

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2479 of 2025.

In the Matter of:

Petition under Section 86 of the Electricity Act, 2003 read with Regulations 80 & 82 of GERC (Conduct of Business) Regulations, 2004 and Gujarat Renewable Energy Policy, 2023 & amendments thereof and Tariff Order dated 31.08.2024 praying before the Commission to exercise its powers under Section 86 of the Electricity Act, 2003 and direct the Respondent GETCO to grant extension of time for commissioning of 4.00 (3.90) MW AC Solar Power Project at Survey No. 259 Village - Dungri, Taluka-Valia District Bharuch.

Petitioner : M/s Shree Ganesh Enterprise

Represented By : Mr. Maganbhai Patel

V/s.

Respondent No. 1 : Gujarat Energy Transmission Corp. Ltd.

Represented by : Ld. Adv. Mr. Aneesh Bajaj along with
Mr. Shobhraj Jayswal

Respondent No. 2 : Gujarat Urja Vikas Nigam Limited.

Represented by : Nobody remain present

Respondent No. 3 : Dakshin Gujarat Vij Company Ltd.

Represented By : Ld. Adv. Mr. Aneesh Bajaj along with
Mr. Prashant Gandhi

CORAM:

**Pankaj Joshi, Chairman
Hiren Shah, Member
Jatin N. Thakkar, Member**

Date: 11/03/2026.

DAILY ORDER

1. The present matter was kept for hearing on 26.02.2026.
2. Mr. Maganbhai Patel on behalf of the Petitioner submitted that, the present Petition has been filed under Section 86 of the Electricity Act, 2003, read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations, 2004, the Gujarat Renewable Energy Policy, 2023 and amendments thereto, and Tariff Order dated 31.08.2024 praying before the Commission to exercise its powers under Section 86 of the Electricity Act, 2003 and direct the Respondent GETCO to grant extension of time for commissioning of 4.00 (3.90) MW AC Solar Power Project situated at Survey No. 259 Village - Dungri, Taluka-Valia District Bharuch.
- 2.1. He submitted that the Petitioner is developing a 4.00 MW (AC) Solar power project under the captive use category. Further, the Petitioner applied for grant of connectivity on 10.02.2024. It is further submitted that, although the Petitioner executed and signed the agreement on 10.02.2024, the agreement was not signed by Respondent No. 3 – DGVCL at that time. He contended that the valid connection agreement was ultimately executed only on 01.04.2025 and 02.04.2025 after proper execution by the Respondent authorities. He further submitted that, till date, no estimate towards supervision charges has been served upon the Petitioner by the Respondents. He submitted that the Technical Feasibility Report (TFR) was issued by Respondent No. 1 on 23.04.2024. The Petitioner submitted the application on 16.08.2024 for a new dedicated 11 kV solar feeder under Option-II at Valia Sub-Division, DGVCL. Further, Bank Guarantee dated 03.09.2024 for an amount of Rs. 20,00,000/- was submitted to the office of DGVCL on 03.09.2024. The said BG was valid for one year up to 01.09.2025, and DGVCL was entitled to invoke the same up to 01.09.2026. Further, on 05.09.2024, the Petitioner submitted the solar power project registration documents before GEDA. The Connection Agreement between Shree Ganesh Enterprise, DGVCL, and GETCO for the 4.00 MW (AC) solar project was

executed on 01.04.2025. It is further submitted that Commissioning of evacuation line has been adversely affected due to certain circumstances beyond the control of the Petitioner, namely: (i) ROW issue- delay in acquisition of land; (ii) Change in financial/banking policy; and (iii) Time consumed in obtaining approval from the government authorities for laying transmission line.

