BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION

GANDHINAGAR

Petition No. 2002 of 2021.

In the Matter of:

Petition under Section 86 (b) and (e) of the Electricity Act, 2003 for refund of connectivity charges paid by those Small Scale Distributed Solar Project Developers who exercise the One Time Exist Option.

Petitioner	:	Gujarat Urja Vikas Nigam Limited
Represented By	:	Ld. Adv. Ms. Kriti Soni alongwith Mr. Kishore Lakhani
Co-Petitioner No. 1	:	Madhya Gujarat Vij Company Limited
Represented By	:	Mr. D.R. Kharva
Co-Petitioner No. 2	:	Uttar Gujarat Vij Company Limited
Represented By	:	Mr. K.A. Patel
Co-Petitioner No. 3	:	Paschim Gujarat Vij Company Limited
Represented By	:	Nobody was present.
Co-Petitioner No. 4	:	Dakshin Gujarat Vij Company Limited
Represented By	:	Mr. G. D. Bhaiya and Mr. M.P. Raval

CORAM:

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

Date: 05/07/2023.

DAILY ORDER

1. The matter was listed for hearing on 22.06.2023.

2. When the matter was called out, nobody was present on behalf of the Co-Petitioner No. 3 PGVCL nor any written communication about their inability to remain present has been made, despite notice.

3. We also note that Federation of Renewable & Consumers of Energy (FORCE), Gujarat Federation of Solar Industries (GFSI), P Solar Power, and Mr Kandarp J. Vankani were also not remained present during the today's hearing. However, Mr. Kirtikumar Shah, on behalf of FORCE, has provided the copy of his oral arguments through email dated 22.06.2023 in the matter. Mr. Parthiv Dave, on behalf of P Solar Power, through email dated 22.06.2023 stated that in respect of the present matter is listed on today's board, no advance notice is given for the said hearing in the matter. It is also alleged that it is serious lack of procedural part of the office of Commission that not to intimate to the same to him. It is further stated that due to his urgent work, he is not able to attend the hearing and accordingly sought short date for attending the hearing in the interest of Principal of Natural Justice in the matter. Mr. Kandarp Vankani, through email dated 22.06.2023 requested for adjournment on account of his health issue and requesting for another date in the matter. It is also stated that he has not received a copy of reply to his objections from the Petitioner till date. The adjournment sought by the above parties are not opposed by the Petitioners/Counsels present during the proceedings.

3.1. With regard to the submissions of Mr. Parthiv Dave that he has not received any hearing intimation letter from the Office of the Commission, on perusal of the available records with the Commission, it is observed that Office of the Commission sent a letter vide letter No. GERC/Legal/2023/No. 1069 dated 07.06.2023 to the Petitioner GUVNL with a copy to other parties including Mr. Parthiv Dave intimating that the hearing is scheduled on 22.06.2023. We also note that as per the tracking details available on the portal of India Post, Government of India, it transpires that the aforesaid hearing notice was delivered to the Petitioner on 12.06.2023 and to other parties including Mr. Parthiv Dave on 10.06.2023/12.06.2023 by Speed Post. Therefore, contention of Mr. Parthiv Dave to say that he has not received the hearing intimation notice issued by the Office of the Commission is not correct.

3.2. Having considered the request for the adjournment and there is no objection for the same by the Petitioner, the matter is adjourned.

4. Next date of hearing is on 26.07.2023 at 12:30 Hours.

5. Order accordingly.

Sd/-
[S. R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.
Date: 05/07/2023.