

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:  
Shri Gireesh B.Pradhan, Chairperson  
Shri A.K.Singhal, Member  
Shri A.S.Bakshi, Member**

**Date of Hearing: 4.9.2014  
Date of Order: 8.9.2014**

**Petition No. 304/MP/2013**

**In the matter of**

Petition for adjustment of generation tariff and other consequential reliefs.

**And  
in the matter of**

Godawari Green Energy Limited  
Hira Arcade, Pandri, Raipur-492 001

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 312/MP/2013**

**In the matter of**

Petition under Section 79 of the Electricity Act, 2003 for grant of compensatory tariff on account of depreciation in rupee.



**And  
in the matter of**

Rajasthan Sun Technique Energy Private Limited

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**I.A.No. 42/2014  
in  
Petition No. 313/MP/2013**

**In the matter of**

Application for stay

**And  
in the matter of**

Rajasthan Sun Technique Energy Private Limited

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**



**I.A.No. 41/2014  
in  
Petition No. 327/MP/2013**

**In the matter of**

Application for stay.

**And  
in the matter of**

Diwakar Solar Projects Limited, Hyderabad

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**I.A.No. 40/2014  
in  
Petition No. 14/MP/2014**

**In the matter of**

Application for stay.

**And  
in the matter of**

KVK Energy Venture Private Limited  
6-3-1109A/1, 3rd FLOR,  
Navabharath Chamber,  
Raj Bhawan Road, Hyderabad-500 082

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,



Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**I.A.No. 39/2014  
in  
Petition No. 16/MP/2014**

**In the matter of**

Application for stay

**And  
in the matter of**

MEIL Green Power Limited  
S2 Technocrat Industrial Estate,  
Balanagar, Hyderabad

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**IA.No. 38/2014  
in  
Petition No. 41/MP/2014**

**In the matter of**

Application for stay.



**And  
in the matter of**

Aurum Renewable Energy Limited,  
"Aurum Platz" B N Cross Lane  
Pandita Ramabai Marg  
Mumbai- 400007

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**

**Petition No. 42/MP/2014**

**In the matter of**

Petition for adjustment of tariff, extension of time for execution of project and other consequential reliefs.

**And  
in the matter of**

Corporate Ispat Alloys Limited  
601, Tulsiani Chambers, Nariman Point,  
Mumbai- 44002

**Petitioner**

**Vs**

NTPC Vidyut Vyapar Nigam Ltd,  
Core-7, SCOPE Complex,  
Institutional Area, Lodhi Road,  
New Delhi-110003

2. Union of India  
Ministry of New and Renewable Energy,  
Block-14, CGO Complex,  
Lodhi Road, New Delhi-110003

**Respondents**



**Following were present:**

1. Shri Ramjee Srinivasan, Senior Advocate, MEIL
2. Ms. Kanika Chugh, Advocate, MEIL
3. Ms. Shagun Jain, Advocate, MEIL
4. Ms. Anushan Nagarajan, Advocate, MEIL
5. Shri Sakiya Choudhery, Advocate, SPCL, KVK, GGEL & MEIL
5. Shri Shantanu Singh, Advocate, DSPL & KEVPL & MGPL
6. Shri Sitesh Mukherjee, Advocate, CIAL
7. Shri Aditya Mathur, Advocate, CIAL
8. Ms Anushree Badhan, Advocate, NVVNL
9. Shri Dharmendra Singh, NVVNL
10. Shri P.K.Mahajan, NVVNL
11. Shri R.K.Gupta, NVVNL
12. Shri Sanjay Vanghere, DSPL
13. Shri Hasan Murtaza, Advocate, RSTEPL
14. Shri Amit Arora, GGEL

**ORDER**

The Commission in its order dated 1.7.2014 in Petition No. 327/MP/2013 and other related petitions had issued the following directions:

"5. We have heard the learned senior counsel and counsels for the parties. After considering the letter of MNRE, we deem it appropriate to grant time till 31.8.2014 to the concerned authorities in terms of para 4.4 of the Guidelines to take a decision in the matter. Accordingly, we allow time till 31.8.2014 to the concerned authorities to consider and dispose of the representation of the petitioners. Till the next date of hearing, NVVN is directed to maintain *status quo* and not to encash the Performance Bank Guarantee of the petitioners. The petitioners are directed to keep the Performance Bank Guarantee valid taking into account the extended time in line with terms and conditions of their respective PPA."

2. It is noted that Ministry of New and Renewable Energy (MNRE) vide its letter dated 28.8.2014 addressed to the Secretary of the Commission has requested for extension of the date for consideration of the representations of the petitioners by two



months i.e till 31.10.2014. The relevant extract of the said letter dated 28.8.2014 is as under:

"2. As per CERC's Order, MNRE is expected to consider and dispose off the representations of the petitioners (for extension of SCD of their projects) by 30.8.2014. However, the present position is that while the report of the Expert Committee that was deputed by the Ministry for assessment of the projects' status has been received in the second week of July, 2014, it has taken some time for its consideration in the Ministry and in further processing and finalization of the proposals for consideration of Hon'ble Minister (NRE). Considering the complexity of the issues involved, it is expected that it will take at least another 6-8 weeks for this Ministry to take a final view and dispose off the Petitioner's representations after due approval of the Competent Authority. It is accordingly requested that CERC may consider to further extend the specified limit of 31.8.2014 for consideration and disposal of the SPDs representations by the concerned authorities mentioned in para 4.4 of the Guidelines by another two months viz.till 31.10.2014. "

3. We have heard the learned senior counsel and the counsels for the parties. After considering the request of MNRE, we allow time till 31.10.2014 to the concerned authorities to consider and dispose of the representations of the petitioners. Till the next date of hearing, NVVN is directed to maintain *status quo* and not to encash the Performance Bank Guarantee of the petitioners. The petitioners are directed to keep the Performance Bank Guarantee valid taking into account the extended time in line with terms and conditions of their respective PPA.

4. The IAs are disposed of in terms of the above.

5. The petitions shall be listed for hearing on 20.11.2014.

**Sd/-**  
**(A.S.Bakshi)**  
**Member**

**sd/-**  
**(A.K.Singhal)**  
**Member**

**sd/-**  
**(Gireesh B.Pradhan)**  
**Chairperson**

