



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION  
LUCKNOW**

**Petition No. 2058 of 2024**

**QUORUM**

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

**IN THE MATTER OF**

In the matter of Petition seeking exemption under Clause 4.46(a) of the Electricity Supply Code, 2005 for supplying energy supplied to the Petitioner by Respondent No. 2 and/ or by licensed electricity (including renewable energy) producer/ trader to its associate company, Jubilant Agri and Consumer Products Limited, situated on the adjacent plot of land.

**AND**

**IN THE MATTER OF**

**1. Jubilant Ingrevia Limited,**

Bhartiyagram, Gajraula, District – Amroha, U.P. - 244223.

..... Petitioner

**VERSUS**

**1. Uttar Pradesh Power Corporation Ltd.,**

(Through its Managing Director) Shakti Bhawan, 14 Ashok Marg, Lucknow, U.P- 226001

**2. Paschimanchal Vidyut Vitran Nigam Limited,**

(Through its Managing Director) Victoria Park, Meerut, Uttar Pradesh – 250001

..... Respondents

**THE FOLLOWING WERE PRESENT**

1. Shri Sanjeev Kumar, Executive Engineer, UPPCL
2. Shri Neeraj Singh Yadav, EE EDD-I Gajraula, PVVNL (UPPCL)
3. Ms. Sadhvi Kuchhal, Advocate on behalf of Shri Amarjeet Singh Rakhra, Adv.
4. Shri B. Bhatt, Petitioner
5. Shri Chandveer Singh, Manager Legal, Petitioner

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6. Shri Amitav Singh, Advocate, Petitioner
7. Shri Rohit Jain, Advocate, Petitioner
8. Ms. Apeksha Lodha, Advocate, Petitioner

**ORDER**

**(DATE OF HEARING: 17.10.2024)**

1. The Petitioner, Jubilant Ingrevia Limited is having its registered office at Bhartiagram Gajraula, District – Amroha – 244223, Uttar Pradesh. The Petitioner is in the business of manufacturing speciality chemicals, nutrition and health solutions, and has set up the manufacturing plant in Gajraula, District – Amroha.
2. The petition has been filed to seek exemption from the Commission under Clause 4.46(a) of the Electricity Supply Code, 2005 to supply energy supplied to the Petitioner by the Respondents and/or by licensed electricity (including renewable energy) producer/ trader, to its associate company, Jubilant Agri and Consumer Products Limited, situated on the plot adjacent to its premises.
3. The Petitioner has submitted that he has been operating a 34 MW coal-based captive generation plant since 1998, situated next to the premises of the Petitioner and the energy generated through this CGP is supplied to the manufacturing plant of the Petitioner and its associate company, Jubilant Agri and Consumer Products Limited (JACPL), which is also part of the Jubilant Bhartia Group. Out of the total energy generated from CGP, approximately 80% is utilized by the Petitioner and 20% is utilized by JACPL, including auxiliary consumption such as workmen housing colony, temple etc.
4. The Petitioner has also submitted that with the expansion of business, the energy demand of the Petitioner has increased, which no longer was being met by the CGP alone. Therefore, the Petitioner approached the Respondents for supply of electrical energy through grid for the contracted load of 21,000 kVA. On 09.10.2023, an agreement for supply of electrical energy was executed between the Petitioner and

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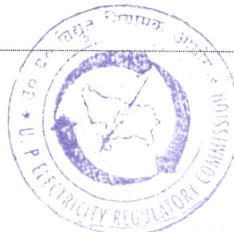
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Respondent No. 1 for the sanctioned load of 10,000 kVA, in the first phase to be supplied through a 132 KV line.

