

**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.

And

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

In the Matter of:

Application under Section 94 (2) of the Electricity Act, 2003 read with Regulations 61 & 80 of the GERC (Conduct of Business) Regulations, 2004 seeking urgent listing, interim stay/injunction and appropriate interim orders.

Applicant/Petitioner: Sarjan Realities Pvt. Limited
AP81, B Wing, 17th Floor, Mundhwa
Pune, Maharashtra - 411036.

Represented by : Ld. Advocates Mr. Aditya K. Singh and Mr. Vineet Gupta
V/s.

Respondent : Gujarat Energy Transmission Corporation Limited
Sardar Patel Vidyut Bhavan, Race Course,
Vadodara, Gujarat-390007.

Represented By : Ld. Adv. Ms. Srishti Khindaria alongwith Mr. Shobhraj
Jayswal

CORAM:

**Mehul M. Gandhi, Member
S.R. Pandey, Member**

Date: 27/06/2025.

DAILY ORDER

1. The above matter was kept for hearing on 25.06.2025.
2. At the outset, Ld. Adv. Mr. Aditya K. Singh on behalf of the Applicant/Petitioner submitted that the present Petition is identical and similar with the Petition filed by Cleanmax Vayu Private Limited. He submitted that the present Petition is filed by the Applicant/Petitioner being RE project developer of 40 MW Wind Power Projects under captive mode and has applied for Stage – I & II connectivity on 03.05.2024 and 05.05.2024 from the transmission system of Respondent GETCO under the provisions of Electricity Act, 2003 read with the relevant Regulations notified by the Commission. Accordingly, the Applicant/Petitioner has been granted the Stage – I & II connectivity on 29.06.2024.
 - 2.1. He submitted that as per provisions of the Detailed Procedure for Grant of Connectivity to Projects based on Renewable Sources to Intra-State Transmission System, the Applicant/Petitioner is under obligation to commission the evacuation system within 12 months from the date of grant of Stage – I & II connectivity, i.e., on or before 28.06.2025 and for the completion of the same, the connectivity grantee is required to undertake construction and commissioning activities related to the lines, transformers, bus-bars, bays and other equipment at substation. However, the Applicant/Petitioner will not be able to complete the same due to some unforeseen and uncontrollable events. Therefore, the Applicant/Petitioner is seeking reliefs for declaration with regard to unforeseen and uncontrollable events occurred affecting the creation of transmission system for evacuation of RE power from the generating station.
 - 2.2. He submitted that upon the receipt of Stage – II connectivity on 29.06.2024 under sharing basis with the lead generator, the Applicant/Petitioner requested the Respondent for a joint site visit so that the sharing agreement can be signed between the Applicant/Petitioner and lead generator, i.e., M/s Green Prairie Energy II Pvt. Limited. He submitted that the Applicant/Petitioner vide its letter dated 11.09.2024 informed the Respondent regarding the site status of the lead generator that the lead generator has not started any project activity and has not purchased any land for pooling substation. Thereafter, the meeting was held between the

Applicant/Petitioner, the Respondent and lead generator for discussing the status of lead generator. He submitted that since the delay was being caused due to non-readiness of the project by the lead generator, the Applicant/Petitioner vide letter dated 24.09.2024 requested the Respondent to grant a separate space to the Applicant/Petitioner for construction of evacuation line. Thereafter, the Respondent vide letter dated 26.11.2024 provided space to the Applicant/Petitioner at GETCO's 220 KV Savarkundla substation for installation of separate 66 KV feeder bay.

