

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION
BHOPAL

Sub: Revised detailed procedure for verification of Status of Captive Generating Plants and Captive users in accordance with the provisions under Regulations 8 of MPERC (Verification of Captive Generating Plants and Captive Users) Regulations, 2023 (G-45 of 2023).

Order
(Date of Order: 27.05.2025)

Madhya Pradesh Electricity Regulatory Commission issued a detailed procedure for verification of status of Captive Generating Plants and Captive Users in accordance with the provisions under Regulation 8 of Madhya Pradesh Electricity Regulatory Commission (Verification of Captive Generating Plants and Captive Users) Regulations, 2023 (G-45 of 2023) vide an order dated 3rd July 2024.

2. In exercise of its powers under Regulation 5.1 of the aforesaid Regulations, the Commission vide order dated 24.03.2023 designated Chief Engineer (SLDC), MPPTCL as Authority to determine captive status of Captive Generating Plants and Captive Users.
3. Designated authority vide letter dated 18.03.2025 submitted representations from some of the Companies expressing difficulties in getting Memorandum of Association (MOM) and Articles of Association (AOA) amended in terms of clause 3.1.2 (a)(ii) of Detailed Procedure approved vide order dated 03.07.2024 and requested to grant them a time of 4 to 6 months for required amendment in MOM and AOA and in the meanwhile, captive status may be considered provisionally on submission of Board of Directors resolution to the effect that the amended MOM and AOA shall be submitted within stipulated time as may be directed by the Commission.
4. Commission further noted that Central Electricity Authority vide order dated 10.02.2025 has also issued "Procedure for verification of Captive status of such Generating Plant, where Captive Generating Plant and their user(s) are located in more than one State. Clause 8.2.1 (ii) of the said procedure requires submission of certified copy of MOM and AOA and its amendments issued from time to time, along with the certification that there is provision in MOM and AOA for taking up **electricity generation** whereas the procedure approved by the Commission requires provision regarding **captive generation**. Commission has decided to align clause 3.1.2 (a)(ii) of the procedure approved vide order dated 03.07.2024 with clause 8.2.1 (a)(ii) of the procedure approved by CEA.
5. Accordingly, word "**captive**" appearing in clause 3.1.2 (a)(ii) of detailed procedure approved by the Commission vide order dated 03.07.2024 stands substituted by word "**electricity**".

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6. Further, requirement under clause 3.1.2 (a) (ii) of the detailed procedure approved vide order dated 03.07.2024 is relaxed temporarily and Chief Engineer (LD) (who is Designated Authority for verification of Captive generating plant and captive users) is directed to grant provisional captive status (subject to fulfilment of other applicable requirements) based on Company's Board of Directors resolution duly certified by the authorized signatory of the Company to the effect that the provision for taking up electricity generation is being incorporated in MOA and AOA and revised MOM and AOA with required changes as per clause 3.1.2 (a) (ii), shall be submitted latest by 31.03.2026. In case of non-submission of amended MOA & AOA latest by 31.03.2026, captive status shall be revoked by SLDC for the whole year as per clause 5 of the detailed procedure.

Ordered as above.

(Prashant Chaturvedi)
Member

(Gopal Srivastava)
Acting Chairman