- 2.2. He submitted that, as per the Tariff Order, the Petitioner is required to complete the transmission line/evacuation system within one year from Stage-II allocation and to commission a minimum of 10% of the allocated capacity within one month from the date of charging of the evacuation line. The remaining capacity is required to be commissioned within one year from charging of the evacuation line. Due to unforeseen and uncontrollable circumstances, the Petitioner could not commission the project within the stipulated timeframe and therefore seeks an extension of six months for commissioning of the project. He further requested the Commission to permit change of the purpose of the agreement from third-party sale to sale of electricity to DISCOM.
3. Ld. Advocate Mr. Aneesh Bajaj appearing on behalf of the Respondent submitted that the Technical Feasibility Report (TFR) was issued by GETCO on 23.04.2024, and the Petitioner was required to complete the project along with the dedicated evacuation line within 12 months, i.e., on or before 22.04.2025. He further submitted that in terms of the Amendment Order dated 21.01.2026 in Petition No. 2564 of 2025, even assuming an additional period of six months, the extended period would have expired in October 2025. It is further submitted that the Bank Guarantee submitted by the Petitioner has already been expired on 01.09.2025 and has not been extended till date.
- 3.1. With regard to the Petitioner's grievance regarding not providing estimate for supervision charges, the representative of the Respondent submitted that the Petitioner is required to make an application before the concerned Division Office of DGVCL where the project is situated to obtain the estimate.

The onus lies upon the Petitioner to apply and obtain the estimate. He further submitted that Respondent, DGVCL, vide letter dated 10.06.2024 informed the Petitioner to submit application along with requisite document and Bank Guarantee.

- 3.2. With regard to the request for change in the purpose of the agreement from third-party sale to sale of electricity to DISCOM, it is submitted that the present Petition has been filed only for extension of time for commissioning of the 4.00 MW (3.90 MW AC) solar power project. The issue of change in purpose of agreement is distinct and separate and cannot be adjudicated in the present proceedings. The said issue would require separate and appropriate proceedings in accordance with the applicable rules and regulations.
4. In response to the query of the Commission regarding the Bank Guarantee, the Petitioner submitted that the BG dated 03.09.2024 for Rs. 20,00,000/- was valid up to 01.09.2025. He further submitted that he is willing to extend the Bank Guarantee and sought time to do so in accordance with the revised schedule.
5. Both the Petitioner and the Respondent have agreed to schedule joint meeting in order to discuss the issues involved in the Petition and thereafter file outcome of such meeting before the Commission in the present matter.
6. Heard the parties. We note that the present Petition has been filed seeking directions to Respondent GETCO to grant extension of time for commissioning of the 4.00 MW (3.90 MW AC) Solar Power Project situated at Survey No. 259, Village Dungri, Taluka Valia, District Bharuch. We further note that the TFR was issued on 23.04.2024.
- 6.1. We note the contention of the Petitioner that no estimate towards supervision charges has been served upon it. We also note the submission of the Respondent that the Petitioner is required to apply before the concerned Division Office of DGVCL to obtain such estimate and that the onus lies upon the Petitioner in this regard. It is further noted that DGVCL, vide letter dated 10.06.2024, informed the Petitioner to submit the application along with

requisite documents and BG. In view of the above, we direct the Petitioner to make an application before the concerned Division Office of DGVCL along with requisite documents. We further direct Respondent DGVCL to provide the estimate for supervision charges after due verification of documents.

- 6.2. We further note that the Bank Guarantee dated 03.09.2024 for Rs. 20,00,000/- was valid up to 01.09.2025 and the same has expired which is not further extended by the Petitioner till date. We also note that the Petitioner has expressed its willingness to extend the Bank Guarantee and has sought some time in this regard which is not objected by the Respondent. Accordingly, we direct the Petitioner to furnish the extended Bank Guarantee in accordance with the revised schedule within three weeks from the date of this Order.
- 6.3. As agreed in para 5 above regarding joint meeting for discussion of the issue involved in the present matter, we direct both the parties to discuss the issue involved in the present matter and file outcome of such meeting within three weeks from the date of this order to the Commission.
7. The next date of hearing will be intimated separately.
8. Order accordingly.

Sd/-
[Jatin N. Thakkar]
Member

Sd/-
[Hiren Shah]
Member

Sd/-
[Pankaj Joshi]
Chairman

Place: Gandhinagar.

Date: 11/03/2026.