BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION

GANDHINAGAR

Order No. 05 of 2024.

In the Matter of:

Tariff Framework for Procurement of Power by Distribution licensees and Others from Wind Power Projects for State of Gujarat.

Objector No. 1	:	Gujarat Urja Vikas Nigam Limited
Represented by	:	Ld. Adv. Mr. Aneesh Bajaj with Mr. Kishore Lakhani.
Objector No. 2	:	Ganesha Wind Park Pvt. Limited
Represented by	:	Nobody was present.
Objector No. 3	:	OPWIND Energy Pvt. Limited
Represented by	:	Nobody was present.
Objector No. 4	:	Juniper Green Beam Pvt. Limited
Represented by	:	Nobody was present.
Objector No. 5	:	Opera Energy Pvt. Limited
Represented by	:	Nobody was present.
Objector No. 6	:	Indian Wind Energy Association
Represented by	:	Ld. Adv. Mr. Subham Bhatt with Mr. K.D. Patel.
Objector No. 7	:	State Load dispatch Centre – Gujarat
Represented by	:	Mr. B.N. Mehta.
Objector No. 8	:	Torrent Power Limited
Represented by	:	Nobody was present.

Objector No. 9	:	Gujarat Energy Development Agency
Represented by	:	Mr. Anil Patel and Parthik Patel
Objector No. 10	:	Palsana Enviro Protection Limited
Represented by	:	Ld. Advocates Mr. Hemant Singh and Mr. Lakshyajit Singh Bagdwal
Objector No. 11	:	APL Corporation Limited
Represented by	:	Nobody was present.
Objector No. 12	:	Nobletex Industries Limited
Represented by	:	Nobody was present.
Objector No. 13	:	Banthia Consultancy
Represented by	:	Nobody was present.
Objector No. 14	:	Kalakruti Processors Pvt. Limited
Represented by	:	Nobody was present.
Objector No. 15	:	Sachin Infra Environment Limited
Represented by	:	Ld. Advocates Mr. Hemant Singh and Mr. Lakshyajit Singh Bagdwal
Objector No. 16	:	Jaybharat Energy Pvt. Limited
Represented by	:	Ld. Advocates Mr. Hemant Singh and Mr. Lakshyajit Singh Bagdwal
Objector No. 17	:	Shree Giriraj Cotspin Pvt. Limited
Represented by	:	Mr. Vikram Shah

CORAM:

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

Date: 29/08/2025.

DAILY ORDER

1. The above matter was listed for hearing on 19.08.2025 in terms of the directions of the Hon'ble APTEL and compliance thereof to the Order dated 03.07.2025 in (i) Appeal No. 06 of 2025 & IA No. 1887 of 2024, (ii) Appeal No. 07 of 2025 & IA No. 1876 of 2024, (iii) Appeal No. 38 of 2025 & IAs No. 1903 of 2024 & 547 of 2025, (iv) Appeal No. 79 of 2025 & IA No. 2001 of 2024 and (v) Appeal No. 164 of 2025 & IA No. 08 of 2025 by issuing hearing notice to all the above Objectors on 13.08.2025 by Office of the Commission.

2. At the outset, Ld. Adv. Mr. Aneesh Bajaj, appearing on behalf of the GUVNL, submitted that the Hon'ble APTEL in its Order dated 03.07.2025 in Appeals being (i) Appeal No. 06 of 2025 & IA No. 1887 of 2024, (ii) Appeal No. 07 of 2025 & IA No. 1876 of 2024, (iii) Appeal No. 38 of 2025 & IAs No. 1903 of 2024 & 547 of 2025, (iv) Appeal No. 79 of 2025 & IA No. 2001 of 2024 and (v) Appeal No. 164 of 2025 & IA No. 08 of 2025, has set aside the Order No. 05 of 2024 dated 31.08.2024 in so for as the impugned order was given retrospective effect from 06.06.2022 and remanded the matter back to the Commission for its consideration afresh in accordance with law, after giving a reasonable opportunity of being heard to all the parties. He also submitted that the Commission while directing to issue the public notice, may also keep the hearing on any shorter date subject to its convenience and also grant some time to GUVNL to file reply/submissions in the present matter.

3. Ld. Adv. Mr. Subham Bhatt, appearing on behalf of the IWEA, Ld. Adv. Mr. Hemant Singh, appearing on behalf of Objectors No. 10, 15 & 16, and Mr. Vikram Shah for the Objector No. 17 requested the Commission to grant some time to them to file reply/submissions in the present matter.

4. When the matter was called out, nobody was present on behalf of the Objectors No. 2, 3, 4, 5, 8, 11, 12, 13, & 14 although the hearing notice was issued to them by post. We note that the aforesaid objectors 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.

5. We note that the Hon'ble APTEL has passed the Order dated 03.07.2025 in (i) Appeal No. 06 of 2025 & IA No. 1887 of 2024, (ii) Appeal No. 07 of 2025 & IA No. 1876 of 2024, (iii) Appeal No. 38 of 2025 & IAs No. 1903 of 2024 & 547 of 2025, (iv) Appeal No. 79 of 2025 & IA No. 2001 of 2024 and (v) Appeal No. 164 of 2025 & IA No. 08 of 2025 wherein the Hon'ble APTEL has set aside the Order No. 05 of 2024 dated 31.08.2024 in so for as the impugned order was given retrospective effect from 06.06.2022 is concerned and also has remanded the matter back to the State Commission for afresh consideration on the aforesaid issues stated therein, after giving reasonable opportunity of being heard to all the parties and also requested to Commission to hear and decide the matter with utmost expedition, preferably within a period of three months from the date of receipt of a copy of this order from the Hon'ble APTEL.

6. We also note that the Commission has issued the Discussion Paper on Tariff Framework for Procurement of Power by Distribution licensees

and Others from Wind Power Projects for State of Gujarat and published the public notices in the English and Gujarati newspapers and also hosted the same on its website, for inviting the comments/suggestions/objections from the stakeholders and after following the consultative process and considering the comments/suggestions/objections of the stakeholders on the subject matter, passed the Order No. 05 of 2024 on 31.08.2024 and decided the "Tariff Framework for Procurement of Power by Distribution licensees and Others from Wind Power Projects for State of Gujarat, including applicability of the aforesaid Order. Therefore, as the matter is remanded back by the Hon'ble APTEL to the Commission for afresh consideration with respect to the limited issue regarding the retrospective effect of Order No. 05 of 2024, we are of the view that a public notice is required to be issued for inviting the suggestions/objections/comments from the stakeholders. We, therefore, directed the staff of the Commission to issue a public notice in two daily Gujarati Newspapers and one English Newspaper having wide circulation in the State and invite comments/suggestions/objections from the Stakeholders and also to upload the said notices on the Commission' website and invite comments and suggestions from the Stakeholders on the subject matter on affidavit within 10 days from the date of issue of public notice. It shall be stated in the public notice that the stakeholders shall file their comments/objections/suggestions to the Secretary, Gujarat Electricity Regulatory Commission, 6th Floor, GIFT ONE, Road 5C, Zone 5, GIFT City, Gandhinagar – 382355, Gujarat in five copies along with affidavit in support of their submissions.

7. We also note that the counsels/representative appearing for GUVNL, IWEA, and Objectors No. 10, 15, 16 & 17 respectively requested the

Commission to permit them to file their reply/submissions in the matter. We further note that other Objectors have also not filed their reply/submissions in the present matter. Accordingly, 10 days' time is given to file objections, if any, in the matter. In view of the above, the matter stands adjourned in the interest of justice.

8. Next date of hearing will be intimated separately.

9. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 29/08/2025.