5. In the Order dated 22.08.2024, the Commission had directed the Respondent Executive Engineer to submit the month wise data for 'Maximum Demand (MD)', 'Cumulative Maximum Demand (CMD)' and the 'Reset Count (N)' recorded by the consumer energy meter as well as the energy meter installed at UPPTCL 132 kV grid substation. He was further directed to submit historical data of the relay installed at bus coupler C4 of the submitted Single Line Diagram. Both these data were required to be submitted since the date of release of the connection i.e. 16.10.2023.
6. Pursuant to the above, submissions have been made by both Petitioner as well as Respondent Executive Engineer.
7. A written Affidavit dated 26.08.2024 has been filed by Executive Engineer wherein month wise data for 'Maximum Demand', 'Cumulative Maximum Demand' and the 'Reset Count' recorded by the consumer energy meter as well as the energy meter installed at UPPTCL 132 kV grid substation has been submitted. He has further submitted that there is no relay installed at Bus Coupler C-4. An additional Affidavit dated 11.10.2024 has also been submitted by the Respondent Executive Engineer wherein it has been submitted that the MD, PVVNL, vide Letter No. 4817 dated 13.09.2024, has complied with the directions of the Hon'ble Commission by taking cogent action against the Executive Engineer and has awarded "censure entry and withholding of one increment with non-cumulative effect".
8. An Affidavit dated 27.08.2024 has been submitted by the Petitioner wherein it has been clarified that before commencement of supply of electrical energy from the grid to the Petitioner, the common 11KV setup had been duly separated through a bus coupler C-4 so that no electricity from the grid gets supplied to JACPL. It has also been affirmed that the said bus coupler C-4 has been "off" since the time the Petitioner started drawing electrical energy from the grid to strictly ensure that no electricity from the grid gets supplied to JACPL. Therefore, it has been reaffirmed by the Petitioner that there is a common 11 KV setup, however, by using bus couplers,

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it is ensured that electrical energy from the grid gets supplied to only the Petitioner and in no case to JACPL.

9. The Petitioner has also submitted that the bus coupler C-4 cannot be turned "on" easily as the grid and CGP turbine generators are not synchronized and therefore, turning on the bus coupler C-4 can lead to flashover or accident, thereby damaging the plant and machinery of the Petitioner and JACPL. Additionally, as extra protection, the breaker trolley is also drawn out to avoid accidental turning-on of the bus coupler.

10. The Petitioner has further submitted that since its connection with the licensee, there have been only three instances where its demand has exceeded the contracted load and has given reasons for the same to dispel any doubt that licensees' energy might have been diverted towards feeding JACPL. The reasons for each of the three instances are mentioned below:

Month	Recorded Demand	Date	Duration	Reason
October 2023	12636 kVA	18.10.2023	14 hours	Load increased during trial run of the new grid transformer rated at 12.5/15.0 MVA on full load during commissioning
May 2024	10974 kVA	18.05.2024	45 mins	Additional load run due to boiler feed pump and associated boiler system run on transformer no. 25 (grid side) as the running one was tripped.
June 2024	11928 kVA	14.06.2024 (19:15- 22:30)	3 hours 15 min	Load shifted on Grid due to transformer no.7 LT PCC Breaker issue

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		17.06.2024 (14:30- 14:45)	15 min	Momentary load increase on Grid due to chiller taken in line.
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11. During the hearing, the Respondent Executive Engineer and the Petitioner apprised the Commission on the submissions that have been made. The Executive Engineer submitted that penalty for exceeding the contracted load has been levied as per the provisions of the Tariff Order.
12. The Commission finds that the compliance of its directions has been made. The Commission observes that based on the submissions made by the Petitioner as well as the Respondent Executive Engineer on the month wise demand data, it can be said that the excess demand on 3 occasions appears justified on technical explanations and as such the data does not demonstrate any deception or skulduggery on part of Petitioner and as such it can be concluded that the Petitioner is not standing in violation of provisions of Supply Code. The conclusion gets further buttressed by Petitioner's submission that the power generation cost of its CGP, which supplies JACPL, is much lower (in the range of Rs. 3.50/Unit) than the licensee's power thus, he can derive no advantage by diverting Discom's power towards JACPL and switching off its own captive generation. However, the Petitioner should have avoided such an arrangement for supply. The Commission directs the licensee to be careful in future while granting electricity connections, especially in cases of such complexity.
13. Furthermore, from the perusal of the month wise data for Maximum Demand (MD), Cumulative Maximum Demand (CMD) and the Reset Count (N) recorded by the consumer's energy meter as well as the energy meter installed 132 KV Grid Sub-Station of UPPTCL, submitted as below, by the Respondent Executive Engineer, pursuant to the directions of the Commission in its Order dated 22.08.2024, it can be deduced that for the entire ten month period, the monthly maximum demands recorded at both the ends are same, thereby ruling out the possibility of Unauthorized Use of Electricity:-

