

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION NO.2625/2023

IN

WRIT PETITION (CRL.) NO.1061/1982

BANWASI SEVA ASHRAM

PETITIONER(S)

VERSUS

THE SECRETARY TO THE GOVERNMENT OF U.P. AND ORS.

RESPONDENT(S)

O R D E R

1. This Miscellaneous Application has been moved by the National Thermal Power Corporation Limited (in short, 'NTPCL') seeking directions for permitting the transfer of power distribution responsibilities and license to the Uttar Pradesh Power Corporation Limited (in short, 'UPPCL').

2. Vide a reported judgement dated 19.02.1992, in exercise of its epistolary jurisdiction, this Court had directed NTPCL to ensure that various facilities are available to the tribal persons, who had to be rehabilitated on account of the establishment of the Rihand Super-Thermal Power Project. NTPCL was thus given the responsibility of providing, *inter alia*, electricity connections in such rehabilitative area.

3. In the course of compliance with the said direction, NTPCL had obtained an 'LT Power Distribution License' from the Ministry of Power, State of UP and set up the infrastructure for distribution of power. The license currently operational with NTPCL is for a period of 25 years, operative from 05.06.2011.

4. Now, NTPCL has filed the instant application, effectively seeking permission to transfer this responsibility of ensuring electricity connections in the rehabilitative area to UPPCL, which has since become an active distributor of energy in the rehabilitation area.

5. Shri Tushar Mehta, learned Solicitor General of India, representing NTPCL and Shri Aviral Saxena, learned counsel, representing UPPCL, have jointly submitted that an arrangement for transfer of the license held by NTPCL has been arrived at between the parties, and that the power distribution shall henceforth be undertaken in terms thereof. As per Shri Saxena, among the various conditions of transfer, NTPCL would also be required to pay/deposit a sum of Rs. 3,37,72,993 in favour of UPPCL.

6. Having heard learned counsel and considering the benefits of distribution being managed by a dedicated entity, we find it appropriate to modify the directions contained in judgement dated 19.02.1992, specifically in paragraph 6(1), to the extent that NTPCL is permitted to transfer its license for the distribution of electricity in the rehabilitation area in favour of UPPCL. It is clarified that the transfer shall be strictly in terms of Section 17 of the Electricity Act, 2003, for which purpose, the Uttar Pradesh Electricity Regulatory Commission (in short, 'Commission') shall do the needful within four weeks.

7. The Commission shall notify the terms and conditions of the transfer, including the amount, if any, payable by NTPCL

to UPPCL for the same.

8. In view of the above, the instant Miscellaneous Application is disposed of.

.....CJI.  
(SURYA KANT)

.....J.  
(JOYMALYA BAGCHI)

.....J.  
(VIPUL M. PANCHOLI)

NEW DELHI;  
FEBRUARY 18, 2026

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).109/2008

WILDLIFE FIRST &amp; ORS.

Petitioner(s)

VERSUS

MINISTRY OF FOREST AND ENVIRONMENT SECRETARY &amp; ORS. Respondent(s)

IA No. 124258/2020 - APPLICATION FOR PERMISSION, IA No. 124248/2020 - APPLICATION FOR PERMISSION, IA No. 98022/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 39460/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 73062/2020 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 130315/2019 - CLARIFICATION/DIRECTION, IA No. 130305/2019 - CLARIFICATION/DIRECTION, IA No. 196572/2022 - CLARIFICATION/DIRECTION, IA No. 33515/2020 - CLARIFICATION/DIRECTION, IA No. 88926/2018 - CONDONATION OF DELAY IN FILING, IA No. 173297/2025 - EARLY HEARING APPLICATION, IA No.207855/2024 - EARLY HEARING APPLICATION, IA No. 1/2008 - EX-PARTE STAY, IA No. 106395/2019 - EXEMPTION FROM FILING O.T., IA No.180995/2019 - EXEMPTION FROM FILING O.T., IA No. 137518/2019 - EXEMPTION FROM FILING O.T., IA No. 104857/2019 - EXEMPTION FROM FILING O.T., IA No. 180258/2019 - EXEMPTION FROM FILING O.T., IA No. 104610/2019 - EXEMPTION FROM FILING O.T., IA No. 151826/2019 - EXEMPTION FROM FILING O.T., IA No. 73063/2020 - EXEMPTION FROM FILING O.T., IA No. 6/2014 - EXEMPTION FROM FILING O.T., IA No.102926/2019 - EXEMPTION FROM FILING O.T., IA No. 109747/2019 - EXEMPTION FROM FILING O.T., IA No. 3/2012 - EXEMPTION FROM FILING O.T., IA No. 101658/2019 - EXEMPTION FROM FILING O.T., IA No.107305/2019 - EXEMPTION FROM FILING O.T., IA No. 169256/2022 - EXEMPTION FROM FILING O.T., IA No. 99575/2019 - EXEMPTION FROM FILING O.T., IA No. 139267/2019 - EXEMPTION FROM FILING O.T., IA No. 125761/2021 - EXEMPTION FROM FILING O.T., IA No. 137888/2019 - EXEMPTION FROM PERSONAL APPEARANCE, IA No. 99574/2019 - EXTENSION OF TIME, IA No. 111106/2019 - EXTENSION OF TIME, IA No. 75108/2018 - I A FOR WAIVING OF COST, IA No. 75127/2018 - I A FOR WAIVING OF COST, IA No. 180313/2019 - INTERVENTION APPLICATION, IA No. 104135/2019 - INTERVENTION APPLICATION, IA No. 151825/2019 - INTERVENTION APPLICATION, IA No. 144476/2019 - INTERVENTION APPLICATION, IA No. 33511/2020 - INTERVENTION APPLICATION, IA No.73061/2020 - INTERVENTION/IMPLEADMENT, IA No. 141003/2019 - INTERVENTION/IMPLEADMENT, IA No. 37944/2019 - MODIFICATION, IA No.35782/2019 - MODIFICATION, IA No. 36432/2019 - MODIFICATION OF COURT ORDER, IA No. 63893/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 106306/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 123418/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 107304/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No.63894/2019 - STAY APPLICATION