- 2.3. He further submitted that the separate space for installation of 66 KV feeder bay was granted to the Applicant/Petitioner by the Respondent upon the assurance that the evacuation system will be commissioned within stipulated time without seeking time limit extension. He submitted that Applicant/Petitioner while submitting the undertaking also requested to GETCO to issue project estimate for the installation of separate 66 KV feeder bay but the said estimate has not provided to the Applicant/Petitioner. He submitted that the meeting was conducted between Applicant/Petitioner and the Respondent wherein the request for the issuance of final estimate against the supervision charges has been made to start the connectivity activity but the same has not been provided to Applicant/Petitioner by the Respondent. He further submitted that in the absence of final estimate, it was not possible for the Applicant/Petitioner to seek the clearance under Sections 68 and 164 of the Electricity Act, 2003. He further submitted that after a delay of 5 months, the Respondent issued the final estimate to the Applicant/Petitioner for erection of 66 KV feeder Bay for evacuation of 40 MW wind power evacuation at 220 KV Savarkundla Substation of GETCO.
- 2.4. He also submitted that since the delay was caused due to inactivity of the lead generator, delay in granting of bay space and delay in grant of final estimate, the Applicant/Petitioner vide its letter dated 27.05.2025 requested the Respondent GETCO to consider the timelines of 1 year as per the Tariff Order. He submitted that due to occurrence of unforeseen events which are beyond the control of the Applicant/Petitioner, the Applicant/Petitioner by way of present Petition is seeking an extension of 12 months from the date of expiry of Stage - I & II connectivity

approval, i.e., till 28.06.2026 for the installation of the evacuation infrastructure and commissioning of the project.

- 2.5. He further submitted that the Applicant/Petitioner also filed IA being IA No. 52 of 2025 seeking interim order restraining the Respondent GETCO from taking coercive action against the Petitioner including but not limited to revocation of connectivity and encashment of bank Guarantee and also direct the Respondent GETCO to maintain status quo till the final disposal of the main Petition.
- 2.6. He submitted that the time limit for completion of transmission system is 28.06.2025 and the Applicant/Petitioner is seeking extension in the same due to the reason beyond the control of it. He requested that the Commission may admit the Petition and give time to the Respondent to file its reply, and the Petitioner may also be given 7 days' time for filing its rejoinder-in reply to reply filed by the Respondent and to keep the matter for hearing in the last week of July 2025 except Monday and Saturday.
3. Ld. Adv. Ms. Shristi Khindaria, appearing on behalf of the Respondent GETCO submitted that the issue involves in the present Petition pertaining to extension of time limit for creation of transmission system by the Applicant/Petitioner. She has no objection to admission of the Petition. Hence, the Petition may be admitted. She has also submitted that the Commission may grant 4 weeks' time to the Respondent GETCO to file reply in the matter. She also agreed to request of the counsel for the Applicant/Petitioner to keep the matter for hearing in the last week of July 2025 except Monday and Saturday.
4. In response to the above contention, the counsel for the Applicant/Petitioner argued that the connectivity is going to be terminated on 28.06.2025 and if protection is not given to the Applicant/Petitioner, the Applicant/Petitioner' connectivity will be terminated/canceled by the Respondent. Hence, it is requested to pass interim order/stay on the issue of revocation/cancelation of the connectivity by the Respondent. The counsel for the Respondent also stated that the deadline for the Connectivity is 28.06.2025 and further clarified that the continuation of the connectivity shall require continuation of bank Guarantee also.

In the absence of valid Bank Guarantee, the connectivity will be required to be canceled, and existing bank guarantee will be encashed.

5. Heard both the parties. The matter involved in the present Petition is pertaining to extension in time limit for construction and commissioning of transmission system by the Applicant/Petitioner which has been granted connectivity by the Respondent for evacuation of 40 MW RE project at 220 KV Savarkundla Sub-station of GETCO. The Applicant/Petitioner has submitted that they are unable to create the transmission system for evacuation of power due to reasons beyond their control. As the subject matter is pertaining to extension of connectivity granted to the Applicant/Petitioner. The Respondent has no objection to admission of the present Petition, we decide to admit the present Petition.
 - 5.1. Based on the above circumstances and in the interest of justice and conscience when the matter is pending before Commission, we deem it appropriate to direct the Respondent GETCO to maintain status quo regarding the connectivity till next date of hearing. We do not grant any stay or order regarding Bank guarantee. We make it clear that no equitable rights will be created in the favour of the Applicant/Petitioner by this Order.
 - 5.2. We also note that the Respondent GETCO has sought 4 (four) weeks' time to file the same. Let the same be filed within four weeks' time from the date of this Order, with a copy to the Petitioner. The Petitioner would be at liberty to file its rejoinder-in-reply if any, within a weeks' time from the date of receipt of reply from the Respondent GETCO.
6. Next date of the hearing will be intimated separately.
7. Order accordingly.

Sd/-
[S.R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 27/06/2025.