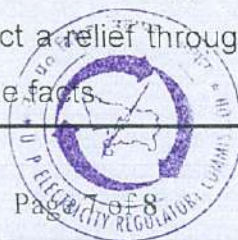




made his case and the information required to adjudicate this matter, which is essentially related to grid margin and technical stability of the system, has already been submitted by UPPTCL.

13. Based on above submissions, the Commission finds that the petitioner had filed an incomplete application for grant of connectivity before STU. The details required as per Regulation 6 of UPERC (Grant of connectivity to intra-state transmission system) Regulations 2010 like documentary evidence of land acquired and possession taken, environment clearance, forest clearance, order for supply of plant and machinery, commissioning schedule, commercial arrangement etc were not submitted. Still, STU processed the Petitioner's application without these details and rejected the Petitioner's application on the grounds of non-availability of grid margin at the requested substation.
14. Further, the Commission finds that the Petitioner also did not apply, for the reasons best known to the Petitioner, on the online portal for the online applications of grid connectivity despite being informed by the respondent.
15. The Commission finds that the petitioner had nothing in hand at the time of filing of application for Connectivity and has not made any progress till the date of the hearing. The project is nowhere on the ground but is only on the drawing board stage thus it is quite clear that the petitioner does not want to commit anything from its own end but wishes to have a hypothetical connectivity in hand, which will block the margin of the corridor that too at a substation of its own choice dehors the findings of system margin study done by UPPTCL. The Commission finds that the Petitioner wants to grab the connectivity through litigation instead of going through the transparent online procedure for grant of connectivity by showing the mistakes committed by the respondent. This shows not only a non-serious attitude by the Petitioner but it also reeks of extreme opportunism at the part of the Petitioner. It is very clear from above that the Petitioner has not approached the Commission with clean hands and is trying to extract a relief through judicial process by abusing the processes and subverting the facts.





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16. Accordingly, the Commission after careful consideration of the submissions in the case is inclined to dismiss the Petition. Moreover, the Commission is of the view that the present petition is a frivolous one, devoid of facts and in contravention of Regulations therefore, the filing of such petitions ought to be discouraged, as it takes up considerable time at the cost of bona fide litigants. The Commission is constrained to observe that any repetition by the Petitioner to file such a frivolous Petition shall attract imposition of fine from the Commission for wasting its time.

17. Accordingly, the Petition is dismissed.

(Vinod Kumar Srivastava)
Member

(Kaushal Kishore Sharma)
Member

(Raj Pratap Singh)
Chairman

Place: Lucknow
Dated: 03.06.2021