**WITH**

**W.P.(C) No. 514/2006 (PIL-W)**

**W.P.(C) No. 50/2008 (PIL-W)**

**IA No. 129964/2019 - ADDITION / DELETION / MODIFICATION PARTIES**

**IA No. 112065/2019 - EXEMPTION FROM FILING O.T.**

**IA No. 103529/2019 - EXEMPTION FROM FILING O.T.**

**IA No. 68563/2018 - EXEMPTION FROM FILING O.T.**

**IA No. 53871/2018 - EXEMPTION FROM FILING O.T.**

**IA No. 3/2016 - EXEMPTION FROM FILING O.T.**

**IA No. 2/2009 - EXEMPTION FROM FILING O.T.**

**IA No. 61560/2018 - I/A FOR WAIVER OF COSTS FILED BY THE STATE OF KERALA**

**T.C.(C) No. 85/2011 (III)**

**T.C.(C) No. 87/2011 (III)**

**T.C.(C) No. 39/2015 (XIV-A)**

**FOR ON IA 1/2015, FOR ON IA 3/2016**

**T.C.(C) No. 132/2015 (XII-B)**

**T.C.(C) No. 3/2016 (XI-A)**

**MA No.1747/2018 in W.P.(CrI.) No. 1061/1982 (X)**

**IA No. 155589/2019 - APPLICATION FOR PERMISSION**

**IA No. 72136/2019 - APPLICATION FOR PERMISSION**

**IA No. 93287/2018 - APPROPRIATE ORDERS/DIRECTIONS**

**IA No. 170798/2022 - CLARIFICATION/DIRECTION**

**IA No. 170785/2022 - EXEMPTION FROM FILING O.T.**

**IA No. 93288/2018 - EXEMPTION FROM FILING O.T.**

**IA No. 170784/2022 - INTERVENTION APPLICATION**

**T.C.(C) No. 12/2018 (III)**

**Diary No(s). 19527/2019 (X)**

**IA No. 84429/2019 - APPROPRIATE ORDERS/DIRECTIONS**

**S.L.P.(C)...CC No. 11408-11409/2009 (XII)**

**T.C.(C) No. 41/2015 (XII-A)**

**T.C.(C) No. 59/2015 (XII-B)**

**T.C.(C) No. 103/2015 (III)**

**Diary No(s). 38022/2024 (PIL-W)**

**IA No. 187513/2024 - EXEMPTION FROM FILING O.T.**

**MA No.2625/2023 in W.P.(CrI.) No. 1061/1982 (X)**

**IA No. 224609/2023 - EXEMPTION FROM FILING O.T.**

IA No. 224605/2023 - MODIFICATION OF COURT ORDER

Date : 18-02-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

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Mr. V. N. Raghupathy, AOR  
Mr. Santosh Krishnan, AOR  
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Mr. Rajat Joseph, AOR

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Mr. Sanjay Sharma, Adv.  
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Mrs. Riya Dhingra, Adv.  
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Mr. Gopal Singh, AOR  
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Mr. Kapil Katare, Adv.  
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Mr. Saksham Gohii, Adv.  
Mr. Vishwas Sharma, Adv.  
Mr. Prashant Singh, AOR

UPON hearing the counsel the Court made the following  
O R D E R

MA No.2625/2023 in W.P.(Crl.) No.1061/1982

1. The Miscellaneous Application is disposed of in terms of the signed order.

2. All pending applications, if any, also stand disposed of.

Rest of the matters

3. List on 25.02.2026.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS  
(signed order in MA No.2625/2023 is placed on the file)

(PREETHI T.C.)  
ASSISTANT REGISTRAR