

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION  
GANDHINAGAR**

**Petition No. 2329 of 2024.**

**In the matter of:**

**Petition under Section 61 (h), 62 (1) (a), 62 (4) 62 (6) and Section 86 (1) (a) of the Electricity Act, 2003 read with Regulations 23 and 80 of the GERC (Conduct of Business) Regulations, 2004 seeking issuance of Tariff Order for implementation of Gujarat Renewable Energy Policy, 2023.**

**And**

**IA No. 03 of 2024 in Petition No. 2329 of 2024.**

**In the matter of:**

**Application on behalf of the Applicant/Distributed Solar Power Association seeking Ad-interim Ex-Parte Directions permitting commissioning of Wind Solar Hybrid Projects.**

Applicant/Petitioner : Distributed Solar Power Association

Represented by : Nobody was present.

Vs.

Respondent No. 1 : Gujarat Urja Vikas Nigam Limited

Represented by : Ld. Adv. Mr. Anish Bajaj alongwith Mr. K. T. Shah

Respondent No. 2 : Uttar Gujarat Vij Company Limited

Represented by : Mr. V.V. Bhandari and Mr. N.K. Vaghela

Respondent No. 3 : Madhya Gujarat Vij Company Limited

Represented by : Mr. A.A. Ghanchi

Respondent No. 4 : Paschim Gujarat Vij Company Limited

Represented by : Mr. A.H. Talsaniya and Mr. J.R. Bavalia

Respondent No. 5 : Dakshin Gujarat Vij Company Limited

Represented by : Nobody was present.

**And**

**IA No. 53 of 2025 in Petition No. 2329 of 2024.**

**In the matter of:**

**Interlocutory Application on behalf of the Applicant under Regulation 61 of the GERC (Conduct of Business) Regulations, 2004 seeking issuance of the interim directions in Petition No. 2329 of 2024.**

Applicant : Indian Wind Energy Association

Represented by : Ld. Adv. Mr. Devansh Pundir

**And**

**IA No. 54 of 2025 in Petition No. 2329 of 2024.**

**In the matter of:**

**Interlocutory Application on behalf of the Applicant under ORDER I, RULE 10 (2) and Section 151 of the Code of Civil Procedure, 1908 seeking impleadment as part Respondent in the Petition No. 2329 of 2024.**

Applicant : Indian Wind Energy Association

Represented by : Ld. Adv. Mr. Devansh Pundir.

**CORAM:**

**Pankaj Joshi, Chairman**

**Hiren Shah, Member**

**Date: 07/02/2026**

**ORDER**

1. This Petition has been filed by the Applicant/Petitioner Distributed Solar Power Association (DSPA) seeking for issuance of the Tariff

framework for Wind Solar Hybrid Projects in Gujarat for the period post 20.06.2023.

2. The Applicant/Petitioner DSPA is *interalia* seeking following prayers in Petition No. 2329 of 2024:

*a) To allow the petition.*

*b) Pass the tariff order providing the regulatory framework for Wind-Solar Hybrid Projects in Gujarat for the period post 20.06.2023 (i.e. the Hybrid Tariff Order 2023), expeditiously.*

*c) Pass such other order or orders which are deemed fit and proper in the facts and circumstances of the case.*

3. The Applicant/Petitioner DSPA has filed IA No. 03 of 2024 in Petition No. 2329 of 2024, *interalia* seeking following prayers:

*(a) To allow the present Application.*

*(b) Direct the Distribution Licensees of Gujarat to permit the WSH Projects being set up by members of the Applicant to be provisionally commissioned till issuance of the Hybrid Tariff Order 2023 on the undertaking that the WSH Projects will bear any charges on retrospective basis.*

*(c) Pass such other order or orders which are deemed fit and proper in the facts and circumstances of the case.*

4. The above matter alongwith IA were listed for hearing on 21.02.2024 and the Commission passed the Daily Order dated 17.05.2024 in the matter wherein while noting the submissions of the Applicant/Petitioner DSPA and the Respondents and oral submissions of the Indian Wind Energy Association (IWEA), the Commission

granted liberty to the IWEA to file an appropriate IA in the present Petition for impleadment of IWEA as they are seeking similar relief from the Commission.

5. Pursuant to liberty granted by the Commission vide above Daily Order dated 17.05.2024, the Applicant IWEA filed IA No. 53 of 2025 in Petition No. 2329 of 2024, *interalia* seeking following prayers:

(a) *Direct the statutory authorities, viz. GETCO and GEDA to allow the concerned members of the Applicant Association to commission their wind power projects under the Gujarat Renewable Energy Policy, 2023, in the absence of the tariff Order, pending determination of tariff qua implementation of such policy by the Commission.*

(b) *Direct that the terms and modalities as laid down through the tariff Order to be issued by this Hon'ble Commission for implementation of Gujarat Renewable Energy Policy, 2023 be made applicable to such members of Applicant association.*

(c) *Pass such other order or further orders as the Commission may deem fit.*

6. The Applicant IWEA also filed IA No. 54 of 2025 in Petition No. 2329 of 2024, *interalia* seeking following prayers:

(a) *To allow the present Application, thereby directing the Petitioner to implead India Wind Energy Association/Applicant as a party Respondent to the present Petition.*

