

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

Petition No. 2396 of 2024.

In the matter of:

Petition under Section 86 (1) (f) and Section 86 (1) (k) of the Electricity Act, 2003 for permission to use evacuation approval granted for development of Type - B 30 MW Wind-Solar (Hybrid) Project at 66 kV Kagwad, Gujarat as approval for development of solar project on account of guidelines issued by the Ministry of Defence and extension of time for completion of evacuation and commissioning of project.

And

IA No. 35 of 2024 in Petition No. 2396 of 2024.

In the matter of:

Application for Petition for Interim Reliefs and Directions on behalf of the Applicant/ Petitioner with supporting affidavit.

Applicant/Petitioner : M/s Onix Trans Power Private Limited

Represented by : Ld. Advocates Mr. Purusharth Singh and Ms. Humera Niyazi

V/s.

Respondent No. 1 : Gujarat Energy Transmission Corporation Limited

Represented By : Ld. Adv. Ms. Ranjitha Ramachandran alongwith Mr. S.K. Nair and Mr. Shobhraj Jayswal

Respondent No. 2 : Gujarat Energy Development Agency

Represented By : Mr. Anil Patel

Respondent No. 3 : Ministry of Defense, Govt. of India

Represented By : Nobody was present.

CORAM:

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

Date: 23/12/2024.

DAILY ORDER

1. The matter was kept for hearing on 18.12.2024.

2. At the outset, Ld. Adv. Mr. Purusharth Singh, appearing on behalf of the Petitioner, submitted that pursuant to last hearing held on 04.12.2024, the Petitioner has filed two IAs, viz, (i) IA seeking deletion of name of the Respondent No. 3 Ministry of Defence, Govt. of India and (ii) IA seeking for impleadment of National Institute of Wind Energy in the present matter which are yet to be registered and numbered. It is submitted that National Institute of Wind Energy is authority from whom NOC is to be sought before a wind project may be developed in certain demarcated areas. Therefore, National Institute of Wind Energy is necessary party in the present Petition. He also submitted that the Petitioner has extended the validity of bank guarantee up to May 2026. He requested the Commission to allow the said applications filed on 16.12.2024.
3. Ld. Adv. Ms. Ranjitha Ramachandran, appearing on behalf of the Respondent GETCO submitted that the Respondent GETCO does not want to file its reply to IAs with regard to (i) deletion of name of the Ministry of Defence, Govt. of India and (ii) impleadment of National Institute of Wind Energy in the present matter. She further submitted that the Commission has passed the Daily Order dated 12.12.2024 wherein the Commission has recorded that the Applicant/Petitioner has agreed to file the date wise details as to when did they approach MoD and others for the Project feasibility, the details of communications being done between the parties for the development of the Petitioner's Wind Solar Hybrid power Project, the status of project related activities initiated by the Petitioner including the connectivity granted by the concerned authority, details of proportion of solar and wind capacity worked out at initial stage under wind solar (Hybrid) Power project, and activities started to set-up and commencement of solar power project infrastructure works, which include various functions related to project execution relating to transmission system etc.. However, the said details are yet to be provided by the Applicant/Petitioner. Therefore, the Commission may direct the Applicant/Petitioner to provide the same at earliest in the present matter. She also requested the Commission to grant one week' time to file response/submissions to rejoinder reply dated 16.12.2024 of the Petitioner for which two weeks' time has been sought for.
4. In response to the above, the counsel appearing for the Applicant/Petitioner, has agreed to provide the same for which one further week' time has been sought for. It is requested that the matter may be listed on any shorter date subject to convenience of the Commission.
5. We have considered the submissions made by the parties. We note that the Applicant/Petitioner has filed two IAs, viz, (i) IA seeking deletion of name of the Respondent No. 3 Ministry of Defence, Govt. of India and (ii) IA seeking for impleadment of National Institute of Wind Energy in the present matter on 16.12.2024 and the said applications are still pending registration. Let the said Interlocutory Applications be registered and numbered in accordance with law, if not already get registered and numbered. We also direct the staff of the

Commission to list the aforesaid IAs along with the present Petition, after registration.

- 5.1. We also note the submissions of the counsel for the Respondent GETCO that the Applicant/Petitioner has not provided the date wise details as to when did they approach MoD and others for the Project feasibility, the details of communications being done between the parties for the development of the Petitioner's Wind Solar Hybrid Power Project, the status of project related activities initiated by the Petitioner including the connectivity granted by the concerned authority, details of proportion of solar and wind capacity worked out at initial stage under wind solar (Hybrid) Power project, and activities started to set-up and commencement of solar power project infrastructure works, which include various functions related to project execution relating to transmission system etc, in terms of the Commission's Order dated 12.12.2024. Hence, we direct the Applicant/Petitioner to provide the same, if any, within one week, with a copy to the Respondents from the date of this Order. The Respondents would be at liberty to file its submissions/responses, if any, within two weeks' time after receipt of submissions from the Applicant/Petitioner with a copy to them.
- 5.2. With joint concurrence of the parties, the next date of hearing will be on 07.01.2025 at 11:30 Hours.

6. Order accordingly.

Sd/-
[S.R. Pandey]
Member

Sd/-
[Mehul M. Gandhi]
Member

Place: Gandhinagar.

Date: 23/12/2024.