

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2504 of 2025.

In the Matter of:

Petition under Sections 86 (1) (c) (e) (f) and other applicable provisions of Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations, 2004 seeking extension of time period for construction of the evacuation infrastructure till the commissioning of the entire capacity of 40 MW of Wind Power Project at 220 kV Savarkundla Substation for a period of 12 months from the date of expiry of Stage I and Stage II connectivity approval, i.e., till 28.06.2026 due to unforeseen events.

Along with

IA No. 52 of 2025 in Petition No. 2504 of 2025.

In the Matter of:

Interlocutory Application filed under Section 94 (2) of the Electricity Act, 2003 read with Regulations 61 and 80 of the GERC (Conduct of Business) Regulations, 2004 seeking urgent listing of matter, interim stay / injection and appropriate interim Orders.

Petitioner/ Applicant : Sarjan Realities Pvt. Ltd.,
AP81, B Wing, 17th Floor, Mundhwa,
Pune, Maharashtra – 411 036.

Represented by : Ld. Adv. Mr. Aditya Singh

V/s.

Respondent : Gujarat Energy Transmission Corp. Ltd.
Sardar Patel Vidyut Bhavan,
Race - Course Circle,
Vadodara – 390007, Gujarat.

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

CORAM:

Mehul M. Gandhi, Member

S.R. Pandey, Member

Date: 19/08/2025.

DAILY ORDER

1. The matter was kept for hearing on 31.07.2025.
2. Ld. Adv. Mr. Aditya Singh appearing on behalf of the Petitioner, has submitted that the present Petition has been filed under Sections 86 (1) (c) (e) (f) and other applicable provisions of Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations, 2004 seeking extension of time period for construction of the evacuation infrastructure till the commissioning of the entire capacity of 40 MW of Wind Power Project at 220 kV Savarkundla Sub-station for a period of 12 months from the date of expiry of Stage-I and Stage-II connectivity approval, i.e., till 28.06.2026 due to unforeseen events.
 - 2.1 It is submitted that the Petitioner, while setting up its 40 MW wind power projects under captive mode, applied for the grant of Stage-I and Stage-II connectivity on 03.05.2024 and 05.05.2024 respectively seeking for grant of connectivity from the Respondent. The Petitioner was thereby granted with Stage-I and Stage-II connectivity on 29.06.2024. As per the procedure for 'Grant of Connectivity to Projects based on Renewable Sources to Intra-

State Transmission System' (Connectivity Procedure) approved by the Commission, the Petitioner is under an obligation to commission the evacuation system within 12 months from the date of grant of Stage -II connectivity i.e. on or before 28.06.2025. For the completion of the same, the connectivity grantee is required to undertake construction and commissioning activities related to lines, transformers, bus-bars, bays and other equipment at the Sub-station.

2.2 It is further submitted that the Respondent GETCO intimated the Petitioner about approval of Stage-II connectivity on 29.06.2024 and mentioned the condition that the Petitioner being the main developer, shall create entire infrastructure in consultation with GETCO. Also the developer shall sign a separate agreement for maintenance of common infrastructure and other issues. It is also submitted that the Respondent had stated that the Petitioner had to abide by the terms and conditions of approval of the Commission as per the Connectivity Procedure. It is also mentioned in the approval letter dated 29.06.2024 that the work could be taken up through any GETCO approved contractors at GETCO end. A kick off meeting will be held by GETCO after the payment of estimate where all the details will be explained by the Respondent.

2.3 It is also referred the letter dated 18.07.2024 which was communicated after 20 days from the grant of Stage-II connectivity where the Respondent

appraised the Petitioner about the provisional estimate of supervision charges. The Petitioner vide letter dated 23.08.2024 approached for Joint Site visit with lead generator M/s. Green Prairie Energy II Pvt. Ltd. for development of 40 MW Wind Power Project to be evacuated at 220 kV Savarkundla GETCO Sub-station.

2.4 It is further submitted that the Respondent GETCO was intimated through letter dated 11.09.2024 informed the Respondent regarding a joint visit along with the lead generator M/s. Green Prairie Energy II Pvt. Ltd. to carry out the Sharing agreement as per the GERC approved procedure for RE connectivity. It is also mentioned in the letter that the Petitioner has also informed GETCO Amreli Office regarding their planning for acquisition of land for pooling substation near by the lead generator substation for evacuating power from Petitioner's wind farm in order to minimize the line loss and thus the generation loss. It is also submitted that there were various meetings with the Lead Generator M/s. Green Prairie Energy II Pvt. Ltd. to provide the details of their site and project completion planning for construction of Pooling Sub-station but the Lead generator has not started the project activity and did not purchase the land for Pooling sub-station.

2.5 It is further submitted that vide letter dated 24.09.2024 the Petitioner referred the letter dated 18.07.2024 of the Respondent GETCO and informed that the provisional estimate of supervision charges for erection

of 66 kV metering bay for evacuation of 40 MW Wind Power Project at 220 kV Savarkundla GETCO S/S through Stage-II grantee was awarded to Petitioner's company with a validity of a year. It is also informed by this letter dated 24.09.2024 that the lead generator M/s. Green Prairie Energy II Pvt. Ltd. was awarded a project of 30 MW vide GETCO's letter dated 23.07.2023 as a lead generator has not started any site activities and still not purchased the land for pooling sub-station as well as the Wind location. The Petitioner further requested to construct bay and evacuation line from their pooling sub-station as a lead Generator or give them the permission to construct separate evacuation line and bay for their allotted capacity as mentioned in Stage-II connectivity letter for 40 MW project.