(b) *Pass such other order or further orders as the Commission may deem fit.*

7. Thereafter, the present matter alongwith IAs were listed for hearing on 13.01.2026 and the Commission passed Daily Order dated 27.01.2026 recording the absence of the Applicant/Petitioner DSPA as well as IWEA and submissions of the Respondent GUVNL that during the pendency of Petition, the Commission has issued Wind Solar Hybrid Tariff Order dated 22.02.2024 deciding the tariff framework for Procurement of Power by Distribution licensees and Others from Wind Solar Hybrid Projects including storage, if any, and other commercial issues for State of Gujarat. Further, in the said Order, the Commission granted adjournment on account of non-appearance of the Applicant/Petitioner DSPA and Applicant IWEA, so as to provide one last opportunity of hearing to them prior to deciding the present matter, with a direction to remain present during the next date of hearing and also made it clear that if the Applicant/Petitioner DSPA and Applicant IWEA does not remain present during the next date of hearing, the matter would be decided based on the records of the present Petition and no further adjournment shall be granted.
8. Thereafter, the present matter alongwith above stated IAs were kept for hearing on 04.02.2026. During the hearing, Ld. Adv. Mr. Devansh Pundir, appearing on behalf of the Applicant IWEA, submitted that the Applicant IWEA is now seeking permission of the Commission for withdrawing the present IAs being IAs No. 53 of 2025 & 54 of 2025 as the Applicant is no longer willing to pursue the present IAs as the Commission has passed the Wind Solar Hybrid Tariff Order No. 01 of 2024 on 22.02.2024. Accordingly, it is requested to the Commission to permit unconditional withdrawal of the aforesaid IAs filed by IWEA in the present matter.

9. Ld. Counsel, appearing on behalf of the Respondent GUVNL, submitted that during the last hearing on 13.01.2026, the Applicant/Petitioner was not present. He submitted that the Applicant/Petitioner DSPA has filed the present Petition seeking issuance of the tariff order providing the regulatory framework for Wind-Solar Hybrid Projects in Gujarat for the period post 20.06.2023, i.e. the GERC Wind Solar Hybrid Tariff Order, 2023. He further submitted that during the pendency of the present Petition, the Commission issued the Wind Solar Hybrid Tariff Order No. 01 of 2024 on 22.02.2024 providing the tariff framework for Procurement of Power by Distribution licensees and Others from Wind Solar Hybrid Projects including storage, if any, and other commercial issues for State of Gujarat. Therefore, as the aforesaid tariff order providing for tariff framework for Wind Solar Hybrid Projects has already been issued by the Commission, the prayers of the Applicant/Petitioner DSPA and Applicant IWEA are deemed to be satisfied and hence, the present Petition becomes infructuous. Accordingly, it is requested the Commission to dispose of the present Petition & IAs as the same becomes infructuous.
10. Heard the Respondent. We note that when the matter was called out, nobody was present on behalf of the Applicant/Petitioner DSPA and Respondent No. 5 although the hearing notice was issued to them. We also note that the Applicant/Petitioner DSPA and Respondent No. 5 have neither remained present during today's proceedings nor made any written communication about their inability to remain present, despite being served the hearing notice to them. We also note that during the hearing on 04.02.2026, Ld. Counsel for the Applicant IWEA sought permission of the Commission for withdrawing the present IAs being IAs No. 53 of 2025 & 54 of 2025 filed by them as the Applicant is no longer willing to pursue the present IAs in view of the fact that the Commission

has passed the Wind Solar Hybrid Tariff Order No. 01 of 2024 on 22.02.2024 and accordingly, requested the Commission to permit unconditional withdrawal of the aforesaid IAs filed by IWEA in the present matter.

11. We further note the submissions of the Ld. Counsel appearing on behalf of the Respondent GUVNL that the present Petition is filed by the Applicant/Petitioner DSPA praying the Commission to issue tariff order providing the tariff framework for Procurement of Power by Distribution licensees and Others from Wind Solar Hybrid Projects for State of Gujarat. We note that the Commission has issued Order No. 01 of 2024 dated 22.02.2024 in the matter of tariff framework for Procurement of Power by Distribution licensees and Others from Wind Solar Hybrid Projects for State of Gujarat, after following the due process of law i.e., previous publication, issuance of public notices and hearing the stakeholders etc. As rightly pointed out by the counsel of GUVNL and IWEA that the prayers made in the present Petition stand satisfied by virtue of Order No. 01 of 2024 dated 22.01.2024 passed by the Commission and hence, the present Petition becomes infructuous. With consideration of the above, the present Petition and IAs became infructuous and accordingly, deserved to be disposed of.
12. In view of the above, this Petition & IAs, if any, stand dismissed and disposed of as it became infructuous .
13. Order accordingly.

**Sd/-**  
**[Hiren Shah]**  
**Member**

**Sd/-**  
**[Pankaj Joshi]**  
**Chairman**

Place: Gandhinagar.  
Date: 07/02/2026.