

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2502 of 2025.

In the Matter of:

Petition under Section 86 (1) (c), (e) & (k) of the Electricity Act, 2003 and as per Clause 3.9 of the GERC Order No. 06 of 2024 dated 31.08.2024 for extension of date of grid connectivity and commissioning in respect of 1.19 MW solar plant for captive use located at Survey No. 414, Kondh, Bharuch, Gujarat.

- Petitioner No. 1 : Kenoor Organics Pvt. Ltd.,
Plot No. 5006 & 07,
GIDC Industrial Estate,
Ankleshwar - 393 002.
Dist. Bharuch, Gujarat
- Petitioner No. 2 : Kohinoor Chemical,
Plot No. C-1/7014 & C1B 7006,
GIDC Industrial Estate,
Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.
- Petitioner No. 3 : Kohinoor Organics Pvt. Ltd.,
Plot No. 7201-7203, 7211 & 7213,
GIDC Industrial Estate,
Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.
- Petitioner No. 4 : Kohinoor Colours Pvt. Ltd.,
Plot No. 7204 & 7205,
GIDC Industrial Estate,
Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.
- Petitioner No. 5 : Kohinoor Chemo Phara,
Plot No. 4720 & 4733,
GIDC Industrial Estate,
Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.
- Petitioner No. 6 : Kraft Packaging,
Plot No. 5005,
GIDC Industrial Estate,

Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.

Petitioner No. 7 : Krishna Chemicals,
Plot No. 6911 & 6910 A,
GIDC Industrial Estate,
Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.

Petitioner No. 8 : Kem Colour International,
Plot No. H-3033/1,
GIDC Industrial Estate,
Ankleshwar - 393 002,
Dist: Bharuch , Gujarat.

Represented By : Ld. Adv. Kiran Joshi

V/s.

Respondent No. 1 : Dakshin Gujarat Vij Company Ltd.
Urja Sadan, Nana Varachha Road,
Kapodara Char Rasta, Surat – Gujarat –
395 006.

Represented By : Ld. Adv. Mr. Anand Ganeshan along with
Mr. Prashant Gandhi

Respondent No. 2. : Gujarat Energy Transmission Corp. Ltd.
Sardar Patel Vidyut Bhavan,
Race Course Circle,
Vadodara – 390007, Gujarat.

Represented by : Mr. Shobhraj Jaiswal

CORAM:

Mehul M. Gandhi, Member

S.R. Pandey, Member

Date: 16/07/2025.

DAILY ORDER

1. The matter was kept for hearing on 10.07.2025.
2. At the outset Ld. Adv. Mr. Anand Ganeshan appearing on behalf the Respondent 1 DGVCL submitted that the Reply is yet to be filed in the matter.
3. Ld. Adv. Kiran Joshi appearing for the Petitioner submitted that the present Petition is filed under Section 86 (1) (c), (e) & (k) of the Electricity Act, 2003 and as per Clause 3.9 of the GERC Order No. 06 of 2024 dated 31.08.2024 for extension of date of grid connectivity and commissioning in respect of 1.19 MW solar plant for captive use located at Survey No. 414, Kondh, Bharuch, Gujarat.
 - 3.1. She submitted that the project is set to commission in short duration and invocation of bank guarantee would cause irretrievable harm to the Petitioners. The project is under the final stages of commissioning. She further submitted that the solar power generating plant is at the stage of near completion and cancellation of connectivity would cause irreparable loss to the present Petitioners. If at this stage the connectivity is cancelled or revoked than it will cause massive loss and irreparable injury to the business of Petitioners. The Petitioners have submitted the Bank Guarantees to the Respondent No. 1 DGVCL on 30.06.2025 for the power project which is required to be filed as per the RE policy.
 - 3.2. She further submitted that the VCB has been delivered to the substation after testing and the ABT meter is under testing phase. Hence, the solar generating

plant is at the stage of near completion and cancellation of connectivity would cause irreparable loss to the present Petitioners.

3.3. She submitted following reasons for delay of the power project: -

3.3.1. Due to irregular onset of monsoon season that had made the site inaccessible which led to delay in site preparation, piling work, casting work and other activities that require dry soil conditions. Such conditions were beyond the control of the Petitioners and constituted the force Majeure condition as prescribed under the tri-party agreement.

3.3.2. Delays cause due to construction of local bridge which affected the logistical side of the commissioning such as transformation of materials required for the solar plant and its transmission lines.

3.3.3. Due to global and domestic supply chain disruptions led to delay in delivery of critical components such as solar modules, transformers etc.

3.3.4. Delay is also attributable to the Respondent No. 1 DGVCL as despite having been applied for Availability Based Tariff (ABT) meter serial numbers for plant side and consumer end vide letter dated 18.01.2025, the reply from the Respondent No. 1 for approving the serial numbers was received as late as on 07.03.2025.

4. On the query of the Commission about the delay in commissioning and about the reasons of delay of power project, she submitted that the common

Technical feasibility Report (TFR) was granted on 18.03.2024, the power project was required to be commissioned within one year i.e., 18.03.2025, however, the Petitioners have requested for 6 months extension for commissioning of the power project.

5. Heard the parties. We note that the present Petition is filed by the Petitioner under Section 86 (1) (c), (e) & (k) of the Electricity Act, 2003 and as per Clause 3.9 of the GERC Order No. 06 of 2024 dated 31.08.2024 for extension of date of grid connectivity and commissioning in respect of 1.19 MW solar plant for captive use located at Survey No. 414, Kondh, Bharuch, Gujarat.
 - 5.1. We note that the Respondent No. 1 DGVCL has sought some time to file its reply in the present matter, hence let it be filed within one weeks' time with a copy to the Petitioners. Thereafter the Petitioner is at liberty to file its Rejoinder, if any, within one weeks' time with a copy to the Respondents.
 - 5.2. We direct the parties to complete their submissions, if any, with a copy to other side in the present matter before the next date of hearing.
6. The next date of hearing is kept on 24.07.2025 at 11.30 AM.
7. We Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 16/07/2025.