

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2186 of 2023

In the Matter of:

Petition under Section 86 (1) (f) of the Electricity Act, 2003 read with Article 17 of the PPA dated 26.02.2007 executed between Essar Power Gujarat Limited and Gujarat Urja Vikas Nigam Limited for 1200 MW Salaya - I Thermal Power Project being implemented by Essar Power Gujarat Limited.

Petitioner : Essar Power Gujarat Limited

Represented By : Ld. Advocates Mr. Nisarg Desai and Ms. Pravlikha Batthini
V/s.

Respondent : Gujarat Urja Vikas Nigam Limited

Represented By : Ld. Adv. Ms. Shrishti Khindaria alongwith Mr. K.N. Chudasama

CORAM:

**Anil Mukim, Chairman
Mehul M. Gandhi, Member
S. R. Pandey, Member**

Date: 13/06/2023.

DAILY ORDER

1. The matter was kept for hearing on 23.05.2023.
2. At the outset, Ld. Adv. Mr. Nisarg Desai, appearing on behalf of the Petitioner, submitted that as the present Petition has been filed by the Petitioner in the year 2018 seeking granting approval to the Petitioner to raise supplementary bills for levy of tax on 'Coal Handling' Services and 'O&M' services under IGST Act, 2017 under the provisions of the PPA. It is submitted that the Commission may permit filing Vakalatnama on behalf of the Petitioner in the present matter. It is also submitted that as the Respondent GUVNL has not filed any reply in the matter, the Commission while

directing the Respondent GUVNL to file its reply, may also grant some time to the Petitioner to file its rejoinder reply in the present matter.

3. Ld. Adv. Ms. Shrishti Khindaria, appearing on behalf of the Respondent GUVNL, submitted that the Respondent be granted some time to file its reply in the matter.
4. We have considered the submissions made by the parties. We note that the present Petition is filed under Section 86 (1) (f) of the Electricity Act, 2003 read with Article 17 of the PPA dated 26.02.2007 executed between Essar Power Gujarat Limited and Gujarat Urja Vikas Nigam Limited for 1200 MW Salaya – I Thermal Power Project being implemented by Essar Power Gujarat Limited.
- 4.1. We note that the Respondent GUVNL has not filed their reply in the present matter and have sought time for the same. Accordingly, the Respondent GUVNL is directed to file their reply in the present Petition, if any, within two weeks' time from the date of this Order with a copy to the Petitioner. The Petitioner is also at liberty to file its rejoinder reply, if any, within two weeks' time with a copy to the Respondent after receipt of reply from the Respondent GUVNL.
5. Next date of hearing will be intimated separately.
6. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anil Mukim]
Chairman

Place: Gandhinagar.

Date: 13/06/2023.