

**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY
REGULATORY COMMISSION, LUCKNOW**

I.A. NO. _____ OF 2026

IN

PETITION NO. 2333 OF 2025

IN THE MATTER OF:

Application under Section 94(2) of Electricity Act, 2003 read with Regulation 33 of the Uttar Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2019, for placing on record subsequent developments

AND IN THE MATTER OF:

**Adani Energy Solutions Step-Eleven Limited &
Adani Energy Solutions Limited.**

... APPLICANTS/ PETITIONERS

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THROUGH


**HEMANT SINGH/ NEHUL SHARMA/
DEVYANSHU SHARMA/ HARSHIT SINGH**

**ADVOCATES FOR THE APPLICANT/ PETITIONERS
CHARTER LAW CHAMBERS**

**G-10, Jangpura,
New Delhi – 110014
PHONE: 011 – 41688816/ 41688817
E-MAIL: desk@charter.law**

**PLACE: NEW DELHI
DATE: 07.07.2026**

**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY
REGULATORY COMMISSION, LUCKNOW**

I.A. NO. _____ OF 2026

IN

CASE NO. _____

IN THE MATTER OF:

Application under Section 94(2) of Electricity Act, 2003 read with Regulation 33 of the Uttar Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2019, for placing on record subsequent developments

AND IN THE MATTER OF:

Adani Energy Solutions Step-Eleven Limited &
Adani Energy Solutions Limited.

... APPLICANTS/ PETITIONERS

APPLICATION UNDER SECTION 94(2) OF ELECTRICITY ACT, 2003 READ WITH REGULATION 25 OF THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION (CONDUCT OF BUSINESS) REGULATIONS, 2019, FOR PLACING ON RECORD SUBSEQUENT DEVELOPMENTS AND FOR INCLUSION OF PLOT NO. C-24 TO 30, SECTOR 80, NOIDA, UTTAR PRADESH IN THE DISTRIBUTION LICENSE APPLIED FOR THE APPLICANT NO. 1

MOST RESPECTFULLY SHEWETH:

1. It is submitted that the subject Petition has been filed under Sections 14, 15 and 86(1)(d) of Electricity Act, 2003 ("**EA 2003**") read with UPERC (General Conditions of Distribution Licence) Regulations, 2004 ("**UPERC Distribution License Regulations**") readwith Distribution of Electricity License (Additional Requirements of Capital Adequacy, Creditworthiness and Code of Conduct) Rules, 2005 as amended thereof (2022) ("**Distribution License Rules**"), and readwith Uttar Pradesh Data Centre Policy 2021 (as amended on 07.11.2022) ("**DC**

Policy") for grant of Distribution License to the Petitioner No. 1 viz. , Adani Energy Solutions Step Eleven Limited ("**AESSEL**") for undertaking the supply of power in the Data Centre Park being developed by DC Development Noida Limited ("**DCDNL**") having office at Plot 20, Sector 62, NOIDA, Uttar Pradesh.

2. The present Application is being filed by the Applicants for bringing on record certain subsequent developments which have occurred after the filing of the said Petition, and which have a bearing on the scope of the proposed licensed area under consideration before this Hon'ble Commission.
3. In the above context, it is stated that the Government of Uttar Pradesh vide Notification having Ref. No. 21/2022/828/78-2-2022-254LC/2019 dated 30.06.2022 issued directions to U.P. Electronics Corporation Limited under Uttar Pradesh Data Centre Policy-2021, to extend various concessions to M/s. Adani Enterprises Limited ("**AEL**") for setting up Data Centre Park at Plot C-20/1A/10 in Sector 62, NOIDA, Uttar Pradesh. Accordingly, AEL through its subsidiary Adani Connex Private Limited ("**ACPL**") has formed DC Development Noida Limited/ DCDNL for establishing the Data Centre Park at Plot 20, Sector 62, NOIDA, Uttar Pradesh. It is stated that, as detailed in the present petition, DCDNL has appointed Applicant No. 1/ AESSEL as an Operator of its Data Centre Parks for the purpose of undertaking distribution of electricity, as permitted under the DC Policy.
4. Accordingly, the Applicant/ Petitioner No. 1 vide the present petition sought grant of distribution license for undertaking supply

of power in the Data Centre Park being developed by DCDNL in the above area/ plot, since the said Park has been notified as a 'minimum area' in terms of Rule 3 of Distribution License Rules notified by the Government of Uttar Pradesh vide Notification dated 10.03.2023.

