

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 1930 of 2021.

In the Matter of:

**Petition under Section 32 and 33 of the Electricity Act, 2003 read with
Regulation 11.18 of GERC (Grid Code) Regulations, 2013.**

Petitioner : State Load Despatch Centre - Gujarat

Represented By : Ld. Adv. Mr. Utkarsh Singh alongwith Mr. P.B. Suthar
and Mr. B. M. Shah

V/s.

Respondent No. 1 : M/s SAL Steel Limited

Represented By : Ld. Adv. Mr. Abhishek Shah

Respondent No. 2 : Gujarat Urja Vikas Nigam Limited

Represented By : Ld. Adv. Ms. Ranjitha Ramachandran alongwith Mr.
Saumil Shah

Respondent No. 3 : Uttar Gujarat Vij Company Limited

Represented By : Ld. Adv. Ms. Ranjitha Ramachandran alongwith Mr.
K.B. Chaudhari

Respondent No. 4 : Paschim Gujarat Vij Company Limited

Represented By : Nobody was present.

CORAM:

**Anil Mukim, Chairman
Mehul M. Gandhi, Member
S. R. Pandey, Member**

Date: 28/10/2024.

DAILY ORDER

1. The present matter was listed for hearing on 24.09.2024.

2. Ld. Adv. Mr. Abhishek Shah, appearing on behalf of the Respondent No. 1 submitted that the arguing Counsel Mr. Gaurav Mathur vide email dated 20.09.2024 has sought the adjournment on account of his personal difficulty and requesting for short accommodation by adjourning the matter.
3. Ld. Adv. Ms. Ranjitha Ramachandran, appearing for Respondents No. 2 & 3 while objecting the request of adjournment by the Respondent No. 1, submitted that since last three hearings, the counsel for Respondent No. 1 has sought the adjournment on one or other grounds and prolonged the present matter. As such, she submitted that the Commission may keep the hearing on any shorter day in the present matter subject to convenience of the Commission.
4. We note that the present Petition arises out of the assailed action of the Respondent No. 1 in respect of substantial deviations between the Scheduled energy and actual injection of power by the Respondent from its conventional fuel-based power plant finalized by the Petitioner in State Energy Account (SEA) as part of scheduling & despatch of electricity within the State and the issue involved in this matter is regarding Respondent No. 1 having indulged in gaming pursuant to consistent under injection qua the Schedule despite several notices being issued by the Petitioner to the Respondent No. 1 directing to maintain injection as per Schedule and also put to notice about large scale deviation by providing details of same.
 - 4.1. When the matter was called out, the Respondent No. 4 PGVCL neither remained present nor made any written communication about their inability to remain present, despite notice.
 - 4.2. We note that the matter was earlier kept for hearing on 19.05.2022 during which the Petitioner and the Respondent No. 1 had sought the adjournment. Considering the same, the Commission has passed Daily Order dated 30.05.2022 for the said hearing, deciding to adjourn the matter so as to provide an opportunity of filing reply/rejoinder reply to the parties. The matter was thereafter again listed for hearing on 30.09.2022 wherein the counsel of the Respondent No.1 has requested for an adjournment in the matter, which was also allowed by the Commission vide its Daily Order dated 29.11.2022 and accordingly, the matter was adjourned.

Thereafter, the matter was listed for hearing on 14.07.2023 and 06.01.2024 but on these days also, the Counsel for the Respondent No. 1 sought the adjournment which was allowed by the Commission vide Daily Orders dated 18.07.2023 and 05.02.2024 respectively. Even on 24.09.2024, the matter is listed for hearing, but Commission's Office has again received an email dated 20.09.2024 from the counsel of Respondent No. 1 requesting for adjournment on account of his personal difficulty in the matter, which is objected by the Respondent No. 2 & 3.

- 4.3. As the arguing counsel for Respondent No. 1 has not remained present today and sought adjournment on the ground of his personal difficulty and the Respondent No. 2 & 3 objected the adjournment as sought by the Respondent No. 1, in the interest of justice, the matter is adjourned. We also note that the matter is prolonged for one or other reasons due to adjournment sought by the Respondent No. 1. Now we decide to provide one last opportunity of hearing and adjourn the matter on account of non-appearance of the arguing counsel of Respondent No. 1 although there is objection to the same by the Respondent No. 2 & 3. We further decide to grant one last opportunity of hearing to the Respondent No. 1 prior to deciding the matter. We also make it clear that if the Respondent No. 1 does not remain present during the next date of hearing, the Commission will proceed in the matter based on the records of the present Petition and no adjournment will be granted.
5. Next date of hearing will be intimated separately.
6. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Sd/-
[Anil Mukim]
Chairman

Place: Gandhinagar.
Date: 28/10/2024