- 2.6 It is further submitted that the Petitioner received letter dated 26.11.2024 from GETCO, where it is confirmed and allotted a space for 66 kV Feeder Bay at 220 kV Savarkundla S/s. He submitted that the Petitioner was forced to sign the undertaking on Rs. 300 Non-Judicial Stamp Paper, which was submitted by the Petitioner along with true copy of board resolution and Authority letter. He referred to the conditions of undertaking and submitted that are Statutory Rights such as to approach the Commission was also disallowed by the Respondent GETCO, whereas the Petitioner can approach the Commission for any unforeseen circumstances.

2.7 It is further submitted that the final estimate was issued vide approval letter dated 12.05.2025 by Respondent GETCO after the separate bay was allocated to the Petitioner. Hence, the final estimate of supervision charges was issued after a delay of around five months after allocation of separate space for installation of bay to the Petitioner. Thereafter, vide letter dated 17.05.2025, the Petitioner submitted the demand draft for an amount of Rs. 9,28,077/-, where till date the Petitioner has not received the approval from the Respondent GETCO.

2.8 It is further submitted that only after the final estimate was granted to the Petitioner, the Petitioner was able to initiate the application for Section 68 and Section 164 approval and initiate the work on installation of the feeder bay. It is further submitted that one of the developers has approached the Hon. High Court of Gujarat for seeking stay on banking facility.

2.9 On the query of the Commission that what is the present status of the power plant? He submitted that the details of status would be filed with the written submissions by the Petitioner.

3 Ld. Adv. Mr. Aneesh Bajaj on behalf of the Respondent GETCO submitted that Stage-II connectivity approval was granted to the Petitioner for 40 MW capacity for its wind power project under Captive Mode on 29.06.2024 and if the timeline of 1.5 years is considered as per earlier Tariff Order dated 30.04.2020, the same may expire on 29.12.2025 and therefore the Petitioner

has time until 29.12.2025 for completion of the evacuation system. However, the Petitioner has on its own considered the timeline as per Tariff Order dated 31.08.2024 which was issued after the grant of connectivity which is not correct.

4 On the query of the Commission whether any provisions is made in the procedural aspects and providing the undertaking, the Respondent submitted that Petitioners are bound by previous Tariff Order dated 30.04.2020 and the Respondent has already denied the Energy Banking in previous two Petitions also. The Petitioner is seeking for extension till June 2026. On the issue of undertaking to be taken from the Petitioner, he submitted that the Respondent GETCO vide letter dated 26.11.2024 decided to allot the space to Petitioner for installation of separate bay and Petitioner has vide letter dated 28.11.2024 has submitted the undertaking on its own will as noted in the said undertaking and agreeing.

4.1 On the issue raised about the statutory rights being infringed, he submitted that the statutory Right may also be waived and on the same the submission would be filed with relevant Judgement.

5 On the query of the Commission that when the lead generator did not initiate the action on time then how could the Petitioner complete its evacuation system, and what about the other bays needed to be claimed out, the Petitioner depended on them for construction of evacuation lines. What action did the Respondent takes when it was reported to them. Did the Respondent put the

condition on the lead generator also to complete the construction of said line works? The Respondent submitted that the representative approached telephonically to the sub-division of GETCO field office regarding joint visit and a meeting. The meeting was held on 08.01.2025 at 220 kV Savarkundla S/s where various aspects were discussed. GETCO field office vide its email dated 13.01.2025 had sent the sub-station layout copy for drawing correction works for submission to be made to head office. The said email was replied by the Petitioner on 28.01.2025. The said correction by the Petitioner was done and submitted vide email dated 05.02.2025. Thereafter GETCO issued final estimate to the Petitioner on 12.05.2025.

6 In response to the said contentions being raised by the Respondent, Ld. Adv. Aditya Singh for Petitioner submitted that till the date there is no final estimate provided to the Petitioner. As of now, the Petitioner is unaware of the estimate issued by the Respondent without which approval under Section 68 and Section 164 of the Act for the transmission system is not possible. He submitted that the Petitioner would provide necessary details with written submission.

7 Heard the parties. We note that present Petition has been filed under Sections 86 (1) (c), (e), (f) and other applicable provisions of Electricity Act, 2003 read with Regulations 80 and 82 of the GERC (Conduct of Business) Regulations, 2004 seeking extension of time period for construction of the evacuation infrastructure till the commissioning of the entire capacity of 40 MW of Wind

Power Project at 220 kV Savarkundla Sub-station for a period of 12 months from the date of expiry of Stage-I and Stage-II connectivity approval, i.e., till 28.06.2026 due to unforeseen events.

8 We also note that the Petitioner has sought time to file its further submission on the queries raised by the Commission, hence, we direct the Petitioner to file its written submissions in the present matter and IA within two weeks' time. The Respondent has also sought time to file its written submission, hence, let it be filed within two weeks' time.

9 The matter is reserved for Order.

10 Order accordingly.

Sd/-

[S. R. Pandey]
Member

Sd/-

[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 19/08/2025.