

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 380/MP/2023**

Subject : Petition under Section 79(1)(a) and (f) of the Electricity Act, 2003 read with Regulation 111 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 and Article 11 of the Power Purchase Agreement dated 1.6.2022 executed between the parties.

Petitioner : NTPC Renewable Energy Limited (NTPC REL)

Respondent : Solar Energy Corporation of India Limited (SECI)

Date of Hearing : **19.9.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Ramesh Babu V., Member  
Shri Harish Dudani, Member

Parties Present : Shri Venkatesh, Advocate, NTPC REL  
Shri Nihal Bhardwaj, Advocate, NTPC REL  
Shri Harsh Vardhan, Advocate, NTPC REL  
Ms. Mandakini Ghosh, Advocate, NTPC REL  
Shri Rahul Ranjan, Advocate, NTPC REL

**Record of Proceedings**

Learned counsel for the Petitioner submitted that the present Petition had been filed *inter alia* seeking an extension of Financial Closure (FC) and Scheduled Commercial Operation Date (SCOD) of the Petitioner's 500 MW Solar Power Project at Bhadla, Dist. Jodhpur, Rajasthan, on account of delay in allotment of land by the Government of Rajasthan – an event beyond the reasonable control of the Petitioner. Learned counsel submitted that pursuant to the liberty granted by the Commission, the Petitioner has also filed an additional affidavit dated 28.3.2024 to place on record the additional facts and documents. Learned counsel further submitted that in terms of the Power Purchase Agreement dated 1.6.2022 entered into with SECI; the Petitioner was required to achieve FC by 16.4.2023 and SCOD by 16.10.2023. However, by way of its letters dated 2.2.2023 and 16.1.2024, the timeline for achieving the FC and SCOD has been extended by SECI to 30.6.2024 and 31.12.2024, respectively. However, out of the total allotted land of 2250 acres for the Project, only 1480 acres of land have been physically demarcated on-site, whereas the remaining 770 acres, constituting one-third of the total land, remain un-demarcated and unavailable for development. Accordingly, the Petitioner is praying to extend the SCOD of the Project by June 2025.

2. In response to the specific query of the Commission regarding the Petitioner having approached SECI for further extension in view of the stated events/developments, learned counsel for the Petitioner submitted that by letter dated 28.3.2024, the Petitioner had written to SECI pointing out the delays in the allotment of the Govt. land and seeking an extension of SCOD till June 2025. However, no response was received from SECI in this regard.

3. Learned counsel for the Respondent, SECI accepted the notice and sought time to file a reply. Learned counsel submitted that previously SECI has granted an extension to the Petitioner for achieving the FC and SCOD. However, insofar as its letter dated 28.3.2024 is concerned, SECI has not received any such letter from the Petitioner. Learned counsel further submitted that the Petitioner may write to SECI again on the above aspect, which will be considered by SECI in an appropriate manner.

4. Considering the submissions made by the learned counsel for the parties, the Commission ordered as under:

(a) Issue notice on maintainability as well as merits, subject to just exceptions;

(b) The Respondent is to file its reply on maintainability as well as merits within two weeks with a copy to the Petitioner, who may file its rejoinder, if any, within two weeks thereafter.

(c) In the meantime, SECI is to furnish its response to the Petitioner's request dated 28.3.2024 for the extension of SCOD till 30.6.2025.

5. The Petition will be listed for hearing on **19.11.2024**.

**By order of the Commission**

**Sd/-**

**(T.D. Pant)**

**Joint Chief (Law)**