5. It is respectfully submitted that, subsequent to the filing of the present Petition, the Applicant/ Petitioner No. 1 intends to include an additional Data Center facility proposed to be developed at Plot Nos. C-24 to C-30, Sector 80, Noida, Uttar Pradesh, within the ambit of the proposed distribution license. At the said new facility, the Applicant/ Petitioner No. 1 will act as an Operator in the Data Center Park to be developed by DCDNL. The following details pertaining to the aforesaid Data Center Park location and the proposed inclusion thereof are being placed on record by way of the present Application for the kind consideration of this Hon'ble Commission:

"This Authority is pleased to reserve and allot the Plot No. C-24 to 30, Sector-80, Noida, for Data Centre on leasehold basis for 90 years as per details given below

S. No.	Particulars	Details
1	Plot No./Sector	Plot No. C-24 to 30, Sector-80

A copy of the Reservation Cum Allotment letter is annexed as **Exhibit-A.**

6. It is further submitted that the process for issuance of a Notification/ comfort letter by the Government of Uttar Pradesh for above proposed facility/ area is presently at an advanced

stage. In the event the aforesaid Notification/ comfort letter is issued during the pendency of the present proceedings and before the matter is finally decided, the Petitioners crave liberty of this Hon'ble Commission to place the same on record and seek inclusion of the said Data Center Park at Plot Nos. C-24 to C-30, Sector 80, Noida as part of the distribution license being sought in the present proceedings.

7. Additionally, and without prejudice, reference may be made to the UP Data Centre Policy 2021. The said Policy aims to provide necessary support and enabling framework that is required for facilitating development of Data Center Parks within the State. The DC Policy, inter alia, under Clause 6.3 and 8.4(iii) provides that the DC Park Developer and/ or their associates can develop electrical infrastructure and carry-on allied activities for the purpose of distribution of electricity.
8. As already stated in the present petition, in addition to the fulfilment of the eligibility criterion as provided under Rule 3 of Distribution License Rules, the Petitioners also satisfy the requirement of possessing adequate technical and managerial expertise in terms of Regulation 5.12 of UPERC Distribution License Regulations, 2004. In this regard, it is reiterated that the parent company of Petitioner No.1 i.e., Petitioner No. 2/ AESL and its subsidiaries such as Adani Electricity Mumbai Ltd. (**AEML**) have been engaged in the business of power distribution and possess sufficient knowledge and experience in developing and operating electricity distribution businesses.

9. In view of the above, it is submitted that Petitioner No. 1, along with its parent company i.e., Petitioner No. 2/ AESL, duly complies with all the requirements specified under 6th proviso to Section 14 of the Electricity Act, readwith Distribution License Rules notified by the Central Government and UPERC Distribution License Regulations. Therefore, the Petitioner No. 1, the wholly owned subsidiary of AESL, an associate of DCDNL, and acting as an Operator qua the distribution of power within the Data Center Parks, qualifies for grant of Distribution License for Data Center Parks to be established by DCDNL at Plot No. 20, Sector 62, NOIDA, Uttar Pradesh and Plot No. C-24 to 30, Sector 80, NOIDA, Uttar Pradesh in terms of 6th proviso to Section 14 of Electricity Act, for the period of 25 years as per Section 15(8) of the Act.

Further, the Applicants reiterate the contents of para 22 and 23 of the Petition regarding the approach which will be adopted to develop the distribution network in the Data Center Parks mentioned in the Petition as well as in the present application.

