

**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

**UPERC (Verification of Generating Plants and Captive
Consumers)(Repeal) Regulations, 2026**

Notification No. - UPERC/SECY/REGULATION/2026/018

Lucknow: dated August 05, 2026

In exercise of powers conferred by Sub-section (1) of section 181, read with section 9 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, the Uttar Pradesh Electricity Regulatory Commission has made the Uttar Pradesh Electricity Regulatory Commission (Verification of Generating Plants and Captive Consumers) Regulations, 2022, which were published vide Notification No. UPERC/Secy./Regulation/2022/644 dated December 26, 2022.

AND, WHEREAS, the Central Government has notified the Electricity (Amendment) Rules, 2026 [G.S.R. 186(E) dated 13.03.2026], substituting Rule 3 of the Electricity Rules, 2005 with comprehensive provisions governing Captive Generating Plants — including expanded definitions of “captive user” (encompassing consumption through Energy Storage Systems), “ownership” (including group entities), treatment of Special Purpose Vehicles (SPVs) as Association of Persons (AoP), proportionate consumption limits for individual captive users in an AoP, and a verification mechanism through a State-designated Nodal Agency;

AND, WHEREAS, under the new Rule 3(4)(a), the State Government is required to designate a nodal agency to verify the captive status of intra-State power plants and to issue the procedure for such verification, including the format for declarations by captive users seeking interim protection from cross-subsidy surcharge;

AND, WHEREAS, under the new Rule 3(4)(b), the State Government is required to constitute a Grievance Redressal Committee (GRC) to hear appeals against verification decisions of the Nodal Agency;

AND, WHEREAS, the amended Rules have come into force on 13.03.2026, except sub-rule (2)(d)(ii), (iii), and sub-rule (4) of Rule 3, which shall take effect from 01.04.2026, and it



is necessary to adopt the same and issue consequential directions in the State of Uttar Pradesh;

In view of the above amendment in the Electricity Rules, 2005, the Uttar Pradesh Electricity Regulatory Commission now in exercise of powers conferred by Sub-section (1) of section 181, read with section 9 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in that behalf, hereby makes the following Regulations to repeal the UPERC (Verification of Generating Plants and Captive Consumers) Regulations, 2022:

1. Short title and commencement

- i. These Regulations may be called Uttar Pradesh Electricity Regulatory Commission (Verification of Generating Plants and Captive Consumers)(Repeal) Regulations, 2026.
- ii. These Regulations shall be applicable from 01.04.2026.

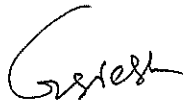
2. Repeal

- i. On and from the date of the applicability of these Regulations, the Uttar Pradesh Electricity Regulatory Commission (Verification of Generating Plants and Captive Consumers) Regulations, 2022 shall stand repealed.

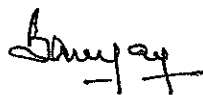
3. Savings

The repeal of the Uttar Pradesh Electricity Regulatory Commission (Verification of Generating Plants and Captive Consumers) Regulations, 2022 (hereinafter to be referred as "said Regulations") shall not affect—

- i. The verification of Generating Plants and Captive Consumers in the State of Uttar Pradesh till the financial year ending 31.03.2026 in accordance with said Regulations;
- ii. Application of Section 6 of General Clauses Act 1897 (10 of 1897) with regard to the effect of repeal.



Griesh Kumar Vaish
Member(Law)



(Sanjay Kumar Singh)
Member



(Arvind Kumar)
Chairman

Place: Lucknow

Dated: 05.08.2026