

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 407/MP/2019**

**Coram:  
Shri P. K. Pujari, Chairperson  
Dr. M.K. Iyer, Member  
Shri I.S.Jha, Member**

**Date of Order: 12<sup>th</sup> December, 2019**

**In the matter of:**

Petition under Sections 28, 29, 79 and 129 of the Electricity Act, 2003 seeking appropriate direction for implementation of the Ministry of Power's order dated 28.6.2019 on the issuance of unconditional, irrevocable and revolving Letter of Credit.

**And  
In the matter of**

Dhursar Solar Power Private Limited  
Reliance Centre, Near Prabhat Colony,  
Off Western Express Highway,  
Santacruz East, Mumbai

.....**Petitioner**

**Vs**

Adani Electricity Mumbai Limited  
Devidas Lane, Off SVP,  
Near Devidas Telephone Exchange,  
Borivali (W), Mumbai-400 092

Power System Operation Corporation Limited  
B-9, Qutab Institutional Area,  
Katwaria Saria, New Delhi-110 016

Northern Regional Load Despatch Centre  
18-A, Shaheed jeet Singh Sansalwal Marg,  
Katwaria Saria,  
New Delhi-110 016

.....**Respondents**

**The following were present:**

Shri Buddy A. Ranganadhan, Advocate, DSPPL  
Shri Venkaesh, Advocate, DSPPL  
Ms. Nishtha Kumar, Advocate, DSPPL  
Shri Ashutosh K. Srivastava , Advocate, DSPPL  
Shri Pashant Garg, NRLDC  
Shri Alok Kumar, NLDC

## ORDER

The Petitioner, Dhursar Solar Power Private Limited, has filed the present Petition along with the following prayers:

“(a) Admit the present Petition;

(b) Hold and declare that the Respondents are bound to act in accordance with the directions in the MoP order dated 28.6.2019 (as amended and clarified);

(c) Direct the Respondents, including AEML to take all steps in opening an LC as mandated in the MoP order dated 28.6.2019 (as amended and clarified) and as per Clause 12.3 of the EPA, with a validity of one year from the date of amendment and should cover all the bills dated on/after 1.10.2018 and prior to its expire date;

(d) Direct AEML to pay costs of this Petition.”

2. During the course of hearing, learned counsel for the Petitioner submitted that the present Petition has been filed seeking directions to the Respondents to enforce the directives contained in the Ministry of Power order dated 28.6.2019 ensuring that the Respondent, Adani Electricity Mumbai Limited (AEML) issues a fresh and proper LC in the accordance with the order of Ministry of Power. Learned counsel submitted that as per said order dated 28.6.2019, AEML is required to open unconditional LC in favour of the Petitioner. However, AEML has opened a conditional LC which is contrary to the said order.

3. The Representative of NLDC submitted that as per Ministry of Power order dated 28.6.2019, the Petitioner is required to approach the NLDC for appropriate relief. However, the Petitioner did not approach the NLDC in this regard.

4. Taking note of the submission of the Representative of NLDC, we direct the Petitioner to approach the NLDC and RLDC for appropriate action in terms of the Ministry of Power order dated 28.6.2019.

5. The Petition No. 407/MP/2019 is disposed of in terms of the above.

**Sd/-**  
**(I. S. Jha)**  
**Member**

**Sd/-**  
**(Dr.M.K.Iyer)**  
**Member**

**Sd/-**  
**(P.K. Pujari)**  
**Chairperson**