10. It is stated that the subsequent developments set out herein are relevant and necessary for the complete and effective adjudication of the present Petition. Further, the inclusion of the proposed new facility, i.e., Plot No. C-24 to 30, Sector 80, NOIDA, Uttar Pradesh, in the distribution license to be granted to Applicant No. 1 will prevent multiplicity of proceedings and is required for seamless and smooth functioning of the Data Center Parks. In the alternative, the Applicants, by placing on record the subsequent

developments in the present application, seek liberty to approach this Hon'ble Commission for inclusion of Plot No. C-24 to 30, Sector 80, NOIDA, Uttar Pradesh in the license to be granted to the Applicant No. 1 in the present petition, at a later stage pursuant to the issuance of the notification/ comfort letter by the relevant authorities/ State Government.

11. No prejudice would be caused to any party if the present Application is allowed.
12. The present Application is bona fide and is being filed in the interest of justice. The Applicants crave leave for furnishing any further information/ data/ documents, if required, at a later stage, in the interest of justice.

PRAYER

In the aforesaid facts and circumstances, the Applicant/ AEML-D most humbly prays that this Hon'ble Commission may be pleased to:

- a) Allow the present application, thereby taking on record the subsequent developments, in terms and as stated in the present Application;
- b) Include the proposed area/ Data Centre facility at Plot No. C-24 to 30, Sector 80, NOIDA, Uttar Pradesh in the distribution license which is being sought by the Applicant/ Petitioner No. 1 in the present petition, in terms as stated in the present application.

In the alternative, grant liberty to the Applicants to approach this Hon'ble Commission for inclusion of Plot No. C-24 to 30, Sector

80, NOIDA, Uttar Pradesh in the license to be granted to the Applicant No. 1 in the present petition, at a later stage pursuant to the issuance of the notification/ comfort letter by the relevant authorities/ State Government; and

- c) Pass any other order as this Hon'ble Commission may deem fit in the facts and circumstances of the present case and in the interest of justice.



...APPLICANT/ PETITIONER NO. 01



AND

APPLICANT/ PETITIONER NO. 02

THROUGH



HEMANT SINGH/ NEHUL SHARMA/
DEVYANSHU SHARMA/ HARSHIT SINGH

ADVOCATES FOR THE APPLICANT/ PETITIONER
CHARTER LAW CHAMBERS

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**I.A. NO. _____ OF 2026
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AND IN THE MATTER OF:

Adani Energy Solutions Step-Eleven Limited &
Adani Energy Solutions Limited.

... APPLICANTS/ PETITIONERS

AFFIDAVIT

I, Manish Kumar s/o Late Braj Kishore Prasad, aged about 37 years, R/o Flat No 702, I Block, 7th floor, Saligram Lakeview, Near Vaishno devi Circle, Khoraj, Shantigram, Gandhinagar 382501, Authorized Representative of Applicant No. 1, Adani Energy Solutions Step-Eleven Limited, presently at New Delhi, do hereby solemnly affirm and state as follows:

1. That I am the authorized representative of Applicant No.1 - Adani Energy Solutions Step-Eleven Limited and am duly authorized to file the present Petition and swear this affidavit. I am fully conversant with the fact of the present case.
2. That I have read and understood the contents of the accompanying Application and the same be treat as part and parcel of this affidavit.
3. That the facts stated in the aforesaid Application are true and correct to my knowledge and information received from records and I believe them to be true. No part of the same is false and



nothing material has been concealed there from. I say that no similar matter has been filed in any other forum

- 4. The annexures, filed along with the present Application, are true copies of their respective original.

Chand Kumar
DEPONENT

VERIFICATION

I, the Deponent above named do hereby verify that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this 07 JUL 2026 day of July 2026.

