

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
AT GANDHINAGAR**

PETITION NO. 2003 OF 2021.

In the matter of:

Petition under Section 86 of the Electricity Act, 2003 read with Regulations 3 (i) and 42 of the GERC (Terms and Conditions of Intra-State Open Access), Regulations, 2011 against recovery of excess amount of relinquishment charges from the Petitioner for allowing termination of extension agreements.

Petitioner : Gujarat Industries Power Company Limited

Represented by : Mr. S. Mani

V/s.

Respondent No. : Gujarat Urja Vikas Nigam Limited

Represented by : Ld. Adv. Mr. Utkarsh Singh along with Mr. K.T. Shah

CORAM:

**Shri Mehul M Gandhi, Member
Shri S.R. Pandey, Member**

Date: 01/09/2025

DAILY ORDER

1. The matter was kept for hearing on 25.08.2025.
2. Mr. S. Mani, on behalf of the Petitioner, Gujarat Industries Power Company Limited (GIPCL), submitted that the present Petition is filed under Section 86 of the Electricity Act, 2003 read with Power Purchase Agreement (PPA) dated 26.08.2019 executed with the Respondent, Gujarat Urja Vikas Nigam Limited (GUVNL), seeking declaration by this Commission that imposition of the

safeguard duty vide Notification No. 02/2020- Customs (SG) dated 29.07.2020 issued by the Department of Revenue, Ministry of Finance, Government of India is a Change in Law under Article 9 of the PPA dated 22.05.2019 executed between the parties and allowing compensation in tariff as per Article 9.2.2 of the PPA.

- 2.1. He submitted that the Petitioner has commissioned the Solar project on 10.08.2021 which was within the timeline specified in the PPA.
- 2.2. He submitted that pursuant to hearing on 04.07.2023, the Commission has passed Daily Order dated 22.08.2023 and directed the Petitioner to provide certain documents as stated in para 5.2 of the aforesaid Daily Order. He submitted that the Petitioner has already provided all the aforesaid documents as per format specified by the Commission.
3. Ld. Adv. Mr. Utkarsh Singh, on behalf of the Respondent, Gujarat Urja Vikas Nigam Limited (GUVNL), submitted that the additional details submitted by the Petitioner in reply to the Commission's Order have been reconciled.
4. Heard the parties.
5. We note that the Petitioner has submitted the details as directed by the Commission vide Order dated 22.08.2023. We also note that the Respondent has submitted that the details submitted by the Petitioner have been reconciled and there are no discrepancies found in the submissions of the Petitioner.
6. The Petitioner and Respondent are directed to submit an affidavit regarding their submissions as replied in this Order at para-No. 2.2 and 3 above.
7. The matter is now reserved for Order.

8. We order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar

Date: 01/09/2025