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Consumer End Energy Meter				
UP-5759A				
Month	MD (KVA)	Date	CMD (KVA)	Reset Count (N)
Oct-23	12636	18.10.2023	12636	2
Nov-23	9900	18.11.2023	22536	3
Dec-23	8952	19.12.2023	31488	4
Jan-24	8556	24.01.2024	40050	5
Feb-24	9312	19.02.2024	49356	6
Mar-24	8532	05.03.2024	57888	7
Apr-24	9714	12.04.2024	67602	8
May-24	10974	18.05.2024	78576	9
June-24	11928	14.06.2024	90504	10
July-24	9714	29.07.2024	100218	11

Consumer End Energy Meter				
UP-5760A				
Month	MD (KVA)	Date	CMD (KVA)	Reset Count (N)
Oct-23	12642	18.10.2023	12642	2
Nov-23	9900	18.11.2023	22542	3
Dec-23	8946	19.12.2023	31488	4
Jan-24	8562	24.01.2024	40050	5
Feb-24	9318	19.02.2024	49368	6
Mar-24	8532	05.03.2024	57900	7
Apr-24	9720	12.04.2024	67620	8
May-24	10986	18.05.2024	78606	9
June-24	11928	14.06.2024	90534	10
July-24	9708	29.07.2024	100242	11

Transmission End Energy Meter				
UP-5773A				
Month	MD (KVA)	Date	CMD (KVA)	Reset Count (N)
Oct-23	12600	18.10.2023	12600	4
Nov-23	9876	18.11.2023	22476	5
Dec-23	8928	19.12.2023	31404	6
Jan-24	8556	24.01.2024	39960	7
Feb-24	9336	19.02.2024	49284	8
Mar-24	8532	05.03.2024	57816	9
Apr-24	9708	12.04.2024	67524	10
May-24	10944	18.05.2024	78468	11
June-24	11904	14.06.2024	90372	12
July-24	9684	29.07.2024	100056	13

Transmission End Energy Meter				
UP-5774A				
Month	MD (KVA)	Date	CMD (KVA)	Reset Count (N)
Oct-23	12600	18.10.2023	12600	4
Nov-23	9876	18.11.2023	22476	5
Dec-23	8904	19.12.2023	31380	6
Jan-24	8556	24.01.2024	39936	7
Feb-24	9336	19.02.2024	49272	8
Mar-24	8532	05.03.2024	57804	9
Apr-24	9708	12.04.2024	67512	10
May-24	10944	18.05.2024	78444	11
June-24	11904	14.06.2024	90348	12
July-24	9696	29.07.2024	100044	13

14. The Commission finds that granting exemption under Clause 4.46(a) of the Electricity Supply Code, 2005 to the Petitioner for supplying energy supplied to the Petitioner by the Respondents and/or by licensed electricity (including renewable energy) producer/ trader, to its associate company, Jubilant Agri and Consumer

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Products Limited, situated on the plot adjacent to its premises will not result in any revenue loss to the Licensee as Petitioner will be paying both fixed as well as energy charge based on Petitioner's demand and the energy drawn by it. Further, it will enable the Petitioner and its associate company to perform its business operations in efficient manner.

15. In view of the above observations, the Commission allows the prayer and permits the Petitioner to supply the energy, supplied to it by the Respondents and/or by licensed electricity (including renewable energy) producer/ trader, to its associate company, Jubilant Agri and Consumer Products Limited.

16. The petition is hereby disposed of.

  
**(Sanjay Kumar Singh)**  
**Member**

  
**(Arvind Kumar)**  
**Chairman**

Place: Lucknow

Dated: 29.10.2024