Chand Kumar
DEPONENT

D/18/10/07
I identified the deponent who has signed in my presence



[Signature]
ATTESTED
NOTARY PUBLIC
(INDIA)

07 JUL 2026



आधार

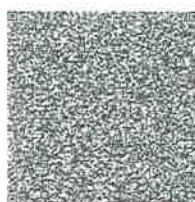
भारत सरकार
Government of India

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Enrolment No.: 0000/00712/08957

To
Manish Kumar
Flat No. 702, 1 Block, 7th Floor, Shaligram Lakeview,
Opp. Balaji Windpark, Nr. SGVP Circle, S.P. Ring Road,,
Near Vaishno Devi Circle,
Khoraj,,
VTC: Gandhinagar,
PO: Shandigram,
District: Gandhinagar,
State: Gujarat,
PIN Code: 382501
Mobile: 8287062299

Signature valid



आपका आधार क्रमांक / Your Aadhaar No. :

8454 1132 6922
VID : 9182 9332 8189 0633

मेरा आधार, मेरी पहचान



भारत सरकार
Government of India



Manish Kumar
Date of Birth/DOB: 03/01/1989
Male/ MALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। इसका उपयोग स्थापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/ऑफलाइन एक्वायर्सल की स्वीनिंग) के साथ किया जाना चाहिए।

Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline XML)

8454 1132 6922

मेरा आधार, मेरी पहचान



Comment on [14]:



АДНАД

सूचना / INFORMATION

- आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं। जन्मतिथि आधार नंबर धारक द्वारा प्रस्तुत सूचना और विनियमों में विनिर्दिष्ट जन्मतिथि के प्रमाण के दस्तावेज पर आधारित है।
- इस आधार पर जो यूआईडीएआई द्वारा नियुक्त प्रमाणीकरण एजेंसी के जरिए ऑनलाइन प्रमाणीकरण के द्वारा सत्यापित किया जाना चाहिए या ऐप स्टोर में उपलब्ध एमआधार या आधार क्यूआर कोड स्कैनर ऐप से क्यूआर कोड को स्कैन करके या www.uidai.gov.in पर उपलब्ध सुरक्षित क्यूआर कोड रीडर का उपयोग करके सत्यापित किया जाना चाहिए।
- आधार विशिष्ट और सुरक्षित है।
- पहचान और वोट के समर्थन में दस्तावेजों का आधार के लिए नामांकन की तरीक से प्रत्येक 10 वर्ष में कम से कम एक बार आधार में अपडेट कराना चाहिए।
- आधार विभिन्न सरकारी और गैर-सरकारी फायदों/सेवाओं का लाभ लेने में सहायता करता है।
- आधार में अपना मोबाइल नंबर और ईमेल आईडी अपडेट रहें।
- आधार सेवाओं का लाभ लेने के लिए एमआधार ऐप डाउनलोड करें।
- आधार/बायोमेट्रिक्स का उपयोग न करने के समय सुरक्षा सुनिश्चित करने के लिए आधार/बायोमेट्रिक्स लॉकअनलॉक सुविधा का उपयोग करें।
- आधार की मांग करने वाले सहमति लेने के लिए बाध्य हैं।
- Aadhaar is proof of identity, not of citizenship or date of birth (DOB). DOB is based on information supported by proof of DOB document specified in regulations, submitted by Aadhaar number holder.
- This Aadhaar letter should be verified through either online authentication by UIDAI-appointed authentication agency or QR code scanning using mAadhaar or Aadhaar QR Scanner app available in app stores or using secure QR code reader app available on www.uidai.gov.in.
- Aadhaar is unique and secure.
- Documents to support identity and address should be updated in Aadhaar after every 10 years from date of enrolment for Aadhaar.
- Aadhaar helps you avail of various Government and Non-Government benefits/services.
- Keep your mobile number and email id updated in Aadhaar.
- Download mAadhaar app to avail of Aadhaar services
- Use the feature of Lock/Unlock Aadhaar/biometrics to ensure security when not using Aadhaar/biometrics.
- Entities seeking Aadhaar are obligated to seek consent.

