

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.77/MP/2016**

Subject : Petition under Article 13 of the Power Purchase Agreement dated 22.4.2007 read with Clause 4.7 of the Competitive Bidding Guidelines and Section 79 of the Electricity Act, 2003.

Date of hearing : 15.11.2016

Coram : Shri Gireesh B. Pradhan, Chairperson  
Shri A.K. Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K. Iyer, Member

Petitioner : Coastal Gujarat Power Limited

Respondents : Gujarat Urja Vikas Nigam Ltd. & Others

Parties present : Shri Amit Kapur, Advocate, CGPL  
Shri Kunal Kaul, Advocate, CGPL  
Shri Bijay Kumar Mohanty, CGPL  
Shri M.G. Ramachandran, Advocate, GUVNL  
Ms. Anushree Bardhan, Advocate, GUVNL  
Ms. Swapna Seshadri, Advocate, PSPCL

**Record of Proceedings**

Learned counsel for the petitioner submitted that the present petition has been filed under Article 13 of the PPA for seeking a declaration that the notification of Ministry of Environment, Forest and Climate Change (MoEFCC) dated 7.12.2015 Notification dated 7.12.2015, which has been issued after the cut-off date i.e. 30.11.2006, amounts to Change in Law. Learned counsel further submitted that through the said notification, MOEFCC has revised the emission norms and all generating companies, including the generating companies which have already commissioned its power projects, are required to comply with the provisions of the said notification within a period of two years from the date of notification.

2. Learned counsel for the petitioner submitted that during the last hearing, the Commission observed that a view regarding the implementation of the revised environmental norms would be taken in consultation with CEA. However, no view has been received from CEA. Learned counsel for the petitioner further submitted that subsequently a similar petition has been filed by Sasan Power Limited i.e. Petition No. 133/MP/2016 which is listed for hearing on 20.12.2016 and requested to list both the petitions together.

3. The Commission directed the staff of the Commission to make a complete proposal regarding the implementation of environmental norms in respect of the generating stations regulated by the Commission and seek views of the CEA in time bound basis.

4. The Commission directed to list the present petition and Petition No. 133/MP/2016 filed by Sasan Power Ltd. for hearing after receiving the views of CEA.

**By order of the Commission**

**Sd/-  
(T. Rout)  
Chief (Law)**