of UPPCL, submitted that the present Petition pertains to approval of the APPA dated 21.04.2026. The Commission expressed its displeasure 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 submitted that the 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. 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.
4. After hearing the parties, the Commission directs UPPCL to furnish, by way of an additional affidavit, following information along with supporting documents:
- a) Justification for the discrepancy in the contracted capacity of 25 MW from the approved capacity vide Order dated 18.05.2006 in Petition No. 298 of 2006.
 - 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- Nigohi to M/s Damia Bharat Sugar and Industries Limited, Unit- Nigohi (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.





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