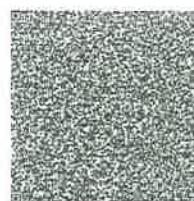


भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India



MEMBER

Address:
Flat No. 702, I Block, 7th Floor, Shaligram
Lakeview, Opp. Balaji Windpark, Nr. SGVP Circle,
S.P. Ring Road,, Near Vaishno Devi Circle, Khoraji,
Gandhinagar, PO: Shantigram, DIST: Gandhinagar,
Gujarat - 382501



8454 1132 6922

VID: 9182 9332 8189 0633

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11

**BEFORE THE HON'BLE UTTAR PRADESH ELECTRICITY
REGULATORY COMMISSION, LUCKNOW**

**I.A. NO. _____ OF 2026
IN
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IN THE MATTER OF:

Application under Section 94(2) of Electricity Act, 2003 read with Regulation 33 of the Uttar Pradesh Electricity Regulatory Commission (Conduct of Business) Regulations, 2019, for placing on record subsequent developments

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Adani Energy Solutions Step-Eleven Limited &
Adani Energy Solutions Limited.

... APPLICANTS/ PETITIONERS

AFFIDAVIT

I, Sh. Vivek Mishra, S/o Girish Chandra Mishra, aged 50 years, R/o 805, Astron tower, Samata Nagar, Thakur Village, Kandivali (E), Mumbai 400101, Authorized Representative of Applicant No. 2, Adani Energy Solutions Limited, presently at New Delhi, do hereby solemnly affirm and state as follows:

1. That, I am the authorized representative of Applicant No.2 - Adani Energy Solutions Limited and am duly authorized to file the present Petition and swear this affidavit. I am fully conversant with the fact of the present case.

2. That I have read and understood the contents of the accompanying Application and the same be treat as part and parcel of this affidavit.

3. That the facts stated in the aforesaid Application are true and correct to my knowledge and information received from records and I believe them to be true. No part of the same is false and nothing material has been concealed there from. I say that no similar matter has been filed in any other forum



4. The annexures, filed along with the present Application, are true copies of their respective original.


DEPONENT

VERIFICATION

I, the Deponent above named do hereby verify that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this 07 JUL 2026 day of July 2026.


DEPONENT

01/07/2026
I identified the deponent who has signed in my presence


The Seal of Notary Public
★ RENU AGRAWAL ★
Regd. No. 17866/2019
My Commission
Expires on 23/12/2029
★ Appointed by Govt. of India ★




The Seal of Notary Public
★ RENU AGRAWAL ★
Regd. No. 17866/2019
My Commission
Expires on 23/12/2029
★ Appointed by Govt. of India ★

ATTESTED

NOTARY PUBLIC
(INDIA)

07 JUL 2026

13

भारत सरकार
Government of India

आधार
Aadhaar

आधार नं. जारी: 06/08/2011

विवेक मिश्रा
Vivek Mishra
जन्म तिथि / DOB : 10/12/1975
पुरुष / Male

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/
ऑफ़लाइन एक्सएमएल की स्कैनिंग) के साथ किया जाना चाहिए।
Aadhaar is proof of identity, not of citizenship
or date of birth. It should be used with verification (online:
authentication, or scanning of QR code / offline XML).

7364 2569 8251

मेरा आधार, मेरी पहचान

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

आधार
AADHAAR

पता: ८०५, अस्ट्रॉन टावर बी, समता नगर मै रोड, ठाकुर
विलेज, कांदिवली (ई), मुंबई, मुंबई सबर्बन, महाराष्ट्र,
400101
Address: 805, Astron Tower B, Samta Nagar
Main Road, Thakur Village, Kandivli (E),
Mumbai, Kandivli East, Mumbai Suburban,
Maharashtra, 400101

Details as on 24/07/2024

1947

help@uidai.gov.in

www.uidai.gov.in

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Exhibit-A

14

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY
Main Administrative Office, Sector-VI, NOIDA,
Distt. G.B.Nagar

INDUSTRIAL DEPTT.

No. NOIDA/Ind/2021/ 637
Dated: 12-04-2021

M/s. ADANI ENTERPRISES LTD
THE MEADOW, E4, 502
ADANI SHANTIGRAM,
AHMEDABAD-382421

Sub : Reservation Cum-Allotment Letter for Plot No. C-24 to 30, Sector-80, Noida.
Form No-50039445

Sir,

This Authority is pleased to reserve and allot the Plot No. C-24 to 30, Sector-80, Noida. Measuring 39146 Sq.mtr. for Data Centre on lease hold basis for 90 years as per details given below:-

1	Plot No./Sector	Plot No. C-24 to 30, Sector-80
2	Total Area of Plot	39146 sq.mtr.
3	Allotment Rate of Land (with Rs 2200/- Additional Compensation)	
4	Location Charges 6 %	
5	Total Allotment Rate with location charge	
6	Total Premium of the allotted Plot	
7	Allotment Money @ 40% of the total Premium of the plot	
8	Registration Money already deposited along with the application form	
9	Balance Allotment Money after adjusting registration money	
10	One Year Advance Lease Rent	
11	Balance Allotment Money & One Year Lease Rent to be deposited within 60 days from issue of this letter in any bank authorized by Noida	
12	Balance 60% Premium of the plot would be payable in 06 half-yearly with interest bearing equal installments.	

The above allotment letter is on the basis of the following terms and Conditions:-

1. The allottee is required to submit an affidavit as per enclosed draft performs within 60 days from the issued of the reservation cum allotment letter. In case any statement mention in the affidavit are found/wrong, the authority will be free to cancel the allotment and entire deposit amount shall be forfeited without given any notice. However, the allottee may surrender this allotment within 60 days from the issue of this letter, the registration money except processing fees shall be refunded.
2. The allottee will ensure to pay the balance allotment money by 10.06.2021 failing which this offer will automatically stands withdraw. However Chief Executive Officer, Noida may only relax the above condition. In case Chief Executive Officer, Noida relax the above, then allottee shall be liable to pay interest @ 11.5% (where 8.5% shall be normal rate of interest

[Signature]

(TC)

[Signature]

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as on 01.01.2021 as per MCLR, subject to revision of every six months and in case of default 3%penal interest + GST applicable on penal interest) shall be charged on the defaulted amount for the defaulted period after compounding half yearly

3. In case of default in payment of 3 continuous installments, the NOIDA shall have the right to cancel the allotment. The non-execution of the legal and/not taking over possession of the plot or delay in payment of lease rent, the allotment of the plot is liable to cancelled.
4. No change in constitution shall be allowed before the unit declared functional by the authority.
5. No Change in project would be permitted.
6. In case of any clarification about the allotment letter you may meet the concerned officer in the office on any working day.
7. Allottee will obtain all necessary permission and clearance etc. from the requisite Deptt/Agency as it necessary according to law, Rules and Regulations in force. This shall also apply in case of relevant amenities / facilities the allottee may approached this authority, which will provide all feasible and available assistance to the allottee assistance procurement of the subject amenities/ facilities.
8. The allottee ensure full compliance with the conditions imposed in the no objection certificate issued by the U.P Pollution Control Board and will according to the pollution control laws enforce.
9. The allottee will compile with all terms and conditions pertaining to the supply of water and Drainage/Sewerage facilities when provide by the authority.
10. The plot is allotted on as is where basis is.
11. The terms and conditions laid down for software IT & ITES and the lease deed will be binding.
12. Permission to Rent out/Transfer/Change in Constitution will be granted after the unit is declared functional for the same project.
13. Allottee shall have to make sufficient provision of parking in the plot itself.
14. That criminal and civil, liabilities whichever may arise on account of pollution or emission of any toxic or likewise material shall be born by the lessee. The liability of compensation on account of polluter pay principle will be charged by Lessee of Properties.
15. This Allotment letter is being issued as per direction of Hon'ble National Green Tribunal order dated 10.04.2013 in Application no.1/2012 Sanjay AghnihotriV/s Union of India & others

The other terms & conditions of allotment shall be applicable as specified in Institutional Policies and Procedure of the Authority.


O.S.D. (Ind.)

Copy to: -

1. G.M, Planning, NOIDA.
2. Project Engineer, Work Circle-7, Sector-20, NOIDA.
3. Account officer (Ind.), NOIDA


O.S.D. (Ind.)

TC

Nehal